



INTERACTIVE INSTITUTE **2021**
BUILDING AND SUSTAINING A CULTURE OF HIGH-QUALITY DATA

Local Education Agency (LEA) Determinations in the Time of COVID-19

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Collect, Report, Analyze, and
Use High-Quality Part B Data





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Agenda

- LEA determinations overview
- National landscape
- COVID-19 and LEA determinations data
- Reconceptualizing LEA determinations
 - Data elements
 - Calculation methodologies
 - Criteria for LEA determinations categories
 - Responses to LEA determinations categories
- State insight – South Carolina
- Resources
- Wrap-Up

LEA Determinations Overview



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Overview of 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 and youth 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 and youth 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)



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Discussion

What data that your state uses for LEA Determinations are you most concerned about right now?

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 the Office of Special Education Programs (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 Landscape *LEA Determinations Processes*



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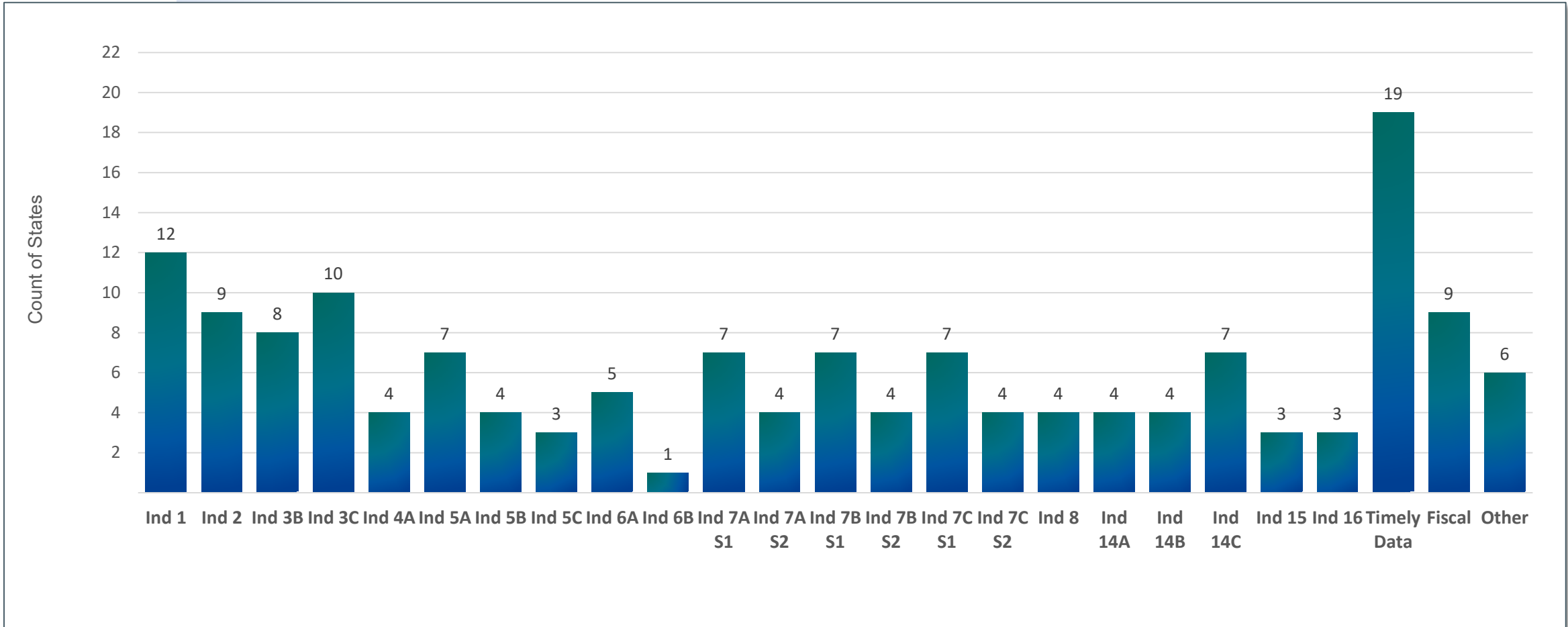
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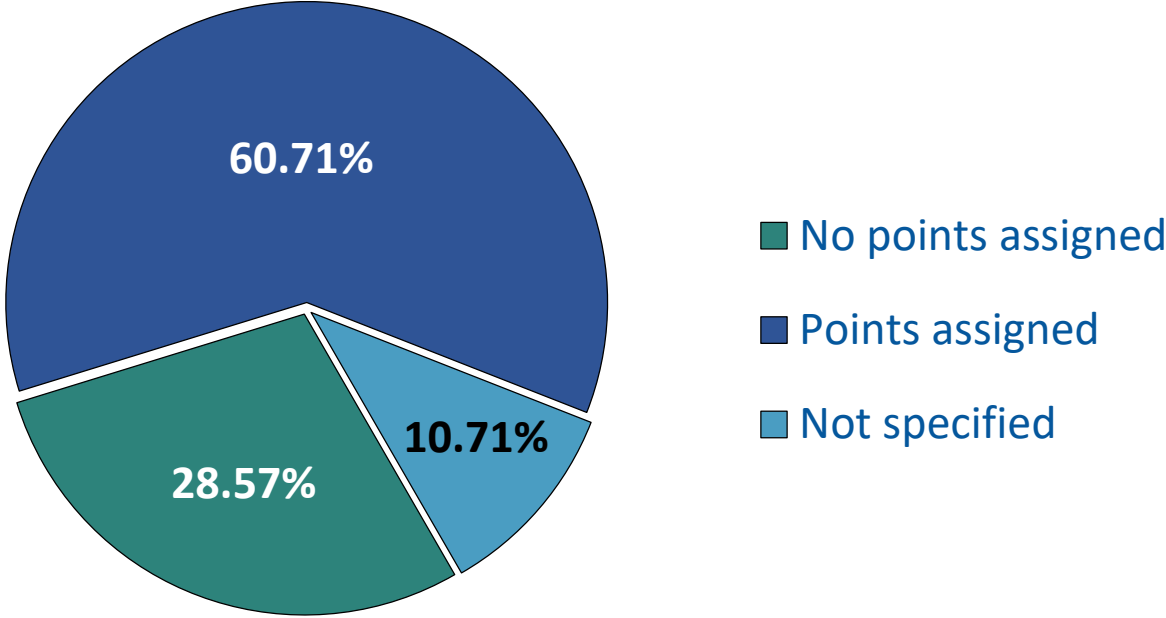
Sample Group

- 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

Beyond Requirements: What Additional Data Are States Using?



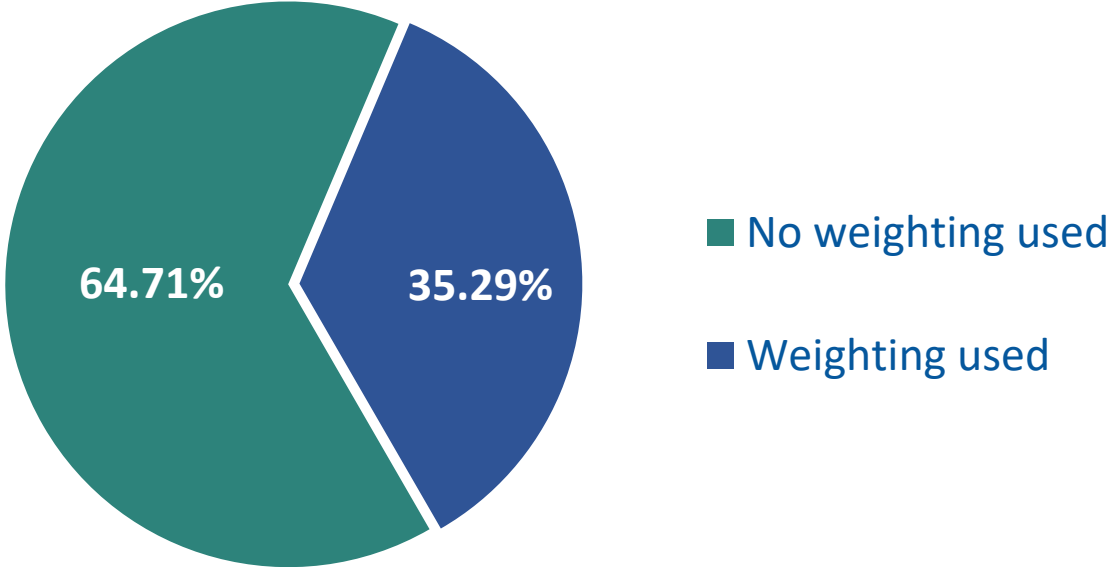
How Are States Calculating LEA Determinations?



Percent of states assigning points to data elements

n = 28 states

How Are States Prioritizing Data for LEA Determinations?



Percent of states that use points and assign weights to data elements

n = 17 states

Enter COVID-19



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Managing and Reporting Data in a Pandemic

- Most states faced some challenges with capturing complete, valid, and reliable data for IDEA reports, including the SPP/APR
- Some of the sources of these challenges
 - Lack of access to children and families
 - Virtual learning environments and/or insufficient infrastructure to support virtual learning
 - State and LEA staff working remotely with no access to data or data systems
 - Different responses and decisions related to COVID-19 and education across LEAs and regions

Discussion

What are some of the changes to managing and reporting data you've made or considered because of the pandemic?

Reconceptualizing LEA Determinations



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LEA Determinations Considerations—Data Elements

- If significantly impacted by COVID-19, exclude SPP/APR results indicators or other results-based educational data
- Use results data from prior years or use year-to-year changes in data to assess growth/improvements over time
- Consider alternate data that are available
 - Participation rates for alternate assessments
 - National Assessment of Educational Progress (NAEP) participation and proficiency rates from previous reporting cycles
 - Determinations of significant disproportionality

LEA Determinations Considerations— Calculation Methodologies

- Capture and share results data not required for LEA determinations, but exclude data from determinations calculations
- If points are assigned for determinations data, use fewer points for data significantly impacted by COVID-19
 - Weight indicators and data based on the level of COVID-19 impact

LEA Determinations Considerations— Determination Category Criteria

- Change thresholds for determination categories
 - If state assigns points, lower point values
 - If state uses percentiles or percentages of total possible points, expand the percentiles or lower percentages of total possible points
- Use certain priority data elements to “trigger” certain determination categories
 - Example: LEAs generating less than 60 percent of total possible points are *needs assistance*; LEAs generating less than 60 percent of total possible points AND were identified with significant disproportionality are *needs intervention*

LEA Determinations Considerations— Determination Category Responses

- If site visits are usually conducted for LEAs determined *needs assistance* or *needs intervention*, postpone visits or conduct them virtually
- Use a “hold harmless” policy for the FFY 2019 LEA determinations (unless related to noncompliance)

Turning Disrupted Data Into an Advantage

Consider whether current data disruptions offer an opportunity to make changes you've been considering

- Data are unavailable or only partially available
- There are concerns about reliability or validity
- New APR package requirements could change calculations

South Carolina: Leveraging Our General Supervision System



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Exploration—Common beliefs

- Quality instruction is the key to student success, and we can effectively teach all students
- Early intervention for all students who are struggling is essential for success
- Implementing evidence-based instruction and interventions benefits all students
- Use of multiple sources of data and the monitoring of student progress inform instruction and improve educator practice
- Working in partnership with parents and families maximizes student performance

Establishment of Shared Vision

If we provide consistent, collaborative, proactive direction and support focused in the areas of academics, social-emotional learning, early childhood development, and post-secondary outcomes by using data-based decisionmaking, quality instruction, and family and community engagement strategies (all with fidelity), then districts will have the infrastructure, capacity, and sustainability to provide students with disabilities equitable access and opportunity to meet the profile of the South Carolina Graduate (world class knowledge, world class skills, and life and career characteristics).

Mapping of Current System

- Current LEA Determinations Process
- Current SPP/APR targets and actual performance
- Current monitoring
 - 6-year cycle heavily reliant on individualized education program (IEP) reviews (compliance)
 - September to May
 - Separate fiscal monitoring using a tiered system
 - Tier 1 September, Tier 2 October-November, Tier 3 January-March
- Reactive technical assistance and professional development

Comparing Current Process Against Vision

- Commitment to use SPP/APR to guide all work
- Understanding compliance should drive outcomes
- You're not compliant if you're not improving outcomes

Plan of Action

- Revise LEA Determinations Process to include growth measures as well as additional performance areas
- Develop new SPP with new, ambitious, and rigorous targets
- Develop new State Systemic Improvement Plan (SSIP) (Indicator B17)
- Develop new tiered support system based on LEA Determinations

System of Tiered Assistance (SoTA)

- Performance factor (PF) totals from the LEA Determinations
- Districts with average over 3 years of <10.99
 - Remove any district in *meets requirements* for any of those years
- Use PFs to determine risk level using the dynamic indicator approach
- Compare across focus groups to determine if district needs support in multiple areas or intensive support in one area
 - Take Root Cause Analysis (RCA) into consideration
- Finalize support to districts by cohorts

Plan of Action

- Pilot year 2020–21
- All Tier 2 and Tier 3 will be together
 - Triangle WILL be upside down
- Webinar on how to complete RCA using Data Meeting Protocol (DMP) of IDC's [Data Meeting Toolkit](#)
- Districts complete RCA and DMP
- Districts submit action plans
- SEA and district evaluate progress using benchmarks in plans

Evaluation of Implementation and Impact

- Expected impacts
 - Improved outcomes
 - Academics
 - Social-emotional
 - Early childhood
 - Post-secondary
- Evaluation

Evaluation of Implementation and Impact (cont.)

When our activities and initiatives are aligned with our priorities, we will see improved student-level outcomes including

- Increased involvement with students without disabilities (Indicators 5 and 6)
- Increased graduation rates for students with disabilities (Indicator 1)
- Increased post-secondary employment for South Carolina High School Credential (SCHSC) completers (Indicator 14)
- Decreased drop-out rate (Indicator 2)
- Decreased suspension and expulsion rates (Indicator 4 and Table 5 Discipline)
- Improved assessment rates on statewide assessments (Indicator 3)

Discussion and Wrap Up

What have you heard today that has made you reconsider your plan for completing LEA Determinations while dealing with the data effects of the pandemic?

Resources

IDC's [*Data Meeting Toolkit*](#) can help you explore your data to support decisionmaking

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For More Information



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