

OSEP Feedback Sessions: Determinations

Purpose

The purpose of the feedback sessions is to solicit targeted input on the changes OSEP is considering to how data is used in making the Department's 2020 Determinations.

State Systemic Improvement Plan (SSIP)

OSEP is proposing that a two-factor approach to including the SSIP in determinations is implemented. First, States would get credit for meeting or exceeding the FFY target, which indicates progress toward the SiMR. Second, the SSIP report narrative would be reviewed using a rubric based on objective criteria that assesses whether a State has demonstrated meaningful progress toward its self-identified goals and outcomes (progress implementing the SSIP), and how this progress is impacting infants, toddlers, children, and youth with disabilities. States demonstrating both SSIP implementation and FFY data progress would receive additional point(s) for results in the RDA matrix.

Questions:

1. For FFY 2018, OSEP is proposing to use an SSIP score to award additional point(s) in the RDA matrix but not have it negatively impact a State's determination. How would your stakeholders react to the use of the SSIP as a supplemental data point that could improve but not lower a State's determination?
2. There is significant variability in the number and type of infrastructure improvement strategies and evidence-based practices implemented and evaluated by States. What are 3-5 critical elements or outcomes you think OSEP should consider when evaluating implementation progress (e.g., family engagement as a strategy or outcome, implementation of evidence-based practices with fidelity)?
3. OSEP has always considered the SSIP the "State's plan." If specific elements or outcomes were to impact determinations more than others, how would this impact your State's flexibility and resource allocation?
4. How likely is it that your State will make substantial changes in SiMR targets and improvement strategies if the SSIP is included in determinations (based on progress toward annual targets and achieving implementation outcomes)? What kind of changes would you anticipate?
5. If OSEP required the SSIP to be submitted in February with the rest of the SPP/APR for the next 6-year cycle, what resources or technical assistance would you need in order to submit the report 2 months earlier?

Family Outcomes

As noted in the legislation, families are vital to the results of infants and toddlers in early intervention. When families do not know their rights, they are not able to effectively advocate for their children's needs. And if families leave Part C without being able to effectively

communicate their children's needs and help their children develop and learn, then Part C of the Individuals with Disabilities Education Act (IDEA) has not met the intent of the law for supporting families and their infants and toddlers. We see the inclusion of family outcomes in the determinations process as a way to elevate family voice.

The data States report for each family outcome shows that, on average, above 90 percent of families indicate that early intervention has helped them meet all three outcomes. If we just used the percentage of families meeting the three outcomes, then most States would score highly in this area and it would not have much meaning within the determinations process.

Instead, OSEP is proposing to look at the representativeness of the family outcome data. If the State is not using a representative sample, then it speaks to data quality and being able to use the data to make program improvements. OSEP recognizes that every State is at different places and is proposing that States would set an annual target to increase the representativeness of their data. The score for determinations would be based on whether the State's data is representative of the demographics of the State and whether they met their target or made progress towards the target annually.

States currently report to OSEP, under Indicator C4, on whether or not their family outcomes data are representative. However, while some States provide great detail, including the demographics of their data to support their conclusion of whether or not their data is representative, other States provide minimal information to support their conclusion. OSEP recognizes the importance of clearly defining the factors States would need to report on to determine representativeness.

We understand that for some States reporting out this level of detail will take time. We want to allow a reasonable period of time for States to prepare to collect new data and meet with Stakeholders to determine appropriate baselines and targets. We are therefore envisioning a phased in approach for this factor within the determinations process.

Questions:

1. The two factors we are considering for representativeness are “race/ethnicity” and “family income.” Are these the right factors to include? Would you recommend other factors?
2. We are considering phasing in this data collection. What infrastructure or systems would you need to put into place to be able to collect and report data for this factor?
3. What length of time would be needed to make changes to your infrastructure or systems to collect and report the data?
4. What structures do you have in place that would allow meaningful family/stakeholder engagement to set targets for this factor?
5. What technical assistance supports would be helpful to you to increase your capacity to collect, report, and use the data for program improvement?

Part B Compliance Indicators - Weighting

Rather than weighting each compliance factor equally, OSEP is considering assigning greater weight to those compliance factors most directly related to improving results for children with disabilities.

Questions:

1. The current compliance indicators are 4B, 9, 10, 11, 12, and 13. Which of these compliance indicators would you consider most closely related to improving outcomes for children with disabilities, and why?
2. How would you weigh the compliance indicators most closely related to improving outcomes for children with disabilities, and why?

Preschool Outcomes

Using preschool outcomes for Part B determinations is consistent with the use of the early childhood outcomes factor that has been used for Part C determinations since 2015. In addition, including this factor emphasizes the importance of preschool outcomes in promoting later school success for students with disabilities.

Questions:

1. How would the inclusion of the preschool outcomes data affect your State?
2. Is the quality of your preschool outcome data a concern in your State? If so, what technical assistance do you anticipate needing in order to improve the data quality?

Graduation

OSEP will be revisiting ways of measuring improvement in the graduation rate of students with disabilities.

Questions:

1. What would you recommend OSEP consider for rethinking measuring improvement in the graduation rate of students with disabilities?
2. How would your stakeholders react to these proposed changes?

Participation and Performance of Children with Disabilities on Assessments

OSEP is considering several changes to the results factors related to the participation and performance of children with disabilities on assessments, including: (1) using Statewide assessment results, rather than the NAEP performance data; (2) looking at year-to-year improvements in Statewide assessment results and taking into account the full Statewide assessment system, including alternate assessments; and (3) no longer comparing each State's assessment performance with that of other States.

Questions:

1. Should OSEP look at reading/ELA and math separately, or combine them?

2. Rather than comparing each State's assessment performance with that of other States, OSEP is considering using other approaches (e.g., State-established targets, research/evidence-based thresholds). What approach do you prefer, and why?
3. Many States did not establish annual assessment targets under ESSA. If State-established targets are preferred, what is the best way for States to identify and submit their annual targets to OSEP, and how long would States need to establish their targets?
4. Should OSEP focus on a subset of specific grades (e.g., 4th grade, 8th grade, and HS) or calculate an "average" for each State across all grades 3-8, and HS?
5. Is measuring year-to-year gains or declines in State assessment results important, and if so why; or if not, why not?
6. Is measuring gaps in achievement between students with disabilities compared to other students important, and if so why; or if not, why not?
7. What are some potential mitigating factors that might heavily influence, up or down, assessment results (e.g., State changes its assessment and/or its achievement standards between school years—other mitigating factors)? What should OSEP do in such circumstances and why?