



Via Email (sunset@sunset.state.tx.us)

October 17, 2014

Sunset Advisory Commission
P.O. Box 13066
Austin, TX 78711

RE: Comments on Sunset Advisory Commission Staff Report on the Texas Education Agency,
Issue 2 – Engagement and Relationship with Stakeholders

Dear Sunset Advisory Commission:

Disability Rights Texas (DRTx) is the federally designated legal protection and advocacy agency for people with disabilities in Texas. Our mission is to advocate, protect and advance the legal, human and service rights of people with disabilities.

The Texas Council of Administrators of Special Education (TCASE) is a professional association comprised of nearly 1,200 members who administer and support special education programs in public schools throughout Texas.

We appreciate the opportunity to submit joint comments on your staff report on the Texas Education Agency (TEA), dated October, 2014. Specifically, we have comments on issue number two in the staff report regarding TEA's engagement of the public and stakeholders for input.

Issue 2 – Stakeholders Relations and Input

The staff report covers several issues regarding TEA. These joint comments are limited to one issue, identified by Commission staff as issue number two: "TEA Does Not Effectively Manage Public Involvement to Obtain the Greatest Value From Its Stakeholder Input." On issue number two, Commission staff present two recommendations.

First, we appreciate the continued focus of the Commission of this critical topic. We agree with the staff's statement that "public involvement is vital to the agency's operations."

While we acknowledge that often the TEA has included our organizations in stakeholder meetings involving special education for students with disabilities and taken our input, we have observed that there remains a need for improvements. We hope that the information we share on this matter will assist in the Commission's determination of final recommendations.

Based upon our experiences, there are two aspects of public and stakeholder engagement where we see a need for reform: **notice and access to information**. **Regarding notice**, our experience is that there is no public announcement of the formation of TEA advisory bodies and informal workgroups. Unless you are invited to join, members of the public and stakeholder organizations have no information that TEA is creating or calling together an advisory body or informal workgroup. The public and stakeholder organizations would benefit from a mandate that TEA must announce or post a notice that a new advisory body or an ad hoc workgroup is in the process of being formed. Further, the public and stakeholder organizations would benefit from a provision that mandates that TEA must accept nominations for membership. The typical practice appears to be that TEA picks the individuals to be members on these advisory bodies and working groups. We are not suggesting that TEA be denied any administrative discretion, but the likelihood of a more diverse and representative membership increases if the pool of potential appointees is larger. Finally on the topic of notice, our experience is that often there is either short, incomplete, or no public notice of the meetings of TEA's advisory bodies, stakeholder groups, and informal workgroups. The public and stakeholder organizations cannot attend meetings if there is either limited or no information available on the date, time, place, and subject of the meetings.

Regarding access to information, our experience is that there is very limited public availability of materials discussed and distributed during the meetings of TEA advisory bodies and informal workgroups. Unless you attend in person, members of the public and stakeholder organizations cannot easily get copies of the information shared with an advisory body or working group. The public and stakeholder organizations would benefit from a mandate that TEA must post on its website all approved minutes, presentations, and handouts from a meeting of an advisory body and workgroup. At a minimum, the public and stakeholder organizations would benefit from a mandate that TEA must list a staff contact person or dedicated email address for requesting meeting materials.

In closing, our examination of the staff report recommendations on Issue 2 is positive. We believe that they are justified and will be of assistance. Incorporation of further detail into the Commission's final recommendations in light of our experiences would enhance the operation of TEA and the achievement of its mission.

Thank you for this opportunity during the sunset review process to offer these observations on a critical aspect of TEA as it relates to students with disabilities in special education in Texas. We note and acknowledge that these comments will be considered public information and subject to disclosure under Chapter 552 of the Texas Government Code, commonly known as the Public Information Act.

Sincerely,

Disability Rights Texas and Texas Council of Administrators of Special Education

Contacts:

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