



Building Capacity for High-Quality *IDEA* Data

A graphic consisting of the letters 'i i 18' in a white, outlined font, set against a background of a green bar chart with a white line graph overlaid.

**IDC Interactive Institutes 2018**  
**Building a Culture of High-Quality Part B Data**

# OSEP Updates

**Orlando, FL – February 21-22, 2018**

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**Austin, TX – March 7-8, 2018**

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# Johnny Collett

## OSERS Assistant Secretary



# Data Updates

- Thank you for your work to submit your 618 State Reported Data
  - Increase in the timeliness, completeness and accuracy of data submissions
  - December submission of IDEA Part B assessment data showed improved timely, complete and accurate assessment data
- Assessment resubmission period closed last week
  - Appreciate your responses to our data quality queries

# Data Updates (cont)

- In January OSEP released the 2015-16/2016 IDEA Section 618 Part B and Part C data files and static tables
- Similar to previous years' releases, with one change to dispute resolution
  - GAO study on Dispute Resolution (GAO 14-390) issued August 2014
  - GAO requested greater transparency on hearing decisions made within timelines vs within extended timelines
  - Columns added to specify the number and percentage of decisions made within extended timelines

# Data Updates (cont)

- IDEA Section 618 data quality reports are posted on OMB Max and are critical to our understanding your data submission. Give OSEP input on new format.
- Watch for communication on Child Count and Ed Environments data that are due on April 4<sup>th</sup>
- Stay tuned for information on a webinar about the 4 new data elements in the MOE Reduction and CEIS data collection
- Does your State have a State-defined Alternate Diploma? If so, will you be reporting graduates in November?
- Data Displays will be published a bit later this year (not at the same time as the determinations letters)

# 2019 Budget Protected IDEA Funds

“The President’s budget request expands education freedom for America’s families while protecting our nation’s most vulnerable students.”

- One of six major themes: Supporting high-quality special education services to children with disabilities
- Other themes include better choices for families, new and alternative pathways to successful careers, promoting innovation and reform around STEM, implementing school-based opioid abuse prevention strategies and making the Department for efficient while limiting the Federal role in education

# President's 2019 Budget Request

- \$ 12.8 billion to maintain the Federal investment in the Individuals with Disabilities Education Act State formula grant program to help offset the cost of providing special education and related services to approximately 6.8 million children with disabilities
- \$ 222 million for discretionary grants to States, institutions of higher education, and other organizations to support a variety of activities to help ensure that high-quality special education and related services are available to meet the unique needs of children with disabilities and their families

# 2019 Budget Request

## Grants to States Program

<u>2017</u>	<u>2018 Annualized CR</u>	<u>2019 Request</u>
\$11,939.8*	\$11,984.4*	\$12,002.8*

## Estimated average Federal share per child (in whole dollars)

<u>2017</u>	<u>2018 Annualized CR</u>	<u>2019 Request</u>
\$1,751	\$1,738	\$1,726

\* amts. in millions

# 2019 Budget Request

## Preschool Grants Program

<u>2017</u>	<u>2018 Annualized CR</u>	<u>2019 Request</u>
\$368.2*	\$365.7*	\$368.2*

## Grants for Infants and Families

<u>2017</u>	<u>2018 Annualized CR</u>	<u>2019 Request</u>
\$458.6*	\$455.4*	\$458.6*

\* In millions

# Education Department Strategic Plan 2018-2022

- Published on February 12, 2018
- Our work is reflected in Strategic Goal 1 – Support State and local efforts to improve learning outcomes for all P-12 students in every community
  - Strategic Objective 1.2 – Provide all P-12 students with equal access to high-quality educational opportunities.
  - Ensure that SWD have access to services and supports that meet their unique needs
  - Leverage accountability systems such as OSEP’s RDA to support States in improving outcomes for students
- Strategic Goal 3 – Strengthen the quality, accessibility, and use of education data through better management, increased privacy protections, and transparency

# Secretary's Supplemental Grant Priorities

- Final priorities published in the Federal Register on March 2, 2018
- Proposed Priority 5 – was specifically related to “meeting the unique needs of students and children including those with disabilities and or unique gifts and talents”
- This priority focused on “ensuring that students with disabilities have equal access to a high-quality education, consistent with applicable requirements in Federal and State law, are held to high standards, and are prepared to lead productive, independent lives”

# Significant Disproportionality NPRM

- On February 27, 2018, the Department published a Notice of Proposed Rulemaking in the Federal Register
- The NPRM proposes to postpone the compliance date for implementing the significant disproportionality regulations that were published on December 19, 2016
- A 75 day comment period began on February 27<sup>th</sup> and it ends on May 13<sup>th</sup>
- You can submit comments through regulations.gov, by hard copy via postal mail, commercial delivery or hand delivery
- After the close of the comment period, comments will be evaluated and a final rule that responds will be issued

# Significant Disproportionality NPRM

- The NPRM does not affect a State's annual statutory obligation to identify and address significant disproportionality
- Until the publication of a final rule, States may:
  - Implement provisions of the current December 2016 regulations
  - Use the previous method utilized by your State prior to the publication of the December 2016 regulation
  - Continue to utilize the current method utilized by your State to identify LEAs in your State

# Andrew F. v. Douglas County School District

The Supreme Court determined that,

“[t]o meet its substantive obligation under the IDEA, a school must offer an IEP [individualized education program] that is reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.” The Court additionally emphasized the requirement that “every child should have the chance to meet challenging objectives.”

# Andrew Q & A Document and Input

- The Q&A document includes three sections
  - The first set of questions provides an overview of the case
  - The second section addresses IDEA's FAPE requirement
  - The last section includes questions on implementation
- We are interested in receiving comments from families, teachers, administrators, and other stakeholders to assist us in identifying implementation questions and best practices
- If you are interested in commenting on this document or have additional questions, please send them to OSERS by email at [AndrewF@ed.gov](mailto:AndrewF@ed.gov)

# Regulatory Reform

Executive Order 13777 of February 24, 2017

- Directs the appointment of a Regulatory Reform Officer and the establishment of a Regulatory Reform Task Force (the “RRTF”) to oversee the implementation of the Department’s regulatory reform initiatives
- The RRTF must evaluate existing regulations and guidance and make recommendations to the Secretary regarding any repeal, replacement, or modification

# Regulatory Reform

## Public Input

- 700 written comments related to IDEA
- OSERS also held an input session on September 11<sup>th</sup>
- 20 representatives of a variety of education and disability groups including CEC, DEC, and CASE.

## Rescinded Documents

- On October 20, 2017, 72 OSERS documents were rescinded because they were clearly outdated or superseded

# IDEA.ed.gov Website Redirect

OSERS will automatically direct users from Building the Legacy: IDEA 2004 site to the new Individuals with Disabilities Education Act (IDEA) website starting April 30, 2018

IDEA website stakeholders are encouraged to bookmark the new IDEA website:  
<https://sites.ed.gov/idea>

# New Investments in 2017

- National Center for Improving Teacher and Leader Performance To Better Serve Children With Disabilities (CEEDAR)
- Early Childhood Personnel Center (ECPC)
- The IRIS Center
- National Technical Assistance Center on Positive Social, Emotional, and Behavioral Outcomes (New)
- SISEP: National Center To Enhance Educational Systems To Promote the Use of Practices Supported by Evidence (SISEP)

# New Investments in 2017

- Model Demonstration Projects to Improve Algebraic Reasoning in SWD in Middle Schools
- Early Childhood Technical Assistance Center (ECTA)
- National Technical Assistance Center for Inclusive Practices and Policies (TIES)
- Research and Development Center on Developing Software to Adapt and Customize Instruction in Digital Learning Environments to Improve Results for Children with Disabilities (New)
- Bookshare - Educational Materials in Accessible Formats for Students with Visual Impairments and other Print Disabilities

# Parent Training and Information Centers

- Helping families understand effective interventions and educational practices
- Connecting families for support and inspiration, so that they can envision a brighter future for their children
- Helping families to advocate for their children and encourage collaboration and
- Helping families serve in leadership roles in systems change activities, so that the needs of children are always first

# ESSA Collaboration: Alternate Diploma

- Students with the most significant cognitive disabilities who are assessed using the alternate assessment aligned to alternate academic achievement standards and who receive a State defined alternate diploma that is
  - standards-based,
  - aligned to the requirements for a regular diploma, and
  - obtained within the time period for which the State ensures the availability of a free appropriate public education
- May count toward a school's graduation cohort
- States may consider whether to develop a State defined alternate diploma

# ESSA Collaboration: Consolidated State Plans

- Two windows for States to submit Consolidated State Plans under ESSA
- 17 submitted in the first window (April 2017) and 35 submitted in the second window (September 2017)
- As of March 5, 2018, all but one plan submitted in the first round was approved and 19 of 35 from the second round were approved.
- Implementation of the plans will be monitored.
- OSEP staff will continue to be involved.

# ESSA Collaboration: 1% Participation Cap

- If a State anticipates that it will exceed the 1% cap of the total number of students in the State who are assessed in a subject it may request that the Department of Education waive the cap for one year. To do so, the State must:
  - Submit at least 90 days prior to the start of the State's testing window
  - Show the number and percentage of students in each subgroup who took, or will take, an AA-AAAS
  - Show that it has assessed 95% of all students and 95% of all students with disabilities
  - Assure that it has verified that each LEA that will assess more than 1% using an AA-AAAS followed all State guidelines and will address any subgroup disproportionality in the percentage of students taking an AA-AAAS
  - Plan for system improvements and monitoring in future test administrations to avoid exceeding the cap

# ESSA Collaboration: 1% Participation Cap Waiver

- Waivers are carefully reviewed against the criteria by a team that includes OSEP representation
- As of March 5<sup>th</sup>, eight States have received a response from the Department with regard to 1% cap waiver requests. Six States have been approved, one State received a partial waiver, and another was denied.
- The letters are posted on ed.gov

# Results Driven Accountability

- Focuses on both compliance and results.
- OSEP has realigned its accountability system, balancing the focus on compliance, and supporting States to implement innovative strategies to improve services and supports for children with disabilities that lead to improvements in important educational outcomes

# RDA Coming Attractions

- Phase III, Year 2 SSIPs due April 2
- Part C Applications due May 4
- Part B Applications due May 18
- Annual 616 Determinations – end of June

# Contact Us

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