

# **STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on  
FFY 2019**

**Maryland**



**PART B DUE  
February 1, 2021**

**U.S. DEPARTMENT OF EDUCATION  
WASHINGTON, DC 20202**

## Introduction

### Instructions

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State's systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State's General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

### Intro - Indicator Data

#### Executive Summary

#### Additional information related to data collection and reporting

Please see attachment.

#### Number of Districts in your State/Territory during reporting year

25

#### General Supervision System

The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.

Please see attachment.

#### Technical Assistance System

The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.

Please see attachment.

#### Professional Development System

The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities.

Please see attachment.

#### Stakeholder Involvement

The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.

Please see attachment.

#### Apply stakeholder involvement from introduction to all Part B results indicators (y/n)

NO

#### Reporting to the Public

How and where the State reported to the public on the FFY18 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2018 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2018 APR in 2020, is available.

Please see attachment.

### Intro - Prior FFY Required Actions

The State's IDEA Part B determination for both 2019 and 2020 is Needs Assistance. In the State's 2020 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance.

The State must report, with its FFY 2019 SPP/APR submission, due February 1, 2021, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

In the FFY 2019 SPP/APR, the State must report FFY 2019 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year Five; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2020); (3) a summary of the SSIP's coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short-term and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities is impacting the State's capacity to improve its SiMR data.

#### Response to actions required in FFY 2018 SPP/APR

### Intro - OSEP Response

The State's determinations for both 2019 and 2020 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 25, 2020 determination letter informed the State that it must report with its FFY 2019 SPP/APR submission, due February 1, 2021, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. The State provided the required information.

## Intro - Required Actions

## Indicator 1: Graduation

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) graduating from high school with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

Same data as used for reporting to the Department of Education (Department) under Title I of the Elementary and Secondary Education Act (ESEA).

#### Measurement

States may report data for children with disabilities using either the four-year adjusted cohort graduation rate required under the ESEA or an extended-year adjusted cohort graduation rate under the ESEA, if the State has established one.

#### Instructions

Sampling is not allowed.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target. Provide the actual numbers used in the calculation.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.

Targets should be the same as the annual graduation rate targets for children with disabilities under Title I of the ESEA.

States must continue to report the four-year adjusted cohort graduation rate for all students and disaggregated by student subgroups including the children with disabilities subgroup, as required under section 1111(h)(1)(C)(iii)(II) of the ESEA, on State report cards under Title I of the ESEA even if they only report an extended-year adjusted cohort graduation rate for the purpose of SPP/APR reporting.

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2011	56.57%

FFY	2014	2015	2016	2017	2018
Target >=	61.43%	63.67%	65.91%	68.14%	70.38%
Data	63.45%	63.93%	66.86%	67.48%	66.84%

### Targets

FFY	2019
Target >=	72.62%

### Targets: Description of Stakeholder Input

The data provided for Indicator 1 of the SPP/APR are taken from the Maryland Report Card, Maryland's official ESEA data reporting source for the MSDE that aligns with Maryland's Consolidated State Performance Report (CSPR). The Maryland Report Card may be accessed at <http://mdreportcard.org/>. The targets for Maryland's graduation rate are the same as the annual graduation rate targets under ESSA. The Office of Special Education Programs (OSEP) has approved this process.

No changes to baselines or targets are being proposed for FFY 2019. To set current targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and the targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

### Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs graduating with a regular diploma	3,470
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate	07/27/2020	Number of youth with IEPs eligible to graduate	5,463

Source	Date	Description	Data
(EDFacts file spec FS151; Data group 696)			
SY 2018-19 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695)	07/27/2020	Regulatory four-year adjusted-cohort graduation rate table	63.52%

**FFY 2019 SPP/APR Data**

Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma	Number of youth with IEPs in the current year's adjusted cohort eligible to graduate	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
3,470	5,463	66.84%	72.62%	63.52%	Did Not Meet Target	Slippage

**Provide reasons for slippage, if applicable**

Revised data were submitted to EdFacts on January 26, 2021, which indicate a statewide graduation rate of 65.77% for FFY 2019. Therefore, data did not meet the state target and decreased from 66.84% in FFY 2018 to 65.77% in FFY 2019. In examining the data, only 8 LSSs met the State Target for FFY 2019. Eleven (11) LSSs showed increases in the percentage of students with disabilities who graduated with a diploma, whereas 14 showed decreases. Most decreases were negligible but 3 LSSs had decreases of over 15 percentage points. While these 3 are smaller school systems, it should be noted that one of Maryland's largest school systems had a decrease of almost 5 percentage points.

**Graduation Conditions**

**Choose the length of Adjusted Cohort Graduation Rate your state is using:**

4-year ACGR

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.**

The MSDE DE/SES, reported the same data to the U.S. Department of Education under Title I of the Elementary and Secondary Education Act (ESEA) as amended by The Every Student Succeeds Act (ESSA) which reauthorizes the ESEA of 1965.

NOTE: Updated data were resubmitted to the EdFacts System on January 26, 2021.

Using the required 2018-2019 Four-Year Adjusted Cohort Rate 3,891 youth with IEPs out of a possible 5,916 graduated with a regular diploma. This is a 4-year adjusted cohort graduation rate of 65.77% which demonstrates a slight decrease from FFY 2017-2018 data. The State did not meet its target for FFY 2018-2019 data. The 4-year adjusted cohort graduation rate of 86.86% for regular education students when compared to the 4-year adjusted cohort rate for special education students reflects a 23.26 percentage point gap between the graduation rate of non-disabled peers and youth with disabilities who received services in accordance with an Individualized Education Program (IEP).

**Four Year Adjusted Cohort Graduation Rate**

The four-year adjusted cohort rate is the number of students who graduate in four years with a regular high school diploma divided by the number of students who form the adjusted cohort for the graduating class. From the beginning of the 9th grade, students who are entering that grade for the first time form a cohort that is subsequently "adjusted" by adding any student who transfers into the cohort later during the 9th grade year and the next three years and subtracting out any students who transfer out, emigrate to another county, or die during that same period. This definition is defined in federal regulation 34 C.F.R. §200.19(b)(1)(i)-(iv). The four-year adjusted cohort graduation rate also strictly adheres to section 111(b)(2)(C)(vi) of the Elementary and Secondary Education Act (ESEA), as amended by The Every Student Succeeds Act (ESSA) which reauthorizes the ESEA of 1965 which defines graduation rate as the "percentage of students who graduate from secondary school with a regular diploma in the standard number of years."

Under 34 C.F.R. §200.19(b)(1)(iv), 200.19(b)(1)(i)-(iv). The four-year adjusted cohort graduation rate also strictly adheres to section 111(b)(2)(C)(vi) of the Elementary and Secondary Education Act (ESEA), which defines graduation rate as the "percentage of students who graduate from secondary school with a regular diploma in the standard number of years."

The data provided are from the Maryland Report Card, Maryland's official ESEA data reporting source for the Maryland State Department of Education that aligns with Maryland's Consolidated State Performance Report (CSPR). The Maryland Report Card may be accessed at <http://mdreportcard.org/>. The graduation rate targets are the same as the annual graduation rate targets under Title I of the ESEA.

Leaver Rate = The graduation rate Maryland previously reported is called the "Leaver Rate." The Leaver Rate is defined as the percentage of students who received a Maryland High School Diploma during the reported school year. The Leaver Rate is an estimated cohort rate. It is calculated by dividing the number of high school graduates by the sum of the dropouts for grades 9 through 12, respectively, in consecutive years, plus the number of high school graduates.

**Graduation Conditions**

Maryland offers one diploma known as the Maryland High School Diploma. The requirements for a Maryland High School Diploma are applicable to all students, including youth with IEPs. To be awarded a diploma, a student, including a youth with an IEP, shall be enrolled in a Maryland public school and have earned a minimum of 21 credits that include the following:

**Subject Area Specific Credit Requirement**

English - 4 credits

Math - 3 credits

1 in Algebra/Data Analysis

1 in Geometry  
1 in additional Mathematics credit

Science - 3 credits  
1 in Biology  
2 that must include laboratory experience in all or any of the following areas: earth science, life science, physical science

Social Studies - 3 credits  
1 in US History  
1 in World History  
1 in Local, State, and National Government

Fine Arts - 1 credit

Physical Education - ½ credit

Health - ½ credit

Technology Education - 1 credit

Other  
2 credits of foreign language or 2 credits of American Sign Language or 2 credits of advanced technology education and 3 credits in electives OR 4 credits by successfully completing a State approved career & technology program and 1 credit in an elective

Students must also meet attendance, service-learning, and any local school system requirements.

In addition, all students, including youth with IEPs, must complete the following High School Assessments requirements:

Algebra/Data Analysis, English 10, and Biology

Students who entered grade 9 in the fall of 2005 and later (COMAR 13A.03.02.09) must obtain either a passing score on Algebra/Data Analysis, English 10, and Biology or obtain an overall combined score of 1208 or 1602 (see below). Students who meet specific criteria may use the Bridge Plan for Academic Validation to meet the passing requirement. For more information about the Bridge Plan for Academic Validation, please see questions 20 and 21 (pages 10-11) in the High School Graduation Requirements Questions and Answers at [http://hsaexam.org/img/HS\\_Grad\\_Q\\_A.pdf](http://hsaexam.org/img/HS_Grad_Q_A.pdf).

Government

Students who entered 9th grade in the 2012-13 school year are not required to pass the Government High School Assessment for graduation but may use it if they pursue a combined score to satisfy the graduation requirements. Students have two options. Students may achieve either a combined score of:

1602 for English, Algebra/Data Analysis, Biology, and Government; or  
1208 for English, Algebra/Data Analysis, and

Students entering 9th grade in the 2013-2014 school year and beyond must either pass the Government High School Assessment or include the Government High School Assessment score to meet a combined score of 1602.

**Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)**

NO

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

## **1 - Prior FFY Required Actions**

None

## **1 - OSEP Response**

## **1 - Required Actions**

## Indicator 2: Drop Out

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

OPTION 1:

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in ED Facts file specification FS009.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

#### Measurement

OPTION 1:

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

#### Instructions

Sampling is not allowed.

OPTION 1:

Use 618 exiting data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) received a certificate; (c) reached maximum age; (d) dropped out; or (e) died.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved, but are known to be continuing in an educational program.

OPTION 2:

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

Data for this indicator are "lag" data. Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target.

Provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain.

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2011	5.41%

FFY	2014	2015	2016	2017	2018
Target <=	4.47%	3.99%	3.51%	3.03%	2.55%
Data	4.63%	4.73%	3.90%	4.21%	3.98%

### Targets

FFY	2019
Target <=	2.55%

### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and those targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

**Please indicate the reporting option used on this indicator**

Option 2

**Prepopulated Data**

Source	Date	Description	Data
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	4,670
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b)	797
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c)	51
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d)	1,196
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e)	25

**Has your State made or proposes to make changes to the data source under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012? (yes/no)**

NO

**Use a different calculation methodology (yes/no)**

YES

**Change numerator description in data table (yes/no)**

NO

**Change denominator description in data table (yes/no)**

NO

**If use a different calculation methodology is yes, provide an explanation of the different calculation methodology**

The MSDE, DEI/SES is using Option 2. The calculation is an annual event dropout rate that reflects the number of IEP dropouts from grades 9-12 divided by the number of IEP students in grades 9-12. The instructions for Option 2 state that Maryland is to "use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data." These data are from SY 2018-2019 as the data for this indicator are "lagged" data. The State did not meet the target of 2.55% and these data show a decrease in the percentage of students dropping out compared to the previous year.

The Annual Dropout Rate is the percentage of students dropping out of school in grades 9 through 12 in a single year. The number and percentage of students who leave school for any reason, except death, before graduation or completion of a Maryland approved educational program and who are not known to enroll in another school or state-approved program during the current school year. The year is defined as July through June and includes students dropping out over the summer and students dropping out of evening high school and other alternative programs. Using the MSDE 2018-2019 school year Annual Dropout Rate data, the MSDE, DEI/SES reports an Annual Dropout Rate of 3.26%, (995/30,502 X 100). These data are from the Maryland Report Card, the official reporting source for Maryland Public Schools. The Maryland Report Card can be found at <http://mdreportcard.org>.

**FFY 2019 SPP/APR Data**

Number of youth with IEPs who exited special education due to dropping out	Total number of High School Students with IEPs by Cohort	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
995	30,502	3.98%	2.55%	3.26%	Did Not Meet Target	No Slippage

**Provide reasons for slippage, if applicable**

**Provide a narrative that describes what counts as dropping out for all youth**

The Annual Dropout Rate is the percentage of students dropping out of school in grades 9 through 12 in a single year. The number and percentage of students who leave school for any reason, except death, before graduation or completion of a Maryland approved educational program and who are not known to enroll in another school or state-approved program during the current school year. The year is defined as July through June and includes students dropping out over the summer and students dropping out of evening high school and other alternative programs. Using the MSDE 2018-2019 school year Annual Dropout Rate data, the MSDE, DEI/SES reports an Annual Dropout Rate of 3.26%, (995/30,502 X 100). These data are from the Maryland Report Card, the official reporting source for Maryland Public Schools. The Maryland Report Card can be found at <http://mdreportcard.org>.

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs below.**

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.



**2 - Prior FFY Required Actions**

None

**2 - OSEP Response**

**2 - Required Actions**

## Indicator 3B: Participation for Students with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

- A. Indicator 3A – Reserved
- B. Participation rate for children with IEPs
- C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

#### Measurement

B. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### Instructions

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Provide separate reading/language arts and mathematics participation rates, inclusive of all ESEA grades assessed (3-8 and high school), for children with IEPs. Account for ALL children with IEPs, in all grades assessed, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

### 3B - Indicator Data

#### Reporting Group Selection

Based on previously reported data, these are the grade groups defined for this indicator.

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Overall	X	X	X	X	X	X	X	X	X	X	X

#### Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2005	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	100.00%	Actual	97.84%	98.01%	97.97%	97.73%	98.74%

#### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2005	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	100.00%	Actual	97.82%	97.92%	98.51%	96.84%	98.56%

#### Targets

Subject	Group	Group Name	2019
Reading	A >=	Overall	97.00%
Math	A >=	Overall	97.00%

#### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

#### FFY 2019 Data Disaggregation from EDFacts

Include the disaggregated data in your final SPP/APR. (yes/no)

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

**Reading Assessment Participation Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs											
b. IEPs in regular assessment with no accommodations											
c. IEPs in regular assessment with accommodations											
f. IEPs in alternate assessment against alternate standards											

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

**Math Assessment Participation Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs											
b. IEPs in regular assessment with no accommodations											
c. IEPs in regular assessment with accommodations											
f. IEPs in alternate assessment against alternate standards											

**FFY 2019 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			98.74%	97.00%		N/A	N/A

**FFY 2019 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			98.56%	97.00%		N/A	N/A

**Regulatory Information**

The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]

### **Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

The Maryland Report Card at <http://reportcard.msde.maryland.gov/> reports performance data by State, county, and school. Further desegregation of assessment data, including data specific to alternate assessments, can be found at <https://reportcard.msde.maryland.gov/Graphs/#/DataDownloads/datadownload/3/17/6/99/XXXX>. Finally, assessment data for students with disabilities with accommodations can be found at <http://www.marylandpublicschools.org/programs/Pages/Special-Education/AssessmentData.aspx>.

The MSDE implements necessary limits on the data reported on both websites in accordance with FERPA guidelines. The changes to the websites were designed to maximize the information provided to the public while also protecting the privacy of small identifiable groups of students.

### **Provide additional information about this indicator (optional)**

On March 27, 2020, the State received from the Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education, a letter approving Maryland's request for a waiver of assessment and accountability requirements. Through the waiver, Maryland was not required to administer its statewide assessments to all students in the 2019-2020 school year.

### **3B - Prior FFY Required Actions**

None

### **3B - OSEP Response**

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

### **3B - Required Actions**

## Indicator 3C: Proficiency for Students with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

- A. Indicator 3A – Reserved
- B. Participation rate for children with IEPs
- C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

#### Measurement

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned)]. Calculate separately for reading and math. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### Instructions

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for reading/language arts and mathematics assessments (combining regular and alternate) for children with IEPs, in all grades assessed (3-8 and high school), including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3C - Indicator Data

### Reporting Group Selection

Based on previously reported data, these are the grade groups defined for this indicator.

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Grade 3	X										
B	Grade 4		X									
C	Grade 5			X								
D	Grade 6				X							
E	Grade 7					X						
F	Grade 8						X					
G	HS											X

### Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Grade 3	2014	Target >=	15.34%	16.60%	18.60%	21.33%	23.39%
A	Grade 3	15.34%	Actual	15.34%	11.18%	12.04%	11.23%	11.74%
B	Grade 4	2014	Target >=	14.37%	19.10%	21.10%	23.83%	25.89%
B	Grade 4	14.37%	Actual	14.37%	9.90%	9.98%	11.36%	10.20%
C	Grade 5	2014	Target >=	11.87%	21.60%	23.60%	26.33%	28.39%
C	Grade 5	11.87%	Actual	11.87%	9.15%	8.81%	8.68%	9.53%
D	Grade 6	2014	Target >=	11.40%	24.10%	26.10%	28.83%	30.89%
D	Grade 6	11.40%	Actual	11.40%	6.39%	7.14%	9.50%	8.75%
E	Grade 7	2014	Target >=	13.40%	26.60%	28.60%	31.33%	33.39%
E	Grade 7	13.40%	Actual	13.40%	8.19%	9.40%	10.54%	11.29%

F	Grade 8	2014	Target >=	12.25%	29.10%	31.10%	33.83%	35.89%
F	Grade 8	12.25%	Actual	12.25%	7.14%	7.20%	8.31%	9.59%
G	HS	2014	Target >=	50.50%	50.51%	50.52%	50.53%	50.54%
G	HS	50.50%	Actual	50.50%	31.61%	13.47%	15.60%	20.57%

#### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Grade 3	2014	Target >=	16.11%	16.20%	16.50%	18.58%	20.71%
A	Grade 3	16.11%	Actual	16.11%	15.35%	16.47%	14.97%	14.50%
B	Grade 4	2014	Target >=	12.26%	14.40%	16.15%	18.23%	20.36%
B	Grade 4	12.26%	Actual	12.26%	10.83%	11.30%	12.89%	12.22%
C	Grade 5	2014	Target >=	10.79%	17.10%	18.85%	20.93%	23.06%
C	Grade 5	10.79%	Actual	10.79%	10.18%	9.87%	10.68%	10.42%
D	Grade 6	2014	Target >=	11.17%	18.80%	20.55%	22.63%	24.76%
D	Grade 6	11.17%	Actual	11.17%	7.64%	8.04%	8.84%	7.88%
E	Grade 7	2014	Target >=	12.29%	20.50%	22.25%	24.33%	26.46%
E	Grade 7	12.29%	Actual	12.29%	7.96%	8.02%	9.15%	9.38%
F	Grade 8	2014	Target >=	11.51%	22.20%	23.95%	26.03%	28.16%
F	Grade 8	11.51%	Actual	11.51%	9.29%	9.68%	10.02%	10.02%
G	HS	2014	Target >=	56.06%	56.07%	56.08%	56.09%	56.10%
G	HS	56.06%	Actual	56.06%	43.41%	30.82%	11.90%	16.36%

#### Targets

Subject	Group	Group Name	2019
Reading	A >=	Grade 3	25.45%
Reading	B >=	Grade 4	27.95%
Reading	C >=	Grade 5	30.45%
Reading	D >=	Grade 6	32.95%
Reading	E >=	Grade 7	35.45%
Reading	F >=	Grade 8	37.95%
Reading	G >=	HS	50.55%
Math	A >=	Grade 3	22.84%
Math	B >=	Grade 4	22.49%
Math	C >=	Grade 5	25.19%
Math	D >=	Grade 6	26.89%
Math	E >=	Grade 7	28.59%
Math	F >=	Grade 8	30.29%
Math	G >=	HS	56.11%

#### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for

preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

**Reading Proficiency Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level											
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level											

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

**Math Proficiency Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level											
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level											

**FFY 2019 SPP/APR Data: Reading Assessment**

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Grade 3			11.74%	25.45%		N/A	N/A
B	Grade 4			10.20%	27.95%		N/A	N/A
C	Grade 5			9.53%	30.45%		N/A	N/A
D	Grade 6			8.75%	32.95%		N/A	N/A
E	Grade 7			11.29%	35.45%		N/A	N/A
F	Grade 8			9.59%	37.95%		N/A	N/A
G	HS			20.57%	50.55%		N/A	N/A

**FFY 2019 SPP/APR Data: Math Assessment**

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Grade 3			14.50%	22.84%		N/A	N/A
B	Grade 4			12.22%	22.49%		N/A	N/A
C	Grade 5			10.42%	25.19%		N/A	N/A
D	Grade 6			7.88%	26.89%		N/A	N/A
E	Grade 7			9.38%	28.59%		N/A	N/A
F	Grade 8			10.02%	30.29%		N/A	N/A
G	HS			16.36%	56.11%		N/A	N/A

**Regulatory Information**

The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

The Maryland Report Card at <http://reportcard.msde.maryland.gov/> reports performance data by State, county, and school. Further desegregation of assessment data, including data specific to alternate assessments, can be found at <https://reportcard.msde.maryland.gov/Graphs/#/DataDownloads/datadownload/3/17/6/99/XXXX>. Finally, assessment data for students with disabilities with accommodations can be found at <http://www.marylandpublicschools.org/programs/Pages/Special-Education/AssessmentData.aspx>.

The MSDE implements necessary limits on the data reported on both websites in accordance with FERPA guidelines. The changes to the websites were designed to maximize the information provided to the public while also protecting the privacy of small identifiable groups of students.

**Provide additional information about this indicator (optional)**

On March 27, 2020, the State received from the Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education, a letter approving Maryland's request for a waiver of assessment and accountability requirements. Through the waiver, Maryland was not required to administer its statewide assessments to all students in the 2019-2020 school year.

**3C - Prior FFY Required Actions**

None



### **3C - OSEP Response**

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

### **3C - Required Actions**

## Indicator 4A: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

#### Data Source

State discipline data, including State's analysis of State's Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

#### Measurement

Percent = [(# of districts that meet the State-established n size (if applicable) that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State that meet the State-established n size (if applicable))] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

- The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or
- The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2017	71.43%

FFY	2014	2015	2016	2017	2018
Target <=	12.00%	12.00%	50.00%	71.43%	66.43%
Data	16.00%	12.00%	50.00%	71.43%	57.14%

### Targets

FFY	2019
Target <=	61.43%

### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions,

comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

13

Number of districts that have a significant discrepancy	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
6	12	57.14%	61.43%	50.00%	Met Target	No Slippage

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA

**State's definition of "significant discrepancy" and methodology**

The MSDE, DEI/SES's definition of a significant discrepancy is having a Rate Ratio of 2.0 or greater when comparing the rate of suspension of students with disabilities for greater than ten days to the rate of suspension of nondisabled students for greater than ten days. Calculation of the Rate Ratio is the local school system suspension/expulsion rate for children with disabilities divided by the local school system suspension/expulsion rate for children without disabilities. The Rate Ratio is modeled after a Risk Ratio which is the ratio between two rates of outcomes. If the ratio is greater than 2.0, the local school system is considered to be significantly discrepant. In addition to meeting the Rate Ratio of 2.0 or above, a local school system (LSS) must meet the criteria for the minimum cell size (numerator) and n-size (denominator). The minimum cell size for all LSSs is 5 students with disabilities suspended or expelled for greater than 10 school days in a school year. The minimum n-size set by the State is 20 students with disabilities in the LSS.

The MSDE, DEI/SES's analysis of the data demonstrated that six (6) of the 12 LSSs were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs. In addition, thirteen (13) of the 25 LSSs were excluded because they did not meet the State-established minimum cell size requirement of 5 students with disabilities suspended greater than 10 days. No, LSSs were excluded due to not meeting an n-size of at least 20.

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

For each of the eight (8) local school systems (LSSs) identified with a significant discrepancy in the rates of suspension identified in FFY 2019 using FFY 2018 (2018 - 2019) data, the MSDE, DEI/SES staff, using a discipline review document, conducted a review of the suspension policies and procedures related to:

- 1) discipline of students with disabilities,
- 2) development and implementation of IEPs,
- 3) the use of positive behavioral interventions and supports; and
- 4) procedural safeguards.

Staff from the MSDE and LSS utilized the discipline review document to conduct a review of policies, procedures, and practices and to ensure compliance with federal and State regulations. Additionally, the MSDE conducted a record review to review individual student records from another data period to ensure that the implementation of policies and procedures, and practices were consistent with federal and State regulatory requirements, as required by 34 CFR §300.170(b). The MSDE, DEI/SES did not identify noncompliance with this review.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4A - Prior FFY Required Actions**

None

**4A - OSEP Response**

OSEP cannot determine whether the data are valid and reliable. The State reported in the data field that six (6) districts were identified with significant discrepancy, however, in the narrative the State reported that "[f]or each of the ten (8) local school systems (LSSs) identified with a significant discrepancy in the rates of suspension identified in FFY 2019 using FFY 2018 (2018 - 2019) data, the MSDE, DEI/SES staff, using a discipline review document, conducted a review of the suspension policies and procedures." Therefore, OSEP could not determine whether the State met its target.

**4A - Required Actions**

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

#### Data Source

State discipline data, including State's analysis of State's Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

#### Measurement

Percent = [(# of districts that meet the State-established n size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State that meet the State-established n size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons

- The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or
- The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4B: Provide the following: (a) the number of districts that met the State-established n size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) the number of those districts in which policies, procedures or practices contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

### Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

**Targets**

<b>FFY</b>	<b>2019</b>
Target	0%

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

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Number of districts that have a significant discrepancy, by race or ethnicity	Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
7	0	11	0.00%	0%	0.00%	Met Target	No Slippage

**Were all races and ethnicities included in the review?**

YES

**State's definition of "significant discrepancy" and methodology**

The Maryland State Department of Education, Division of Early Intervention/Special Education Services (DEI/SES) utilized a Rate Ratio to compare the district-level suspension/expulsion rates for children with disabilities from each racial/ethnic group to the suspension/expulsion rate for all children with disabilities in that same district.

If the Rate Ratio is greater than 2.0, the local school system is considered to be significantly discrepant. In addition to meeting the Rate Ratio of 2.0 or above, the local school systems must meet the criteria for the minimum n-size. Beginning in FFY 2017, the minimum n-size has changed to 5 instead of 30, which was used in FFY 2016. This change was made as a result of stakeholder concerns about the previous n-size. Significant discrepancy calculations were made for local school systems that had at least 5 children with disabilities in a particular race/ethnic group suspended for greater than ten days.

The MSDE, DEI/SES's analysis of the data demonstrated seven (7) of the 25 LSSs were identified as having a significant discrepancy, in a particular race/ethnic group suspended or expelled for greater than 10 days in a school year. Fourteen (14) LSSs were excluded because they did not meet the State-established minimum n-size.

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

For each of the eleven (11) local school systems (LSSs) identified with a significant discrepancy in the rates of suspension by race/ethnicity identified in FFY 2019 using FFY 2018 (2018 - 2019) data, the MSDE, DEI/SES staff, using a discipline review document, conducted a review of the suspension policies and procedures related to:

- 1) discipline of students with disabilities,
- 2) development and implementation of IEPs,
- 3) the use of positive behavioral interventions and supports; and
- 4) procedural safeguards.

Staff from the MSDE and LSS utilized the discipline review document to conduct a review of policies, procedures, and practices and to ensure compliance with federal and State regulations. Additionally, the MSDE conducted a record review to review individual student records from another data period to ensure that the implementation of policies and procedures, and practices were consistent with federal and State regulatory requirements, as required by 34 CFR §300.170(b). The MSDE, DEI/SES did not identify noncompliance with this review.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**Findings of Noncompliance Verified as Corrected**

Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements*

Describe how the State verified that each *individual case* of noncompliance was corrected

**4B - Prior FFY Required Actions**

None

**4B - OSEP Response**

**4B- Required Actions**

## Indicator 5: Education Environments (children 6-21)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Education environments (children 6-21): Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

#### Measurement

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2005	Target >=	68.90%	69.40%	69.90%	70.40%	70.90%
A	59.90%	Data	68.86%	68.95%	69.73%	70.09%	70.20%
B	2005	Target <=	12.76%	12.26%	11.76%	11.26%	10.76%
B	16.86%	Data	13.12%	12.95%	12.04%	12.04%	12.06%
C	2005	Target <=	6.44%	6.19%	5.94%	5.69%	5.44%
C	7.89%	Data	6.89%	6.93%	6.86%	6.77%	6.85%

### Targets

FFY	2019
Target A >=	70.90%
Target B <=	10.76%
Target C <=	5.44%

### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	Total number of children with IEPs aged 6 through 21	98,188



Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	68,963
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	11,584
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c1. Number of children with IEPs aged 6 through 21 in separate schools	6,196
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c2. Number of children with IEPs aged 6 through 21 in residential facilities	119
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	246

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

#### FFY 2019 SPP/APR Data

Education Environments	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	68,963	98,188	70.20%	70.90%	70.24%	Did Not Meet Target	No Slippage
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	11,584	98,188	12.06%	10.76%	11.80%	Did Not Meet Target	No Slippage
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	6,561	98,188	6.85%	5.44%	6.68%	Did Not Meet Target	No Slippage

Use a different calculation methodology (yes/no)

NO

Provide additional information about this indicator (optional)

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

#### 5 - Prior FFY Required Actions

None

#### 5 - OSEP Response

#### 5 - Required Actions

## Indicator 6: Preschool Environments

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Preschool environments: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

#### Measurement

Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA, explain.

### 6 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

#### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2011	Target >=	64.30%	64.50%	64.70%	64.90%	65.10%
A	63.60%	Data	59.18%	60.02%	60.53%	62.72%	59.67%
B	2011	Target <=	18.70%	18.50%	18.30%	18.10%	17.90%
B	19.60%	Data	18.99%	19.30%	18.64%	17.50%	20.09%

#### Targets

FFY	2019
Target A >=	65.10%
Target B <=	17.90%

#### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	Total number of children with IEPs aged 3 through 5	15,526

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	9,564
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b1. Number of children attending separate special education class	2,674
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b2. Number of children attending separate school	280
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b3. Number of children attending residential facility	1

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

**FFY 2019 SPP/APR Data**

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	9,564	15,526	59.67%	65.10%	61.60%	Did Not Meet Target	No Slippage
B. Separate special education class, separate school or residential facility	2,955	15,526	20.09%	17.90%	19.03%	Did Not Meet Target	No Slippage

Use a different calculation methodology (yes/no)

NO

**Provide additional information about this indicator (optional)**

In addition to annual Local Implementation for Results grants, the DEI/SES awarded three local school systems "Effective Evidence-Based Inclusion Policies and Practices within a Comprehensive Birth-Kindergarten System" competitive grants in FFY 2020 to help facilitate improvement in inclusive practices at the local level. Additionally the State is engaged in technical assistance with the ECTA & NCPMI to implement the National Indicators of High Quality Inclusion.

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**6 - Prior FFY Required Actions**

None

**6 - OSEP Response**

**6 - Required Actions**

## Indicator 7: Preschool Outcomes

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

State selected data source.

#### Measurement

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

#### Summary Statements for Each of the Three Outcomes:

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by (# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = [(# of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e)) divided by (the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e))] times 100.

#### Instructions

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See [General Instructions](#) on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining "comparable to same-aged peers." If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining "comparable to same-aged peers" has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A1	2017	Target >=	68.70%	68.90%	68.90%	68.53%	68.78%
A1	68.53%	Data	64.54%	69.70%	63.08%	68.53%	69.90%
A2	2017	Target >=	67.80%	68.00%	68.00%	52.75%	53.00%

A2	52.75%	Data	62.20%	62.47%	56.35%	52.75%	52.25%
B1	2017	Target >=	67.40%	67.60%	67.60%	72.12%	72.37%
B1	72.12%	Data	62.45%	66.29%	67.10%	72.12%	72.74%
B2	2017	Target >=	57.10%	57.20%	57.20%	50.87%	51.12%
B2	50.87%	Data	50.10%	50.01%	51.56%	50.87%	49.88%
C1	2017	Target >=	62.90%	63.10%	63.10%	71.40%	71.65%
C1	71.40%	Data	61.13%	66.70%	69.00%	71.40%	72.58%
C2	2017	Target >=	65.50%	65.70%	65.70%	59.23%	59.48%
C2	59.23%	Data	61.30%	62.81%	63.89%	59.23%	58.40%

#### Targets

FFY	2019
Target A1 >=	68.78%
Target A2 >=	53.00%
Target B1 >=	72.37%
Target B2 >=	51.12%
Target C1 >=	71.65%
Target C2 >=	59.48%

#### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

#### FFY 2019 SPP/APR Data

##### Number of preschool children aged 3 through 5 with IEPs assessed

4,562

##### Outcome A: Positive social-emotional skills (including social relationships)

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	60	1.32%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	1,017	22.29%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1,231	26.98%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1,336	29.29%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	918	20.12%

Outcome A	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age	2,567	3,644	69.90%	68.78%	70.44%	Met Target	No Slippage

Outcome A	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>							
A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	2,254	4,562	52.25%	53.00%	49.41%	Did Not Meet Target	Slippage

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	56	1.23%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	996	21.83%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1,325	29.04%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1,507	33.03%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	678	14.86%

Outcome B	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	2,832	3,884	72.74%	72.37%	72.91%	Met Target	No Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	2,185	4,562	49.88%	51.12%	47.90%	Did Not Meet Target	Slippage

**Outcome C: Use of appropriate behaviors to meet their needs**

Outcome C Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	75	1.64%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	971	21.28%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	929	20.36%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1,650	36.17%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	937	20.54%

Outcome C	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	2,579	3,625	72.58%	71.65%	71.14%	Did Not Meet Target	Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	2,587	4,562	58.40%	59.48%	56.71%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
A2	The DEI/SES continues to focus on fidelity of the Child Outcomes Summary (COS) process with a strong emphasis on authentic assessment practices along with the use of age anchoring tools and the decision tree for every COS rating. Revised B-K COS training was implemented in 2017 and this intense focus is contributing to decreases in the child outcomes data, in each of the three childhood outcomes Summary Statements #2 as data quality improves. Local preschool special education providers and leaders recognize that COS ratings have previously been elevated at entry. A new IEP COS Entry report supports data analysis at the program and provider level. For Summary Statement #2, data analysis indicates that significant less children are entering with a COS score of 6 or 7, which overall lowers the percentages across all three indicators.
B2	The DEI/SES continues to focus on fidelity of the Child Outcomes Summary (COS) process with a strong emphasis on authentic assessment practices along with the use of age anchoring tools and the decision tree for every COS rating. Revised B-K COS training was implemented in 2017 and this intense focus is contributing to decreases in the child outcomes data, in each of the three childhood outcomes Summary Statements #2 as data quality improves. Local preschool special education providers and leaders recognize that COS ratings have previously been elevated at entry. A new IEP COS Entry report supports data analysis at the program and provider level. For Summary Statement #2, data analysis indicates that significant less children are entering with a COS score of 6 or 7, which overall lowers the percentages across all three indicators.
C1	The DEI/SES continues to focus on fidelity of the Child Outcomes Summary (COS) process with a strong emphasis on authentic assessment practices along with the use of age anchoring tools and the decision tree for every COS rating. Revised B-K COS training was implemented in 2017 and this intense focus is contributing to decreases in the child outcomes data, in each of the three childhood outcomes Summary Statements as data quality improves. Local preschool special education providers and leaders recognize that COS ratings have previously been elevated at entry. A new IEP COS Entry report supports data analysis at the program and provider level. For Summary Statement #1, children with high entry ratings prior to training are exiting without showing significant gains in their developmental trajectory compared to same age peers.
C2	The DEI/SES continues to focus on fidelity of the Child Outcomes Summary (COS) process with a strong emphasis on authentic assessment practices along with the use of age anchoring tools and the decision tree for every COS rating. Revised B-K COS training was implemented in 2017 and this intense focus is contributing to decreases in the child outcomes data, in each of the three childhood outcomes Summary Statements #2 as data quality improves. Local preschool special education providers and leaders recognize that COS ratings have previously been elevated at entry. A new IEP COS Entry report supports data analysis at the program and provider level. For Summary Statement #2, data analysis indicates that significant less children are entering with a COS score of 6 or 7, which overall lowers the percentages across all three indicators.

Does the State include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years? (yes/no)

YES

Sampling Question	Yes / No
Was sampling used?	NO

Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)

YES

List the instruments and procedures used to gather data for this indicator.

The State uses the Child Outcomes Summary (COS) Process which has been integrated into the preschool portion of the IEP.

Provide additional information about this indicator (optional)

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**7 - Prior FFY Required Actions**

None

**7 - OSEP Response**

**7 - Required Actions**



## Indicator 8: Parent involvement

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

State selected data source.

#### Measurement

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

#### Instructions

Sampling of parents from whom response is requested is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See [General Instructions](#) on page 2 for additional instructions on sampling.)

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed.

Include the State's analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services. States should consider categories such as race and ethnicity, age of the student, disability category, and geographic location in the State.

If the analysis shows that the demographics of the parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

### 8 - Indicator Data

Question	Yes / No
Do you use a separate data collection methodology for preschool children?	YES
If yes, will you be providing the data for preschool children separately?	YES

#### Targets: Description of Stakeholder Input

Prior to administering the surveys, a suite of resources that special education staff at each LSS/PA, and other stakeholders with access to parents of children with special needs, could use to encourage parents to complete the survey. The resources included flyers, web banners, and text that stakeholders could insert in a newsletter or other communication with parents. The Local Family Support Coordinators (LFSC) were also provided these materials and included the information in their newsletters, during trainings and workshops that included parents and other providers in the community. The original fielding period for the surveys was February 3, 2020 to May 15, 2020. On March 12, 2020, the State Superintendent of schools announced that schools would be closed from March 16th through March 27, 2020, in response to the COVID-19 pandemic. Schools were eventually closed for the remainder of the year with online learning implemented across all jurisdictions. In prior years, each LSS and PA would have been contacted via phone and email to increase response rates. However, this could not be completed for this year's survey. After discussions with the various LSS and PA coordinators, regarding whether or not response rates could be increased by extending the survey into June by, MSDE it was decided that the survey would only be extended until May 29, 2020.

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

#### Historical Data

Group	Baseline	FFY	2014	2015	2016	2017	2018
Preschool	2016	Target >=	47.00%	48.00%	83.00%	84.00%	85.00%
Preschool	82.99%	Data	47.01%	50.02%	82.99%	80.98%	82.03%

School age	2016	Target >=	39.00%	40.00%	70.00%	71.00%	72.00%
School age	70.00%	Data	39.00%	42.07%	70.00%	69.00%	69.00%

**Targets**

<b>FFY</b>	<b>2019</b>
Target A >=	85.00%
Target B >=	72.00%

**FFY 2019 SPP/APR Data: Preschool Children Reported Separately**

Group	Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	Total number of respondent parents of children with disabilities	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
Preschool	1,356	1,654	82.03%	85.00%	81.98%	Did Not Meet Target	No Slippage
School age	5,965	8,285	69.00%	72.00%	72.00%	Met Target	No Slippage

**The number of parents to whom the surveys were distributed.**

110,383

**Percentage of respondent parents**

9.00%

Sampling Question	Yes / No
Was sampling used?	NO

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO
The demographics of the parents responding are representative of the demographics of children receiving special education services.	NO

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

The MSDE, DEI/SES identified improvement strategies to increase the response rate for the targeted race/ethnic groups for both the preschool aged and the school-aged populations. The strategies to be implemented include: (1) supporting each local school system identified with non-representative groups to develop and submit an improvement plan; (2) conduct local outreach efforts to inform families of the importance to respond to the parent survey; (3) collaborate with the Local Family Support Coordinator (LFSC) in each of the LSSs/PAs to conduct outreach, training, and supports to address the areas of need gleaned from the annual survey; and (4) collaborate with parent organizations that represent underserved populations using materials that are culturally appropriate and written in the native language. For example, the Parent Survey results for FFY 2018 and the survey response questions, were shared among the LFSC representing LSS/PA and who also serve on the Special Education Citizens Advisory Council. Data was reviewed and shared along with current practices to potentially increase parent response rates thus increasing the validity of the survey results. In addition, during the Fall 2019, the results of the Parent Survey results were communicated with the Special Education State Advisory Council to initiate a discussion in how to increase parent response rates and what the members do to assist in this endeavor. The MSDE, DEI/SES staff will track the impact of these activities in collaboration with the LFSC to determine their effectiveness and to make modifications, as necessary. A bilingual help desk was maintained for the duration of the survey. Parents could call or email a member of the vendor's team with questions about the survey.

**Include the State's analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.**

**Pre-school:**

Age, Race/Ethnicity: Parents were asked about the age of their child as of September 30, 2019. The parents or guardians of children 5 years of age are underrepresented in the sample (-21%), while parents or guardians of children 3 and 4 years of age are overrepresented (6% and 4%, respectively). The two racial groups that account for the largest percentage of the respondent population are parents of White (40%) and Black (24%) children. Parents of Black children are underrepresented by 7 percent, in the survey, when compared to the state population. In addition, parents of White children are overrepresented by 3 percent in the survey when compared to the state population. The differences between the sample and the population for other racial groups were equal or less than one percent.

Primary Exceptionality/Disability: According to Statewide estimates, the most common exceptionality or disability evident in the Maryland preschool population is developmental delay which represents 57 percent of the population. Although this group did make up one of the largest portions of the sample, compared to the Statewide estimate this group was underrepresented among the respondents by 33 percent, and represented only 24 percent

of the sample. The second most common exceptionality or disability Statewide is speech or language impairment and sample estimates were fairly close to the actual population (29% of the population, 33% of the sample). Students with Autism represent 9 percent of the population but represented 17 percent of the sample; parents of children with Autism were overrepresented by 8 percent in this year's survey, compared to 16 percent last year. Students with Multiple Disabilities were overrepresented in the sample by 14%, as they constituted 15% of the respondents.

#### School Aged:

All grade levels (Kindergarten – Grade 12) were well represented in the respondent sample. Each grade level accounted for between 3 percent and 8 percent of the respondent sample. The majority of respondents (84%) indicated that their child had been referred for special education services between the ages of zero and eight, and 46 percent had been referred between the ages of two and five. The population demographic data included in Section 3.1.1 and 3.1.2 were obtained from the 2019 Maryland Early Intervention and Special Education Services Census Data and Related Tables report. 6 Ten percent of respondents (N=791) indicated that their child attended a non-public school as a result of an IEP team decision for a Free Appropriate Public Education (FAPE); while 82 percent of respondents (N=6,790) indicated that their child attended a public school during the 2019-20 school year. Eight percent of respondents did not answer this question.

Age, Race/Ethnicity: Respondents were asked about the age of their child as of September 30, 2019. Much like last year, the age distribution of children of survey respondents did not significantly differ from the age distribution of the State. The most common race/ethnic backgrounds of respondents were White (49%) or Black (26%), which is similar to last year's sample. Parents of Black children were underrepresented by 15 percent and parents of White children were overrepresented by 14 percent. Hispanic or Latino children were underrepresented by 5 percentage points.

Primary Exceptionality/Disability: Parents of children with Other Health Impairment and Specific Learning Disability were each underrepresented in the survey by 12 and 9 percent, respectively. Overrepresented in this year's Survey were parents of children with Autism by 6 percent and Multiple Disabilities by 7 percent.

#### **Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

### **8 - Prior FFY Required Actions**

In the FFY 2019 SPP/APR, the State must report whether its FFY 2019 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

#### **Response to actions required in FFY 2018 SPP/APR**

### **8 - OSEP Response**

### **8 - Required Actions**

## Indicator 9: Disproportionate Representation

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

**Compliance indicator:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

#### Data Source

State's analysis, based on State's Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

#### Measurement

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2018, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2017	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2019
Target	0%

#### FFY 2019 SPP/APR Data

Has the state established a minimum n and/or cell size requirement? (yes/no)

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.

0

Number of districts with disproportionate representation of racial and ethnic groups in special education and related services	Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0	25	0.00%	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

Define "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

The MSDE's definition of Disproportionate representation is described as having students in a particular racial/ethnic group (i. e., American Indian or Alaskan native, Asian, Black or African American, Native Hawaiian or Pacific Islander, White, Hispanic, or Two or More Races) being at a considerably greater risk of being identified for special education and related services than all other racial/ethnic groups enrolled either in the local school system (LSS) or in the State.

For consistency and to lessen confusion, the MSDE has changed its Indicator 9 methodology to be similar to the methodology used for identifying Significant Disproportionality. This new methodology was adopted by the State Board of Education in May of 2018 and entered into the Code of Maryland Regulations (COMAR). In particular, the MSDE identifies disproportionate representation using a risk ratio of 2.0 or greater. Previously, a weighted risk ratio was utilized for disproportionality indicators. In addition to meeting the 2.0 or greater risk ratio, the LSS must meet the criteria for the minimum cell size and n-size, where cell size is the number of students with number of students with disabilities in an LSS who are a specific race/ethnicity and the n-size is the number of students of a specific race/ethnicity enrolled in an LSS. The MSDE utilizes a minimum cell size of 5 and a minimum "n" size of 20. Unlike the calculation for Significant Disproportionality, the MSDE does not consider reasonable progress for Indicator 9. As such, disproportionate representation is identified for any LSS with a risk ratio of 2.0 or greater who meets the minimum cell size and n-size requirements.

MSDE's analysis of the data for the 2019-2020 performance period demonstrated that no LSSs were identified as having disproportionate representation of racial and ethnic groups in special education and related services. No LSSs were excluded from the calculation.

Describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification.

No LSSs were identified as having disproportionate representation for FFY 2019. When the MSDE does identify an LSS as having disproportionate representation, the MSDE reviews the policies, procedures, practices, and IEPs of the LSS impacted. In addition, the MSDE conducts an on site visit to review the procedures, practices, and IEPs, including student records to ensure compliance with the IDEA, as required by 34 CFR §§300.111, 300.201, and 301.311.

Provide additional information about this indicator (optional)

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

#### Correction of Findings of Noncompliance Identified in FFY 2018

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

#### Correction of Findings of Noncompliance Identified Prior to FFY 2018

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

### 9 - Prior FFY Required Actions

None

**9 - OSEP Response**

**9 - Required Actions**

## Indicator 10: Disproportionate Representation in Specific Disability Categories

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

**Compliance indicator:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

#### Data Source

State's analysis, based on State's Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

#### Measurement

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2019, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

### 10 - Indicator Data

#### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2017	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2019
Target	0%

#### FFY 2019 SPP/APR Data

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.

0

Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
18	0	25	0.00%	0%	0.00%	Met Target	No Slippage

**Were all races and ethnicities included in the review?**

YES

**Define “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).**

The MSDE's definition of Disproportionate representation is described as having students in a particular racial/ethnic group (i. e., American Indian or Alaskan native, Asian, Black or African American, Native Hawaiian or Pacific Islander, White, Hispanic, or Two or More Races) being at a considerably greater risk of being identified for special education and related services than all other racial/ethnic groups enrolled either in the local school system (LSS) or in the State.

For consistency and to lessen confusion, the MSDE has changed its Indicator 10 methodology to be similar to the methodology used for identifying Significant Disproportionality. This new methodology was adopted by the State Board of Education in May of 2018 and entered into the Code of Maryland Regulations (COMAR). In particular, the MSDE identifies disproportionate representation using a risk ratio of 2.0 or greater. Previously, a weighted risk ratio was utilized for disproportionality indicators. In addition to meeting the 2.0 or greater risk ratio, the LSS must meet the criteria for the minimum cell size and n-size, where cell size is the number of students with number of students in an LSS who are a specific race/ethnicity and identified with a specific disability category, and where the n-size is the number of students with disabilities of a specific race/ethnicity enrolled in an LSS. The MSDE utilizes a minimum cell size of 5 and a minimum “n” size of 20. Unlike the calculation for Significant Disproportionality, the MSDE does not consider reasonable progress for Indicator 10. As such, disproportionate representation is identified for any LSS with a risk ratio of 2.0 or greater who meets the minimum cell size and n-size requirements.

MSDE's analysis of the data demonstrated that eighteen (18) LSSs were identified as having disproportionate representation of racial and ethnic groups in specific disability categories. No LSSs were excluded from the calculation.

There were no changes made to the targets since Indicator 10 is a Compliance Indicator.

The MSDE, using an examination document, reviewed the policies, procedures, and practices of the eighteen (18) LSSs impacted, followed by an on site visit to review the procedures and practices, including student records to ensure compliance with the IDEA, as required by 34 CFR §§300.111, 300.201, and 301.311 for the LSSs. The MSDE did not identify noncompliance through this review.

**Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

The MSDE using an examination document, reviewed the policies, procedures, and practices of the eighteen (18) LSS impacted, followed by an on site visit to review the procedures and practices, including IEPs and student records to ensure compliance with the IDEA, as required by 34 CFR §§300.111, 300.201, and 301.311 for the LSSs. The MSDE did not identify noncompliance through this review.

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected



**10 - Prior FFY Required Actions**

None

**10 - OSEP Response**

**10 - Required Actions**

## Indicator 11: Child Find

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Child Find

**Compliance indicator:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State's timeline for initial evaluations.

#### Measurement

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).  
Account for children included in (a), but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	77.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	98.14%	97.94%	98.00%	98.60%	98.64%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

(a) Number of children for whom parental consent to evaluate was received	(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
14,609	14,391	98.64%	100%	98.51%	Did Not Meet Target	No Slippage

**Number of children included in (a) but not included in (b)**

218

**Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.**

The MSDE, DSE/EIS identified 218 students with an "unacceptable reasons for delays". The unacceptable reasons for delays included:  
 paperwork error;  
 inconclusive testing results;  
 the student was not available (not parent failure/child refusal);  
 students - staffing issues; and  
 students - due to other reasons.

An analysis of these data identified the following range of days for all unacceptable reasons:

The MSDE, DSE/EIS identified 218 students with an "unacceptable reasons for delays".  
 76 (1 day to 15 days) = 35.10%,  
 95 (16 to 45 days) = 43.43%,  
 47 (beyond 45days) = 21.47%  
 Totaling 218 students

**Indicate the evaluation timeline used:**

The State used the 60 day timeframe within which the evaluation must be conducted

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State’s monitoring, describe the procedures used to collect these data.**

The MSDE uses an electronic data extract from Maryland’s SSIS data system which is an online data collection and monitoring tool that captures student and service information.

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
15	13	2	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The MSDE, DEI/SES identified fifteen (15) findings of noncompliance. Thirteen of the 15 the findings were corrected within one year of issuing the written finding of noncompliance. The other 2 findings were corrected subsequently. The MSDE, DEI/SES verified that each Local School System (LSS) or Public Agency (PA) with noncompliance identified in FFY 2018 is correctly implementing the regulatory requirements. First, correction is verified in the records of the students where the noncompliance was identified. Second, using updated data, subsequent to the issuance of the written finding, records were reviewed to determine if those records were compliant. The MSDE, DEI/SES verified that each LSS/PA achieved 100% compliance, consistent with OSEP Memo 09-02.

**Describe how the State verified that each individual case of noncompliance was corrected**

The MSDE, DEI/SES reviewed the records of each individual student for which evaluations were not completed within timelines and verified that the evaluation was completed, although late, unless the student was not longer within the jurisdiction of the LSS. An updated random sample of student records from a subsequent data set was reviewed to determine if those records were also compliant. Through this review process, the MSDE verified that each individual student identified with noncompliance was corrected consistent with the regulatory requirements and OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**11 - Prior FFY Required Actions**

None

**11 - OSEP Response**

## 11 - Required Actions

## Indicator 12: Early Childhood Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system.

#### Measurement

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- f. # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child's third birthday under 34 CFR §303.211 or a similar State option.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2005	83.40%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.02%	99.69%	99.72%	100.00%	99.89%

#### Targets

FFY	2019
Target	100%

#### FFY 2019 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	3,270
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	174

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	1,758
d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	23
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	0
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	1,311

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	1,758	1,762	99.89%	100%	99.77%	Did Not Meet Target	No Slippage

Number of children who served in part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f

4

**Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.**

The MSDE, DEI/SES identified 4 students with "unacceptable reasons for delays." The unacceptable reason for each student's delay was identified as paperwork/administrative error.

The range of delays were:

- 1 to 15 Days = 1 student
- 16 to 30 Days = 1 student
- 31 to 45 Days = 1 student
- Beyond 45 Days = 1 student

This information is used by the MSDE Monitoring Staff to assist public agencies in analyzing data and in providing technical assistance. The MSDE data management and program staff worked closely with local school systems' staff to ensure the integrity of the data reported in FFY 2019.

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

The MSDE uses an electronic data extract from Maryland's SSIS data system which is an online data collection and monitoring tool that captures student and service information.

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
2	2	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The MSDE, DEI/SES verified that the two (2) Local School Systems (LSS) with noncompliance identified in FFY 2018 were implementing the regulatory requirements. First, correction is verified in the records of the students where the noncompliance was identified. Second, using updated data, subsequent to the issuance of the written finding, records were reviewed to determine if those records were compliant. If the results yield 100% correction is verified consistent with OSEP Memo 09-02. The correction was made and verified greater than 1 year of the date of the issuance of the writing finding of noncompliance to the LSS/PA.

**Describe how the State verified that each individual case of noncompliance was corrected**

The MSDE, DEI/SES reviewed the IEPs and records for each of the individual children identified with noncompliance in the LSS. The MSDE, DEI/SES verified that the records of the individual children demonstrated that the goals and services were provided, although late, unless the child was no longer within the jurisdiction of the local school system, or the parent had withdrawn consent, consistent with OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**12 - Prior FFY Required Actions**

None

**12 - OSEP Response**

**12 - Required Actions**

## Indicator 13: Secondary Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** Secondary transition: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system.

#### Measurement

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

If a State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2009	86.10%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.66%	98.49%	98.86%	97.86%	92.62%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition	Number of youth with IEPs aged 16 and above	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
18,806	19,360	92.62%	100%	97.14%	Did Not Meet Target	No Slippage

What is the source of the data provided for this indicator?



State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

The MSDE, DEI/SES requires that the local school systems and the public agencies to submit data for this indicator on a quarterly basis. For the local school systems that utilize the Maryland Online IEP (MOIEP) System, most of the required quarterly data uploads nightly to SSIS from the MOIEP. The local school systems that utilize the vendor-based IEP systems report quarterly data via file submission and Excel spreadsheets. The quarterly data are uploaded to the Maryland Scorecard where the local school systems and the MSDE, DEI/SES staff can track the progress and the impact of the interventions to improve student outcomes. A version of the Indicator 13 checklist originally used from the National Secondary Transition Technical Assistance Center (NSTTAC) was utilized. Newer version of the checklist have been created through the newly funded National Technical Assistance Center on Transition (NTACT).

Question	Yes / No
Do the State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	YES
If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age?	NO

**If no, please explain**

The State is responding to the requirements of the IDEA as specified that requirements are met for students with IEPs at age 16.

**Provide additional information about this indicator (optional)**

The collection and reporting of data for this indicator were not impacted by the COVID-19 pandemic.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
4	4	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The MSDE, DEI/SES verified that each Local School System (LSS) or Public Agency (PA) with noncompliance identified in FFY 2018 is implementing the regulatory requirements. First, correction is verified in the records of the students where the noncompliance was identified. Second, using updated data, subsequent to the issuance of the written finding, records were reviewed to determine if those records were compliant. If the results yield 100% correction is verified consistent with OSEP Memo 09-02. The correction was made and verified within one year of the date of the issuance of the writing finding of noncompliance to the LSS/PA. For FFY 2018, the MSDE, DEI/SES identified four (4) findings of noncompliance. All four (4) findings were corrected within one year of issuing the written finding of noncompliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

The MSDE, DEI/SES reviewed the IEPs and records for each of the individual children identified with noncompliance in the LSS/PA. The MSDE, DEI/SES verified that the records of the individual children demonstrated that the goals and services were provided, although late, unless the child was no longer within the jurisdiction of the local school system, or the parent had withdrawn consent, consistent with OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**13 - Prior FFY Required Actions**

None

**13 - OSEP Response**

The State did not report whether it includes youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age.

**13 - Required Actions**

## Indicator 14: Post-School Outcomes

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Results indicator:** Post-school outcomes: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

Enrolled in higher education within one year of leaving high school.

Enrolled in higher education or competitively employed within one year of leaving high school.

Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

State selected data source.

#### Measurement

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

#### Instructions

*Sampling of youth who had IEPs and are no longer in secondary school is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See [General Instructions](#) on page 2 for additional instructions on sampling.)*

Collect data by September 2020 on students who left school during 2018-2019, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2018-2019 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

#### I. Definitions

*Enrolled in higher education* as used in measures A, B, and C means youth have been enrolled on a full- or part-time basis in a community college (two-year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment” in the FFY 2019 SPP/APR, due February 2021:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

*Some other employment* as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

#### II. Data Reporting

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:

1. Enrolled in higher education within one year of leaving high school;
2. Competitively employed within one year of leaving high school (but not enrolled in higher education);
3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);
4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

#### III. Reporting on the Measures/Indicators

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Include the State's analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States should consider categories such as race and ethnicity, disability category, and geographic location in the State.

If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

### Historical Data

Measure	Baseline	FFY	2014	2015	2016	2017	2018
A	2016	Target >=	23.00%	24.00%	25.00%	26.00%	27.00%
A	22.66%	Data	23.90%	23.45%	22.66%	26.46%	28.04%
B	2016	Target >=	49.00%	50.00%	51.00%	52.00%	53.00%
B	58.09%	Data	49.18%	54.63%	58.09%	65.07%	60.64%
C	2016	Target >=	55.08%	56.00%	57.00%	58.00%	59.00%
C	72.93%	Data	56.32%	61.47%	72.93%	76.93%	67.05%

### FFY 2019 Targets

FFY	2019
Target A >=	28.00%
Target B >=	60.00%
Target C >=	74.00%

### Targets: Description of Stakeholder Input

No changes to baselines are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and proposed targets are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on January 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

### FFY 2019 SPP/APR Data

Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	6,703
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	1,779
2. Number of respondent youth who competitively employed within one year of leaving high school	2,368
3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed)	187
4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).	0

Measure	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Enrolled in higher education (1)	1,779	6,703	28.04%	28.00%	26.54%	Did Not Meet Target	Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	4,147	6,703	60.64%	60.00%	61.87%	Met Target	No Slippage
C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4)	4,334	6,703	67.05%	74.00%	64.66%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
A	The State believes that the COVID-19 pandemic is at least in part responsive for the small decrease in enrollment in higher education.
C	State agency outcome data was significantly impacted due to (closures of adult service providers and community organizations that provided training as a result of COVID-19. In addition, the Developmental Disabilities Administration (DDA) extended providers' timeline to submit their Employment Outcome Data due to COVID-19 and do not have data to date. Therefore, unlike in prior years, Maryland's FFY 2019 data do not include employment data from the DDA.

**Please select the reporting option your State is using:**

Option 2: Report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

Sampling Question	Yes / No
Was sampling used?	NO

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

Survey Question	Yes / No
Was a survey used?	NO

**Include the State’s analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

The MSDE, DEI/SES analysis of Indicator 14 data indicated that the data for all races/ethnicities were not entirely representative of the demographics of youth who were not longer in secondary school and had IEPs in effect at the time they left school. An analysis of the data demonstrated that American Indian/Alaska Native, Asian students, Hispanic students, White students, and students who have 2 or more races were underrepresented, whereas students who were African/American/Black students were overrepresented in the State’s data set. Please see the information below:

All Youth No Longer in Secondary School with IEPs when they Left  
 American Indian/Alaskan Native - 0.39%  
 Asian - 3.61%  
 African American/Black - 38.38%  
 Hispanic - 12.97%

Native Hawaiian/Pacific Islander - 0.13%  
 Two or More Races - 4.73%  
 White - 39.79%

Leaver Data for Indicator 14  
 American Indian/Alaskan Native - 0.24%  
 Asian - 2.49%  
 African American/Black - 49.04%  
 Hispanic - 12.74%  
 Native Hawaiian/Pacific Islander - 0.10%  
 Two or More Races - 2.92%  
 White - 32.47%

Question	Yes / No
Are the response data representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school?	NO

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

The MSDE, DEI/SES developed improvement strategies with collaborating agencies to improve the response rate for targeted subgroups. The strategies include: (1) training of local required transition coordinators to identify local strategies and develop a plan for implementation; (2) development of a digital transition tracker that results in a reciprocal coordination to identify post-school supports and activities (i.e., student information to employment, agency linkages, and post-secondary education and outreach from partners to students); (3) empower the exiting student to utilize a personal Secondary Transition Digital Portfolio to share documentation and transition-related experiences that promote outcomes in employment, agency linkages, and post-secondary education; (4) hold regional meetings to explain the data and identify outreach strategies; (5) development of data-sharing agreements with adult agencies that serve people with disabilities; and (6) coordinate efforts with targeted agencies to improve the response rate for targeted groups inclusive of the hard to reach populations, by gender, and disability type.

**Provide additional information about this indicator (optional)**

The MSDE gathers census data from various sources for this indicator. An administrative record exchange was used for data collection. This exchange provides data on the number of youth with disabilities no longer in secondary school and had an IEP in effect at the time they left school (leavers) and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. The data exchange does not identify any out-of-state employment or college placements or federal employment placements. Data sharing agreements have also been developed with other State agencies (i.e., State Vocational Rehabilitation Agency, Developmental Disabilities Administration) to reflect additional efforts to match additional student's outcomes. There is an ongoing partnership with the Maryland Longitudinal Data System Center in securing data for this indicator. MSDE continues to utilize an administrative data exchange as their sole methodology.

The State's data were impacted by the COVID-19 pandemic. The Developmental Disabilities Administration (DDA) extended providers' timeline to submit their Employment Outcome Data due to COVID-19 and do not have data to date. Therefore, unlike in prior years, Maryland's FFY 2019 data do not include employment data from the DDA.

**14 - Prior FFY Required Actions**

In the FFY 2019 SPP/APR, the State must report whether the FFY 2019 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

**Response to actions required in FFY 2018 SPP/APR**

**14 - OSEP Response**

**14 - Required Actions**

## Indicator 15: Resolution Sessions

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

**Results Indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. (20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

#### Measurement

Percent = (3.1(a) divided by 3.1) times 100.

#### Instructions

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.

States are not required to report data at the LEA level.

### 15 - Indicator Data

Select yes to use target ranges

Target Range is used

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1 Number of resolution sessions	53
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1(a) Number resolution sessions resolved through settlement agreements	31

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

#### Targets: Description of Stakeholder Input

No changes to baselines or targets are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and targets that are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on Jan 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

#### Historical Data

Baseline Year	Baseline Data
2005	64.00%

FFY	2014	2015	2016	2017	2018
Target >=	64.00% - 75.00%	64.00% - 75.00%	64.00% - 75.00%	64.00% - 75.00%	64.00% - 75.00%
Data	60.56%	54.24%	52.27%	58.46%	55.21%

#### Targets

FFY	2019 (low)	2019 (high)
Target	64.00%	75.00%

**FFY 2019 SPP/APR Data**

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2018 Data	FFY 2019 Target (low)	FFY 2019 Target (high)	FFY 2019 Data	Status	Slippage
31	53	55.21%	64.00%	75.00%	58.49%	Did Not Meet Target	No Slippage

**Provide additional information about this indicator (optional)**

MSDE did not meet its target of 64% in this reporting period. While the resolution settlement rate increased by 3% from the previous year, Maryland continues to attribute the challenge of meeting the resolution sessions target to the changing perceptions of dispute resolution.

We believe that the strong voice of Maryland's parent advocacy community may contribute to higher expectations from the resolution process and result in the possibility of more difficult communications between the parties. MSDE continues to address the possible lack of understanding regarding the purpose and role of resolution sessions and what parents can expect from their local school systems in this process, particularly during the COVID pandemic.

MSDE is continuing to respond to this issue by focusing upon parent support and parent education. We continue to be committed to providing high quality parent support through the use of MSDE Family Support Specialists, who respond to parent requests for assistance through telephone calls, email, and written correspondence. The MSDE Family Support Specialists also serve as school system liaisons in order to ensure that parents have access to school system based information and resources for support.

MSDE also continues to strengthen the training and support provided to its Statewide Family Support Providers, this year, the focus has been upon facilitating meaningful communication between families and school system personnel during this period of school building closures at the result of the pandemic. MSDE believes that these efforts can have a positive impact on the successful outcome of resolution sessions for families and the school system.

Neither Maryland's data collection nor reporting for Indicator 15 were impacted by the COVID-19 pandemic.

**15 - Prior FFY Required Actions**

None

**15 - OSEP Response**

**15 - Required Actions**

## Indicator 16: Mediation

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3(B)))

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

#### Measurement

Percent = (2.1(a)(i) + 2.1(b)(ii)) divided by 2.1 times 100.

#### Instructions

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

### Select yes to use target ranges

Target Range is used

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1 Mediations held	152
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.a.i Mediations agreements related to due process complaints	51
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.b.i Mediations agreements not related to due process complaints	50

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

### Targets: Description of Stakeholder Input

No changes to baselines or targets are being proposed for FFY 2019. To set targets, the MSDE obtained stakeholder feedback through a survey sent to Special Education stakeholders, including Local Special Education Directors, Local Preschool Coordinators, and all members of the Special Education State Advisory Committee (SESAC). Survey results guided target setting and targets that are included with this APR submission.

Throughout FFY 2019, the MSDE provided information and preliminary data on the Part B APR indicators and multiple opportunities for questions, comments, and recommendations from a broad range of stakeholders including the SESAC, Maryland Educational Advocacy Coalition (EAC), local special education directors, and local preschool coordinators. Updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings throughout the reporting period. Annually, the draft APR and data are presented to the SESAC and SICC (for preschool indicators). Those special APR presentations were made to the State Interagency Coordinating Council (SICC) on Jan 7, 2021 (for Part C and preschool indicators) and to the SESAC on January 28, 2021.

### Historical Data

Baseline Year	Baseline Data
2005	73.00%

FFY	2014	2015	2016	2017	2018
Target >=	75.00% - 85.00%	75.00% - 85.00%	75.00% - 85.00%	75.00% - 85.00%	75.00% - 85.00%
Data	81.40%	75.44%	69.33%	65.22%	70.48%

### Targets



FFY	2019 (low)	2019 (high)
Target	75.00%	85.00%

**FFY 2019 SPP/APR Data**

2.1.a.i Mediation agreements related to due process complaints	2.1.b.i Mediation agreements not related to due process complaints	2.1 Number of mediations held	FFY 2018 Data	FFY 2019 Target (low)	FFY 2019 Target (high)	FFY 2019 Data	Status	Slippage
51	50	152	70.48%	75.00%	85.00%	66.45%	Did Not Meet Target	Slippage

**Provide reasons for slippage, if applicable**

MSDE did not meet its target of 75% in this reporting period. Maryland continues to attribute the challenge of meeting the resolution sessions target to the changing perceptions regarding Due Process in Maryland.

We believe that the strong voice of Maryland's parent advocacy community may contribute to higher expectations from the mediation process and result in the possibility of more difficult communications between the parties. MSDE is continuing to respond to this issue by focusing upon parent support and school system responsiveness to parental concerns, with a particular emphasis on the need for strong communication during the COVID pandemic.

Additionally, MSDE staff continues to meet regularly with leadership from the Office of Administrative Hearings, the State agency with whom MSDE contracts to serve as IDEA mediators. This collaborative relationship serves to facilitate a robust discussion around the process and protocol, both substantively and procedurally, of the mediation process in order to ensure the best possible outcomes for the parties who participate.

MSDE also continues to strengthen the training and support provided to both the Administrative Law Judges (ALJs) who serve as mediators, and to our Statewide Family Support Providers who assist families. MSDE believes that these efforts will positively impact the successful outcome of mediations for families and the school system.

**Provide additional information about this indicator (optional)**

Neither Maryland's data collection nor reporting for Indicator 16 were impacted by the COVID-19 pandemic.

**16 - Prior FFY Required Actions**

None

**16 - OSEP Response**

**16 - Required Actions**

## **Certification**

### **Instructions**

Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.

#### **Certify**

I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.

#### **Select the certifier's role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

#### **Name:**

Marcella Franczkowski

#### **Title:**

Assistant State Superintendent

#### **Email:**

marcella.franczkowski@maryland.gov

#### **Phone:**

4107670238

#### **Submitted on:**

04/26/21 1:17:09 PM