LEA Determinations: Establishing a Process that Supports Program Improvement

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Back-to-Basics on Part B Assessment—What You Need to Know About Indicator B3

This webinar continued IDC’s Back-to-Basics Webinar Series for new Part B state staff, staff with new Indicator responsibilities, and those who are a refresher on in-and-out of the SPP/APR Indicators and related Section 618 data collections. The webinar will focus on beginning level information on Indicator B3 (Assessment), including a review of B3’s specific criteria and data sources, steps and calculations required to collect, analyze, and report Indicator B3 data, and any differences or similarities between Indicator B3 and the other indicators.

Expected outcomes of the webinar were that participants would gain a better understanding of Indicator B3 requirements to ensure high-quality data for SPP/APR reporting and increased knowledge about available resources and supports for understanding and reporting Indicator B3 data.

Materials

Back-to-Basics on Indicator B3

Topics

State Performance Plan - SPP and Annual Performance Report - APR  Part B  GLI Data

Presenters

Susan Hayes
Tiffany Boyd
Agenda

• Provide an overview of local education agency (LEA) determinations and their requirements
• Share national trends in LEA determinations processes, including the data elements and methodologies used
• Share Virginia’s LEA determinations process
• Share Wisconsin’s LEA determinations process
• Wrap up and ask for your feedback on today’s webinar
Participant Outcomes

- Increased knowledge of LEA determinations requirements
- Increased knowledge of national trends in LEA determinations processes across the country, including use of data elements and calculation methodologies
- Increased knowledge of LEA determinations processes in two states and the impact of these processes on special education programs
Overview of LEA Determinations of Performance
What Are the Requirements for LEA Determinations?

• Per §300.600 of the *Individuals with Disabilities Education Act* (IDEA), states must monitor the implementation of IDEA in each LEA

• Monitoring activities should focus on:
  ▪ Improving educational results and functional outcomes for children with disabilities
  ▪ Ensuring LEAs are meeting program requirements for Part B of IDEA, with an emphasis on those requirements related to improving educational results for children with disabilities
How Do States Make LEA Determinations?

States are required to monitor LEAs using quantifiable indicators (and qualitative indicators, as needed) in the following priority areas:

• Provision of free and appropriate public education (FAPE) in the least restrictive environment
• General supervision, including: child find, monitoring, use of resolution and mediation, and a system of transition services
• Disproportionate representation of racial/ethnic groups in special education as a result of inappropriate identification
• Correction of noncompliance
What Data Must States Consider for LEA Determinations?

**Required***
- State Performance Plan (SPP)/Annual Performance Report (APR) compliance indicators
  - Indicators 4B, 9, 10, 11, 12, and 13
- Submission of valid and reliable data
- Correction of noncompliance
- Other data relevant to compliance with IDEA, such as audit findings

**Optional (list is not exhaustive)**
- SPP/APR results indicators
  - Indicators 1, 2, 3B-C, 4A, 5A-C, 6A-B, 7A-C, 8, 14A-C
- Participation on alternate assessments
- Dispute resolution data
- Results from on-site monitoring visits
- Other results data (e.g., attendance, gap closure analysis)

* Per the 2009 *Questions and Answers on Monitoring, Technical Assistance, and Enforcement* document from the Office of Special Education and Rehabilitative Services (OSERS)
What Categories Do States Use for LEA Determinations?

States must issue annual determinations of performance to each LEA, using the following categories:

- Meets requirements
- Needs assistance
- Needs intervention
- Needs substantial intervention
What Are the Requirements of Each Determination Category?

• States must mirror most, but not all, of the enforcement actions outlined in IDEA for OSEP to use with states

• States must prohibit those LEAs not meeting requirements of Part B of IDEA, including targets in the SPP, from reducing maintenance of effort (MOE) for any fiscal year

• States are not restricted from using any other authority available to monitor and enforce the requirements of IDEA
National Trends in LEA Determinations Processes
Sample Group

- 28 states or territories with publicly posted information about their LEA determinations processes
- Information aggregated to identify common data states used when completing LEA determinations
What Data Are States Using?

• 100% of the 28 states use SPP/APR compliance indicators
• 53.57% of the 28 states add SPP/APR results indicators
• 89.29% of the 28 states indicate use of other data elements beyond SPP/APR indicators
Beyond Requirements: What Additional Data Are States Using?

Number of States

| Indicator 1 | Indicator 2 | Indicator 3A | Indicator 3B | Indicator 3C | Indicator 4A | Indicator 5A | Indicator 5B | Indicator 5C | Indicator 6A | Indicator 6B | Indicator 7A, S1 | Indicator 7A, S2 | Indicator 7B, S1 | Indicator 7B, S2 | Indicator 7C, S1 | Indicator 7C, S2 | Indicator 8 | Indicator 14A | Indicator 14B | Indicator 14C | Fiscal Findings | Other |
|-------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------|--------------|--------------|--------------|-----------------|-------|
| 12          | 9           | 8            | 10           | 7            | 4            | 4             | 3             | 5             | 7            | 4             | 7               | 7               | 7               | 4               | 4               | 4             | 4             | 4             | 4             | 4               | 6     |
How Are States Calculating LEA Determinations?

- 60.71% No points assigned
- 28.57% Points assigned
- 10.71% Not specified

Percent of states assigning points to data elements

n = 28 states
How Are States Prioritizing Data for LEA Determinations?

Percent of states assigning weights to data elements

- No weighting used: 64.29%
- Weighting used: 25.00%
- Not specified: 10.71%

n = 28 states
Resources

- **SEA Data Processes Toolkit** contains an LEA Determinations Protocol
Virginia’s LEA Determinations Process

Samantha Hollins
Assistant Superintendent of Special Education and Student Services
Virginia Department of Education (VDOE)
Functions of the VDOE Division of Special Education and Student Services Results-Driven Accountability (RDA)

Compliance functions include continuous improvement monitoring by:
- Administering the due process system
- Supporting TTAC initiatives
- Conducting complaint investigations
- Conducting focused and comprehensive reviews

Results functions include targeted monitoring by:
- Implementing initiatives that positively impact performance of SWD in the areas outlined in the State Systematic Improvement Plan
- Establish and train teams to implement a differentiated system of monitoring, TA, and supports

Providing mediation services
- Developing policies and procedures
- Developing guidance documents
- Assisting divisions identified as “needs assistance” or “improvement plan required”
- Compiling data reports
- Conducting fiscal audits
Development of RDA Approach

Worked with stakeholders to develop and implement new system

- Provided more balanced, results-driven approach
- Redesigned internal work processes to better support school divisions in improving results
- Monitored where it was needed most
- Drilled down for root causes
- Facilitated discussion on performance indicators
- Implemented best practices
- Provided technical assistance and supports
Data Used for LEA Determinations

• SPP/APR Indicators: 1, 3, 4B, 9, 10, 11, 12, and 13
• General supervision data: correction of noncompliance
• Accurate and timely data submissions related to IDEA Part B
• Audit findings with regard to the use of IDEA Part B Funds
Criteria for LEA Determinations

• Points assigned to each data element included, based on set cut scores
• SPP/APR results indicators are assigned points on a scale from 0-4
• SPP/APR compliance indicators, corrections of noncompliance, accurate and timely data submissions, and audit findings are assigned points on scale from 0-2
• Percent of total possible points used for final determinations, based on set cut scores
Differentiation of RDA Monitoring

• LEAs identified for on-site RDA
• LEAs identified for on-site RDA/hybrid method
• LEAs identified for technical assistance visits
Additional Considerations

- Implications for state directors of special education
- Funding and fiscal monitoring as a part of RDA implementation
- Impact on reporting
  - SPP/APR
  - SSIP development and revisions to SSIP
Wisconsin’s Approach to Meaningful Identifications: Balanced LEA Determinations and Joint Federal Notifications

Courtney Reed Jenkins
Assistant Director, Special Education
Wisconsin Department of Public Instruction
IDEA LEA Determinations: Balancing Compliance and Results

IDEA 2019 LEA Determinations Criteria
IDEA LEA Determinations

• Needs Intervention: 6 LEAs
  ▪ Specialized support with continuous improvement
  ▪ Evidence of continuous improvement

• Needs Assistance, Year 2: 25 LEAs
  ▪ Evidence of continuous improvement

• Needs Assistance, Year 1: 119 LEAs
  ▪ “Watch” Year
  ▪ No requirements

• Meets Requirements: 296 LEAs
  ▪ No requirements
Continuous Improvement Process

- ESEA improvement plan for focus and/or priority schools
- IDEA improvement plan(s)
- Educator effectiveness (SLO and PPG)
- School and district improvement plans

Continuous improvement of adult practices to improve student outcomes
Federal Identifications: Focus on Equity

**IDEA**

**District Level**
- LEA determinations
- Racial disproportionality (identification, placement, discipline)

**Event Student Succeeds Act (ESSA)**

**School Level**
- Targeted support (subgroups)
- Additional targeted support (subgroups)
- Comprehensive support (all students/subgroups)
### Joint Federal Notifications

Notifications go to all Wisconsin school districts

<table>
<thead>
<tr>
<th>Date</th>
<th>Notifications</th>
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<tbody>
<tr>
<td>December 5, 2019</td>
<td><strong>Preliminary notifications</strong> will go to all districts: ESSA, TSI, IDEA LEA Determinations</td>
</tr>
<tr>
<td>February/March 2020</td>
<td><strong>Final notifications</strong> will go to all districts</td>
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<tr>
<td>March 2020</td>
<td><strong>Final public release</strong>: ESSA ATSI, TSI, IDEA LEA Determinations, IDEA Racial Equity in Special Education</td>
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IDEA LEA Determinations

Regardless of the level, the FOCUS is the same.

CONTINUOUS IMPROVEMENT
EQUITY
eMLSS
IMPLEMENTATION SCIENCE

INTENSITY OF SUPPORT
changes based on the level and need
Joint Monitoring Structure

ESSA
DPI Title I Team
District
CSI Identified School

DPI Special Ed Team
District

Districts with CSI, Needs Assistance, Dispro

9 LEAs with 12 schools

Estimated 75-90 LEAs

IDEA
What’s Next

Alignment between continuous improvement for identified schools and districts and educator effectiveness
Wrap Up
Recap of Participant Outcomes

• Increased knowledge of LEA determinations requirements
• Increased knowledge of national trends in LEA determinations processes across the country, including use of data elements and calculation methodologies
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Questions?
Contact Us

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For More Information

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Evaluation

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**Project Officers:** Richelle Davis and Rebecca Smith