

State of Connecticut
Department of Education
Bureau of Special Education
IDEA Determination Process for 2009-10 Data

Pursuant to Section 616(b)(2)(C)(i) of the Individuals with Disabilities Education Improvement Act (IDEA 2004) and 34 C.F.R. 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 9 - 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 - 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. 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 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%
- Indicator 20 - District level data were submitted in a timely and accurate manner, according to state guidelines, using the following data collections: SEDAC-Oct. 1 Child Count, Evaluation Timelines, Early Childhood Outcomes, ED 166 Discipline Data, and Exiters PSIS/SEDAC Data. Target = 100%

NOTE: Per OSEP's direction, Indicator 13 (postsecondary goals and transition services) is not part of the 2009-10 LEA determination process; however, this does not exempt districts from their responsibility under the IDEA for the provision of postsecondary goals and transition services.

It is expected that Indicators 4B and 13 will be included in the LEA determination process for the 2010-11 year.

2009 – 10
Determination
Indicators

Indicator 9 – Disproportionate representation that is the result of inappropriate identification

- 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 by disability that is the result of inappropriate identification

- 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 15 – 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

Indicator 20 – Data are submitted in a timely and accurate manner

- 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, 4, 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.

**Criteria used to
make
Determinations**

The CSDE used the following criteria to make determinations for 2009-10 data under indicators 9, 10, 11, 12, 15 and 20. 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;

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.

**Enforcement
Actions**

The IDEA regulations at 34 C.F.R. 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