

**State of Connecticut  
Department of Education  
Bureau of Special Education  
IDEA Determination Process for 2006-07**

Pursuant to 616(a)(1)(C)(i) and 300.600(a) in IDEA 2004, 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 used data for the following compliance indicators found in the SPP for making district determinations based on 06-07 data and performance:

- Indicator 9 - Eliminate disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Target = 0 areas
- Indicator 10 - Eliminate disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. Target = 0 areas
- Indicator 11 - Percent of children with parental consent to evaluate, who were evaluated within state established timelines of 45 days. 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 IEP developed and implemented by their third birthday. Target = 100 %
- Indicator 13 (NEW for 06-07) - 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%
- Indicator 15 - 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%

Indicators used for the IDEA determination process will change each year for the next two years as additional indicators become required by OSEP. Please see page 5 for details.

## **2006-07 Indicators**

**Compliance** indicators are those that have targets set by the U.S. Office of Special Education Programs (OSEP) of 100% or 0%. **Performance** indicators are those that have targets set by the Connecticut State Department of Education with broad stakeholder input. See the SPP for targets.

### **Indicator 9** - Eliminate disproportionate representation

- Met Target = Zero areas of disproportionality as defined by a Relative Risk Index  $< 2.0$
- Making Progress = reduce the number of areas identified as disproportionate, OR  
If you only have one area remaining, reduce the risk according to the following:
  - If a district is found with a RRI of 3.5 or above, need to decrease 1 point from previous year;
  - If a district is found with a RRI of 2.5 – 3.5, then need to decrease by 0.5 from previous year; or
  - If a district is found with a RRI of 2.5 – 2.0, then need to decrease by 0.25 from previous year or meet target
- Did not meet target =  $RRI \geq 2.0$

### **Indicator 10** - Eliminate disproportionate representation by disability

- Same as indicator 9 above

### **Indicator 11** – Determine eligibility within State established timelines

- Met Target = 100%
- Substantial Compliance = 95% - 99% performance
- Making progress = increase 10% over previous year
- Did not meet target =  $< 95\%$

### **Indicator 12** – Implement IEPs by age 3

- Met Target = 100%
- Substantial Compliance = 95% - 99% performance
- Making progress = increase 10% over previous year
- Did not meet target =  $< 95\%$
- 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 = increase by 10% over previous year
- Did Not Meet =  $< 95\%$
- Not Applicable = district does not have a high school

### **Indicator 15** - General supervision: Noncompliance corrected within one year

- Met target = 0 areas of outstanding noncompliance
- Did not meet target = one or more citations of outstanding noncompliance

<b>Criteria Used</b>
----------------------

The Department used the following criteria to make determinations for 2006-07 data under indicators 9, 10, 11, 12, 13, and 15:

**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 year before

**Needs Intervention**

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

Level 2 = three or more indicators did not meet the target for a second year in a row, AND at least one is the same as the year before

**Needs Substantial Intervention**

The same indicator has not met the target for five or more consecutive years;

OR

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

**Enforcement Actions**

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

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

**SPP Indicators Being Used for Determinations Over Time**

See the SPP for specific targets.

**2006-07 data** - Issued to districts August 2008

- Indicators 9, 10, 11, 12, 15
- NEW - 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.

**2007-08 data** - Issued to districts December 2008

- Indicators 9, 10, 11, 12, 13, 15
- Indicator 20 - State reported data (618 and State Performance Plan and Annual Performance Reports) are timely and accurate. *District level data is submitted in a timely and accurate manner, according to state deadlines, which include the following data collections: SEDAC Oct. 1 Child Count, Evaluation Timelines, Early Childhood Outcomes, ED 166 Discipline Data, Dispute Resolution Data.*

**2008-09 data, and every year thereafter** - Issued to districts December of the following school year

- Indicators 9, 10, 11, 12, 13, 15, 20
- All performance indicators are currently under consideration for making district determinations. (1, 2, 3, 4, 5, 6, 7, 14)