



STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



TO: Superintendents of Schools

FROM: Ellen E. Cohn, Deputy Commissioner of Education *EE*

DATE: July 19, 2017

SUBJECT: 2015-16 District Annual Performance Reports and Determinations

In accordance with the Individuals with Disabilities Education Improvement Act 2004 (IDEA), each state must have a State Performance Plan/Annual Performance Report (SPP/APR) that evaluates the state's efforts to implement the requirements and purposes of the IDEA and reports annually on its performance. Connecticut's SPP/APR is a six-year plan that describes the state's performance on 16 indicators around special education, including targets for each year and includes Indicator 17, the State Systemic Improvement Plan (SSIP). The SSIP, developed with broad stakeholder input, is aligned with the principles of *Results Driven Accountability* and is intended to improve results for children with disabilities by improving educational services, including special education and related services. An annual performance report was submitted to the U.S. Department of Education (USED) on February 1, 2017. Phase III of the SSIP was submitted to the USED on April 3, 2017.

States must also report annually to the public on the performance of each district in relation to the targets in the SPP under IDEA Section 616(b)(2)(C)(ii)(1). Upon a review of that data, the states must determine the assignment of each district to one of four categories, consistent with IDEA requirements: *Meets Requirements*; *Needs Assistance (Levels 1 and 2)*; *Needs Intervention (Levels 1 and 2)*; or *Needs Substantial Intervention*. The Connecticut State Department of Education (CSDE) is now issuing determinations based on districts' 2015-16 data.

According to the data used from your district's Annual Performance Report (APR), the CSDE would like to acknowledge the district's efforts in being one of 165 districts to be assigned to *Meets Requirements* in the identified areas used to make the determination for 2015-16. The APR can be accessed on the CSDE Web site at EdSight:

<http://edsight.ct.gov/SASPortal/main.do>

Overview ⇒ Special Education Annual Performance Reports

While each indicator has data displayed, only indicators 4B, 9-13, General Supervision and Timely and Accurate Reporting were used to make the determination. The state's SPP/APRs are also posted for public access on the CSDE Web site.

Finally, please share this information with your staff and parents as we work toward improving outcomes for all students, including students with disabilities. Contact James Moriarty in the Bureau of Special Education at 860-713-6946 or james.moriarty@ct.gov for questions about the SPP/APR or the determination process.

EEC:jmm

cc: Bryan Klimkiewicz, Bureau Chief, Bureau of Special Education
James Moriarty, Education Consultant, Bureau of Special Education
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State of Connecticut
Department of Education
Bureau of Special Education
2017 IDEA District Determination Process (2015-16 Data)

Pursuant to Section 616(b)(2)(C)(i) of the Individuals with Disabilities Education Improvement Act 2004 (IDEA) and 34 Code of Federal Regulations (CFR) Section 300.602(b), states are required to make determinations annually on the performance of districts within the state and publicly disseminate those determinations. States are required to compare district level data and performance in relation to state established targets found in the State Performance Plan (SPP), as well as compliance indicators established by the U.S. Office of Special Education Programs (OSEP). Consistent with OSEP's determination upon states, there are four categories that districts may be assigned into:

- A) *Meets Requirements;*
- B) *Needs Assistance;*
- C) *Needs Intervention; or*
- D) *Needs Substantial Intervention.*

The Connecticut State Department of Education (CSDE) used the following *compliance indicators* (indicators that have targets set by OSEP at 0% or 100%) found in the SPP for making district determinations based on data and performance:

- **Indicator 4B** – Significant discrepancy in the rate of suspensions and expulsions for racial and ethnic groups that is the result of noncompliant policies, procedures or practices. Target = 0%
- **Indicator 9** – Disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Target = 0%
- **Indicator 10** – Disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. Target = 0%
- **Indicator 11** – Percent of children with parental consent to evaluate, who were evaluated within state-established timelines. Target = 100%
- **Indicator 12** – Percent of children referred by Part C at least 90 days prior to age 3, who are found eligible for Part B, and who have an individualized education program (IEP) developed and implemented by their third birthday. Target = 100%
- **Indicator 13** – Percent of youth age 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post secondary goals. Target = 100%
- **General Supervision System** (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible, but in no case later than one year from identification. Target = 100%
- **Timely and Accurate** submission of district level data, according to state guidelines, using the following data collections: Special education data application and collection (SEDAC) - Oct. 1 Child Count, Evaluation Timelines, Early Childhood Outcomes, ED 166 Discipline Data, and exit data reported via the Public School Information System (PSIS)/SEDAC Data. Target = 100%

<p style="text-align: center;">2017 Determination Indicators</p>

Indicator 4B – Significant discrepancy in the rate of suspensions and expulsions for racial and ethnic groups

- Met Target = Zero areas of significant discrepancy due to noncompliant policies, procedures or practices
- Did not meet target = At least one area of significant discrepancy due to noncompliant policies, procedures or practices

Indicator 9 – Disproportionate representation in special education for racial and ethnic groups

- Met Target = Zero areas of disproportionality due to inappropriate identification
- Did not meet target = At least one area of disproportionality due to inappropriate identification

Indicator 10 – Disproportionate representation in specific disability categories for racial and ethnic groups

- Same as Indicator 9 above

Indicator 11 – Determine eligibility within State-established timelines

- Met Target = 100%
- Substantial Compliance = 95% - 99.9% performance
- Making progress = Minimum 75% performance with an increase $\geq 10\%$ over previous year
- Did not meet target = $< 100\%$ performance *and* not in substantial compliance or making progress

Indicator 12 – Implement IEPs by age 3

- Met Target = 100%
- Substantial Compliance = 95% - 99.9% performance
- Making progress = Minimum 75% performance with an increase $\geq 10\%$ over previous year
- Did not meet target = $< 100\%$ performance *and* not in substantial compliance or making progress
- Not Applicable = District does not have early childhood/preK students

Indicator 13 – Secondary transition goals and services

- Met Target = 100%
- Substantial Compliance = 95% - 99.9% performance
- Making progress = Minimum 75% performance with an increase $\geq 10\%$ over previous year
- Did not meet target = $< 100\%$ performance *and* not in substantial compliance or making progress
- Not Applicable = District does not have a high school

General Supervision: Noncompliance corrected within one year

- Met Target = Zero areas of outstanding noncompliance
- Did not meet target = One or more citations of outstanding noncompliance

Timely and Accurate submission of data

- Met Target = 100%
- Did not meet target = One or more data submissions beyond established deadline and/or determined inaccurate

NOTE: *Performance indicators* (1, 2, 3, 4A, 5, 6, 7) are currently under consideration for inclusion in making district determinations. Performance indicators are those that have targets set by the CSDE with broad stakeholder input. See the SPP for targets.

<p style="text-align: center;"><u>Criteria used to make 2017 Determinations</u></p>
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The CSDE used the following criteria to make 2017 determinations (2015-16 data) under indicators 4B, 9, 10, 11, 12, 13, General Supervision and Timely and Accurate Reporting. Please note that for the purposes of making determinations, indicator ratings of *Substantial Compliance* and *Making Progress* are considered equivalent to *Meeting Target*.

Meets Requirements

All of the above indicators met target, were in substantial compliance or were making progress toward the target

Needs Assistance

Level 1 = one or two indicators did not meet the target

Level 2 = one or two indicators did not meet the target AND at least one is the same as the previous year

Needs Intervention

Level 1 = three or more indicators did not meet the target

Level 2 = three or more indicators did not meet the target, AND the district was at Needs Intervention or Needs Substantial Intervention in the previous year, AND at least one indicator is the same as the previous year

Needs Substantial Intervention

The same indicator has not met the target for five or more consecutive years AND significant progress has not been demonstrated;

OR

The CSDE has determined that the district failed to substantially comply which significantly affects the core requirements of the program, such as the delivery of services to children with disabilities or state exercise of general supervision;

OR

The CSDE has determined that the district is unwilling to comply.

<p align="center"><u>Enforcement Actions</u></p>

The IDEA regulations at 34 CFR Section 300.600(a) specifically designate the enforcement actions that states must apply after a district's determination is made.

Determination	Level	Enforcement Actions
Meets Requirements		None
Needs Assistance	1	None
	2	<ul style="list-style-type: none"> Advise the district of available resources of technical assistance to address areas in need of assistance; <i>AND/OR</i> Identify the district as a high-risk grantee and impose conditions on use of funds.
Needs Intervention	1	<ul style="list-style-type: none"> Advise the district of available resources of technical assistance to address areas in need of assistance; <i>AND/OR</i> Identify the district as a high risk grantee and impose conditions on use of funds; <i>AND</i> Require the district to prepare and implement a corrective action plan to correct the identified areas.
	2	<ul style="list-style-type: none"> Advise the district of available resources of technical assistance to address areas in need of assistance; <i>AND</i> Identify the district as a high risk grantee and impose conditions on use of funds; <i>AND</i> Require the district to prepare and implement a corrective action plan to correct the identified areas.
Needs Substantial Intervention		<ul style="list-style-type: none"> Advise the district of available resources of technical assistance to address areas of noncompliance; <i>AND</i> Identify the district as a high risk grantee and impose conditions on use of funds; <i>AND</i> Require the district to prepare and implement a corrective action plan to correct the identified areas; <i>AND</i> Withhold, in whole or in part, further payments to the district.