



THE POWER OF DATA:
OSEP'S REFLECTIONS AND CONSIDERATIONS FOR THE
STATE PERFORMANCE PLAN/ANNUAL PERFORMANCE REPORT

OSEP LEADERSHIP & PROJECT DIRECTORS CONFERENCE

JULY 24, 2023

Today's Journey

- ▶ Charting the Course: Using the SPP/APR to drive change
- ▶ FFY 2021 Highlights
 - Stakeholder Engagement
 - Representativeness/Nonresponse bias
 - Significant Discrepancy in Long-Term Suspensions and Expulsions
 - SSIP
- ▶ Closing



1st word that comes
to mind when
thinking about the
SPP/APR



<https://app.sli.do/event/4iC9fLX8hbw8nGJBVTnsib>

Destination & Purpose of SPP/APR

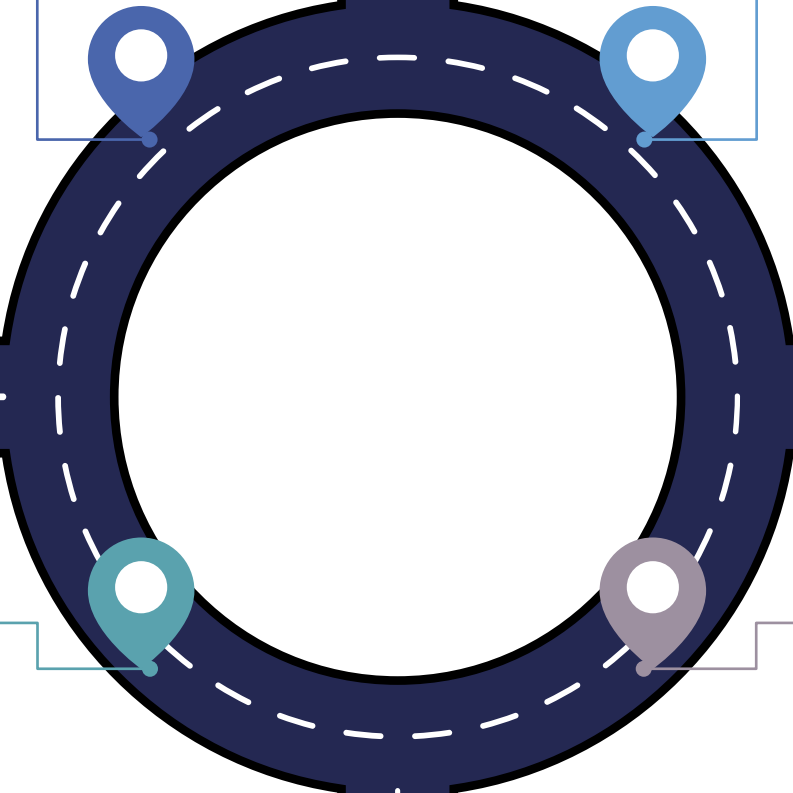


Audience

Initiatives

Messages

Improvement



Where We Are Going



Where Are You?

How would you rate your level of comfort with each of these topics?

On a scale of 1 to 5 with 1 being least comfortable and 5 being the most comfortable, please indicate your level of comfort.



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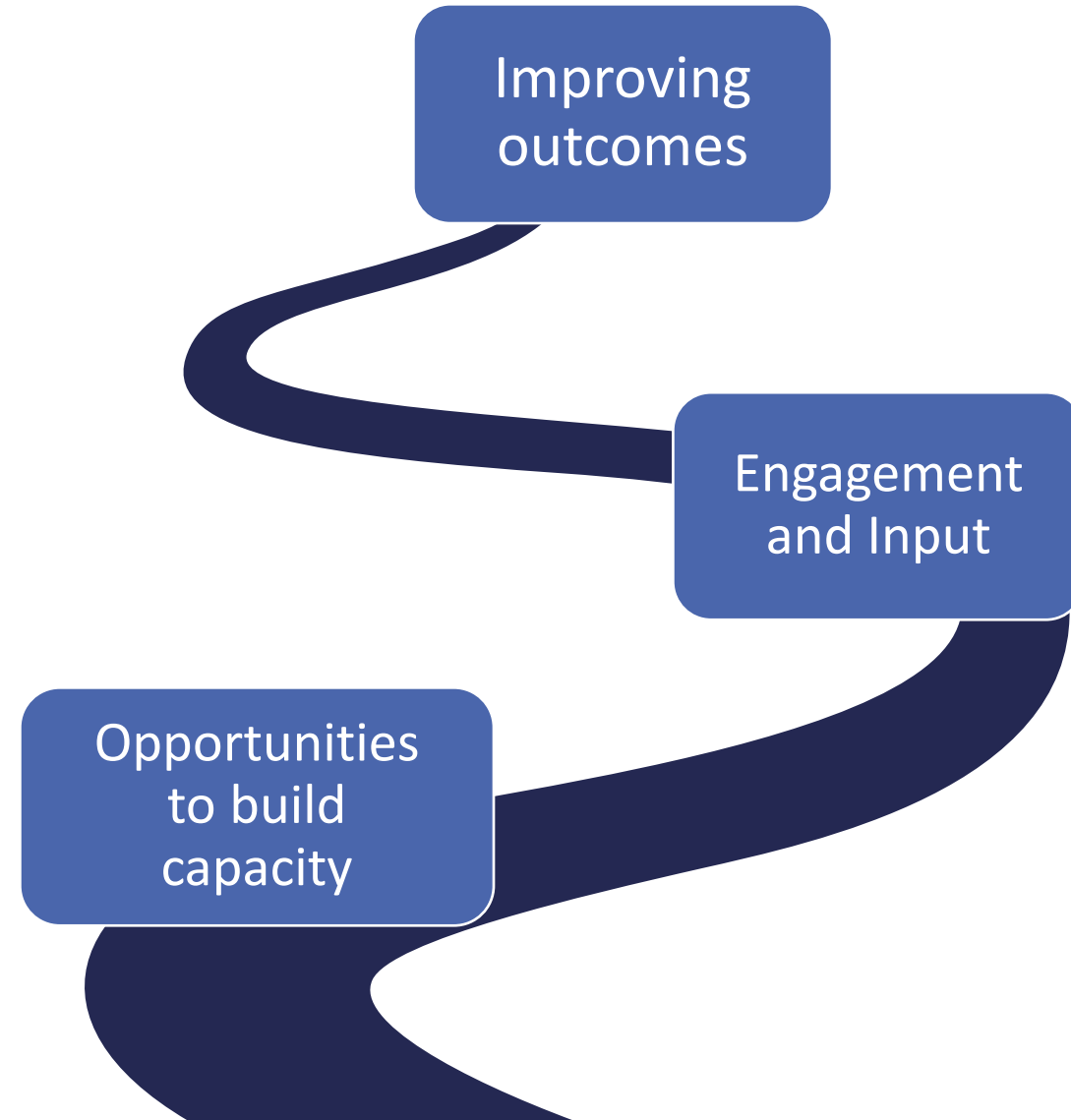


<https://forms.office.com/g/G5Kt9HQh9F>

Stakeholder Engagement

► Highlights ☀️

- States that met this requirement described involvement with stakeholders including how they:
 - Build knowledge, skills, and understanding in order to meaningfully engage in decision making
 - Engage in a continuous process of data analysis
 - Contribute to SPP/APR and State goals
 - Impact change throughout the State
 - Ensure a diverse representation of parents
 - Move beyond presenting information at a meeting or providing a webinar



Roadmap to Stakeholder Engagement

How is the State increasing the knowledge and ability of stakeholders to make decisions?

What activities will the State develop and implement?

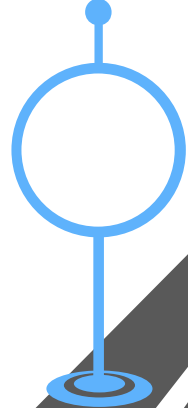


How are diverse groups of parents included in capacity-building?

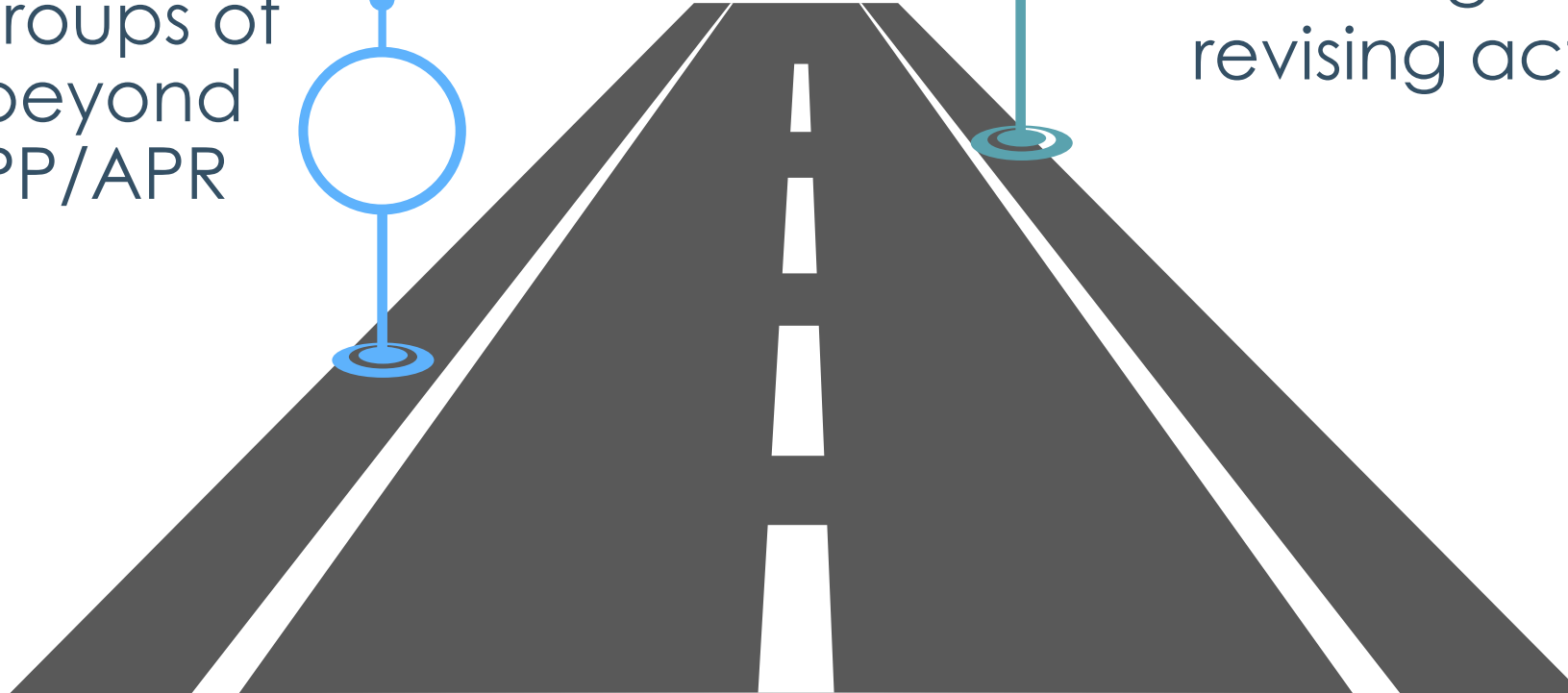
How will the activities improve outcomes for children with disabilities and their families?

Stakeholder Engagement: The Road Ahead

- ▶ Building capacity of diverse groups of parents beyond setting SPP/APR targets



- ▶ Planning, evaluating, revising activities



Representativeness and Nonresponse Bias (NRB)

► Highlights

- States used race/ethnicity and one other demographic area for analysis
 - 52/56 Part C States
 - 58/60 Part B States
- 95% of States used a statistical metric* for analysis
 - *Best practice is +/-3% **or** a statistically designed tool (ECTA Representativeness Calculator, NPSO Calculator, IDC NRBA App – COMING SOON!)
- Approximately half of all Part C and Part B States saw an increase in the response rate from FFY 2020 to FFY 2021
- States ensuring consistency with responding to whether data are representative in accordance with the metric described

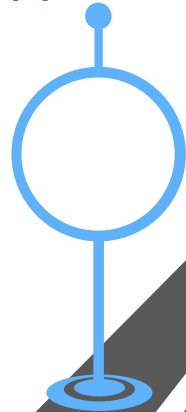
Representativeness and Nonresponse Bias (NRB)

► Observations

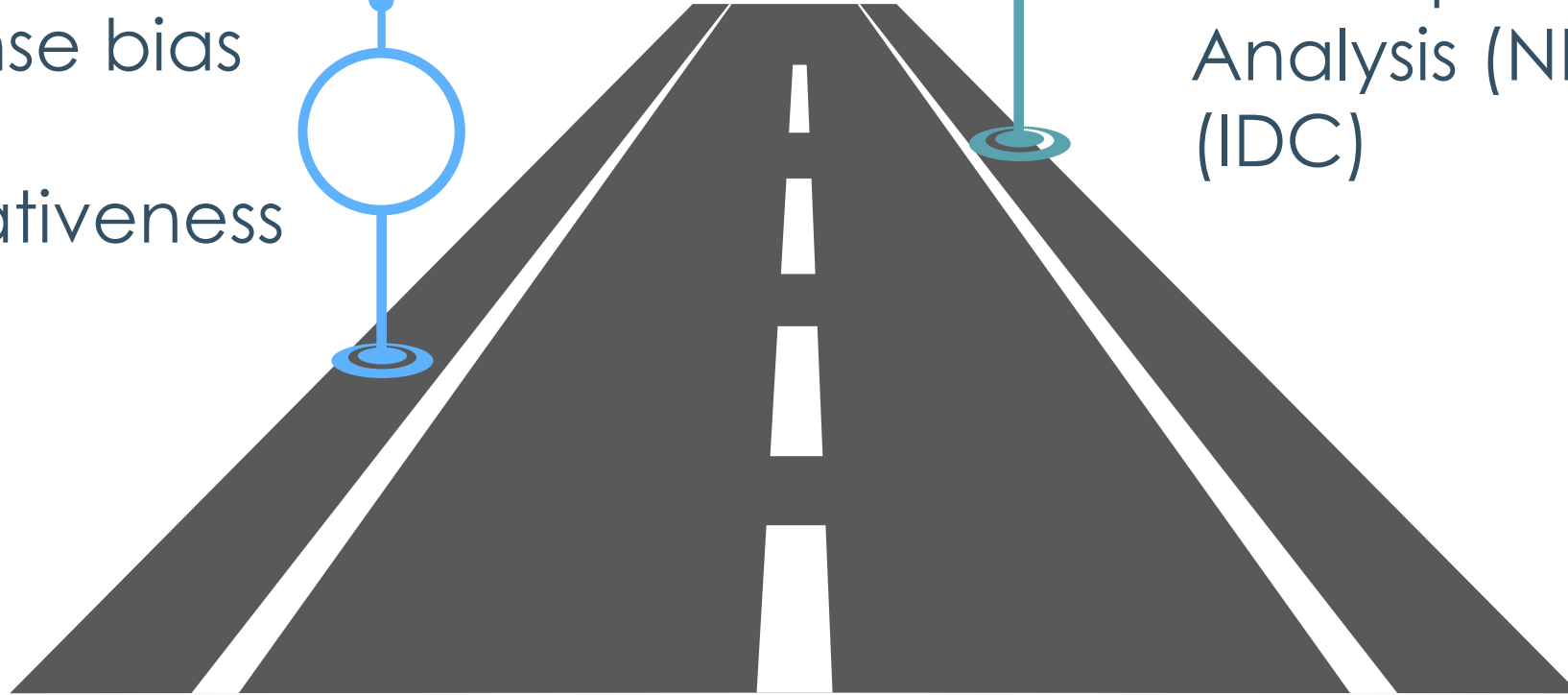
- States that had a decrease in response rate or had a response rate below 20% and indicated data were representative
 - Describe analysis and how this was determined
- States that did not describe strategies to address all components of the indicator
 - Increase response rate particularly for underrepresented groups
 - Should be reflective of State's analysis
 - Describe analysis of nonresponse bias **AND** strategies to reduce any bias in the future
 - Was NRB identified? If so, what strategies will be implemented to address it?
- States that did not align strategies with varying concepts
 - Differences in how to address 1. increasing response rate, 2. reducing nonresponse bias, and 3. increasing representativeness

The Road Ahead: Representativeness and NRB

► Difference between nonresponse bias and representativeness



► Nonresponse Bias Analysis (NRBA) app (IDC)



TA Connection

▶ Early Childhood Technical Assistance Center (ECTA)

- [Representativeness Calculator](#)

▶ IDEA Data Center (IDC)

- [Parent Involvement Data: How to Measure and Improve Representativeness for Part B Indicator 8](#)
- [Representativeness in Indicators B8 and B14: Why You Need It and Tools to Get It](#)
- [Response Rate, Representativeness, and Nonresponse Bias – They All Matter!](#)

▶ National Technical Assistance Center on Transition: The Collaborative (NTACT:C)

- [Instructions for the NTACT Response Calculator for Indicator 14-Revised \(v3\)](#)



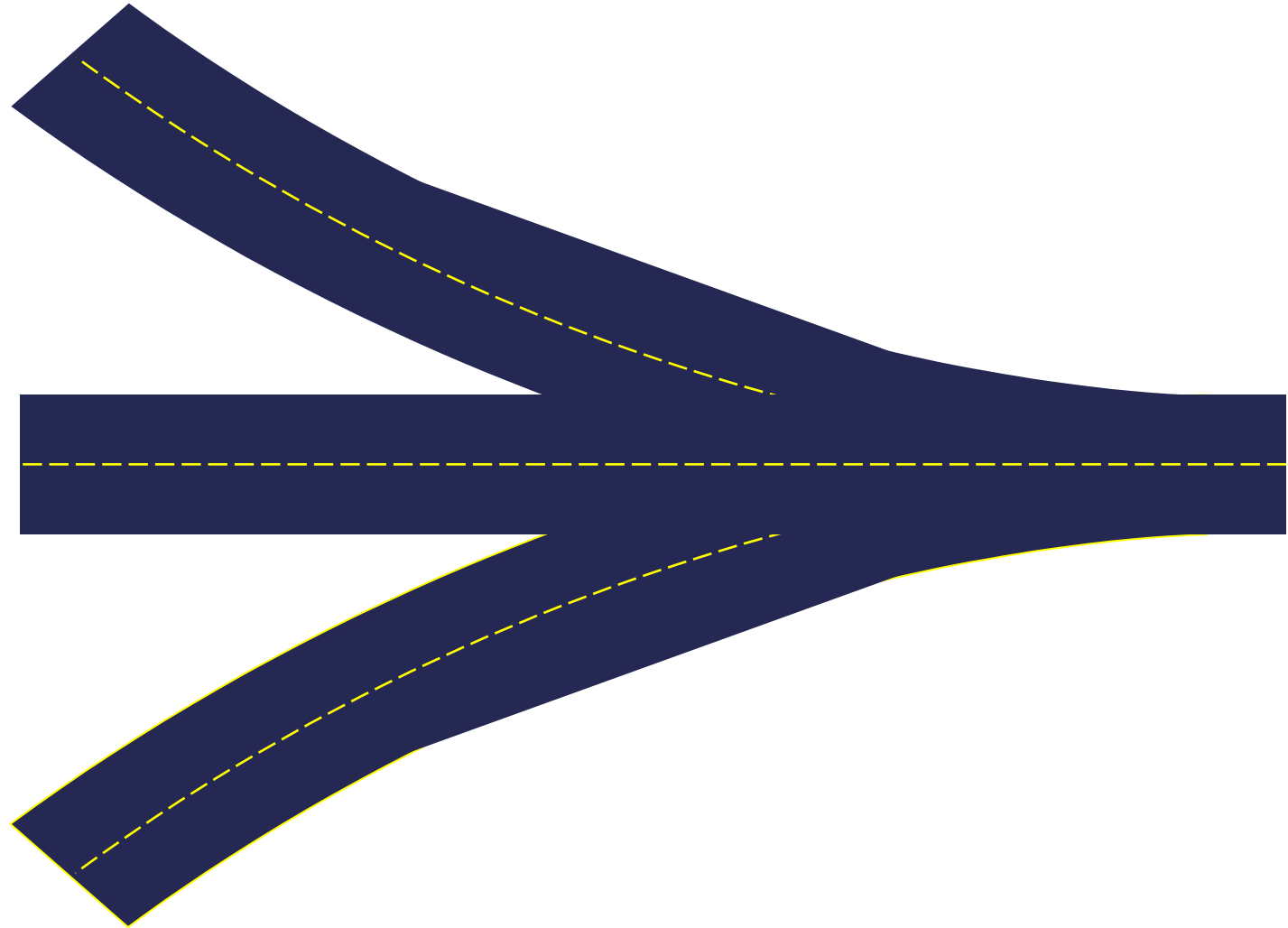
Indicator B4A/B Overview

IDEA Requirements
34 C.F.R. §300.170

SPP/APR
Measurement Table

OSEP Questions & Answers:
Addressing the Needs of
Children with Disabilities and
IDEA's Discipline Provisions
(July, 2022)

OSEP's
Analysis

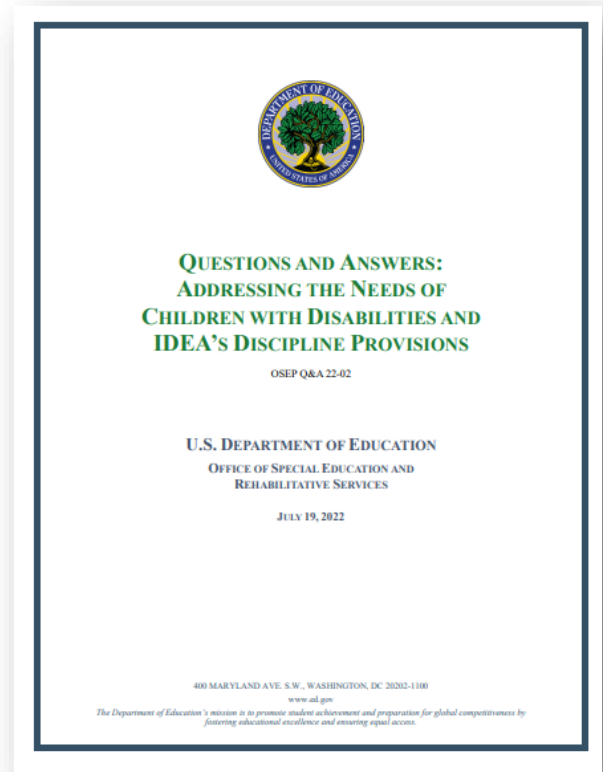


Question L-6

“Must a State’s chosen methodology for determining significant discrepancies in the rate of long-term suspensions and expulsions of children with disabilities under 34 C.F.R. § 300.170 be reasonable?”

- ▶ Answer: Yes. As noted above, the State must ensure that disaggregated data is examined to determine if significant discrepancies in the rates of long-term suspensions and expulsions of children with disabilities are occurring either: (1) among LEAs in the State; or (2) compared to the rates for nondisabled children within those LEAs. 20 U.S.C. § 1412(a)(22).

If this examination is not occurring in any meaningful way at the LEA level, OSEP may determine that a State’s chosen methodology is not reasonably designed to meet this requirement. Factors that OSEP may consider in determining reasonableness of the State’s methodology include whether none, or a very low percentage of, the State’s LEAs are being examined for significant discrepancy under the State’s chosen methodology, and whether statistically sound alternative methodologies exist or are being used by similarly-situated States.”



[https://sites.ed.gov/idea/topic-areas/#Discipline-Behavioral-Supportsopic Areas](https://sites.ed.gov/idea/topic-areas/#Discipline-Behavioral-Supportsopic%20Areas)

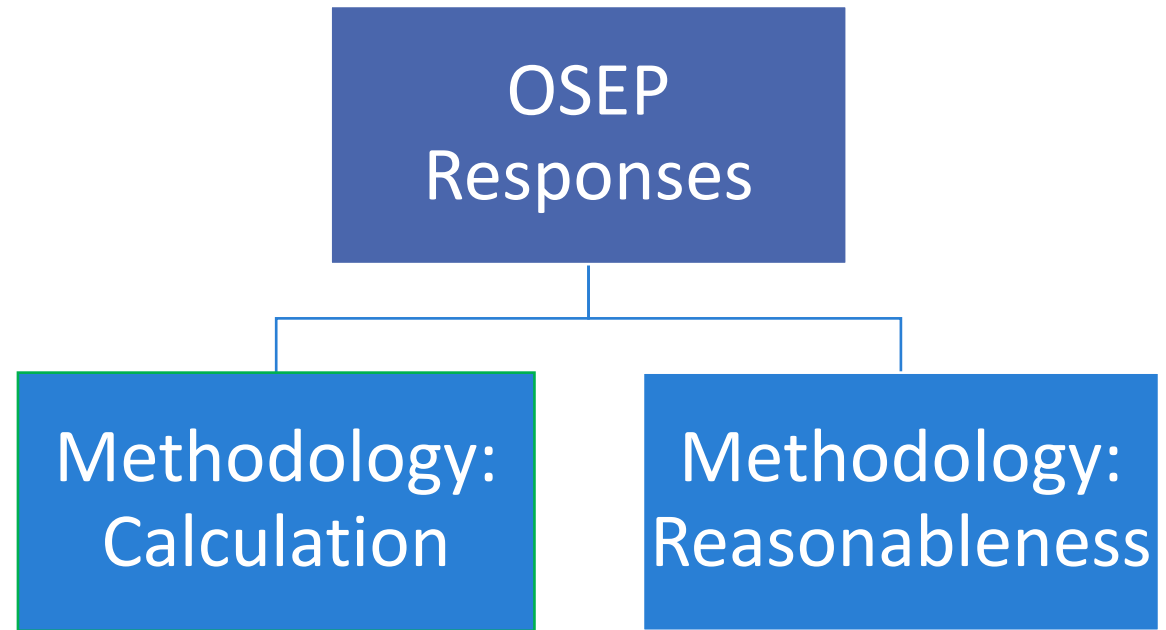
OSEP Responses/Required Actions

► Methodology: Calculation

- States that do not use one of the two comparison options
- States use different bars for each race/ethnicity
- State does not address race/ethnicity
- Missing information

► Methodology: Reasonableness

- State included a very low percentage or none of its LEAs in analysis
- State uses threshold above median of thresholds used by similarly situated states



Indicator B4A/B Methodology: Reasonableness

- ▶ State included a **very low percentage** of its LEAs in its analysis
 - Less than 10% of LEAs included
 - 4A & 4B: 11 States affected
- ▶ State included **none** of its LEAs in its analysis
 - 4A & 4B: 10 States/entities affected

▶ Required Action

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies [by race and ethnicity,] are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's LEAs are being examined for significant discrepancy under the State's chosen methodology.

Indicator B4A/B Methodology: Reasonableness

► State uses **threshold** above median of thresholds used by similarly situated states

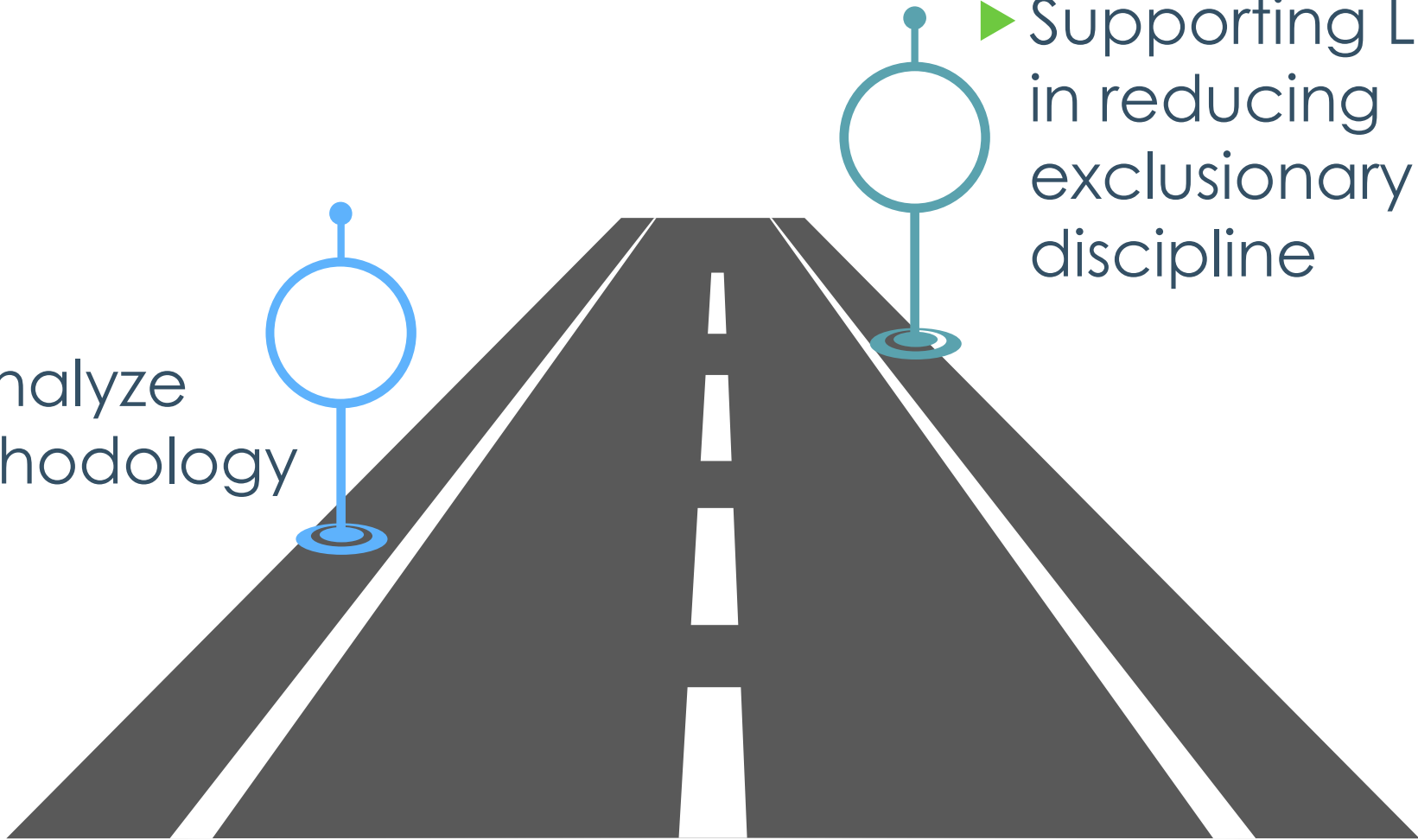
- Median for FFY 2021 OSEP analysis:
 - 3 times the comparison group
 - 2.03 standard deviations from the mean
- 4A: 20 States affected
- 4B: 18 States affected

► Required Action

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies [by race or ethnicity,] are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's threshold for measuring significant discrepancy [by race or ethnicity,] in the rate of long-term suspensions and expulsions is reasonably designed.

The Road Ahead: Indicator B4A/B

► Review, analyze data, methodology



TA Connection

► IDEA Data Center (IDC)



[Indicator B4 Technical Assistance Guide \(ideadata.org\)](http://ideadata.org)

NEW! OSEP Resources to Reduce Exclusionary Discipline



Visit the Positive Supports for Behavior and Discipline Resource Database

Reducing Exclusionary Discipline & Increasing Behavioral Supports

Children with disabilities, particularly children of color with disabilities, are suspended and expelled from school at disproportionately higher rates than their peers – a trend that starts as early as preschool.

The negative impact of exclusionary discipline on a child's short- and long-term outcomes is well documented. Exclusionary discipline's negative impacts include decreased academic achievement and increased risk of entering the juvenile justice system.

The U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS) and the OSERS Office of Special Education Programs (OSEP) has prioritized reducing exclusionary discipline and supporting the implementation of evidence-based practices that focus on prevention, intervention and behavioral strategies.

OSERS/OSEP released guidance that describes practices early childhood and school programs can use to prevent and respond to interfering behavior. Schools and early childhood programs can use the guidance to support children with disabilities and address disparities in the use of exclusionary discipline.

U.S. Department of Education Discipline/Behavior Guidance and Resources



- Policy Documents
- Multimedia Presentations and Information
- U.S. Department of Education Technical Assistance Centers
- U.S. Department of Education Resources

Resource Guides on Positive, Proactive Approaches to Discipline

The following resource guides summarize additional resources that have been set up in tables and can support schools and early childhood programs in implementing positive, proactive approaches to support and respond to children's behavioral needs more effectively. Following the resources in each guide is information about OSEP TA Centers that can provide additional information to support schools in implementing the practices described below.

OSERS is committed to providing resources to support state and local efforts to implement this guidance and reduce exclusionary discipline through:

- Examination of data to better understand the frequency of exclusionary discipline and support ongoing efforts to reduce its use;
- Systems changes at the state, local, school or early childhood program levels; and
- Evidence-based practices to support educators working with children ages pre-k through high school



- Data
- Systems
- Practices

NEW! Resources to Reduce Exclusionary Discipline & Increase Behavioral Supports

- Database of 100+ resources customized by audience, topic
- 6 **NEW** resource guides: data, systems, practices, early childhood collection

www.osepideasthatwork.org

RESOURCES TO SUPPORT

Reducing Exclusionary Discipline & Increasing Behavioral Supports

Data Dive: Using Discipline Data to Guide Decision Making

Overview

High-quality discipline data are critical to guide states, districts, schools, and early childhood programs in reducing exclusionary discipline. Data can inform decisions about which policies, procedures, and practices to use and which to discontinue and how to build systems that support such efforts. The resources included in this guide will help states, districts, schools, and early childhood programs make data more understandable and actionable for decision-making teams, focusing on identifying root causes and engaging in a problem-solving process. Resources are specific to discipline, and other resources more broadly address data literacy, data use and using data to promote equity. Please see the companion guide, *Data Dive: Using Discipline Data to Guide Decision Making and Early Childhood Resource Guide: Collection 4 Use of Data to Eliminate Exclusionary Discipline*.

In July 2022, the U.S. Department of Education, Office of Special Education Programs (OSEP), published *Positive, Proactive Approaches to Addressing the Needs of Children with Disabilities: A Guide for State* which provides actions state education agencies (SEAs), local education agencies (LEAs), schools, and programs, and education can take to implement positive, proactive, and preventative practices that address a child's behavioral needs while decreasing the use of exclusionary discipline. These practices address the core pillars of the Individuals with Disabilities Education Act (IDEA), including how addressing the best of children with disabilities is part of IDEA's requirement to provide a free appropriate public education in the least restrictive environment and that the individualized education program is the vehicle for fulfillment. By SEAs, LEAs, schools, early childhood programs, and educators implementing practices with these positive and proactive approaches, students with disabilities can be assured of access to an environment that is nondiscriminatory, supportive, positive, and nurturing for their academic and behavioral development.

OSEP Technical Assistance Center Resources

The resources listed in the following tables can support schools and early childhood programs in reducing exclusionary discipline and responding to children's behavioral needs more effectively.

Resource Type	Resource Title	Audience	Description	Link
Toolkit	Data Meeting Toolkit	State and Regional Agencies, Local/District Agencies	This suite of tools can guide conversation about data and support data-based decision making. The toolkit provides resources to support success before, during, and after data meetings.	https://www.osepidea.org/data-meeting-toolkit/
Toolkit	Success Gaps Toolkit Addressing Equity, Inclusion, and Opportunity	State and Regional Agencies, Local and District Agencies	DC's Success Gaps Toolkit outlines a process that district and school teams can use to identify and address discipline disparities revealed through the state's accountability system or through self-evaluation. The toolkit, with its process and materials, provides a manageable and defined way for districts or schools to take a closer look at their educational system to ensure an equitable education for all students.	https://www.osepidea.org/resources/gaps-toolkit-addressing-equity-inclusion-and-opportunity/
Toolkit	Part B Indicator Data Display Wizard	State and Regional Agencies	This tool helps SEA staff communicate complex data to stakeholders in a more user-friendly manner. The tool is designed to create data visualizations, in the form of charts, based on IEP Part B data the user enters. OSEP has updated the tool to make it easier for users to create visualizations and dynamically and automatically update based on the data the user enters into the tool. States can easily transfer the visualizations to other programs to meet their reporting needs based on the audience, message, and purpose of the desired report or presentation they are preparing.	https://www.osepidea.org/resources/osep-part-b-indicator-data-display-wizard/
Technical Assistance Product	Working Principles of High-Quality IDEA Data	State and Regional Agencies, Local and District Agencies, Parents and Families	High-quality data are timely, accurate, and complete. In addition, they are usable, accessible, and secure. Educators and communities at the local, state, and federal levels use high-quality early intervention and special education data to inform their decisions as they seek to meet the needs of children and students with disabilities and their families. Use this research PDF to learn more about the different components of high-quality data.	https://www.osepidea.org/resources/working-principles-of-high-quality-idea-data/



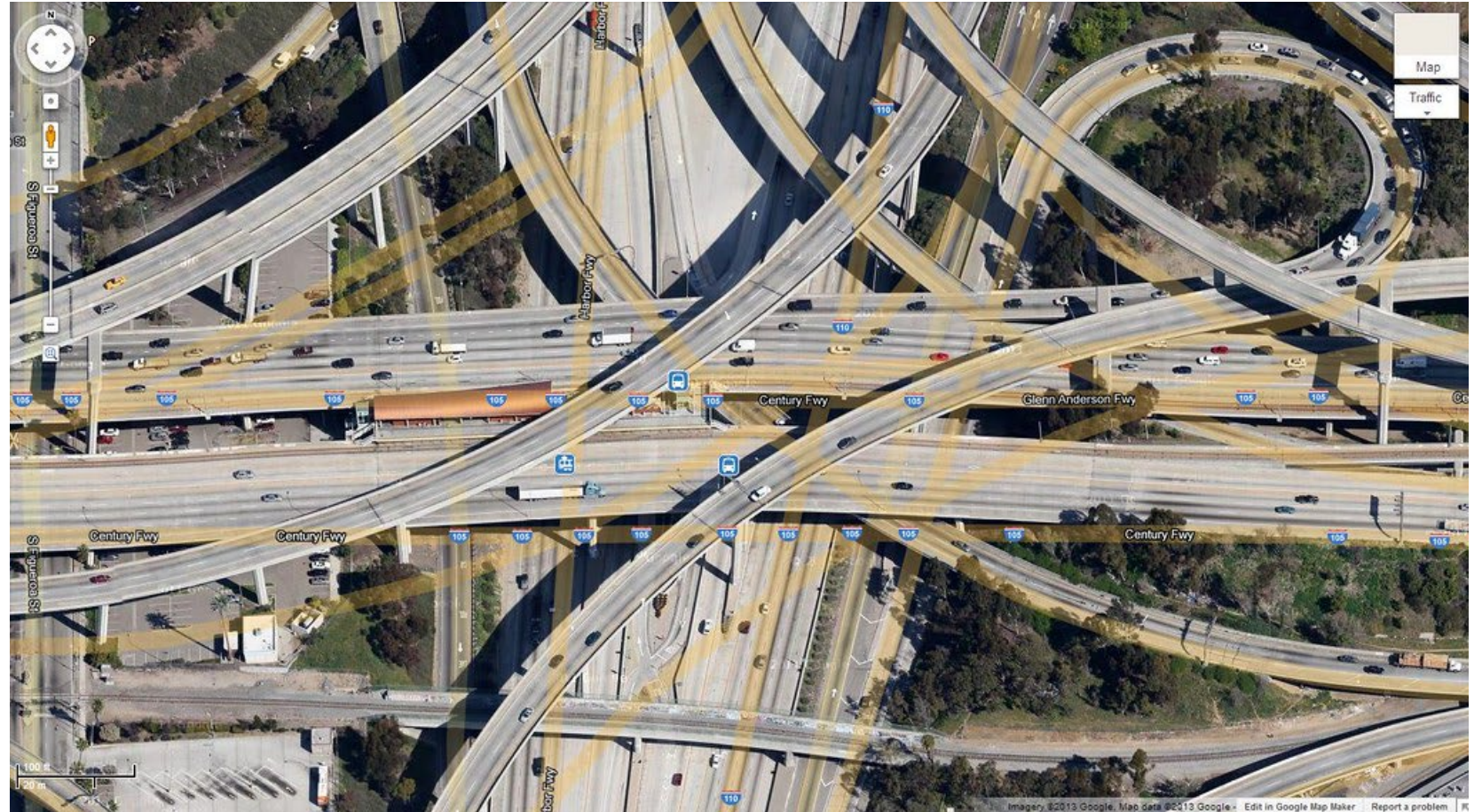
State Systemic Improvement Plan (SSIP)

INDICATOR C11/B17

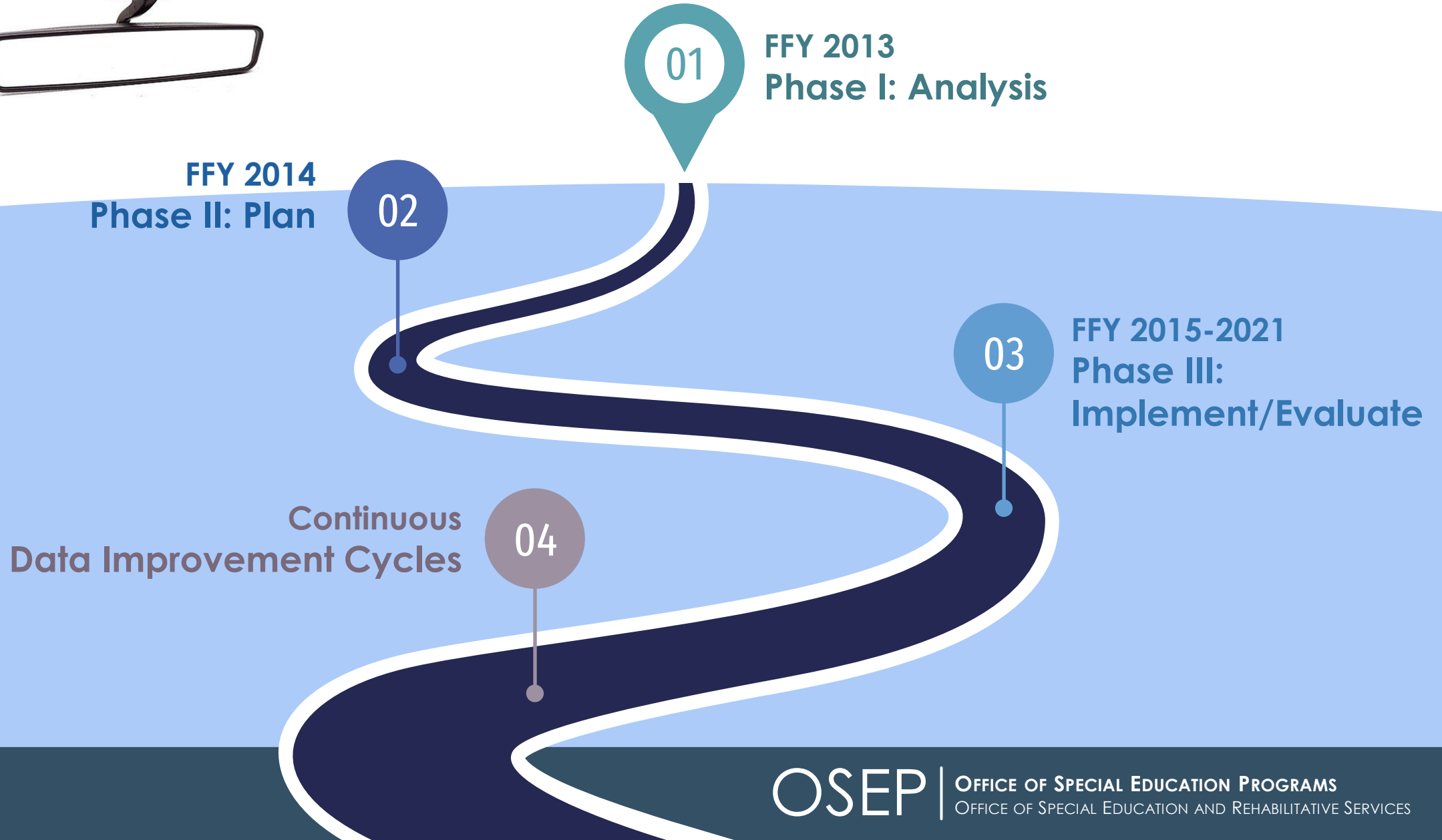
The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

MEASUREMENT

The State's SPP/APR includes an SSIP that is a comprehensive, ambitious, yet achievable multi-year plan for improving results for children with disabilities.

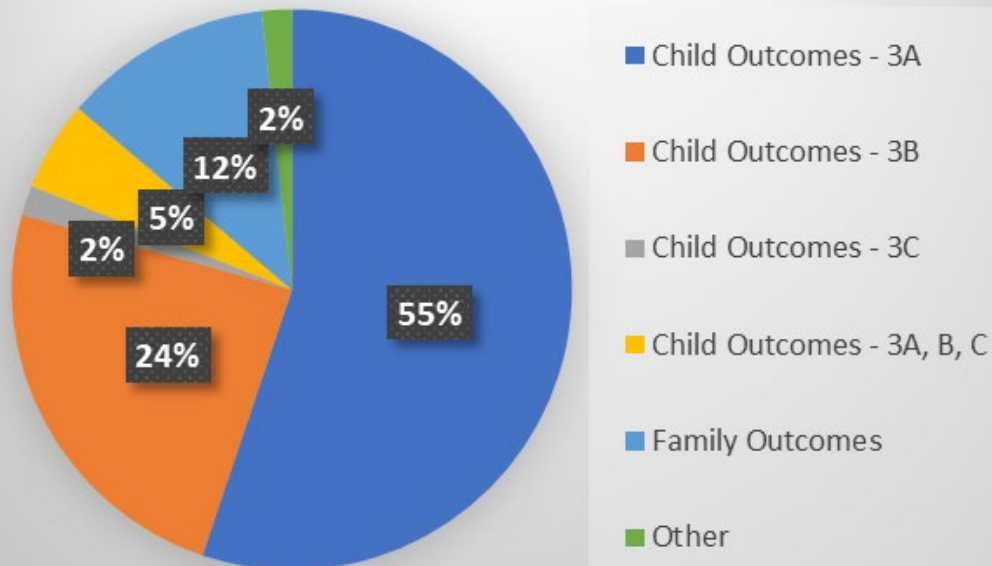


SSIP Timeline

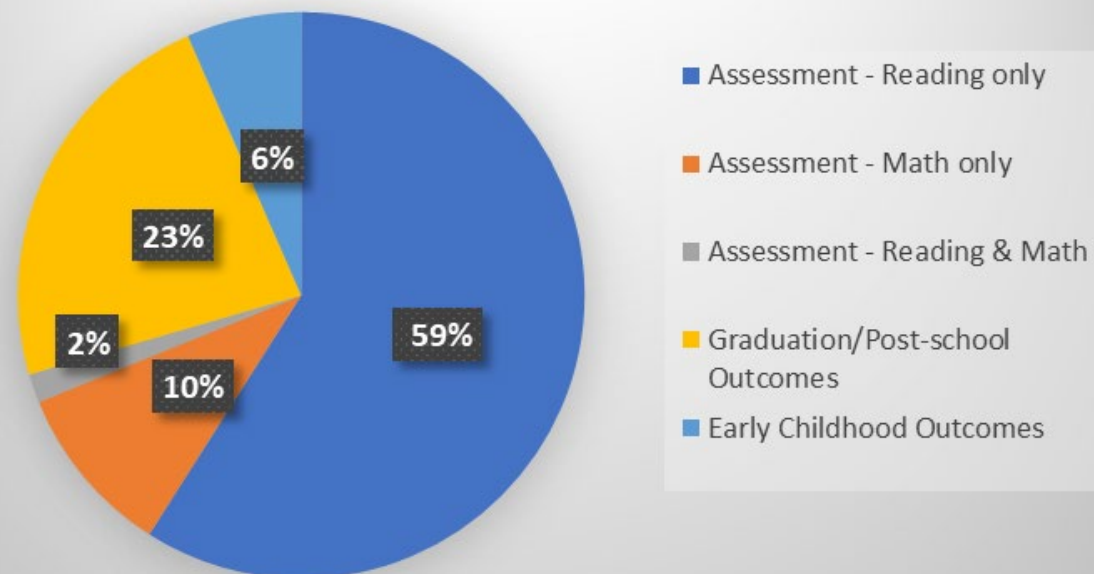


FFY 2021 State Identified Measurable Results

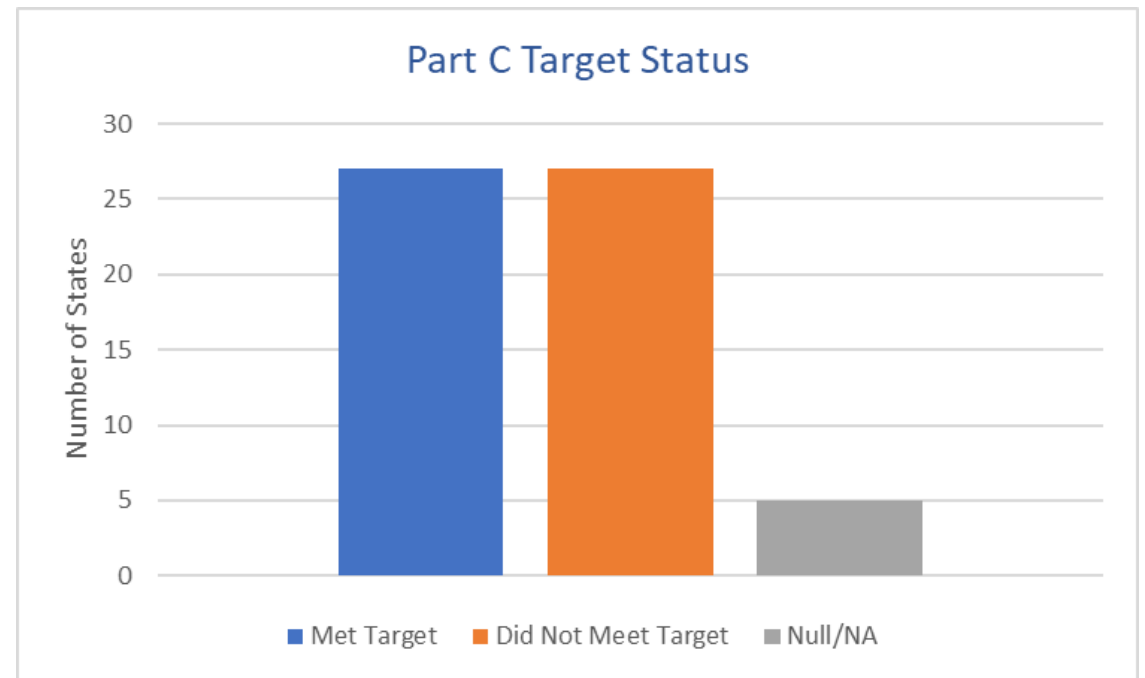
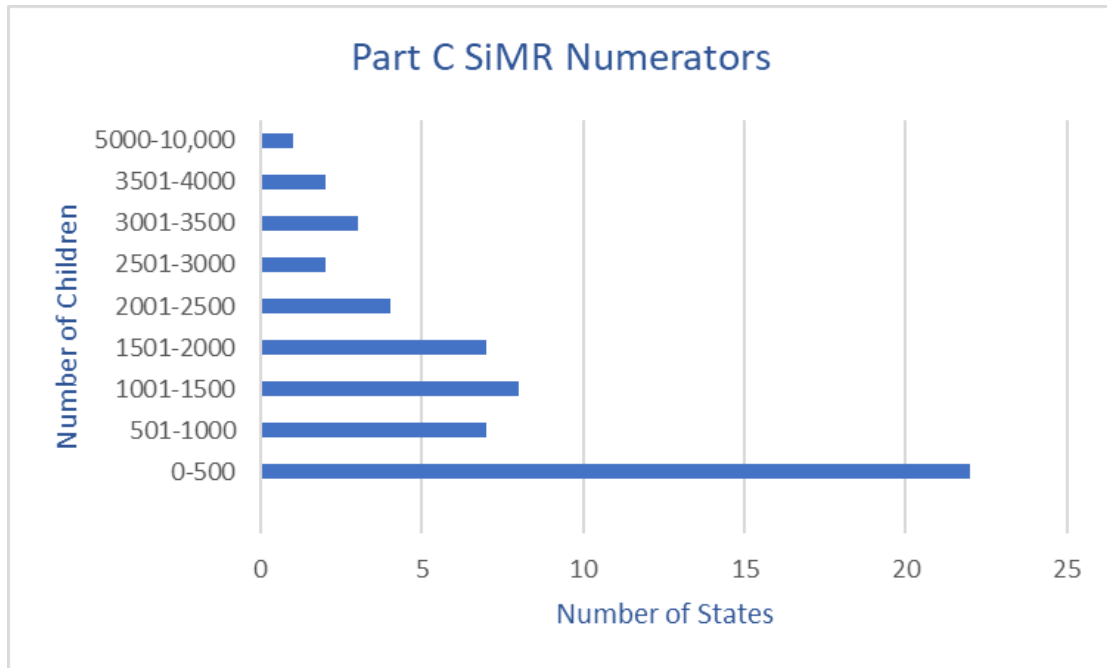
Part C SiMRs



Part B SiMRs



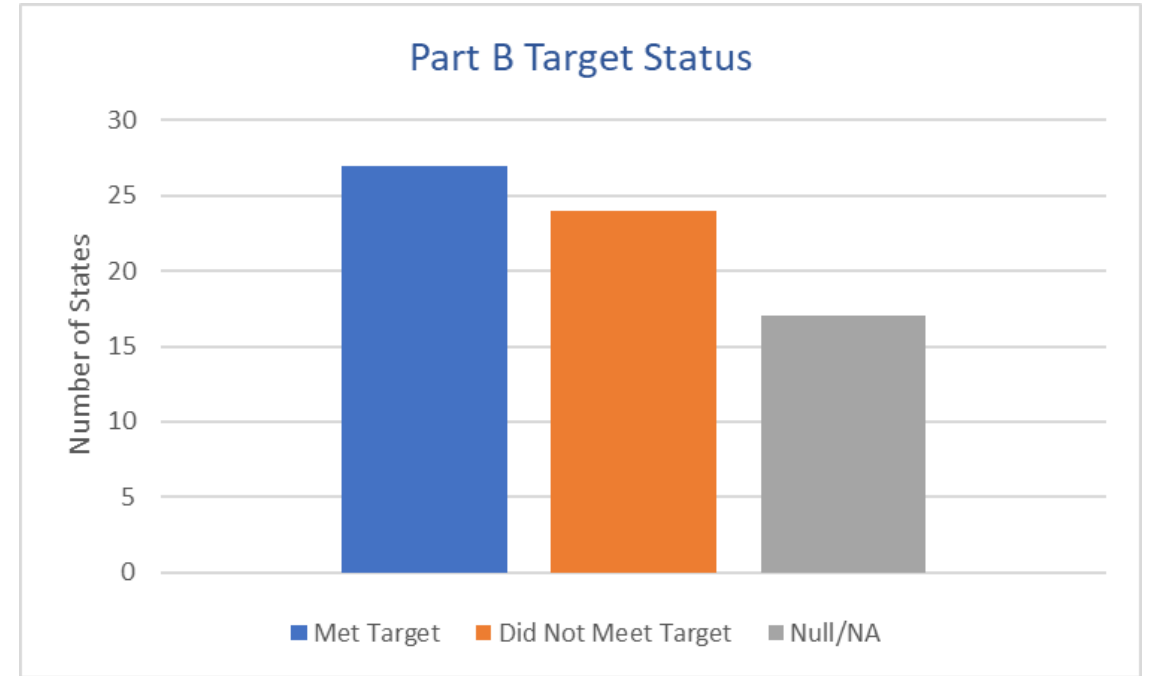
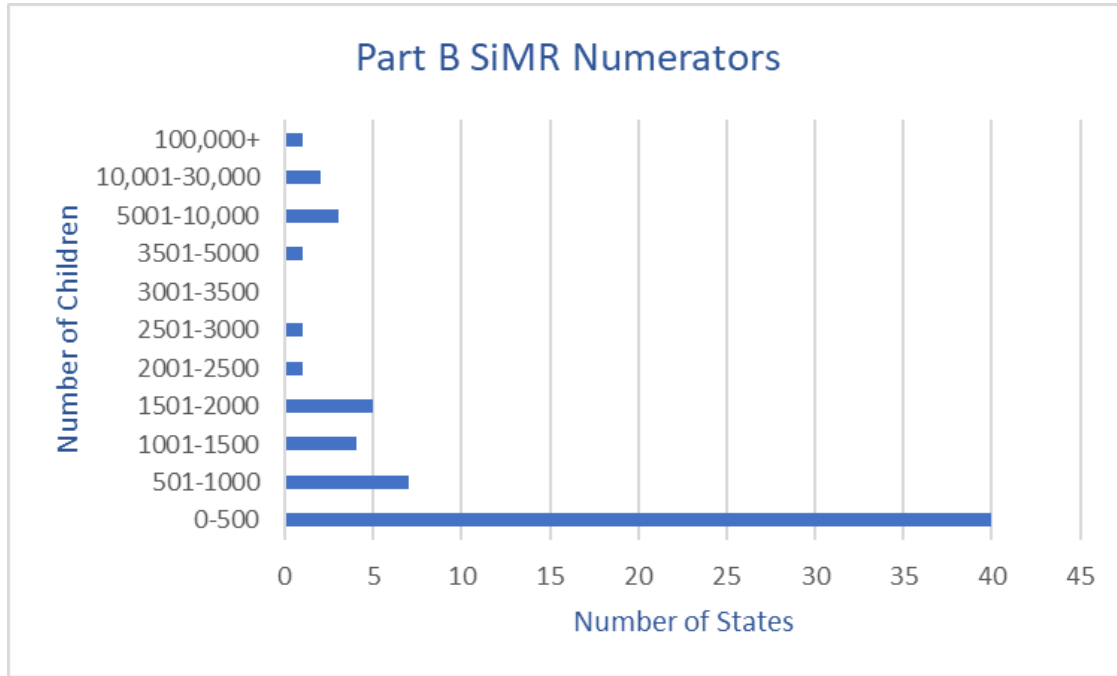
Part C SSIP Impact



FFY 2021 Child Count 0-2 years: 406,000			
Total SSIP impacted:	141,471	% of Population Served:	35%
Range:	16 - 45,352		
Average:	2,398		
Median:	1,054		



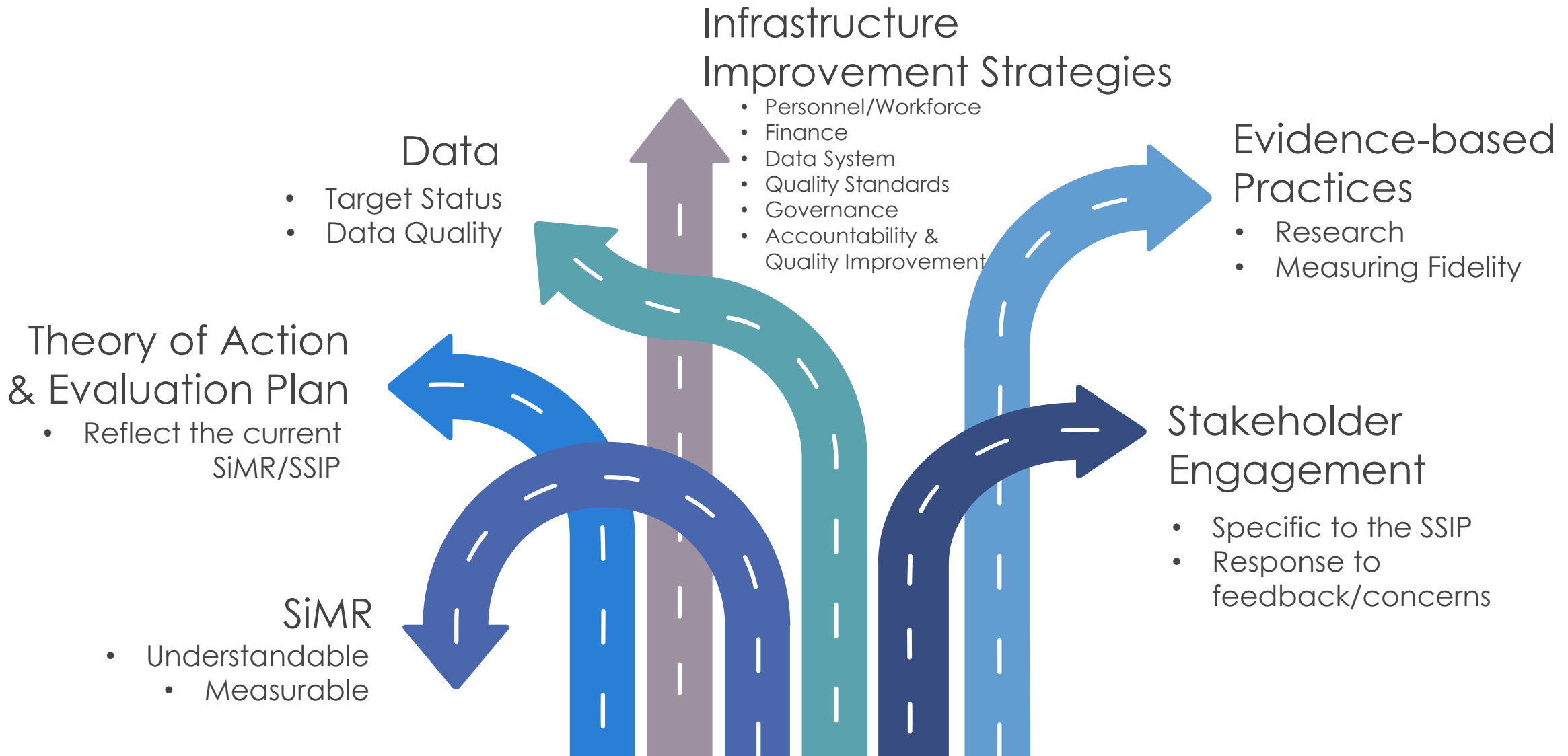
Part B SSIP Impact



FFY 2021 Child Count 3-21 years: 7,352,816

Total SSIP impacted:	215,817	% of Population Served:	2.9%
Range:	0-115,821		
Average:	3,320		
Median:	155		

Reporting Requirements & Observations



SSIP Roadmap

Implementation Drivers:

Key components of functional supports that enable a program's success.

Capacity

What hiring, training, and coaching structures need to be in place to implement as intended?

1

Organization

What system and environmental contexts need to be in place to support successful implementation?

2

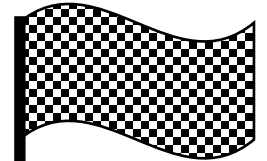
Leadership

How is leadership communicating, supporting, and navigating the change?

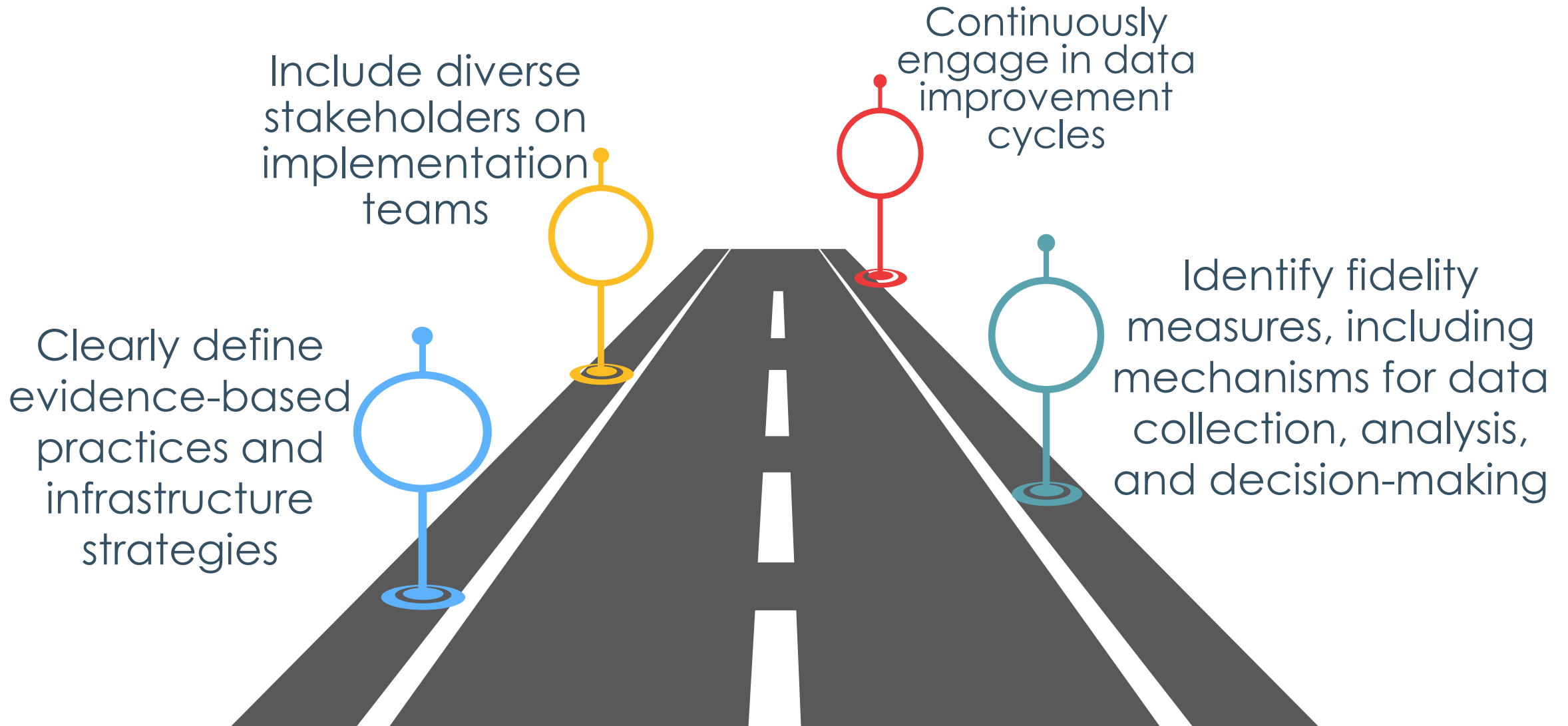
3

Outcomes

How will the activities improve outcomes for children with disabilities and their families?



The Road Ahead: SSIP



TA Centers



Where will you go from here?



- 📍 Share two highlights from today's quick trip that you will take back to your teams for further exploration.



- 📍 If you have outstanding questions, please submit them using the QR code.

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Directors Conference 2023



OSEP MISSION: To lead the nation's efforts to improve outcomes for children with disabilities, birth through 21, and their families, ensuring access to fair, equitable, and high-quality education and services.

OSEP VISION: A world in which individuals with disabilities have unlimited opportunities to learn and to lead purposeful and fulfilling lives.

Thank you
**FOR TAKING THIS
JOURNEY WITH US!**

OSEP

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OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
U.S. DEPARTMENT OF EDUCATION

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