



TEXAS EDUCATION AGENCY

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September 20, 2007

Mr Phil Worsham, Superintendent
Joaquin Independent School District
11109 Hwy 84 E
Joaquin, Texas 75954

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Information
Only

Subject: LEA Determinations

Dear Mr. Worsham:

In accordance with Section 616(a)(1)(C)(i) of the Individuals with Disabilities Education Act of 2004, and 34 Code of Federal Regulations (CFR) §300.600(a), of the implementing federal regulations, states are required to make "Determinations" under Section 616(d) on the performance of Local Education Agencies (LEA) programs. Essentially, "Determinations" are a way of designating the status of each LEA in relation to one of four categories: (1) Meets Requirements, (2) Needs Assistance, (3) Needs Intervention, and (4) Needs Substantial Intervention. As implied, these categories represent various intensities of technical assistance and/or intervention. Each state is required to make a determination using these categories for each and every LEA within the state on an annual basis.

In making these determinations, states are required to consider the following components:

- (1) LEA performance on compliance indicators in the State Performance Plan (SPP);
- (2) whether the data submitted by the LEA are valid and reliable;
- (3) uncorrected noncompliance from other sources (monitoring, complaints, and due process hearings); and
- (4) any audit findings.

In addition to these requirements, states may also consider LEA performance on results indicators (such as those in the Performance-Based Monitoring Analysis System), and other information it deems relevant. In this first year of determinations, Texas is using only the required components from the list above, specifically components #2-#4, as the state reported no State Performance Plan (SPP) LEA compliance indicators. For the 2006 Determination Process, which includes data and information from 2005-2006, the Determination for Joaquin Independent School District is Meet Requirements. No action is needed from your LEA at this time. The LEA Determination Process is not subject to public reporting by the Agency; however, LEAs are strongly encouraged to share this information with their community.

Beginning this year and continuing over the next two to three years, Texas will develop a Determination Process that includes not only the required components but also other relevant data and information to address the unique context of the state. The development of this process will occur through a consensus building model involving stakeholders that will result in a system that is reflective of a LEA's status in regard to the provision of services for students with disabilities. Additional information regarding the LEA Determination process may be found at <http://www.tea.state.tx.us/special.ed/spp/leadetermin.html>.

If you have any questions concerning the Determination Process or this letter, contact the TEA Division of IDEA Coordination at (512) 463-9414.

Sincerely,

Susan Barnes
Associate Commissioner for Standards and Programs

cc: Tam Hearnberger, Special Education Director, Joaquin Independent School District
Elizabeth Abernethy, Executive Director, Region VII Education Service Center
Nancy Lambert, Special Education Contact, Region VII Education Service Center