

## **SPP Comments from Texas**

### **Burden Hour Estimates**

OSEP notes in its Supporting Statement that it estimates an average of 5 hours to run reports or obtain relevant information from State staff regarding the correction of findings of noncompliance related to SPP/APR compliance indicators, analyze data, and complete data entry. It is unclear if this estimate is only considering the first year requirements for SPPI 18 or whether it also includes the phase-in requirements. The State anticipates many more hours to complete the requirements for SPPI 18 once the phase-in process is launched. To that end, we ask you to please take a careful look at the SPP/APR submission tool template and reduce burden and duplicative fields where allowable.

### **SPPI 4A/B Suspension/Expulsion**

OSEP states that the reason for the changes to SPPI 4A and 4B is for OSEP to analyze and determine the reasonableness of a State's methodology for identifying significant discrepancies in LEAs. At this time, the State is only aware of one factor that it might consider in determining reasonableness of a State's methodology and that is whether none, or a very low percentage of, the State's LEAs are being examined for significant discrepancy. In the Comments and Discussion document, OSEP notes – in response to a comment about this change being an additional time burden to LEAs – that the data collection is already required and that States are already required to engage in stakeholder engagement activities. The document further describes how stakeholder engagement should have already informed the State's definitions of significant discrepancy and how the definitions ensure the State is appropriately analyzing and identifying LEAs. That said, we request that OSEP work to quantify, provide a definition, clear expectations, or a rubric to measure how OSEP will “determine reasonableness” of states' methodologies and definitions. Because continuous stakeholder engagement is critical to both improved compliance and student outcomes, states need to be aware of factors that OSEP will consider in determining reasonableness.

### **SPPI 18 General Supervision**

- While the phase-in approach of this indicator is appreciated, the State still has some concerns with the initial reporting for this indicator in the FFY 2023 submission (Feb 2025). As the guidance document OSEP QA 23-01 was issued in July 2023, and the document supersedes all former general supervision guidance, we note that one of the primary measurements included in this indicator is the total number of findings of noncompliance for FFY 2022. As this indicator also requires the data and actions to be consistent with OSEP QA 23-01, the State asks that OSEP once again consider pushing back this indicator to the FFY 2025 (Feb 2027) SPP/APR, as that gives States ample opportunity to ensure robust supervision systems are in place using the 23-01 standards. That would ensure both the FFY 2024 and FFY 2025 data aligns with the 23-01 document.