



Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

Via Certified Mail,
Regular Mail & Email

November 7, 2024

BOARD OF TRUSTEES

227-901

Mr. Matias Segura, Superintendent
Austin Independent School District
4000 S. IH 35 Frontage Rd.
Austin, Texas 78704

NOV 8 2024

AUSTIN I.S.D.

Ms. Arati Singh, Board President
Austin Independent School District
4000 S. IH 35 Frontage Rd.
Austin, Texas 78704

RE: Notice of Non-Compliance with Agreed Order and Cure Period Extension to Austin Independent School District

Dear Mr. Segura and Ms. Singh:

As you are aware, effective September 28, 2023, the Austin Independent School District (“district” or “ISD”) and the Texas Education Agency (“TEA” or “agency”) entered into an Agreed Order (“agreement”) to bring Austin ISD into compliance with federal and state special education requirements and establish necessary governance and administrative conditions to achieve compliance. As part of the agreement, I appointed Sherry Marsh and Lesa Shocklee as the monitors to assist the district in meeting these milestones. According to the monitors’ reports over the last year, the district met the requirements of Priority I by completing the identified outstanding evaluations. Austin ISD is also complying with implementation requirements of Priorities II and IV. Considering the district’s deficiencies prior to the monitors’ appointments, Austin ISD and the district’s special education staff have made identifiable progress toward meeting the priorities and deadlines set forth in Priorities I, II, and IV.

However, with regard to Priority III, the district has not met the last three required reporting deadlines to provide accurate data. First, with regard to the August 1, 2024 deadline, while timely submitted, the report failed to demonstrate all required elements set forth in Priority III. This indicates that the district still has not established a system to facilitate accurate reporting on the district’s federal and state special education requirements. Second, with regard to the September monthly report, while again submitted timely by the district, the report continued to contain similar errors. The agency reported these deficiencies to the district in writing and, consistent with the terms of the Agreed Order, TEA offered the district an opportunity to cure the deficiencies by September 20, 2024. While the district improved the reported data submitted on September 20, 2024, it was unable to cure all issues by the agency’s deadline. Third, with regard to the October 1, 2024 deadline, the required reports continue to contain errors.

Given the inability of the district to demonstrate meeting the requirements of Priority III, Austin ISD is in violation of the agreement. Pursuant to the terms of the agreement, it is within my authority to escalate the intervention by elevating the monitor appointments to conservator

appointments. However, after discussions with district officials regarding the limitations of Austin ISD's information technology (IT) infrastructure and systems, I have decided to provide the district with an opportunity to issue a request for proposals and make the upgrades required to resolve their special education reporting issues. Accordingly, I am staying the elevation of the intervention until September 1, 2025. If the district has not upgraded IT systems and produced to the agency error-free reports per the agreement by this deadline, then effective September 1, 2025, the monitors shall be elevated to conservators. In the interim, Austin ISD shall continue to report progress and outcomes on initial evaluations and eligibility determinations to the agency monthly. For the other data reporting requirements identified in Priority III, Austin ISD leadership will work with the assigned monitors to ensure those elements are managed effectively until a new data system is operational.

It is my sincere desire that the district works with the monitors to expeditiously meet the extension deadline and terms of the agreement. Except for the extension provided by this letter, all terms of the agreement shall remain in full effect. Furthermore, the agency reserves all of its rights in the agreement. If you have questions regarding this correspondence, please contact Garrett Black, Director of Governance Interventions at (512) 463-9146 or Garrett.Black@tea.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Morath', with a stylized flourish at the end.

Mike Morath
Commissioner of Education

MM/lm