

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

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

**For reporting on  
FFY 2021**

**Maryland**



**PART B DUE February 1, 2023**

**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

The Maryland State Department of Education (MSDE), Division of Early Intervention/Special Education Services (DEI/SES) has the responsibility under the Individuals with Disabilities Education Act (IDEA) to have a comprehensive system of general supervision that monitors the implementation of the IDEA, State laws, and applicable Federal and State regulations. The mission of the DEI/SES is to provide leadership, support, and accountability for results to twenty-four (24) Local Education Agencies (LEAs), 24 Local Infants and Toddlers Programs (LITPs), Public Agencies (PAs), and stakeholders through the provision of a seamless, comprehensive system of coordinated services to infants, toddlers, young children, and youth with disabilities, birth through age 21, and their families.

The Division is organized by five branches:

Policy and Accountability;  
Performance Support and Technical Assistance (TA);  
Family Support and Dispute Resolution;  
Interagency Collaboration; and  
Resource Management and Monitoring.

The Division's matrix organizational design facilitates performance orientation within each branch, process orientation across all branches, and an operational plan inclusive of all branches. This infrastructure integrates knowledge to improve compliance and results and ensures consistent communication within the DEI/SES, throughout MSDE, and with external stakeholders and partners.

Through the implementation of cross matrix leadership, the DEI/SES is committed to the following essential principles to improve results and functional outcomes for all children and youth with developmental delays and disabilities and their families:

Transparency: Maintaining an open door to stakeholders and regularly communicating through formal and informal outreach

Stakeholder Engagement: Engaging our stakeholders in timely and meaningful consultation on priority topics, including policies that affect children with disabilities

Effectiveness: Serving stakeholders in a timely and effective manner and ensure the availability of the best "real-time" data for decision-making and dissemination of evidence-based models throughout the State

Alignment: Arranging our priorities to be synchronous with those of MSDE and federal requirements while also including the concerns of our LEAs, LITPs, PAs, and advocates

Accountability: Striving to improve compliance and performance results for all LEA/PAs. The DEI/SES has developed a tiered system of general supervision and performance support to identify systems and agencies in need of differentiated support and TA (Differentiated Framework)

The Differentiated Framework includes tiers of general supervision and engagement to improve birth through 21 special education/early intervention results. Essential components of the Division's comprehensive system of general supervision include (see General Supervision section for detailed information):

Effective policies and procedures  
State Performance Plan (SPP) goals & targets  
Accountability to Improve Performance (AIP)  
Fiscal management  
Dispute resolution  
Targeted TA & support

The DEI/SES has aligned its general supervisory responsibilities with engagement for performance support and TA to provide a tiered system of monitoring and supports to address the needs of each LEA. The Differentiated Framework illustrates the shared responsibility and shared accountability to improve results for students with disabilities. The Division is committed to maintaining compliance and providing supports to improve the quality of special education services. An LEA/LITP/PA is assigned to a tier based upon performance on federal compliance and results indicators, correction of noncompliance, analysis of data, fiscal management, and monitoring findings. The corresponding support an LEA receives is differentiated based on that agency's assigned tier and a comprehensive analysis of the LEA/PAs' needs.

The Differentiated Framework involves directing the DEI/SES' attention to LEA/PAs in need of more comprehensive engagement, TA, and support in order to enable those programs to meet indicator targets, improve results, narrow the achievement gap, correct identified noncompliance, and maintain compliance.

A majority of the LEA/LITP/PAs are currently in the Universal Tier of General Supervision. This Tier represents LEA/PAs that have met identified performance and compliance criteria, resulting in a determination status of "Meets Requirements" or is in the 1st year of "Needs Assistance." In the Universal Tier of Engagement, the focus is on professional development/learning and follow-up coaching and support to address statewide needs based on overall State trend data (e.g., performance on SPP Indicators, child outcomes, and student achievement). This includes general information related to early intervention/special education policies, procedures and practices, as well as the general work of the MSDE. Examples of statewide TA include State and regional professional development, online tools, resources through Maryland Learning Links, and Technical Assistance Bulletins (TABs). Comprehensive monitoring for the "Universal" tier occurs once every 4 years.

An LEA/LITP/PA receiving a determination status of "Needs Assistance" for two consecutive years or one year of "Needs Intervention" is assigned to the Targeted Tier of General Supervision. An LEA/PA in this tier may have an active Corrective Action Plan(s) (CAPs) for identified noncompliance, or they may have reoccurring noncompliance despite correction within the required one-year period. The corresponding Targeted Tier of Engagement focuses on professional learning and support (training, coaching, & TA) to address the needs of the LEA/LITP/PA on specific topics identified through general supervision. It is a responsive and proactive approach to prevent the LEA/LITP/PA from needing substantial support. The LEA/LITP/PA's leadership is

required to engage with the DEI/SES to review State and local data and information in order to implement an Improvement Plan (IP) that is approved by the DEI/SES to build capacity to effectively address the identified needs. LEA/LITP/PAs in the Targeted Tier receive comprehensive monitoring every 3 years.

An LEA/LITP/PA receiving a determination status of "Needs Assistance" for 3 consecutive years, "Needs Intervention" for 2 consecutive years, or "Needs Substantial Intervention" for 1 year is assigned to the Focused Tier. At this level, the goal of the Focused Tier of Engagement is to direct substantial support to address the continuous lack of improvement of the LEA/LITP/PA through significant systems change. A multi-faceted State and local leadership team meets regularly to develop and implement an focused collaborative action plan designed to effect systems change in policy, program, instructional practices, and professional learning at multiple systems levels. The State Superintendent and the DEI/SES Assistant State Superintendent work closely with the LEA/PA Superintendent to develop a cross-departmental, cross-divisional State and local implementation team. The MSDE provides increased oversight activities to assess progress and may direct federal funds, impose special conditions, and/or require regular submission of data. Comprehensive monitoring for LEA/PAs in the Focused Tier occurs every other year.

At the highest tier, the Intensive Tier of General Supervision, an LEA/LITP/PA fails to progress and correct previously identified noncompliance despite receiving TA and support. The failure to comply has affected core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight. The LEA/LITP/PA enters into a formal agreement with the MSDE to guide improvement and may have additional sanctions. The MSDE may direct, recover or withhold State or federal funds. Comprehensive monitoring occurs annually for LEA/LITP/PAs in the intensive tier.

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

##### **Data Collection**

The first step is the collection and review of quantitative and qualitative data used for making data-informed decisions about program management and improvement. Data are derived from a variety of sources and the data collection process is continuous. First, the MSDE data system incorporates information from a variety of other MSDE offices. The DEI/SES collaborates with staff members from the Division of Assessment, Accountability, and Performance Reporting and the Division of Student Support, Academic Enrichment and Educational Policy to collect, disaggregate, analyze, report, and/or develop new data collections, as determined appropriate, to ensure data on students with disabilities required by the Elementary and Secondary Education Act (ESEA) and the IDEA are accurate, valid, and reliable. Data related to students with disabilities are located in different data collection sets. Access to newly collected disaggregated data on students with disabilities has allowed for the cross-referencing of data reports between different data sets. Relational links using the Unique Student ID (USID) numbers allow cross-referencing between all data sets.

##### **Special Services Information System (SSIS) 618 Data Collection**

SSIS functions as a centralized data submission system for the IDEA Part B Section 618 data. Personnel data are collected annually in Excel spreadsheets. Section 618 data are submitted via a secure server file transfer of data from LEAs and PAs, which are to monitor and verify their data collection systems at the local level. Most PA special education data collection elements are collected as a part of the daily information management for all students.

The following processes and procedures are in place to ensure the reliability of the data system:

The SSIS secure server is available twenty-four (24) hours a day for file submissions. The secure server is backed up nightly and replicated off-site.

Files posted are reviewed and edited daily

Files are loaded into the database which resides on a secure network and is backed up nightly using the Storage Area Network (SAN) Disk Part B Data Managers and other MSDE staff are available to provide support when needed

The SSIS Manual provides detailed information for LEAs/PAs to build mechanisms within their systems for data accuracy. The DEI/SES runs edit reports of the files for the LEAs and PAs to correct and resubmit their files to the DEI/SES. To ensure validity, the DEI/SES SSIS Manual provides data standardization for definitions and provides system edits similar to those suggested systems edits provided by the IDEA Data Center (IDC). Validity of the data and consistency with the Office of Special Education Programs (OSEP) data instructions are ensured throughout the data collection process by a number of practices and safeguards including edits built into the data collection system, such as data definition edits (what values are put in what fields), out-of-range edits, cross-field or relationship edits, and checks to ensure that all LEAs and PAs submit data.

The DEI/SES regularly revises the SSIS Manual according to State and/or Federal regulations. The Manual is distributed at Data Manager Meetings, placed on the DEI/SES website, and is also sent to each LEA/LITP/PA electronically. The DEI/SES produces the Census Publication and Related Tables from the data system which contains multiple tables and is posted on the MSDE website. An additional internal report produced is the 5% Analysis Report which highlights any LEA/LITP/PA with 5% or more population increases or decreases. The MSDE uses the EMAPS reports to flag large changes in the data. Data are disaggregated to determine which LEA/LITP/PA is involved. When disaggregated data are suspect, the DEI/SES contacts the local director of special education. Directors of special education and the DEI/SES staff work together to validate the data. The LEAs/PAs provide the DEI/SES the reasons for large changes in data and that information is analyzed at the MSDE and provided to EMAPS.

The LEAs/PAs using the Maryland Statewide Online IEP (MOIEP) system transmit data nightly to the SSIS. Three LEAs use vendor-supported IEP systems to aggregate data for electronic file transfers quarterly to an MSDE secure server for web-based data submission of the annual child count, census data, and exit data. Personnel data continue to be collected annually in Excel spreadsheets. Quarterly, the DEI/SES collects child count, exit count, and Indicators 11, 12, and 13 data from LEA/LITP/PAs.

The accuracy of the data is dependent upon the accuracy of the submitted school-level data. Questions and discrepancies in the data are verified by the DEI/SES staff with the respective LEA/LITP/PA. The LEA/LITP/PA SSIS Data Manager corrects errors and resubmits the entire data file to DEI/SES to ensure that corrections are made in both the database and the error file. SSIS allows two methods of data submission:

Data submitted as one large file and then corrected and resubmitted; or

Data submitted as a large file and error records are held in a suspense file until the LEA/LITP/PA corrects the errors online.

Once corrected records are accepted, the LEA/LITP/PA can extract the corrected file and repopulate the LEA/LITP/PA system with the corrected records.

Data collection or reporting issues related to the COVID-19 Pandemic will be discussed within individual indicators, if applicable.

#### **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.**

## IDEA Requirements

The DEI/SES conducts a comprehensive student file review to ensure LEAs/LITP/PAs are correctly implementing the regulatory requirements of the IDEA and the Code of Maryland Regulations (COMAR). The LEAs/PAs are selected for review on a cyclical basis using a representative sample based on student enrollment that includes large, medium, and small districts. Every Maryland LEA/LITP/PA will be reviewed at least once during the four-year cycle. Please see the information above about monitoring schedules based upon the Differentiated Framework.

## Effective Policies, Procedures, and Practices (PPP)

Maryland has policies and procedures aligned with IDEA. State law and COMAR support State implementation of the IDEA. Each LEA/LITP/PA is responsible for developing policies, procedures and practices for effective implementation in accordance with federal and State requirements. The DEI/SES has embedded the review of LEA/LITP/PA policies, procedures, and practices within existing components of general supervision.

## Significant Disproportionality

States must collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the State and districts concerning the identification of children as children with disabilities, including specific disability categories; the placement of children in particular educational settings; and the incidence, duration, and type of disciplinary removal. Significant disproportionality is based on an analysis of numerical information. It is defined as a risk ratio (RR) greater than 2.0 and failure to make adequate progress from the previous year's data (.15 for RRs between 2.0 and 4.0 and .50 for RRs = 4.0) for the same race or ethnicity with regard to a disability category, type of disciplinary action, or particular educational setting. An LEA/LITP/PA identified as having significant disproportionality must reserve 15% of its IDEA Part B Section 611 and Section 619 passthrough funds to provide Comprehensive Coordinated Early Intervening Services (CCEIS); review and, if appropriate, revise district PPPs; and publicly report on the revisions of district policies, procedures, and practices. Additionally, districts identified as having significant disproportionality are restricted from reducing Maintenance of Effort (MOE) by using the 50% reduction rule.

## State Performance Plan (SPP)

The SPP is the State's plan to improve results and compliance indicators established by the OSEP and contains a description of the State's efforts to implement the requirements of Part B of the IDEA, including how it will improve performance on indicators. As part of the SPP, each indicator has a target set by the OSEP or the State. All targets set by the State are facilitated through stakeholder engagement.

## Accountability to Improve Performance (AIP)

The DEI/SES now places greater emphasis on requirements related to improving educational results for children with disabilities. In addition, the DEI/SES works collaboratively with LEA/LITP/PAs to identify root causes and focus on areas in need of improvement. The AIP process verifies data, documents compliance with both IDEA and COMAR regulatory requirements, and provides TA for the timely correction of identified findings of noncompliance. Findings of noncompliance concerning the records of individual children with disabilities always result in verification of correction using a two-prong process consistent with OSEP Memo 09-02. Comprehensive monitoring occurs at least every four years in each LEA/LITP/PA to ensure the LEA/LITP/PAs are compliant with State and federal regulations, have a system of general supervision in place to monitor child progress and make data-informed decisions, and are focused on improving outcomes for children with developmental delays and disabilities, and their families.

While some monitoring activities are universal for all, other monitoring activities are customized to examine areas of need, such as:

- Indicator data verification
- Other data reviews
- Grant/Fiscal reviews
- Medicaid monitoring
- Family support data
- State complaints
- Advocacy organization concerns

The DEI/SES has developed monitoring activities geared towards these efforts to ensure improved results, including:

- Desk Audits - review of data, IEPs, or other sources of information used in monitoring conducted by the DEI/SES at the DEI/SES.
- On-Site Monitoring - review of data, IEPs, or other sources of information used in monitoring conducted by DEI/SES staff within the LEA/LITP/PAs. On-site monitoring is specifically used to carry out those activities that are not practical to complete through a desk audit by the DEI/SES staff.
- Case Study Reviews - reviews of an individual child's early intervention record to determine whether the child is being provided with appropriate services, which is evidenced by continued growth and progress towards child and family outcomes. Case studies include observations of service delivery and interviews with families and providers.
- Interviews - conducted with administrators, service providers, and parents to measure consistency and understanding of practices across the LEA/LITP/PA. DEI/SES staff are able to ascertain the knowledge of local program staff pertaining to the implementation of IEPs, utilization of evidence-based practices, and the responsibilities of staff.
- Directed Onsite Visits - Onsite visits at any time based on data indicating potential concerns or a pattern of concerns over time. These concerns may come from examining data reported to the MSDE as part of the accountability system and other sources of information, such as interactions and conversations with parents, advocates, and/or district personnel. The scope of each directed onsite visit may vary.

## Fiscal Management

The primary responsibility of the Resource Management Branch is to ensure effective procurement, use, and oversight of DEI/SES resources. This branch also provides for fiscal subrecipient monitoring of all recipients of the IDEA grant funds throughout Maryland. The branch ensures fiscal accountability in accordance with IDEA and COMAR for federal and State funds administered by the MSDE for the benefit of students with disabilities. The branch assists LEA/LITP/PAs, and other subrecipients through the application, reporting, and fiscal management process associated with the grant award.

## Dispute Resolution

The IDEA provides safeguards that include formal dispute resolution requirements, such as mediation, formal complaints, resolution sessions, and due process hearings. The Family Support and Dispute Resolution Branch collects and analyzes data on an ongoing basis to ensure effective implementation of the dispute resolution system.

## Targeted TA and Support

Through the SSIP and data from the examination of the LEA/LITP/PA performance, ongoing state activities are used for program improvement and progress measurement. The DEI/SES also aligns improvement activities with existing MSDE initiatives, such as Maryland's Every Student Succeeds Act. TA activities, designed to address the needs of each individual LEA/LITP/PA, are based on data that are collected and correction of any noncompliance, consistent with OSEP's 09-02 Memo.

## Enforcement

There is a direct relationship between determination status and enforcement. After assigning each LEA/LITP/PA a determination status, the DEI/SES applies appropriate enforcement actions. The DEI/SES mandates activities and actions that are designed to ensure that LEA/LITP/PAs meet the requirements of IDEA. Each LEA/LITP/PA is assigned to one of four tiers of general supervision. This comprehensive information is used to provide differentiated engagement that focuses on building capacity to improve results and direct State resources to those LEA/LITP/PAs that are the lowest-performing.

#### **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.**

Through the DEI/SES's strategic plan, Moving Maryland Forward: Sharpen the Focus for 2020, the DEI/SES focuses on building the capacity of LITPs, LEAs, PAs, and IHES, to narrow the performance gap and enable all children to be kindergarten ready. The DEI/SES works collaboratively with other Divisions within the MSDE to improve performance on statewide accountability measures and achievement of the Maryland College and Career Ready Standards.

#### **Team, Analyze, Plan, Implement, Track (TAP-IT)**

The TAP-IT process is the universal delivery system for improved results through the DEI/SES Differentiated Framework: Tiers of Engagement. TAP-IT ensures purposeful resource allocation and collaborative effort in support of research-based actions that narrow the achievement gap for children with disabilities and their non-disabled peers. Through TAP-IT the DEI/SES partners with LEA/LITP/PAs around five (5) levers for change based on State Education Agency (SEA) Levers for Change in Local Education Agencies and Schools, Redding, 2013:

Opportunity by braiding of resources to support innovative practices;

Incentives through Statewide recognition of child progress and gap reduction;

Systemic Capacity by providing Statewide data systems that include the Longitudinal Accountability Decision Support System (LADSS), Maryland Online IFSP, and the Maryland Online IEP (MOIEP);

Local Capacity building through expert consultation, establishing of Communities of Practice (CoP), training, coaching, and opportunities for diagnostic site reviews;

Intervention through the DEI/SES Differentiated Framework: Tiers of Engagement that include universal support for internal decision-making processes based on implementation science, and dissemination of proven practices with demonstrated results.

The TAP-IT process begins with the formation of an implementation team comprised of LEA/LITP/PA and DEI/SES representatives who operate in a clearly defined partnership. The team collects all current, relevant data sources (e.g., SPP/APR, Maryland Report Card, Ready at Five - School Readiness Data, Maryland Online IFSP database, and Family Survey Data). An August 2017 WestEd/NCSI Spotlight highlighted this process with a focus on mathematics in Maryland: <https://ncsi.wested.org/resources/state-spotlights/>

**Team:** The LEA/LITP/PA leadership selects team members who are decision-makers (programmatic, fiscal, organizational, human capital, and general educator(s) as appropriate) and will represent the LEA/LITP/PA in partnership with the MSDE, DEI/SES team (data, fiscal, and programmatic MSDE liaisons). Collaborative team sessions are scheduled face-to-face and/or through technology applications to establish team function, roles, and operating norms. There is attention to building the capacity of the team using implementation science. A partnership is jointly formed by the LEA/LITP/PA and DEI/SES team to guide the work that includes outcomes, design, and assessment.

**Analyze:** The team studies the processes currently in place to analyze data at the State and LEA/LITP/PA levels. The team reviews the available data that include formative, summative, longitudinal summary reports and early warning alert systems that may be in place. The purpose of each data source is reviewed, and the strength and limitations are identified. The team describes/defines the sources and processes to analyze data and identifies opportunities for programmatic support and/or TA. The team analyzes the data using an agreed-upon protocol and reports their finding(s).

**Plan:** The team reviews the effectiveness of existing processes and interventions to narrow the gap between children with disabilities and their non-disabled peers. The team shares current research and research-based practices for narrowing the achievement gap. Allocation of resources is reviewed to determine their effectiveness in narrowing the gap. The team uses evidence-based questioning strategies such as Teams Intervening Early to Reach all Students (TIERS): Asking the Right Questions and implementation science tools that include the Hexagon Tool where information is gathered and organized. These provide the team with a complete picture of the targeted interventions and their use in the LEA/LITP/PA (see: <https://nirn.fpg.unc.edu/resources/hexagon-exploration-tool>). Based on the data analysis, plans are created and resources are aligned to narrow the achievement gap. Strategic, measurable, attainable, results-based, and time-bound (SMART) goals and ideas for sharing success and replication are included in the developed plans.

**Implement:** The plan is implemented with the supports and resources identified from the LEA/LITP/PA, the DEI/SES, and other external partners. Monitoring of progress, identification and removal of barriers to change, and diagnostic site reviews are conducted.

**Track:** Team members meet quarterly face-to-face and/or through technology applications. Assigned monitors provide updates on each data set, financial reports are discussed, and plans are modified as needed (e.g., based on intervention implementation fidelity, child performance, etc.). The team completes an annual review and report of the work through the SMART Process. Success is shared, and the work is scaled up as appropriate.

#### **Accessing Technical Assistance by MSDE**

The OSEP, in the 2022 Part B Results-Driven Accountability Matrix, identified the MSDE, DEI/SES in need of TA to address the low performance and participation of students with disabilities on the National Assessment of Educational Progress (NAEP). The MSDE, DEI/SES partnered with the MSDE, Division of Assessment, Accountability and Information Technology, including the MSDE NAEP Coordinator, John Hopkins Center for Technology and Education, and stakeholders to provide guidance and TA to LEAs, PAs, and families. The DEI/SES has also continued to receive TA from federal Technical Assistance Centers including the IDEA Data Center (IDC), National Center for Systemic Improvement (NCSI), the National Center for Educational Outcomes (NCEO), and the Time, Instructional Effectiveness, Engagement, and State and District Support for Inclusive Practices Center (TIES). Information specific to the TIES partnership can be found here: <https://www.marylandlearninglinks.org/ties-center-and-nceo-parent-resource-videos/>

As a result of these collaborations, the DEI/SES has implemented family-friendly strategies that included the dissemination of information to parents and LEAs that clarified the requirements and the importance of students with disabilities, particularly, those students in the fourth and eighth-grade assessments. In addition, the MSDE, DEI/SES staff works closely with John Hopkins University to revise the MOIEP. Past revisions to the MOIEP facilitated discussions between family members and the IEP team regarding the decisions to ensure access for students with disabilities. The MOIEP allows the IEP Team to document and track the decisions being made over time. Preliminary data results indicate that there has been a significant increase in the participation of students with disabilities on the NAEP and the Statewide assessment. The MSDE, DEI/SES staff will continue to facilitate improvement in the participation and proficiency rate of students with disabilities.

#### **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 children with disabilities.**

MSDE's "Stages of Professional Development for All Teachers Teaching Students with Disabilities" ("Stages") is a roadmap that teachers can use throughout their careers, ideally beginning in the final year of a teacher-preparation program and moving all the way through to retirement. There are

other matrices available to guide teacher professional development, but “Stages” is unique. It’s specifically geared to help teachers improve the performance of their students with disabilities in both the general and special education environments. While “Stages” can be a great self-assessment tool, it’s especially useful during the mentoring process. It helps mentors and mentees identify the mentee’s particular areas of strength and areas of need. In addition, it provides clear stepping stones to guide the mentee’s professional development on an ongoing, career-long basis. The online version of “Stages”, accessible through the Professional Development Online Tracker (PDot), includes links to professional development courses, videos, curricula, webinars, books, and other materials that can be invaluable during (and after) mentoring.

In order to improve program quality and services to positively impact student results, the MSDE DEI/SES, in collaboration with numerous partners, provides resources, training, consultation, and TA to local special education directors, service providers, community partners, stakeholders, and parents through a variety of formats and forums. Dissemination of these trainings, resources, media, and tools to strengthen student outcomes and the special education services provided to students with disabilities is supported through the DEI/SES Maryland Learning Links website in collaboration with the Johns Hopkins University Center for Technology in Education (CTE).

The MSDE provides targeted professional learning activities for local special education leaders. These include the annual DEI/SES Professional Learning Institute (with early childhood, secondary transition, and access, equity, and progress strands), quarterly face-to-face Birth through 21 Leadership professional learning, and monthly Birth through 21 Leadership teleconferences.

As described under the Division’s Technical Assistance System, the Tiers of Engagement provide differentiated program support and TA based on State and local needs related to implementing a high-quality, seamless, Birth through 21 system of services. A specific school-age performance liaison is designated for each LEA/LITP/PA and supports data-informed systematic planning, implementation, and evaluation of evidence-based professional learning to enhance the quality of recommended special education practices. The differentiated engagement model focuses on building capacity to improve results and direct State resources to those LEA/LITP/PAs that are the lowest-performing while recognizing and providing the support needed to publish and disseminate successful best practices from those LEA/LITP/PAs which are achieving success.

#### **Broad Stakeholder Input:**

#### **The mechanisms for soliciting broad stakeholder input on the State’s targets in the SPP/APR and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 17, the State’s Systemic Improvement Plan (SSIP).**

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee’s membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland’s SESAC is comprised of the following strong community stakeholders:

18 Parent Members  
Juvenile Services Education  
The Parents’ Place of Maryland  
Maryland Higher Education Commission  
4 LEA Representatives (administrators, service providers, etc.)  
Maryland Association of Nonpublic Special Education Facilities  
Maryland Department of Labor  
Maryland Department of Disabilities  
Maryland Developmental Disabilities Council  
Division of Rehabilitation Services/Department of Disabilities  
The ARC of Maryland  
Title I-Program Improvement & Family Support, MSDE  
Maryland State Education Association  
Maryland Department of Human Services  
Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions’ priorities, including but not limited to the State’s SPP/APR and State’s Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State’s SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were

provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

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Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

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

YES

#### **Number of Parent Members:**

79

#### **Parent Members Engagement:**

#### **Describe how the parent members of the State Advisory Panel, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

Committees/Councils, including the State Interagency Coordinating Council (SICC), Special Education State Advisory Committee (SESAC), and Education Advisory Council (EAC), support Maryland's comprehensive birth through twenty-one (21) system of services. Parents and advisory/advocacy committees are engaged in target settings, analyzing data, developing improvement strategies, and evaluating progress in numerous ways. Parents, including representatives from the Parent Training and Information Center (PTIC) in Maryland, Parents Place of Maryland, are actively involved in the SICC, SESAC, and EAC Parents Place of Maryland employs eleven (11) parents of children and students with identified delays and disabilities. The SICC currently has five (3) parent members, all from different local jurisdictions systems, who attend regularly. Maryland's SESAC has eighteen (18) parent members who attend regularly. Nonmember parents attend both the SICC and SESAC since the meetings are open to the public. The EAC is a diverse coalition of over 25 individuals and organizations, including individual advocates, advocacy law centers, disability societies/councils, educational consultants, and other agencies with a focus on empowering and supporting children with disabilities and their families. As mentioned before, Parents Place of Maryland, Maryland's PTIC, is a valuable stakeholder with membership on each committee.

Parents, parent support staff, and advocacy groups are also included in State Professional Learning Institutes (PLIs) and statewide webinars intended to provide stakeholders with up-to-date information on legislation, program strategies, evidence-based practice updates, and progress on program results and APR indicators. Thirty-one (31) of 43 Family Support providers in Maryland's LEAs are parents of students with disabilities.

Several ongoing committees have regular participation by parents, including:

The State Implementation Teams (Part B and Part C);

These teams are responsible for moving SSIP work forward.

One (1) parent that serves on each Team.

The Inclusion State Leadership Team (Part B and Part C);

This team advances technical assistance activities which are focused on advancing effective evidence-based inclusion policies and practices within the State's comprehensive birth through age 21 education system.

Two (2) parents that serve on this Team.

The State Inclusion Leadership Team (Part B and Part C);

This team develops state-level guidance and support for the local education agencies that were awarded the PS Inclusion grants.

Two (2) parents that serve on this Team.

The Pyramid Model Leadership Committee, which is not led by DEI/SES, but the DEI/SES serves as partners (Part C and Part B); and

This committee focuses development, evaluation, and sustainability of a statewide collaborative effort, guided by national models, that supports the local implementation of the Pyramid Model framework.

Two (2) parents that serve on this Committee.

The Maryland Certificate of Program Completion (MCoPC) Endorsement Task Force

The task force's charge is to review the requirements for the Maryland Certificate of Program Completion requirements and develop standards for endorsements that can be added to the MCoPC that address employment, postsecondary education, and community/citizenship.

Six (6) parents serve on this Task Force.

#### **Activities to Improve Outcomes for Children with Disabilities:**

#### **The activities conducted to increase the capacity of diverse groups of parents to support the development of implementation activities designed to improve outcomes for children with disabilities.**

The MSDE DEI/SES develops State leadership teams for new initiatives, including a diverse membership. Parent members fully participate in the processes, discussions, and are encouraged to take on leadership roles at times. The expectation is that State leadership teams will then be modeled at the local level for each jurisdiction participating in the initiative. The MSDE, DEI/SES provides grant funding to several family organizations, including PPMD and the Maryland Coalition of Families (MCF), to enhance parent leadership and encourage diverse parent participation at all levels of decision-making.

The PPMD has two current grants from the DEI/SES:

Baby LEADers – goals of the grant include but are not limited to increasing parent participation in planning for IFSP, Extended IFSP, and IEP services and decision-making; increasing parent knowledge to support young children through the transition from an IFSP to an IEP; increasing parent knowledge of the Division of Early Childhood's Recommended Practices and Family Guides supporting the State's rollout of evidence-based practices and strategies; empowering families to use the resources they need to participate in their own family and community activities; and improving parent/provider communication and family partnerships regarding early intervention and preschool services for children to improve service delivery and substantially contribute to improving child outcomes.

Guiding the Journey: A Transition Program for Parents – goals of the grant include, but are not limited to, conducting secondary transition trainings for parents of students aged 14 and older; and increasing parental involvement and expertise in the transition planning process.

Through a DEI/SES grant, the MCF provides training programs to promote family/school partnerships and empower families to advocate for their

children, as well as other children, in education and other child-serving care systems. The MCF's annual Family Leadership Institute (FLI) provides an intensive training program to promote the development of local partnerships and community ties. Through the MCF's Family Leadership Program, the MCF seeks to increase parent/caregiver capacity, engagement, and partnership with LITPs and LEAs. Equipping parents/caregivers who care for children with mental health disorders with knowledge, skills, and resources will promote a positive partnership with the school and positive educational outcomes for their child. The SICC facilitates an annual joint meeting with Local Interagency Coordinating Councils (LICCs) across Maryland encouraging State-level representation and engagement from parents and various stakeholders. This diverse group of parents and stakeholders advise the State's development of activities that support children and students with special needs. In addition, the collaborative meeting has resulted in the recruitment of additional parents to the SICC.

The DEI/SES provides the EAC an opportunity to review all TABs and parent guides before they are finalized and disseminated. Since the start of the COVID-19 Pandemic, the DEI/SES has developed over forty-five (45) guidance documents. Ultimately, these documents are published on the MSDE's website to ensure wide dissemination to both providers and families. The DEI/SES TABs and family guides can be found here: <https://www.marylandpublicschools.org/programs/Pages/Special-Education/TAB.aspx>. Of note, the DEI/SES developed two (2) new parent guides to increase the capacity of parents to support their children, including A Parents' Guide: Navigating Special Education during COVID-19 Pandemic and A Parents' Guide to Navigating Compensatory Education/Recovery Services during the COVID-19 Pandemic.

In addition to the strategies mentioned above, the value of the Special Education State Advisory Committee (SESAC) as an integral mechanism to broaden the opportunity for stakeholder feedback on the implementation activities and targets of the SPP/APR, among other critical issues, cannot be understated. The SESAC is established to advise and assist the Maryland State Department of Education, DEI/SES in administering, promoting, planning, coordinating and improving the delivery of special education and related services to assure that all children with disabilities, three through 21 years of age, and their families have access to appropriate education and related services. SESAC membership conforms to the requirements of Federal and State regulations with over 51% of members who are parents of students, ages birth through 21, with disabilities. Membership is representative of a broad base of families, state agencies advocating for, funding, and/or administering programs for students with disabilities, private agencies responsible for addressing vocational, community, and business matters pertaining to students with disabilities, representatives from local education agencies, etc. Each year, the SESAC holds a meeting in January dedicated to review and receive input on the SPP/APR, including revisions to implementation activities and targets. DEI/SES staff present data on each indicator, review and compare current and prior years data, set State targets, and provide feedback on strategies to develop and implement policies to improve results for students with disabilities. In addition, the SESAC hosts an annual meeting with the leaders of each Special Education Citizens' Advisory Committee (SECAC). This meeting offers local SECAC family leaders the opportunity to be actively involved in State level administration of special education and to provide feedback and insight on local matters impacting SPP/APR data as well as other special education data and the policies and practices that drive those data.

Finally, the DEI/SES Family Support Section also provides Technical Assistance to the Local Family Support Coordinators in each jurisdiction in Maryland, including the Maryland School for the Blind and Maryland School for the Deaf. Technical Assistance included discussions about:

- 1) Finding and interpreting local and State SPP/APR data;
- 2) Reviewing their SPP/APR improvement strategies;
- 3) Providing feedback on SPP/APR data, improvement strategies, and targets; and
- 4) the importance of including this in conversations with local SECACs, advisory groups and families.

Family support coordinators encourage and support effective parent participation on a variety of committees and workgroups at all levels of decision-making.

#### **Soliciting Public Input:**

#### **The mechanisms and timelines for soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

Throughout the year, stakeholders are made aware of data analysis, improvement strategies, and program data/progress evaluation in a variety of ways, including through Statewide meetings/webinars, SICC/SESAC/EAC meetings, and family support conferences. Statewide webinars occur frequently, but not necessarily with specific regularity as they are often dependent on hot topics or immediate concerns or initiatives. The SICC, SESAC, and EAC meetings occur frequently and regularly with the schedule set at the beginning of each fiscal year. For both types of meetings, stakeholders can provide feedback on data analysis, improvement strategies, evaluation, and target setting. In addition to Statewide meetings and regular stakeholder workgroups, the State has regular family support conferences and webinars. These meetings are regularly attended by parents and family support professionals. Below are examples of topics discussed at Family Support Conferences/webinars in FFY 2020 and FFY 2021:

Routines-Based Interview;  
Authentic Assessment;  
Data highlights;  
Parent/Family Survey;  
Improving Family Engagement;  
Early Intervention Personnel Standards;  
Components of IEP Goals  
Tips to Support Mask-Wearing for Students with Disabilities;  
Helping Prepare Parents Prepare for a Return to In-Person Instruction/Services;  
Review of MSDE TABs;  
Decision-Making for Students with the Most Significant Cognitive Disabilities  
Improving Outcomes through Family Support;  
Understanding the IFSP/IEP Process;  
Helping Families Create a Vision for Their Child;  
A review of Parental Rights Maryland's Procedural Safeguards Notice Document; and  
Compensatory Education/Recovery Services Topics.

In addition to the meetings above, the SIT meets regularly to develop, analyze, and evaluate evidence-based practices utilized in Maryland's SSIP jurisdiction and expand the use of the State's evidence-based practices beyond jurisdictions participating in the SSIP. The PPMD, SICC, and SESAC have representatives on the SIT, thus ensuring parent and advisory group participation.

Below is a timeline of the mechanisms used to set targets, baselines, analyze data, develop improvement strategies and evaluate progress for the FFY 2020 - FFY 2025 APR Cycle, including revisions to Indicator 2 targets in FFY 2021.

Timeline:



July 2021 – October 2021

Reviewed how each indicator was measured in the past cycle and what changes, if any, are required for data collection and reporting  
Consulted with internal data collection teams at MSDE (inter-departmental) to ensure data availability and a plan for data analysis and reporting

October 2021 - December 2021

Presented to stakeholders changes to how the indicator will be measured in the new cycle  
Identified and developed proposed baseline year, proposed target options, and improvement strategies to meet the targets  
Solicited input from stakeholders on priorities for APR indicators  
Developed APR Surveys (Part B and Part C) for obtaining feedback from stakeholders

December 2021-January 2022

Disseminated Part C and Part B Surveys to stakeholders throughout Maryland for feedback on APR Indicators (baselines, targets, and improvement strategies)  
Solicited additional input from advisory groups, councils, and committees (SESAC, SICC, EAC, etc.)  
Reviewed stakeholder survey responses  
Made final adjustments and finalized proposed baselines, targets, and improvement strategies

February 1, 2022

Submitted SPP-APR FFY2020

April 2022

Developed a 2nd Part B Survey to obtain feedback on Indicators 3A, 3B, 3C, 3D, 5, and 6  
Disseminated 2nd Part B Survey to stakeholders to solicit input  
Reviewed stakeholder survey responses  
Made final adjustments and finalized proposed baselines, targets, and improvement strategies  
Submitted Final FFY 2020 Part B APR

November 2022

Analyzed dropout data trends using new methodology  
Developed proposed targets for dropout indicator

December 2022/January 2023

Presented proposed baseline, targets, and improvement strategies to stakeholders  
Made final adjustments and finalized proposed baselines, targets, and improvement strategies for Dropout indicator

February 1, 2023

Submitted SPP-APR FFY2021 with proposed Indicator 2 revised baseline and targets

#### **Making Results Available to the Public:**

**The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public.**

To make the set targets available to the public, the State disseminated final targets included in both APRs to the stakeholders (including parents, advocacy groups, Maryland's PTI Center, SICC, SESAC, EAC, and Program Directors/Coordinators, etc.). The FFY 2020 APR, including APR targets, Improvement Strategies, evaluation of indicator data, and local system-specific data, was posted on [mdideareport.org](http://mdideareport.org). The FFY 2021 APR, including APR targets, Improvement Strategies, evaluation of indicator data, and local system-specific data, will be posted on [mdideareport.org](http://mdideareport.org) no later than 120 days from submission consistent with submission in previous years.

#### **Reporting to the Public**

**How and where the State reported to the public on the FFY 2020 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 2020 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/APR, including any revision if the State has revised the targets that it submitted with its FFY 2020 APR in 2022, is available.**

As required in the IDEA of 2004, the MSDE reported to the public on its FFY 2020 (July 1, 2020 - June 30, 2021) performance and will report to the public on the performance of LEA/LITP/PAs on Part B Indicators for FFY 2021 (July 1, 2021 - June 30, 2022). Performance data in numbers and percentages will be reported for each LEA/LITP/PA, along with the State target, State performance data, and a narrative description of the indicator. In partnership with the Johns Hopkins University CTE, the MSDE has developed an accessible, state-of-the-art SPP/APR website for local and State performance data. The website currently includes APRs from FFY 2005 to FFY 2020 and can be accessed at [mdideareport.org](http://mdideareport.org). In addition to the complete SPP/APR, the website includes State and LEA/LITP/PA results for all applicable indicators and tools for comparing local performance in relation to the State targets. Each LEAs special education APR data (with the exception of assessment data) can be found here: [http://mdideareport.org/special\\_main.aspx](http://mdideareport.org/special_main.aspx). The public may see progress and slippage through a combination of tables and graphs populated on the website. In addition, this site also includes the OSEP's annual State determination and the MSDE's annual LEA/LITP/PA determinations.

Assessment data is located on the State's Report Card page: <https://reportcard.msde.maryland.gov/>

The FFY 2021 APR will be included on this website shortly after the State's submission to the OSEP on February 1, 2023. Copies of the APR and SPP will be provided to LEA/LITP/PAs, SESAC, and other stakeholders simultaneously immediately following the submission of the report.

#### **Intro - Prior FFY Required Actions**

The State's IDEA Part B determination for both 2021 and 2022 is Needs Assistance. In the State's 2022 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 2021 SPP/APR submission, due February 1, 2023, 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.

## **Response to actions required in FFY 2020 SPP/APR**

### **Intro - OSEP Response**

The State has not publicly reported on the FFY 2020 (July 1, 2020-June 30, 2021) performance of each local educational agency (LEA) located in the State on the targets in the State's performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA.

The State's determinations for both 2021 and 2022 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 24, 2022 determination letter informed the State that it must report with its FFY 2021 SPP/APR submission, due February 1, 2023, 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.

The State did not describe the mechanisms for soliciting broad stakeholder input on the State's targets in the SPP/APR and subsequent revisions that the State made to those targets. Specifically, the State did not report a description of the activities conducted to increase the capacity of diverse groups of parents.

### **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) exiting special education due to graduating 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 under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

### Measurement

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

### Instructions

*Sampling is not allowed.*

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 2021 SPP/APR, use data from 2020-2021), and compare the results to the target. Provide the actual numbers used in the calculation.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma. If the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma are different, please explain.

## 1 - Indicator Data

### Historical Data

| Baseline Year | Baseline Data |
|---------------|---------------|
| 2020          | 73.35%        |

| FFY       | 2016   | 2017   | 2018   | 2019   | 2020   |
|-----------|--------|--------|--------|--------|--------|
| Target >= | 65.91% | 68.14% | 70.38% | 72.62% | 73.35% |
| Data      | 66.86% | 67.48% | 66.84% | 63.52% | 73.35% |

### Targets

| FFY       | 2021   | 2022   | 2023   | 2024   | 2025   |
|-----------|--------|--------|--------|--------|--------|
| Target >= | 73.85% | 74.35% | 74.85% | 75.35% | 75.85% |

### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee’s membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland’s SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents’ Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions’ priorities, including but not limited to the State’s SPP/APR and State’s Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023,

the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

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The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. The majority of the members must be individuals with disabilities or parents of students, ages birth through 21, with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

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- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's APR and SSIP. Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

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**Prepopulated Data**

| Source  | Date       | Description  | Data  |
|---|------------|--|-------|
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)     | 4,918 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) |       |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)                           | 781   |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)                              | 60    |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)                                  | 880   |

**FFY 2021 SPP/APR Data**

| Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma | Number of all youth with IEPs who exited special education (ages 14-21) | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status     | Slippage    |
|--|---|---------------|-----------------|---------------|------------|-------------|
| 4,918  | 6,639   | 73.35%        | 73.85%          | 74.08%        | Met target | No Slippage |

**Graduation Conditions**

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma.**

The 618 Exit Data calculation is comprised of the number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma divided by the number of youth with IEPs (ages 14-21) who exited special education and are submitted with the State's 618 data submission.

**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, students, including 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

Two (2) credits of foreign language or two (2) credits of American Sign Language or two (2) credits of advanced technology education and three (3) credits in electives OR four (4) credits by successfully completing a State-approved career & technology program and one (1) credit in an elective

Students must also meet attendance, service-learning, and any local education agency requirements.

In addition, all students, including youth with IEPs, must complete the following High School Assessments requirements for Algebra/Data Analysis, English 10, and Biology.

Students who entered grade 9 in the fall of 2005 and later 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) (COMAR 13A.03.02.09). 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 Biology

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 who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

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

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

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 exited special education (ages 14-21) in the denominator.

#### Instructions

*Sampling is not allowed.*

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 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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.

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.

Provide a narrative that describes what counts as dropping out for all youth. Please explain if there is a difference between what counts as dropping out for all students and what counts as dropping out for students with IEPs.

## 2 - Indicator Data

### Historical Data

| Baseline Year | Baseline Data |
|---------------|---------------|
| 2021          | 13.26%        |

| FFY       | 2016  | 2017  | 2018  | 2019  | 2020  |
|-----------|-------|-------|-------|-------|-------|
| Target <= | 3.51% | 3.03% | 2.55% | 2.55% | 2.55% |
| Data      | 3.90% | 4.21% | 3.98% | 3.26% | 3.06% |

### Targets

| FFY       | 2021   | 2022   | 2023   | 2024   | 2025   |
|-----------|--------|--------|--------|--------|--------|
| Target <= | 13.26% | 13.00% | 12.75% | 12.50% | 12.25% |

### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents' Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

As a result of the required methodology change for Indicator #2, the state is proposing a new baseline and targets for FFY 2021 through FFY 2025.

**Prepopulated Data**

| Source  | Date       | Description  | Data  |
|---|------------|--|-------|
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)     | 4,918 |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) |       |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)                           | 781   |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)                              | 60    |
| SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/25/2022 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)                                  | 880   |

**FFY 2021 SPP/APR Data**

| Number of youth with IEPs (ages 14-21) who exited special education due to dropping out | Number of all youth with IEPs who exited special education (ages 14-21) | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status | Slippage |
|---|---|---------------|-----------------|---------------|--------|----------|
| 880   | 6,639   | 3.06%         | 13.26%          | 13.26%        | N/A    | N/A      |

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



The State's Dropout Rate is the percentage of students dropping out of school ages 14-21 in a single year. The year is defined as July through June and includes students dropping out over the summer, from evening high school, and other alternative programs. Using the MSDE 2020-2021 school year Dropout Rate data, the MSDE, DEI/SES reports an Annual Dropout Rate of 13.26%,  $(880/6,639 \times 100)$ . These data are consistent with data submitted for SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85).

**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.**

**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**

The State has revised the baseline for this indicator, using data from FFY 2021, and OSEP accepts that revision.

## **2 - Required Actions**

## Indicator 3A: Participation for Children with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

#### Data Source

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

#### Measurement

A. 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. Calculate separately for grades 4, 8, and high school. 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 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, & high school. Account for ALL children with IEPs, in grades 4, 8, and high school, 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.

### 3A - Indicator Data

#### Historical Data:

| Subject | Group | Group Name | Baseline Year | Baseline Data |
|---------|-------|------------|---------------|---------------|
| Reading | A     | Grade 4    | 2020          | 94.81%        |
| Reading | B     | Grade 8    | 2020          | 76.09%        |
| Reading | C     | Grade HS   | 2020          | 90.62%        |
| Math    | A     | Grade 4    | 2020          | 94.43%        |
| Math    | B     | Grade 8    | 2020          | 74.85%        |
| Math    | C     | Grade HS   | 2020          | 89.65%        |

#### Targets

| Subject | Group | Group Name | 2021   | 2022   | 2023   | 2024   | 2025   |
|---------|-------|------------|--------|--------|--------|--------|--------|
| Reading | A >=  | Grade 4    | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | B >=  | Grade 8    | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | C >=  | Grade HS   | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math    | A >=  | Grade 4    | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math    | B >=  | Grade 8    | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math    | C >=  | Grade HS   | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |

## **Targets: Description of Stakeholder Input**

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

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Maryland Association of Nonpublic Special Education Facilities  
Maryland Department of Labor  
Maryland Department of Disabilities  
Maryland Developmental Disabilities Council  
Division of Rehabilitation Services/Department of Disabilities  
The ARC of Maryland  
Title I-Program Improvement & Family Support, MSDE  
Maryland State Education Association  
Maryland Department of Human Services  
Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

## **FFY 2021 Data Disaggregation from EDFacts**

### **Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

### **Date:**

04/05/2023

**Reading Assessment Participation Data by Grade**

| Group   | Grade 4 | Grade 8 | Grade HS |
|---|---------|---------|----------|
| a. Children with IEPs*  | 8,120   | 8,616   | 6,357    |
| b. Children with IEPs in regular assessment with no accommodations        | 1,132   | 508     | 490      |
| c. Children with IEPs in regular assessment with accommodations           | 6,241   | 6,746   | 4,165    |
| d. Children with IEPs in alternate assessment against alternate standards | 594     | 834     | 1,098    |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

04/05/2023

**Math Assessment Participation Data by Grade**

| Group   | Grade 4 | Grade 8 | Grade HS |
|---|---------|---------|----------|
| a. Children with IEPs*  | 8,120   | 8,617   | 5,601    |
| b. Children with IEPs in regular assessment with no accommodations        | 940     | 431     | 2,452    |
| c. Children with IEPs in regular assessment with accommodations           | 6,424   | 6,746   | 1,577    |
| d. Children with IEPs in alternate assessment against alternate standards | 597     | 834     | 1,091    |

\*The children with IEPs count excludes children with disabilities who were reported as exempt due to significant medical emergency in row a for all the prefilled data in this indicator.

**FFY 2021 SPP/APR Data: Reading Assessment**

| Group | Group Name | Number of Children with IEPs Participating | Number of Children with IEPs | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|-------|------------|--|------------------------------|---------------|-----------------|---------------|---------------------|-------------|
| A     | Grade 4    | 7,967                                      | 8,120                        | 94.81%        | 95.00%          | 98.12%        | Met target          | No Slippage |
| B     | Grade 8    | 8,088                                      | 8,616                        | 76.09%        | 95.00%          | 93.87%        | Did not meet target | No Slippage |
| C     | Grade HS   | 5,753                                      | 6,357                        | 90.62%        | 95.00%          | 90.50%        | Did not meet target | No Slippage |

**FFY 2021 SPP/APR Data: Math Assessment**

| Group | Group Name | Number of Children with IEPs Participating | Number of Children with IEPs | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|-------|------------|--|------------------------------|---------------|-----------------|---------------|---------------------|-------------|
| A     | Grade 4    | 7,961                                      | 8,120                        | 94.43%        | 95.00%          | 98.04%        | Met target          | No Slippage |
| B     | Grade 8    | 8,011                                      | 8,617                        | 74.85%        | 95.00%          | 92.97%        | Did not meet target | No Slippage |
| C     | Grade HS   | 5,120                                      | 5,601                        | 89.65%        | 95.00%          | 91.41%        | Did not meet target | No Slippage |

**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 State's assessment results can be found at <https://reportcard.msde.maryland.gov/>

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

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

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

In the FFY 2021 SPP/APR, the State must revise its targets for FFY 2021 Grades 8 and HS Reading and Grades 8 and HS Math; FFY 2022 Grades 8 and HS Reading and Grades 8 and HS Math; FFY 2023 Grades 8 and HS Reading and Grades 8 and HS Math; and FFY 2024 Grade 8 Reading and Grade 8 Math to align with ESEA requirements, solicit stakeholder input on the State's targets, and report the revised targets.

**Response to actions required in FFY 2020 SPP/APR**

As required, the State revised all of its participation targets to match its ESEA requirement of 95% participation on assessments.

### **3A - OSEP Response**

The State revised its targets for FFY 2021 through FFY 2024 for Grade 8 and HS for Reading and Math and OSEP accepts those targets.

The State did not provide a Web link demonstrating that the State reported publicly on the participation of children with disabilities on statewide assessments with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 C.F.R. § 300.160(f). Specifically, the State has not reported the number of children with disabilities participating in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State, district or school levels. The failure to publicly report as required under 34 C.F.R. § 300.160(f) is noncompliance.

### **3A - Required Actions**

## Indicator 3B: Proficiency for Children with IEPs (Grade Level Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level 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 ED Facts file specifications FS175 and 178.

#### Measurement

B. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. 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 3B: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the regular assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 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.

### 3B - Indicator Data

#### Historical Data:

| Subject | Group | Group Name | Baseline Year | Baseline Data |
|---------|-------|------------|---------------|---------------|
| Reading | A     | Grade 4    | 2020          | 6.19%         |
| Reading | B     | Grade 8    | 2020          | 6.36%         |
| Reading | C     | Grade HS   | 2020          | 13.84%        |
| Math    | A     | Grade 4    | 2020          | 6.71%         |
| Math    | B     | Grade 8    | 2020          | 1.62%         |
| Math    | C     | Grade HS   | 2020          | 7.04%         |

#### Targets

| Subject | Group | Group Name | 2021   | 2022   | 2023   | 2024   | 2025   |
|---------|-------|------------|--------|--------|--------|--------|--------|
| Reading | A >=  | Grade 4    | 9.70%  | 11.00% | 14.00% | 17.00% | 20.00% |
| Reading | B >=  | Grade 8    | 6.90%  | 9.00%  | 11.00% | 13.00% | 14.00% |
| Reading | C >=  | Grade HS   | 14.00% | 17.50% | 21.00% | 24.50% | 28.00% |
| Math    | A >=  | Grade 4    | 11.00% | 14.00% | 17.00% | 20.00% | 22.00% |
| Math    | B >=  | Grade 8    | 2.20%  | 2.50%  | 3.00%  | 4.00%  | 5.00%  |
| Math    | C >=  | Grade HS   | 8.50%  | 10.50% | 13.00% | 15.50% | 17.00% |

#### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

18 Parent Members  
 Juvenile Services Education  
 The Parents' Place of Maryland  
 Maryland Higher Education Commission

4 LEA Representatives (administrators, service providers, etc.)  
 Maryland Association of Nonpublic Special Education Facilities  
 Maryland Department of Labor  
 Maryland Department of Disabilities  
 Maryland Developmental Disabilities Council  
 Division of Rehabilitation Services/Department of Disabilities  
 The ARC of Maryland  
 Title I-Program Improvement & Family Support, MSDE  
 Maryland State Education Association  
 Maryland Department of Human Services  
 Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

#### FFY 2021 Data Disaggregation from EDFacts

##### Data Source:

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

##### Date:

04/05/2023

##### Reading Assessment Proficiency Data by Grade

| Group  | Grade 4 | Grade 8 | Grade HS |
|--|---------|---------|----------|
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment     | 7,373   | 7,254   | 4,655    |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 458     | 97      | 103      |

|   |     |     |     |
|---|-----|-----|-----|
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 529 | 472 | 779 |
|---|-----|-----|-----|

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

| Group  | Grade 4 | Grade 8 | Grade HS |
|--|---------|---------|----------|
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment     | 7,364   | 7,177   | 4,029    |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 333     | 47      | 193      |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level    | 364     | 205     | 21       |

**FFY 2021 SPP/APR Data: Reading Assessment**

| Group | Group Name | Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards | Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status     | Slippage    |
|-------|------------|--|--|---------------|-----------------|---------------|------------|-------------|
| A     | Grade 4    | 987  | 7,373  | 6.19%         | 9.70%           | 13.39%        | Met target | No Slippage |
| B     | Grade 8    | 569  | 7,254  | 6.36%         | 6.90%           | 7.84%         | Met target | No Slippage |
| C     | Grade HS   | 882  | 4,655  | 13.84%        | 14.00%          | 18.95%        | Met target | No Slippage |

**FFY 2021 SPP/APR Data: Math Assessment**

| Group | Group Name | Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards | Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|-------|------------|--|--|---------------|-----------------|---------------|---------------------|-------------|
| A     | Grade 4    | 697  | 7,364  | 6.71%         | 11.00%          | 9.46%         | Did not meet target | No Slippage |
| B     | Grade 8    | 252  | 7,177  | 1.62%         | 2.20%           | 3.51%         | Met target          | No Slippage |
| C     | Grade HS   | 214  | 4,029  | 7.04%         | 8.50%           | 5.31%         | Did not meet target | Slippage    |

**Provide reasons for slippage for Group C, if applicable**

The FFY 2020 assessment, administered in the fall of 2021 and was the basis for target setting, does not demonstrate the full impact of these losses, because an abbreviated form of the assessment was used. The assessment utilized the instructionally embedded testlets rather than the summative assessment, which is typically used for assessment. This may have impacted student scores, as the tests are not comparable. Students may also have been especially impacted by ongoing interruptions to instruction caused by schedule changes and staffing shortages during the 2021-2022 school year.





**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 State's assessment results can be found at <https://reportcard.msde.maryland.gov/>

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

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

**3B - Prior FFY Required Actions**

None

**3B - OSEP Response****3B - Required Actions**

## Indicator 3C: Proficiency for Children with IEPs (Alternate Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level 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 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 for the alternate assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. 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 children with IEPs on the alternate assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 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

#### Historical Data:

| Subject | Group | Group Name | Baseline Year | Baseline Data |
|---------|-------|------------|---------------|---------------|
| Reading | A     | Grade 4    | 2020          | 15.57%        |
| Reading | B     | Grade 8    | 2020          | 16.55%        |
| Reading | C     | Grade HS   | 2020          | 47.55%        |
| Math    | A     | Grade 4    | 2020          | 10.68%        |
| Math    | B     | Grade 8    | 2020          | 11.23%        |
| Math    | C     | Grade HS   | 2020          | 52.78%        |

#### Targets

| Subject | Group | Group Name | 2021   | 2022   | 2023   | 2024   | 2025   |
|---------|-------|------------|--------|--------|--------|--------|--------|
| Reading | A >=  | Grade 4    | 40.00% | 42.50% | 45.00% | 47.50% | 50.00% |
| Reading | B >=  | Grade 8    | 50.00% | 52.50% | 55.00% | 57.50% | 60.00% |
| Reading | C >=  | Grade HS   | 53.00% | 55.50% | 58.00% | 60.50% | 63.00% |
| Math    | A >=  | Grade 4    | 25.00% | 27.50% | 30.00% | 32.50% | 35.00% |
| Math    | B >=  | Grade 8    | 33.00% | 35.50% | 38.00% | 40.50% | 43.00% |
| Math    | C >=  | Grade HS   | 53.00% | 55.50% | 58.00% | 60.50% | 63.00% |

## **Targets: Description of Stakeholder Input**

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

18 Parent Members

Juvenile Services Education

The Parents' Place of Maryland

Maryland Higher Education Commission

4 LEA Representatives (administrators, service providers, etc.)

Maryland Association of Nonpublic Special Education Facilities

Maryland Department of Labor

Maryland Department of Disabilities

Maryland Developmental Disabilities Council

Division of Rehabilitation Services/Department of Disabilities

The ARC of Maryland

Title I-Program Improvement & Family Support, MSDE

Maryland State Education Association

Maryland Department of Human Services

Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

## **FFY 2021 Data Disaggregation from EDFacts**

### **Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### **Date:**

04/05/2023

## **Reading Assessment Proficiency Data by Grade**

| Group  | Grade 4 | Grade 8 | Grade HS |
|--|---------|---------|----------|
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment | 594     | 834     | 1,098    |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient            | 38      | 124     | 269      |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

| Group  | Grade 4 | Grade 8 | Grade HS |
|--|---------|---------|----------|
| a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment | 597     | 834     | 1,091    |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient            | 120     | 57      | 254      |

**FFY 2021 SPP/APR Data: Reading Assessment**

| Group | Group Name | Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards | Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage |
|-------|------------|--|--|---------------|-----------------|---------------|---------------------|----------|
| A     | Grade 4    | 38   | 594  | 15.57%        | 40.00%          | 6.40%         | Did not meet target | Slippage |
| B     | Grade 8    | 124  | 834  | 16.55%        | 50.00%          | 14.87%        | Did not meet target | Slippage |
| C     | Grade HS   | 269  | 1,098  | 47.55%        | 53.00%          | 24.50%        | Did not meet target | Slippage |

**Provide reasons for slippage for Group A, if applicable**

Students with the most significant cognitive disabilities were most impacted by learning loss during the pandemic, as many require supports that are difficult or impossible to deliver in virtual instruction. The FFY 2020 assessment, administered in the fall of 2021 and was the basis for target setting, does not demonstrate the full impact of these losses, because an abbreviated form of the assessment was used. The assessment utilized the instructionally embedded testlets rather than the summative assessment, which is typically used for assessment. This may have impacted student scores, as the tests are not comparable. These students may also have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges.

**Provide reasons for slippage for Group B, if applicable**

Students with the most significant cognitive disabilities were most impacted by learning loss during the pandemic, as many require supports that are difficult or impossible to deliver in virtual instruction. The FFY 2020 assessment, administered in the fall of 2021 and was the basis for target setting, does not demonstrate the full impact of these losses, because an abbreviated form of the assessment was used. The assessment utilized the instructionally embedded testlets rather than the summative assessment, which is typically used for assessment. This may have impacted student scores, as the tests are not comparable. These students may also have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges.

**Provide reasons for slippage for Group C, if applicable**

Students with the most significant cognitive disabilities were most impacted by learning loss during the pandemic, as many require supports that are difficult or impossible to deliver in virtual instruction. The FFY 2020 assessment, administered in the fall of 2021 and was the basis for target setting, does not demonstrate the full impact of these losses, because an abbreviated form of the assessment was used. The assessment utilized the instructionally embedded testlets rather than the summative assessment, which is typically used for assessment. This may have impacted student scores, as the tests are not comparable. These students may also have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges.

**FFY 2021 SPP/APR Data: Math Assessment**

| Group | Group Name | Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards | Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|-------|------------|--|--|---------------|-----------------|---------------|---------------------|-------------|
| A     | Grade 4    | 120  | 597  | 10.68%        | 25.00%          | 20.10%        | Did not meet target | No Slippage |
| B     | Grade 8    | 57   | 834  | 11.23%        | 33.00%          | 6.83%         | Did not meet target | Slippage    |
| C     | Grade HS   | 254  | 1,091  | 52.78%        | 53.00%          | 23.28%        | Did not meet target | Slippage    |

**Provide reasons for slippage for Group A, if applicable**

**Provide reasons for slippage for Group B, if applicable**

Students with the most significant cognitive disabilities were most impacted by learning loss during the pandemic, as many require supports that are difficult or impossible to deliver in virtual instruction. The FFY 2020 assessment, administered in the fall of 2021 and was the basis for target setting, does not demonstrate the full impact of these losses, because an abbreviated form of the assessment was used. The assessment utilized the instructionally embedded testlets rather than the summative assessment, which is typically used for assessment. This may have impacted student scores, as the tests are not comparable. These students may also have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges.

**Provide reasons for slippage for Group C, if applicable**

Students with the most significant cognitive disabilities were most impacted by learning loss during the pandemic, as many require supports that are difficult or impossible to deliver in virtual instruction. The FFY 2020 assessment, administered in the fall of 2021 and was the basis for target setting, does not demonstrate the full impact of these losses, because an abbreviated form of the assessment was used. The assessment utilized the instructionally embedded testlets rather than the summative assessment, which is typically used for assessment. This may have impacted student scores, as the tests are not comparable. These students may also have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges.

**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 State's assessment results can be found at <https://reportcard.msde.maryland.gov/>

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

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

**3C - Prior FFY Required Actions**

None

**3C - OSEP Response**

**3C - Required Actions**

## Indicator 3D: Gap in Proficiency Rates (Grade Level Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

#### Data Source

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

#### Measurement

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children 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 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children 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.

### 3D - Indicator Data

#### Historical Data:

| Subject | Group | Group Name | Baseline Year | Baseline Data |
|---------|-------|------------|---------------|---------------|
| Reading | A     | Grade 4    | 2020          | 17.41         |
| Reading | B     | Grade 8    | 2020          | 24.74         |
| Reading | C     | Grade HS   | 2020          | 48.51         |
| Math    | A     | Grade 4    | 2020          | 14.01         |
| Math    | B     | Grade 8    | 2020          | 6.41          |
| Math    | C     | Grade HS   | 2020          | 35.00         |

#### Targets

| Subject | Group | Group Name | 2021  | 2022  | 2023  | 2024  | 2025  |
|---------|-------|------------|-------|-------|-------|-------|-------|
| Reading | A <=  | Grade 4    | 17.00 | 16.50 | 16.00 | 15.50 | 15.00 |
| Reading | B <=  | Grade 8    | 24.00 | 23.50 | 23.00 | 22.50 | 22.00 |
| Reading | C <=  | Grade HS   | 48.00 | 47.50 | 47.00 | 46.50 | 46.00 |
| Math    | A <=  | Grade 4    | 14.00 | 13.50 | 13.00 | 12.50 | 12.00 |
| Math    | B <=  | Grade 8    | 6.31  | 6.21  | 6.11  | 6.01  | 5.91  |
| Math    | C <=  | Grade HS   | 34.50 | 34.00 | 33.50 | 33.00 | 32.50 |

#### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

18 Parent Members  
 Juvenile Services Education  
 The Parents' Place of Maryland  
 Maryland Higher Education Commission  
 4 LEA Representatives (administrators, service providers, etc.)  
 Maryland Association of Nonpublic Special Education Facilities  
 Maryland Department of Labor  
 Maryland Department of Disabilities  
 Maryland Developmental Disabilities Council  
 Division of Rehabilitation Services/Department of Disabilities  
 The ARC of Maryland  
 Title I-Program Improvement & Family Support, MSDE  
 Maryland State Education Association  
 Maryland Department of Human Services  
 Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

## FFY 2021 Data Disaggregation from EDFacts

### Data Source:

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### Date:

04/05/2023

### Reading Assessment Proficiency Data by Grade

| Group  | Grade 4 | Grade 8 | Grade HS |
|--|---------|---------|----------|
| a. All Students who received a valid score and a proficiency was assigned for the regular assessment | 63,270  | 66,503  | 52,254   |



|  |        |        |        |
|--|--------|--------|--------|
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment           | 7,373  | 7,254  | 4,655  |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level       | 26,128 | 25,799 | 27,146 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level          | 3,068  | 2,503  | 3,278  |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 458    | 97     | 103    |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level    | 529    | 472    | 779    |

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

| Group  | Grade 4 | Grade 8 | Grade HS |
|--|---------|---------|----------|
| a. All Students who received a valid score and a proficiency was assigned for the regular assessment                 | 63,733  | 66,698  | 47,305   |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment           | 7,364   | 7,177   | 4,029    |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level       | 16,008  | 10,290  | 16,141   |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level          | 1,948   | 1,113   | 58       |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 333     | 47      | 193      |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level    | 364     | 205     | 21       |

**FFY 2021 SPP/APR Data: Reading Assessment**

| Group | Group Name | Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards | Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|-------|------------|---|---|---------------|-----------------|---------------|---------------------|-------------|
| A     | Grade 4    | 13.39%  | 46.15%  | 17.41         | 17.00           | 32.76         | Did not meet target | Slippage    |
| B     | Grade 8    | 7.84%   | 42.56%  | 24.74         | 24.00           | 34.71         | Did not meet target | Slippage    |
| C     | Grade HS   | 18.95%  | 58.22%  | 48.51         | 48.00           | 39.28         | Met target          | No Slippage |

**Provide reasons for slippage for Group A, if applicable**

Special Education students showed gains in all areas except high school math, while general education students showed gains in all areas except high school reading and math. As such, the gap was narrowed and the State met its targets for high school reading and math.

Despite the gains in 4th and 8th grade, the magnitude of the gains (in terms of percentage increase) for general education students were greater in 4th and 8th grade, than it was for special education students. The State believes that younger special education students may have been especially

impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges present during the return to in-person instruction during the in the 2021-2022 school year.

**Provide reasons for slippage for Group B, if applicable**

Special Education students showed gains in all areas except high school math, while general education students showed gains in all areas except high school reading and math. As such, the gap was narrowed and the State met its targets for high school reading and math.

Despite the gains in 4th and 8th grade, the magnitude of the gains (in terms of percentage increase) for general education students were greater in 4th and 8th grade, than it was for special education students. The State believes that younger special education students may have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges present during the return to in-person instruction during the in the 2021-2022 school year.

**FFY 2021 SPP/APR Data: Math Assessment**

| Group | Group Name | Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards | Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|-------|------------|---|---|---------------|-----------------|---------------|---------------------|-------------|
| A     | Grade 4    | 9.46%   | 28.17%  | 14.01         | 14.00           | 18.71         | Did not meet target | Slippage    |
| B     | Grade 8    | 3.51%   | 17.10%  | 6.41          | 6.31            | 13.59         | Did not meet target | Slippage    |
| C     | Grade HS   | 5.31%   | 34.24%  | 35.00         | 34.50           | 28.93         | Met target          | No Slippage |

**Provide reasons for slippage for Group A, if applicable**

Special Education students showed gains in all areas except high school math, while general education students showed gains in all areas except high school reading and math. As such, the gap was narrowed and the State met its targets for high school reading and math.

Despite the gains in 4th and 8th grade, the magnitude of the gains (in terms of percentage increase) for general education students were greater in 4th and 8th grade, than it was for special education students. The State believes that younger special education students may have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges present during the return to in-person instruction during the in the 2021-2022 school year.

**Provide reasons for slippage for Group B, if applicable**

Special Education students showed gains in all areas except high school math, while general education students showed gains in all areas except high school reading and math. As such, the gap was narrowed and the State met its targets for high school reading and math.

Despite the gains in 4th and 8th grade, the magnitude of the gains (in terms of percentage increase) for general education students were greater in 4th and 8th grade, than it was for special education students. The State believes that younger special education students may have been especially impacted by ongoing interruptions to instruction caused by schedule changes, staffing shortages, and other challenges present during the return to in-person instruction during the in the 2021-2022 school year.

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

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

**3D - Prior FFY Required Actions**

None

**3D - OSEP Response**

**3D - 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 local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, 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 LEAs that meet the State-established n and/or cell size (if applicable) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

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, LEAs 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 LEAs 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 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) 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.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n and/or cell 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 LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, 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 (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 2021 SPP/APR, the data for FFY 2020), 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       | 2016   | 2017   | 2018   | 2019   | 2020   |
|-----------|--------|--------|--------|--------|--------|
| Target <= | 50.00% | 71.43% | 66.43% | 61.43% | 61.43% |
| Data      | 50.00% | 71.43% | 57.14% | NVR    | NVR    |

## Targets

| FFY          | 2021   | 2022   | 2023   | 2024   | 2025   |
|--------------|--------|--------|--------|--------|--------|
| Target<br><= | 50.00% | 40.00% | 35.00% | 30.00% | 25.00% |

### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

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Maryland Higher Education Commission  
4 LEA Representatives (administrators, service providers, etc.)  
Maryland Association of Nonpublic Special Education Facilities  
Maryland Department of Labor  
Maryland Department of Disabilities  
Maryland Developmental Disabilities Council  
Division of Rehabilitation Services/Department of Disabilities  
The ARC of Maryland  
Title I-Program Improvement & Family Support, MSDE  
Maryland State Education Association  
Maryland Department of Human Services  
Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

## FFY 2021 SPP/APR Data

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

YES

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

25

| Number of LEAs that have a significant discrepancy | Number of LEAs that met the State's minimum n/cell size | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status | Slippage |
|--|---|---------------|-----------------|---------------|--------|----------|
| 0  | 0   | NVR           | 50.00%          |               | N/A    | N/A      |

**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 education agency's (LEA's) suspension/expulsion rate for children with disabilities divided by the local education agency 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 education agency is considered to be significantly discrepant. In addition to meeting the Rate Ratio of 2.0 or above, an LEA must meet the criteria for the minimum cell size (numerator) and n-size (denominator). The minimum cell size for all LEAs 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 LEA.

The MSDE, DEI/SES's analysis of the data demonstrated that zero (0) LEAs met the minimum cell size of 5 students in from 2020-2021. No LEAs were excluded due to not meeting an n-size of at least 20. Twenty-one (21) of twenty-five (25) LEAs had zero (0) students suspended greater than 10 days. Only seven (7) students with disabilities statewide were suspended greater than 10 days and no LEA suspended more than two (2) students with disabilities for greater than 10 days in 2020-2021. Only thirteen (13) students without disabilities statewide were suspended greater than 10 days in 2020-2021.

In comparison, for the 2019-2020 school year, 642 students with disabilities and 2,033 students without disabilities were suspended greater than 10 days (an average of about 26 students with disabilities and 81 students without disabilities per LEA). The low incidence of suspension in 2020-2021, both for students with disabilities and for students without disabilities, is a result of instruction being held virtually throughout the school year. The State believes that its methodology is reasonably designed to identify discrepancies if they exist as evidenced by previous years' data.

**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 2021 using 2020-2021 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.**

No LEAs were identified with a significant discrepancy in the rates of suspension identified in FFY 2021 using FFY 2020 (2020 - 2021) data.

In past years, when LEAs were identified, 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 the LEA 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 individual student record reviews from an additional 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 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 2020**

| 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 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
|  |  |   |  |
|  |  |   |  |

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
|  |  |   |  |

**4A - Prior FFY Required Actions**

The State did not provide valid and reliable data for FFY 2020. The State must provide valid and reliable data for FFY 2021 in the FFY 2021 SPP/APR.

**Response to actions required in FFY 2020 SPP/APR**

In FFY 2020, the State reported on data from the 2020-2021 school year. However, this Indicator requires submission of lag data so the State's data submission for FFY 2020 was not considered valid or reliable. For FFY 2021, the State has submitted data from the 2020-2021 school year (lag data) as required by the Indicator. As such, the State is submitting valid and reliable data for FFY 2021.

**4A - OSEP Response**

As noted in the FFY 2021 Part B SPP/APR General Instructions, the State's methodology for examining data must be reasonably designed to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities among LEAs in the State or compared to the rates for nondisabled children within those LEAs. The Part B SPP/APR General Instructions also noted that factors OSEP may consider when determining reasonableness of a State's methodology include whether none, or a very low percentage of, the State's LEAs are being examined for significant discrepancy under the State's chosen methodology, and whether statistically sound alternative methodologies exist or are being used by similarly-situated States. OSEP notes that the State included none of its LEAs in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs.

**4A - Required Actions**

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, 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 LEAs that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of suspensions and expulsions of more than 10 days during the school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, 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 LEAs 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 "significant discrepancy."

#### Instructions

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, LEAs 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 LEAs totally 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 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) 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.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2020-2021 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4B: Provide the following: (a) the number of LEAs that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs; and (b) the number of those LEAs 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 LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, 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 (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 2021 SPP/APR, the data for FFY 2020), 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    | 2016  | 2017  | 2018  | 2019  | 2020 |
|--------|-------|-------|-------|-------|------|
| Target | 0%    | 0%    | 0%    | 0%    | 0%   |
| Data   | 0.00% | 0.00% | 0.00% | 0.00% | NVR  |

**Targets**

| FFY    | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------|------|------|------|------|------|
| Target | 0%   | 0%   | 0%   | 0%   | 0%   |

**FFY 2021 SPP/APR Data**

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

YES

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

25

| Number of LEAs that have a significant discrepancy, by race or ethnicity | Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements | Number of LEAs that met the State's minimum n/cell size | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status | Slippage |
|--|--|---|---------------|-----------------|---------------|--------|----------|
| 0  | 0  | 0   | NVR           | 0%              |               | N/A    | N/A      |

**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 children without disabilities in that same district.

If the Rate Ratio is greater than 2.0, the local education agency (LEA) is considered to be significantly discrepant. In addition to meeting the Rate Ratio of 2.0 or above, the LEA must meet the criteria for the minimum n-size. Beginning in FFY 2017, the minimum n-size has changed to five (5) instead of thirty (30). This change was made as a result of stakeholder concerns about the previous n-size. Significant discrepancy calculations were made for LEA that had at least five (5) children with disabilities in a particular race/ethnic group suspended for greater than 10 days.

The MSDE, DEI/SES's analysis of the data demonstrated that zero (0) LEAs met the minimum cell size of 5 students in from 2020-2021. No LEAs were excluded due to not meeting an n-size of at least 20. Twenty-one (21) of twenty-five (25) LEAs had zero (0) students suspended greater than 10 days. Only seven (7) students with disabilities statewide were suspended greater than 10 days and no LEA suspended more than two (2) students with disabilities for greater than 10 days in 2020-2021. Only thirteen (13) students without disabilities statewide were suspended greater than 10 days in 2020-2021.

In comparison, for the 2019-2020 school year, 642 students with disabilities and 2,033 students without disabilities were suspended greater than 10 days (an average of about 26 students with disabilities and 81 students without disabilities per LEA) . The low incidence of suspension in 2020-2021, both for students with disabilities and for students without disabilities, is a result of instruction being held virtually throughout the school year. The State believes that its methodology is reasonably designed to identify discrepancies if they exist as evidenced by previous years' data.

**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 2021 using 2020-2021 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.**



No LEAs were identified with a significant discrepancy in the rates of suspension by race/ethnicity identified in FFY 2021 using FFY 2020 (2020 - 2021) data.

In previous years, when discrepancies were identified, 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 the LEA 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 individual student record reviews from an additional 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 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 2020**

| 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 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
|  |  |   |  |
|  |  |   |  |
|  |  |   |  |

**4B - Prior FFY Required Actions**

The State did not provide valid and reliable data for FFY 2020. The State must provide valid and reliable data for FFY 2021 in the FFY 2021 SPP/APR.

**Response to actions required in FFY 2020 SPP/APR**

In FFY 2020, the State reported on data from the 2020-2021 school year. However, this Indicator requires submission of lag data so the State's data submission for FFY 2020 was not considered valid or reliable. For FFY 2021, the State has submitted data from the 2020-2021 school year (lag data) as required by the Indicator. As such, the State is submitting valid and reliable data for FFY 2021.

**4B - OSEP Response**

OSEP cannot determine if the State's data are valid and reliable because, the State reported that 0 LEA's were excluded from the calculation as a result of the requirement; however, the State also reported that 0 LEAs met the State's minimum "n" cell/size. Therefore, OSEP could not determine whether the State met its target.

The State reported, "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." It is unclear whether the State's chosen methodology meets one of the two comparison methods as required by the Measurement Table: 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 the rates of suspensions and expulsions for nondisabled children within the LEAs.

**4B- Required Actions**

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and 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

- A. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in kindergarten in this indicator. Five-year-old children with disabilities who are enrolled in preschool programs are included in Indicator 6. 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       | 2016   | 2017   | 2018   | 2019   | 2020   |
|------|----------|-----------|--------|--------|--------|--------|--------|
| A    | 2020     | Target >= | 69.90% | 70.40% | 70.90% | 70.90% | 70.71% |
| A    | 70.71%   | Data      | 69.73% | 70.09% | 70.20% | 70.24% | 70.71% |
| B    | 2020     | Target <= | 11.76% | 11.26% | 10.76% | 10.76% | 12.00% |
| B    | 12.00%   | Data      | 12.04% | 12.04% | 12.06% | 11.80% | 12.00% |
| C    | 2020     | Target <= | 5.94%  | 5.69%  | 5.44%  | 5.44%  | 6.41%  |
| C    | 6.41%    | Data      | 6.86%  | 6.77%  | 6.85%  | 6.68%  | 6.41%  |

### Targets

| FFY         | 2021   | 2022   | 2023   | 2024   | 2025   |
|-------------|--------|--------|--------|--------|--------|
| Target A >= | 71.00% | 71.25% | 71.50% | 71.75% | 72.00% |
| Target B <= | 11.75% | 11.50% | 11.25% | 11.00% | 10.75% |
| Target C <= | 6.25%  | 6.00%  | 5.75%  | 5.50%  | 5.25%  |

### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
  - Juvenile Services Education
  - The Parents' Place of Maryland
  - Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
  - Maryland Association of Nonpublic Special Education Facilities
  - Maryland Department of Labor
  - Maryland Department of Disabilities
  - Maryland Developmental Disabilities Council

Division of Rehabilitation Services/Department of Disabilities  
 The ARC of Maryland  
 Title I-Program Improvement & Family Support, MSDE  
 Maryland State Education Association  
 Maryland Department of Human Services

Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

#### Prepopulated Data

| Source  | Date       | Description  | Data    |
|---|------------|--|---------|
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | Total number of children with IEPs aged 5 (kindergarten) through 21  | 100,413 |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day   | 72,045  |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 11,546  |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools                              | 5,910   |
| SY 2021-22 Child Count/Educational Environment  | 07/06/2022 | c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities                        | 95      |

| Source  | Date       | Description  | Data |
|---|------------|--|------|
| Data Groups (EDFacts file spec FS002; Data group 74)  |            |  |      |
| SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/06/2022 | c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements | 261  |

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 2021 SPP/APR Data**

| Education Environments  | Number of children with IEPs aged 5 (kindergarten) through 21 served | Total number of children with IEPs aged 5 (kindergarten) through 21 | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status     | Slippage    |
|---|--|---|---------------|-----------------|---------------|------------|-------------|
| A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day  | 72,045   | 100,413   | 70.71%        | 71.00%          | 71.75%        | Met target | No Slippage |
| B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day  | 11,546   | 100,413   | 12.00%        | 11.75%          | 11.50%        | Met target | No Slippage |
| C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 6,266  | 100,413   | 6.41%         | 6.25%           | 6.24%         | Met target | No Slippage |

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

Data collection and analysis 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:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program 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.
- C. Receiving special education and related services in the home.

(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

- A. Percent =  $\left[ \frac{\text{# of children ages 3, 4, and 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program}}{\text{total # of children ages 3, 4, and 5 with IEPs}} \right] \times 100$ .
- B. Percent =  $\left[ \frac{\text{# of children ages 3, 4, and 5 with IEPs attending a separate special education class, separate school or residential facility}}{\text{total # of children ages 3, 4, and 5 with IEPs}} \right] \times 100$ .
- C. Percent =  $\left[ \frac{\text{# of children ages 3, 4, and 5 with IEPs receiving special education and related services in the home}}{\text{total # of children ages 3, 4, and 5 with IEPs}} \right] \times 100$ .

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in preschool programs in this indicator. Five-year-old children with disabilities who are enrolled in kindergarten are included in Indicator 5.

States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.

For Indicator 6C: States are not required to establish a baseline or targets if the number of children receiving special education and related services in the home is less than 10, regardless of whether the State chooses to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age. In a reporting period during which the number of children receiving special education and related services in the home reaches 10 or greater, States are required to develop baseline and targets and report on them in the corresponding SPP/APR.

For Indicator 6C: States may express their targets in a range (e.g., 75-85%). 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 IDEA section 618, explain.

### 6 - Indicator Data

**Not Applicable**

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

NO

#### Historical Data – 6A, 6B

| Part | FFY       | 2016   | 2017   | 2018   | 2019   | 2020   |
|------|-----------|--------|--------|--------|--------|--------|
| A    | Target >= | 64.70% | 64.90% | 65.10% | 65.10% | 60.87% |
| A    | Data      | 60.53% | 62.72% | 59.67% | 61.60% | 60.87% |
| B    | Target <= | 18.30% | 18.10% | 17.90% | 17.90% | 20.92% |
| B    | Data      | 18.64% | 17.50% | 20.09% | 19.03% | 20.92% |

#### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents' Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities

The ARC of Maryland  
 Title I-Program Improvement & Family Support, MSDE  
 Maryland State Education Association  
 Maryland Department of Human Services  
 Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

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In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

**Targets**

**Please select if the State wants to set baseline and targets based on individual age ranges (i.e. separate baseline and targets for each age), or inclusive of all children ages 3, 4, and 5.**

Inclusive Targets

**Please select if the State wants to use target ranges for 6C.**

Target Range not used

**Baselines for Inclusive Targets option (A, B, C)**

| Part | Baseline Year | Baseline Data |
|------|---------------|---------------|
| A    | 2020          | 69.87%        |
| B    | 2020          | 20.92%        |
| C    | 2020          | 0.33%         |

**Inclusive Targets – 6A, 6B**

| FFY         | 2021   | 2022   | 2023   | 2024   | 2025   |
|-------------|--------|--------|--------|--------|--------|
| Target A >= | 62.00% | 63.00% | 64.00% | 67.00% | 70.00% |

|             |        |        |        |        |        |
|-------------|--------|--------|--------|--------|--------|
| Target B <= | 20.00% | 19.00% | 18.00% | 14.00% | 10.00% |
|-------------|--------|--------|--------|--------|--------|

**Inclusive Targets – 6C**

|             |             |             |             |             |             |
|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>FFY</b>  | <b>2021</b> | <b>2022</b> | <b>2023</b> | <b>2024</b> | <b>2025</b> |
| Target C <= | 0.33%       | 0.32%       | 0.32%       | 0.31%       | 0.30%       |

**Prepopulated Data**

**Data Source:**

SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

07/06/2022

| Description  | 3     | 4     | 5     | 3 through 5 - Total |
|--|-------|-------|-------|---------------------|
| Total number of children with IEPs   | 3,515 | 4,396 | 1,250 | 9,161               |
| 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 | 2,259 | 2,479 | 741   | 5,479               |
| b1. Number of children attending separate special education class  | 734   | 921   | 196   | 1,851               |
| b2. Number of children attending separate school   | 27    | 49    | 24    | 100                 |
| b3. Number of children attending residential facility  | 0     | 1     | 1     | 2                   |
| c1. Number of children receiving special education and related services in the home  | 11    | 26    | 7     | 44                  |

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 2021 SPP/APR Data - Aged 3 through 5**

| Preschool Environments   | Number of children with IEPs aged 3 through 5 served | Total number of children with IEPs aged 3 through 5 | FFY 2020 Data | FFY 2021 Target | FFY 2021 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 | 5,479  | 9,161   | 60.87%        | 62.00%          | 59.81%        | Did not meet target | Slippage    |
| B. Separate special education class, separate school or residential facility   | 1,953  | 9,161   | 20.92%        | 20.00%          | 21.32%        | Did not meet target | No Slippage |
| C. Home  | 44   | 9,161   | 0.33%         | 0.33%           | 0.48%         | Did not meet target | Slippage    |

**Provide reasons for slippage for Group A aged 3 through 5, if applicable**

The state examined the slippage for Indicator 6a from FFY 2020 to FFY 2021 and noted that there has been a statewide decrease in the number of preschool age children receiving preschool special education services resulting in a decrease in the number of children receiving the majority of services in a regular early childhood program. From FFY 2020 to FFY 2021, a decrease of 922 (9% decrease) preschool age students receiving special education and 659 fewer students (11% decrease) receiving the majority of services in a regular early childhood program.

In addition, Local Education Agencies (LEAs) have cited a slight increase in preferences of parents/guardians/IEP Teams to have their medically fragile children receive services at home as a result of concerns related to the COVID-19 pandemic.

Through the MSDE, DSE/EIS grant opportunities there are now 7 LEAs who are targeting the increase of inclusive opportunities with grant funding. In addition, the state is supporting an IHE to implement inclusive early childhood education within Head Start programs in three jurisdictions.

**Provide reasons for slippage for Group C aged 3 through 5, if applicable**

Local Education Agencies (LEAs) have cited a slight increase in preferences of parents/guardians/IEP Teams to have their medically fragile children receive services at home as a result of concerns related to the COVID-19 pandemic.

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

Data collection and analysis 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       | 2016   | 2017   | 2018   | 2019   | 2020   |
|------|----------|-----------|--------|--------|--------|--------|--------|
| A1   | 2017     | Target >= | 68.90% | 68.53% | 68.78% | 68.78% | 68.78% |
| A1   | 68.53%   | Data      | 63.08% | 68.53% | 69.90% | 70.44% | 72.57% |
| A2   | 2017     | Target >= | 68.00% | 52.75% | 53.00% | 53.00% | 53.00% |

|    |        |           |        |        |        |        |        |
|----|--------|-----------|--------|--------|--------|--------|--------|
| A2 | 52.75% | Data      | 56.35% | 52.75% | 52.25% | 49.41% | 46.41% |
| B1 | 2017   | Target >= | 67.60% | 72.12% | 72.37% | 72.37% | 72.37% |
| B1 | 72.12% | Data      | 67.10% | 72.12% | 72.74% | 72.91% | 75.89% |
| B2 | 2017   | Target >= | 57.20% | 50.87% | 51.12% | 51.12% | 51.12% |
| B2 | 50.87% | Data      | 51.56% | 50.87% | 49.88% | 47.90% | 45.55% |
| C1 | 2017   | Target >= | 63.10% | 71.40% | 71.65% | 71.65% | 71.65% |
| C1 | 71.40% | Data      | 69.00% | 71.40% | 72.58% | 71.14% | 72.84% |
| C2 | 2017   | Target >= | 65.70% | 59.23% | 59.48% | 59.48% | 59.48% |
| C2 | 59.23% | Data      | 63.89% | 59.23% | 58.40% | 56.71% | 54.26% |

**Targets**

| FFY          | 2021   | 2022   | 2023   | 2024   | 2025   |
|--------------|--------|--------|--------|--------|--------|
| Target A1 >= | 70.50% | 71.00% | 71.50% | 72.00% | 72.50% |
| Target A2 >= | 53.50% | 54.00% | 54.50% | 55.00% | 55.50% |
| Target B1 >= | 73.00% | 73.50% | 74.00% | 74.50% | 75.00% |
| Target B2 >= | 51.50% | 52.00% | 52.50% | 53.00% | 53.50% |
| Target C1 >= | 72.00% | 72.50% | 73.00% | 73.50% | 74.00% |
| Target C2 >= | 60.00% | 60.50% | 61.00% | 61.50% | 62.00% |

**Targets: Description of Stakeholder Input**

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee’s membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland’s SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents’ Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

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**FFY 2021 SPP/APR Data**

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

3,726

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

| <b>Outcome A Progress Category</b>  | <b>Number of children</b> | <b>Percentage of Children</b> |
|---|---------------------------|-------------------------------|
| a. Preschool children who did not improve functioning   | 52                        | 1.40%                         |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 816                       | 21.90%                        |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it                      | 1,202                     | 32.26%                        |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers                                 | 1,037                     | 27.83%                        |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers                                     | 619                       | 16.61%                        |

| <b>Outcome A</b>  | <b>Numerator</b> | <b>Denominator</b> | <b>FFY 2020 Data</b> | <b>FFY 2021 Target</b> | <b>FFY 2021 Data</b> | <b>Status</b>       | <b>Slippage</b> |
|---|------------------|--------------------|----------------------|------------------------|----------------------|---------------------|-----------------|
| 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 or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i> | 2,239            | 3,107              | 72.57%               | 70.50%                 | 72.06%               | Met target          | No Slippage     |
| 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>   | 1,656            | 3,726              | 46.41%               | 53.50%                 | 44.44%               | 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   | 47                 | 1.26%                  |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 770                | 20.67%                 |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it                      | 1,261              | 33.84%                 |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers                                 | 1,206              | 32.37%                 |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers                                     | 442                | 11.86%                 |

| Outcome B  | Numerator | Denominator | FFY 2020 Data | FFY 2021 Target | FFY 2021 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. Calculation: $(c+d)/(a+b+c+d)$ | 2,467     | 3,284       | 75.89%        | 73.00%          | 75.12%        | 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. Calculation: $(d+e)/(a+b+c+d+e)$   | 1,648     | 3,726       | 45.55%        | 51.50%          | 44.23%        | 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   | 54                 | 1.45%                  |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 881                | 23.64%                 |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it                      | 865                | 23.22%                 |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers                                 | 1,245              | 33.41%                 |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers                                     | 681                | 18.28%                 |

| Outcome C  | Numerator | Denominator | FFY 2020 Data | FFY 2021 Target | FFY 2021 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. Calculation: $(c+d)/(a+b+c+d)$ | 2,110     | 3,045       | 72.84%        | 72.00%          | 69.29%        | 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  | 1,926     | 3,726       | 54.26%        | 60.00%          | 51.69%        | Did not meet target | Slippage |

| Outcome C  | Numerator | Denominator | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status | Slippage |
|--|-----------|-------------|---------------|-----------------|---------------|--------|----------|
| years of age or exited the program.<br><i>Calculation:<br/>(d+e)/(a+b+c+d+e)</i> |           |             |               |                 |               |        |          |

| 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. This pattern has continued over the past several years. |
| 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. This pattern has continued over the past several years. |
| 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 #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. This pattern has continued over the past several years. |
| 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. This pattern has continued over the past several years. |

**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 and the number of respondent parents. The survey response rate is automatically calculated using the submitted data.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** include in the State's analysis the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services. States must consider race/ethnicity. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

If the analysis shows that the demographics of the children for whom 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

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

18 Parent Members  
Juvenile Services Education  
The Parents' Place of Maryland  
Maryland Higher Education Commission  
4 LEA Representatives (administrators, service providers, etc.)  
Maryland Association of Nonpublic Special Education Facilities  
Maryland Department of Labor  
Maryland Department of Disabilities  
Maryland Developmental Disabilities Council  
Division of Rehabilitation Services/Department of Disabilities  
The ARC of Maryland  
Title I-Program Improvement & Family Support, MSDE  
Maryland State Education Association  
Maryland Department of Human Services  
Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. The majority of the members must be individuals with disabilities or parents of students, ages birth through 21, with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents' Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's APR and SSIP. Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020 APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from

previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2020. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

**Historical Data**

| Group      | Baseline | FFY       | 2016   | 2017   | 2018   | 2019   | 2020   |
|------------|----------|-----------|--------|--------|--------|--------|--------|
| Preschool  | 2016     | Target >= | 83.00% | 84.00% | 85.00% | 85.00% | 85.00% |
| Preschool  | 82.99%   | Data      | 82.99% | 80.98% | 82.03% | 81.98% | 82.01% |
| School age | 2016     | Target >= | 70.00% | 71.00% | 72.00% | 72.00% | 72.00% |
| School age | 70.00%   | Data      | 70.00% | 69.00% | 69.00% | 72.00% | 72.00% |

**Targets**

| FFY         | 2021   | 2022   | 2023   | 2024   | 2025   |
|-------------|--------|--------|--------|--------|--------|
| Target A >= | 85.25% | 85.50% | 86.00% | 86.50% | 87.00% |
| Target B >= | 72.50% | 73.00% | 73.50% | 74.00% | 74.50% |

**FFY 2021 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 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage |
|------------|--|--|---------------|-----------------|---------------|---------------------|----------|
| Preschool  | 1,186  | 1,513  | 82.01%        | 85.25%          | 78.39%        | Did not meet target | Slippage |
| School age | 6,284  | 9,100  | 72.00%        | 72.50%          | 69.05%        | Did not meet target | Slippage |

**Provide reasons for Preschool slippage, if applicable**

Similar to previous years, parents responding to both surveys provided low responses to issues of training or support. In addition, parents of students in preschool responded less favorably to receiving information about community services and supports. Parents of school-age students responded less favorably to the school providing them information on agencies that can assist their child in transition from school, providing information about organizations that support parents of students with disabilities, and explaining what options parents have if they disagree with the decision made by a school.

In general, parents felt that LEAs were facilitating parent involvement less during the COVID-19 Pandemic than prior to the Pandemic.

**Provide reasons for School Age slippage, if applicable**

Similar to previous years, parents responding to both surveys provided low responses to issues of training or support. In addition, parents of students in preschool responded less favorably to receiving information about community services and supports. Parents of school-age students responded less favorably to the school providing them information on agencies that can assist their child in transition from school, providing information about organizations that support parents of students with disabilities, and explaining what options parents have if they disagree with the decision made by a school.

In general, parents felt that LEAs were facilitating parent involvement less during the COVID-19 Pandemic than prior to the Pandemic.



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

107,152

**Percentage of respondent parents**

9.90%

**Response Rate**

| FFY           | 2020   | 2021  |
|---------------|--------|-------|
| Response Rate | 11.50% | 9.90% |

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

The MSDE, DEI/SES identified improvement strategies to increase the response rate of targeted race/ethnic groups for both the preschool aged and the school-aged populations. The strategies to be implemented included: (1) conduct local outreach efforts to inform families of the importance to respond to the parent survey; (2) collaborate with the Local Family Support Coordinator (LFSC) in each of the LEAs/PAs to conduct outreach, training, and supports to address the areas of need gleaned from the annual survey; and (3) collaborate with parent organizations that represent underserved populations using materials that are culturally appropriate and written in the native language. In addition, the State will begin requiring Improvement Plans for LEAs with low response rates.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of parents of children with disabilities.**

Analysis of Response Rate/Nonresponse Bias (significant differences indicate  $p < .05$  on a chi square test of independence)

**Pre-school:**

On average, 78% of respondent parents reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities, as measured by indicator 8, on the preschool survey.

The representation of parents of 3-year-olds was not significantly different than their percentage of Maryland's preschool population. Parents of 4-year-olds made up 40% of preschool survey respondents, significantly lower than are represented in Maryland's preschool special education student population (54%). Parents of 5-year-olds comprised 22% of survey respondents, significantly higher than are represented in Maryland's preschool special education student population (16%).

In looking at level of agreement by age-level for Indicator 8, a series of chi square tests were conducted. The State found that agreement (agreed, strongly agreed, or very strongly agreed) for indicator 8 was 82% for parents of 4-year-olds, which was significantly higher than that of parents of children from other age groups, and 72% for parents of 5-year-olds, which was significantly lower than that of other age groups. These results indicated the presence of response bias.

Almost all racial subgroups were proportionately represented in the survey. However, parents of Black students made up 24% of survey respondents, significantly lower than are represented in Maryland's preschool special education student population (34%). Again, a chi square test was used to compare of the level of agreement of parents of Black students (77%) to that of other racial subgroups, revealing no significant difference on indicator 8. These results suggest that response bias was not present across race/ethnicity.

The State also examined response rates of parents of students with specific disability categories and found that parents of students with Autism made up 23% of survey respondents, significantly higher than are represented in Maryland's preschool special education student population (10%). Similarly, parents of students with speech/language impairments made up 31% of survey respondents, significantly higher than are represented in Maryland's preschool special education student population (25%). Parents of students with multiple disabilities comprised 6% of survey respondents, significantly higher than are represented in Maryland's preschool special education student population (1%). Parents of students with developmental delays made up 27% of survey respondents, significantly lower than are represented in Maryland's preschool special education student population (61%). When these groups' level of agreement on indicator 8 was compared to that of other disability subgroups using chi square tests, parents of children with Autism and multiple disabilities were found to have significantly lower level of agreement than other subgroups, 68% and 76% respectively, and parents of children with speech/language impairments and developmental delays were found to have significantly higher levels of agreement of 84%.

**School-Age:**

On average, 69% of respondent parents reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities, as measured by indicator 8, on the school-age survey.

The State analyzed the school-age survey responses by age and found that only surveys for 6-, 8-, and under 6-year old students were disproportionately represented. Parents of students under 6 years old comprised 3% of survey respondents, significantly higher than are represented in Maryland's school-age special education population (<1%). Parents of 6-year-olds made up 8% of survey respondents, significantly lower than are represented in Maryland's school-age special education population (10%). Parents of 8-year-olds comprised 9% of survey respondents, significantly higher than are represented in Maryland's school-age special education population (7%).

Agreement on indicator 8 was 77% for parents of children under 6, 75% for parents of 6-year-olds, and 71% for parents of 8-year-olds. A series of chi square tests were conducted to compare agreement levels of these subgroups with respondents of other age groups and found significant differences for parents of children under 6 and parents of 6-year-olds, but no significant difference for parents of 8-year-olds.

An analysis of survey responses by race was then completed. Parents of White students made up 47% of survey respondents, significantly higher than are represented in Maryland's school-age special education population (34%). Similarly, parents of Asian, Native Hawaiian, or other Pacific Islander students comprised 5% of survey respondents, significantly higher than are represented in Maryland's school-age special education population (3%). Parents of multi-racial students were also overrepresented as they made up 7% of survey respondents, but only 5% of Maryland's school-age special education population are multi-racial. The parents of Black/African American and Hispanic/Latino students, on the other hand, were underrepresented. Parents of Black/African American students comprised 25% of survey respondents, significantly lower than are represented in Maryland's school-age special education population (40%). Parents of Hispanic/Latino students comprised 12% of survey respondents, significantly lower than are represented in Maryland's school-age special education population (18%).

A series of chi square tests were conducted to compare these racial subgroups' level of agreement on indicator 8 to detect any response bias present in

this survey administration. Parents' level of agreement ranged from 59% (American Indian or Alaskan Native) to 76% (Asian) with an average level of agreement of 69% across all racial subgroups. A series of chi-square tests were conducted to measure any non-response bias and found no significant difference for parents of Native Hawaiian/Other Pacific Islander and multiracial students, but did identify significant differences for parents of Asian and White students.

In terms of primary exceptionalities/disabilities, parents of students with Autism made up 21% of survey respondents, significantly higher than are represented in Maryland's special education population (13%). Parents of students with multiple disabilities were also overrepresented as they comprised 12% of survey respondents, but only 7% of Maryland's special education population. On average, 65% of parents of students with autism and 66% of parents of students with multiple disabilities demonstrated agreement on indicator 8 which was not significantly different than the level of agreement of the remaining survey respondents, so the statistical analysis did not suggest the presence of response bias in terms of primary disability/exceptionality.

\*\*\*please see the "additional information section" below for a description of the Steps to Reduce Bias as the character limit prevented its inclusion in this section.\*\*\*

**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. States must include race/ethnicity in their analysis. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

Pre-school:

Age, Race/Ethnicity: Parents were asked about the age of their child as of September 30, 2021. A majority (91%) of respondents stated that their child was between 3 and 5 years of age. The parents or guardians of children 5 years of age are overrepresented in the sample (6%), while parents or guardians of children 4 years of age are underrepresented in the sample (14%).

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 in the survey (10%) when compared to the State population. In addition, parents of White children are overrepresented by 4 percent, while parents of multiracial students are overrepresented by 3 percent in the survey when compared to the State population.

Primary Exceptionality/Disability: According to Statewide estimates, the most common exceptionality or disability evident in the Maryland preschool population is developmental delay which represents 61 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 34 percent, and represented 27 percent of the sample. The second most common exceptionality or disability Statewide is speech or language impairment, and sample estimates were overrepresented compared to the actual population (25% of the population, 31% of the sample). Students with Autism represent 10 percent of the population but represented 23 percent of the sample; parents of children with Autism were overrepresented by 13 percent in this year's survey, similar to last year. Students with Multiple Disabilities were overrepresented in the sample by 5%, as they constituted 6% of the respondents.

School Aged:

All grade levels (Kindergarten – Grade 12) were well represented in 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 48 percent had been referred between the ages of two and five. Five percent of respondents (N=496) 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 85 percent of respondents (N=7,721) indicated that their child attended a public school during the 2021-22 school year. Ten percent of respondents did not answer this question.

Age, Race/Ethnicity: Respondents were asked about the age of their child as of September 30, 2021. 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 (47%) or Black (25%), 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 13 percent. Hispanic or Latino children were underrepresented by 6 percentage points.

Primary Exceptionality/Disability: Parents of children with Other Health Impairment and Specific Learning Disability were each underrepresented in the survey by 11 and 7 percent, respectively. Overrepresented in this year's Survey were parents of children with Autism by 7 percent and Multiple Disabilities by 5 percent.

**The demographics of the parents responding are representative of the demographics of children receiving special education services. (yes/no)**

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 State will begin increased focus on achieving representativeness through improvement plans for LEAs with lower response rates. In addition, survey information, strategies to increase parent response rates, and State assistance is provided through State and Regional Meetings with Local Family Support Coordinators and Special Education Directors, Supervisors, and Compliance personnel.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

A demographic group is classified as being overrepresented in the respondent sample if the percentage of that group in the sample is greater than its percentage in the Statewide estimate by three (3) percentage points or more. Similarly, a demographic group is classified as being underrepresented in the sample if the difference between the percentages of that group in the sample is less than its percentage in the Statewide estimates by three (3) percentage points or more. If the difference between the sample and the Statewide estimate is less than three (3) percentage points in either direction, the respondent sample is not significantly different from the Statewide population.

The demographic categories of survey respondents were generally similar to those in the State Census. Pre-school aged demographic groups that experienced overrepresentation include 5-year-olds (6%) and White children (4%), in addition to children identified as having Autism (13%), speech or language impairments (6%), and multiple disabilities (5%). Pre-school aged demographic groups that experienced underrepresentation include 4-year-olds (14%), Black children (10%), and children identified as having developmental delays (34%).

School-aged demographic groups that experienced overrepresentation include White students (13%) and students identified as having Autism (7%) and

multiple disabilities (5%). School-aged demographic groups that experience underrepresentation include Black/African American students (15%), Hispanic/Latino students (6%), in addition to students identified as having other health impairments (11%) and specific learning disabilities (7%). No age demographic groups were over- or under-represented.

| 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       |
| If yes, provide a copy of the survey.  |          |

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

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

**Steps to Reduce Bias**

The survey is open for 15 weeks, response rates are tracked on a biweekly basis, and multiple notifications and reminders are sent to promote enhancement of the response rate. Staff at Maryland’s LEAS have assisted in promoting the survey by emphasizing its importance and engaging participants to complete the survey and facilitating their access. For FFY 2021, this response rate was 21% for the Preschool Survey and 9% for School-Age Survey, which is a 7-percentage point increase for Preschool and the same response rate for School Age, compared to the previous year.

The Parent Survey results for FFY 2021 and the survey response questions were shared among the LFSCs representing LEA/PAs and who serve on the Special Education Citizens Advisory Council. Data were reviewed, shared, and discussed to increase parent response rates thus increasing the validity of the survey results. In addition, during Fall 2021, the Parent Survey results were shared with the Special Education State Advisory Council to initiate a discussion on how members can assist with increasing parent response rates. The MSDE, DEI/SES staff will continue to track these activities in collaboration with the LFSC to determine their effectiveness and to make modifications, as necessary. School building closures presented a challenge, but virtual meetings and webinars presented an opportunity to meet with parents without the need for them to leave their homes. A bilingual help desk was maintained for the duration of the survey to address parent’s questions about the survey through phone calls or email.

MSDE identified improvement strategies to increase the response rate for the targeted demographic subgroups for both the preschool aged and the school-aged populations. The strategies included:

- 1) conducting local outreach efforts to inform families of the importance to respond to the parent survey
- 2) Collaborating with Local Family Support Coordinator (LFSC) in each of the LEA/PA to conduct outreach, training, and supports to address the areas of need gleaned from the annual survey
- 3) Collaborating 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 and the survey response questions were shared among the LFSC representing LEA/PA and who also serve on the Special Education Citizens Advisory Council. Data were reviewed, shared, and discussed to potentially increase parent response rates thus increasing the validity of the survey results. MSDE staff will track the impact of these activities in collaboration with the LFSC to determine their effectiveness and to make modifications, as necessary.

MSDE has also implemented additional measures to increase response rates and to encourage parents and guardians to complete surveys through paper or online formats, in English and in Spanish. Some specific improvements have been the addition of a QR Code to facilitate responding and the tracking of undeliverable surveys. By tracking undeliverable surveys, MSDE can inform counties and special schools about families who are not receiving the survey due to address issues, which gives them an opportunity to update contact lists, ensuring parents of students with disabilities receive and can answer the survey.

**8 - Prior FFY Required Actions**

In the FFY 2021 SPP/APR, the State must report whether its FFY 2021 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 2020 SPP/APR**

In FFY 2021, the State reported on the representativeness of the demographics as required.

**8 - OSEP Response**

The State did not analyze the response rate to identify potential nonresponse bias or identify steps taken to reduce any identified bias to promote response from parents of children receiving special education services in the State, as required by the Measurement Table.

**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 the reporting year, 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 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and 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 2021 SPP/APR, the data for FFY 2020), 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 |
|---------------|---------------|
| 2020          | 0.00%         |

| FFY    | 2016  | 2017  | 2018  | 2019  | 2020  |
|--------|-------|-------|-------|-------|-------|
| Target | 0%    | 0%    | 0%    | 0%    | 0%    |
| Data   | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

#### Targets

| FFY    | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------|------|------|------|------|------|
| Target | 0%   | 0%   | 0%   | 0%   | 0%   |

#### FFY 2021 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/ethnic groups in special education and related services | Number of districts with disproportionate representation of racial/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 and/or cell size | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status     | Slippage    |
|--|---|---|---------------|-----------------|---------------|------------|-------------|
| 2  | 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 education agency (LEA) 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 LEA must meet the criteria for the minimum cell size and n-size, where cell size is the number of students with disabilities in an LEA who are a specific race/ethnicity and the n-size is the number of students of a specific race/ethnicity enrolled in an LEA. The MSDE utilizes a minimum cell size of five (5) and a minimum "n" size of twenty (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 LEA 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 2021-2022 performance period demonstrated that two (2) LEAs were identified as having a disproportionate representation of racial and ethnic groups (1 LEA for Black/African American and 1 LEA for American Indian/Alaskan Native) in special education and related services. No LEAs 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.

The MSDE, using an examination document, reviewed the policies, procedures, practices, and IEPs (student records) of the two (2) LEAs impacted, followed by 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 300.311 for the two (2) LEAs. The MSDE did not identify noncompliance through these reviews.

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 2020**

| 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 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 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 the reporting year, 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 specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: intellectual disability, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

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 specific disability categories 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 2021 SPP/APR, the data for FFY 2020), 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 |
|---------------|---------------|
| 2020          | 0.00%         |

| FFY    | 2016  | 2017  | 2018  | 2019  | 2020  |
|--------|-------|-------|-------|-------|-------|
| Target | 0%    | 0%    | 0%    | 0%    | 0%    |
| Data   | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

### Targets

| FFY    | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------|------|------|------|------|------|
| Target | 0%   | 0%   | 0%   | 0%   | 0%   |

**FFY 2021 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/ethnic groups in specific disability categories | Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification | Number of districts that met the State's minimum n and/or cell size | FFY 2020 Data | FFY 2021 Target | FFY 2021 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 education agency (LEA) 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 LEA must meet the criteria for the minimum cell size and n-size, where cell size is the number of students in an LEA 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 LEA. The MSDE utilizes a minimum cell size of five (5) and a minimum “n” size of twenty (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 LEA 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) LEAs were identified as having disproportionate representation of racial and ethnic groups in specific disability categories. No LEAs were excluded from the calculation.

**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) LEAs 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 300.311 for the LEAs. 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 2020**

| 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 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
|  |  |   |  |



| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 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 2021 SPP/APR, the data for FFY 2020), 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    | 2016   | 2017   | 2018   | 2019   | 2020   |
|--------|--------|--------|--------|--------|--------|
| Target | 100%   | 100%   | 100%   | 100%   | 100%   |
| Data   | 98.00% | 98.60% | 98.64% | 98.51% | 97.46% |

### Targets

| FFY    | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------|------|------|------|------|------|
| Target | 100% | 100% | 100% | 100% | 100% |

### FFY 2021 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 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|---|--|---------------|-----------------|---------------|---------------------|-------------|
| 21,642  | 20,985   | 97.46%        | 100%            | 96.96%        | Did not meet target | No Slippage |

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

657

**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 657 students with "unacceptable reasons for delays", an increase of 309 students from FFY 2020 (FFY 2020 = 348 students).

The unacceptable reasons for delays included provider illnesses, paperwork error, inconclusive testing results, the student was not available (not parent failure/child refusal), staffing issues; and students - due to other reasons.

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

302 (1 day to 15 days) = 45.91%

218 (16 to 45 days) = 33.17%

137 (beyond 45 days) = 20.92%

**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 from MD online IEP and other sources.

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

Data collection and analysis were not impacted by the COVID-19 Pandemic.

**Correction of Findings of Noncompliance Identified in FFY 2020**

| 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                                   | 15  | 0  | 0                                      |

**FFY 2020 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 in FFY 2020. All fifteen (15) findings were corrected within one year of issuing the written finding of noncompliance. The MSDE, DEI/SES verified that each Local Education Agency (LEA) or Public Agency (PA) with noncompliance identified in FFY 2020 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, after the issuance of the written finding, records were reviewed to determine if those records were compliant. The MSDE, DEI/SES verified that each LEA/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 no longer within the jurisdiction of the LAE. 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 regulatory requirements and OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
| FFY 2019                                       | 1  | 0   | 1                                      |
|  |  |   |  |
|  |  |   |  |

**FFY 2019**

**Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

The MSDE, DEI/SES is working with the LEA where compliance has not been corrected. Technical assistance is being provided to new staff who work with schools regarding timeline noncompliance and the identification of appropriate reasons for the delay of assessments. Data review meetings are conducted weekly. The LEA is monitoring IEP team data to ensure policies and procedures are implemented with fidelity. Uncorrected noncompliance will negatively impact the LEAs FFY 2021 Determination.

It should be noted that the LEA with uncorrected noncompliance is the State's largest LEA representing about 20% of the State's students. Despite not achieving full compliance, the LEA continues to achieve a high level of compliance. For FFY 2021, the LEA achieved approximately 97% compliance.

### **11 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. In addition, the State must demonstrate, in the FFY 2021 SPP/APR, that the remaining one uncorrected finding of noncompliance identified in FFY 2019 was corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2020 and each LEA with remaining noncompliance identified in FFY 2019 (and add other years, as needed): (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

### **Response to actions required in FFY 2020 SPP/APR**

### **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.

Targets must be 100%.

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.

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 2021 SPP/APR, the data for FFY 2020), 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    | 2016   | 2017    | 2018   | 2019   | 2020   |
|--------|--------|---------|--------|--------|--------|
| Target | 100%   | 100%    | 100%   | 100%   | 100%   |
| Data   | 99.72% | 100.00% | 99.89% | 99.77% | 98.81% |

#### Targets

| FFY    | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------|------|------|------|------|------|
| Target | 100% | 100% | 100% | 100% | 100% |

#### FFY 2021 SPP/APR Data

|   |       |
|---|-------|
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.       | 6,733 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday. | 141   |

|   |       |
|---|-------|
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.   | 1,815 |
| 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.                                 | 68    |
| 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. | 4,686 |

| Measure  | Numerator (c) | Denominator (a-b-d-e-f) | FFY 2020 Data | FFY 2021 Target | FFY 2021 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. | 1,815         | 1,838                   | 98.81%        | 100%            | 98.75%        | 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**

23

**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 twenty-three (23) students with "unacceptable reasons for delays." The unacceptable reason for each student's delay was identified as paperwork errors, administrative errors, and staffing.

The range of delays were:

1 to 15 Days = 4 students

16 to 30 Days = 3 students

31 to 45 Days = 5 students

Beyond 45 Days = 11 students

This information is used by the MSDE Monitoring Staff to assist local education agencies and public agencies in analyzing data and in providing technical assistance. The MSDE data management and program staff worked closely with local education agencies' staff to ensure the integrity of the data reported in FFY 2021.

**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 2020**

| Findings of Noncompliance Identified | Findings of Noncompliance Verified as Corrected Within One Year | Findings of Noncompliance Subsequently Corrected | Findings Not Yet Verified as Corrected |
|--------------------------------------|---|--|--|
| 3                                    | 3   | 0  | 0                                      |

**FFY 2020 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 three (3) findings of noncompliance. All three (3) findings were corrected within one year of issuing the written finding of noncompliance. The MSDE, DEI/SES verified that each Local Education Agency (LEA) or Public Agency (PA) with noncompliance identified in FFY 2020 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 LEA/PA achieved 100% compliance, consistent with OSEP Memo 09-02.

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

The MSEE, DEI/SES reviewed the IEPs and records for each of individual child with findings of noncompliance in the LEA/PA where the findings of noncompliance were made. The DEI/SES verified that, although late, an IEP was developed and implemented for all those students unless the child was no longer within the local education agency or public agency, or the parent had withdrawn consent. 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 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
|  |  |   |  |
|  |  |   |  |
|  |  |   |  |

**12 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

**12 - OSEP Response**

**12 - Required Actions**

## Indicator 13: Secondary Transition

### Instructions and Measurement

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

**Compliance indicator:** 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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, 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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, 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 2021 SPP/APR, the data for FFY 2020), 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    | 2016   | 2017   | 2018   | 2019   | 2020   |
|--------|--------|--------|--------|--------|--------|
| Target | 100%   | 100%   | 100%   | 100%   | 100%   |
| Data   | 98.86% | 97.86% | 92.62% | 97.14% | 99.65% |

### Targets

| FFY    | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------|------|------|------|------|------|
| Target | 100% | 100% | 100% | 100% | 100% |

### FFY 2021 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 2020 Data | FFY 2021 Target | FFY 2021 Data | Status              | Slippage    |
|---|---|---------------|-----------------|---------------|---------------------|-------------|
| 19,322  | 19,327                                      | 99.65%        | 100%            | 99.97%        | 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 education agencies (LEAs) and the public agencies to submit data for this indicator on a quarterly basis. For the LEAs that utilize the Maryland Online IEP (MOIEP) System, most of the required quarterly data uploads nightly to SSIS from the MOIEP. The LEAs 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 LEAs and the MSDE, DEI/SES staff can track the progress and the impact of the interventions to improve student outcomes. The current version of the Indicator 13 checklist from the National Secondary Transition Technical Assistance Center (NSTTAC) that was updated in 2012 by the National Technical Assistance Center on Transition (NTACT) was utilized.

| 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 2020**

| Findings of Noncompliance Identified | Findings of Noncompliance Verified as Corrected Within One Year | Findings of Noncompliance Subsequently Corrected | Findings Not Yet Verified as Corrected |
|--------------------------------------|---|--|--|
| 3                                    | 3   | 0  | 0                                      |

**FFY 2020 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 Education Agency (LEA) or Public Agency (PA) with noncompliance identified in FFY 2020 is correctly implementing the regulatory requirements of 34 CFR 300.320(b) and 300.321(b).

First, in each LEA/PA where noncompliance was identified, correction was verified in each individual student record 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.

When each individual instance of noncompliance is corrected and subsequent data yield 100% compliance, correction is verified consistent with OSEP Memo 09-02. Both prongs of correction must occur within one year of the date of the issuance of the written finding of noncompliance to the LEA/PA.

For FFY 2020, the MSDE, DEI/SES identified three (3) findings of noncompliance and all three (3) findings were fully 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 each LEA/PA where noncompliance occurred. The MSDE, DEI/SES verified that the records of each individual child contained the required components for secondary transition as defined by 34 CFR 300.320(b) and 300.321(b), unless the child was no longer within the jurisdiction of the LEA/PA, consistent with OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

| Year Findings of Noncompliance Were Identified | Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR | Findings of Noncompliance Verified as Corrected | Findings Not Yet Verified as Corrected |
|--|--|---|--|
|  |  |   |  |
|  |  |   |  |
|  |  |   |  |

**13 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

### **13 - OSEP Response**

In its description of correction of noncompliance, the State referenced the incorrect requirements of this indicator ("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 LEA, or the parent had withdrawn consent"). Therefore, the State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2020 because it did not report that it verified correction of those findings consistent with the requirements in OSEP Memo 09-02. Specifically, the State did not report that it verified that each LEA with noncompliance identified in FFY 2020 has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, as required in the Measurement Table.

### **13 - Required Actions**

## Indicator 14: Post-School Outcomes

### Instructions and Measurement

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

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

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. 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 =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \times 100$ .
- B. Percent enrolled in higher education or competitively employed within one year of leaving high school =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \times 100$ .
- C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \times 100$ .

#### 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 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 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":

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 of 1973, as amended by Workforce Innovation and Opportunity Act (WIOA). 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

States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

Provide the total number of targeted youth in the sample or census.

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.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.

The State must also analyze the response rate to identify potential nonresponse bias and take steps to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

### 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.

Beginning with the FFY 2021 SPP/APR, due February 1, 2023, 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 must include race/ethnicity in their analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. 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          | 2016   | 2017   | 2018   | 2019   | 2020   |
|---------|----------|--------------|--------|--------|--------|--------|--------|
| A       | 2020     | Target<br>>= | 25.00% | 26.00% | 27.00% | 28.00% | 24.87% |
| A       | 24.87%   | Data         | 22.66% | 26.46% | 28.04% | 26.54% | 24.87% |
| B       | 2020     | Target<br>>= | 51.00% | 52.00% | 53.00% | 60.00% | 56.32% |
| B       | 56.32%   | Data         | 58.09% | 65.07% | 60.64% | 61.87% | 56.32% |
| C       | 2020     | Target<br>>= | 57.00% | 58.00% | 59.00% | 74.00% | 56.63% |
| C       | 56.63%   | Data         | 72.93% | 76.93% | 67.05% | 64.66% | 56.63% |

### FFY 2020 Targets

| FFY         | 2021   | 2022   | 2023   | 2024   | 2025   |
|-------------|--------|--------|--------|--------|--------|
| Target A >= | 25.00% | 25.50% | 26.50% | 27.50% | 28.50% |
| Target B >= | 57.00% | 58.00% | 59.00% | 60.00% | 61.00% |
| Target C >= | 58.00% | 58.00% | 60.00% | 61.00% | 62.00% |

### Targets: Description of Stakeholder Input

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee’s membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland’s SESAC is comprised of the following strong community stakeholders:

18 Parent Members  
 Juvenile Services Education  
 The Parents’ Place of Maryland  
 Maryland Higher Education Commission

4 LEA Representatives (administrators, service providers, etc.)  
 Maryland Association of Nonpublic Special Education Facilities  
 Maryland Department of Labor  
 Maryland Department of Disabilities  
 Maryland Developmental Disabilities Council  
 Division of Rehabilitation Services/Department of Disabilities  
 The ARC of Maryland  
 Title I-Program Improvement & Family Support, MSDE  
 Maryland State Education Association  
 Maryland Department of Human Services  
 Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

#### FFY 2021 SPP/APR Data

|  |         |
|--|---------|
| Total number of targeted youth in the sample or census   | 6,656   |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school   | 6,656   |
| Response Rate  | 100.00% |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school  | 1,782   |
| 2. Number of respondent youth who competitively employed within one year of leaving high school  | 2,453   |
| 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)                         | 99      |
| 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 2020 Data | FFY 2021 Target | FFY 2021 Data | Status     | Slippage    |
|--|----------------------------|--|---------------|-----------------|---------------|------------|-------------|
| A. Enrolled in higher education (1)  | 1,782                      | 6,656  | 24.87%        | 25.00%          | 26.77%        | Met target | No Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)  | 4,235                      | 6,656  | 56.32%        | 57.00%          | 63.63%        | 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                      | 6,656  | 56.63%        | 58.00%          | 65.11%        | Met target | No Slippage |

**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.

**Response Rate**

| FFY           | 2020   | 2021    |
|---------------|--------|---------|
| Response Rate | 99.84% | 100.00% |

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

In Maryland, Indicator 14 is calculated using an administrative records exchange with the Maryland Longitudinal Data System Center (MLDSC) and two additional state agencies that provide post-secondary education and training to individuals with disabilities that do not supply data to the MLDSC (rather than through an attempt to survey the students, their families, or teachers). Therefore, there is no true "response rate" as there would be for a survey. Instead, the state reports on Census data. All students with disabilities who have Maryland Public School attendance files are intended to be included in MLDS. In practice, however, some students may not be included in the MLDSC due to data entry error or a failure at the LEA level to submit an attendance file for a student. Still, through this process, 100% of Leavers were found to be contained within the MLDSC and as such, their associated postsecondary and workforce data is included in the analysis.

After identification of students in the MLDSC, the State then collects training and education information about students from the Department of Rehabilitative Services (DORS) and Developmental Disabilities Administration (DDA) and adds it to MLDSC information (although DDA has been unable to provide information since the start of the COVID 19 Pandemic).

The State's goal is to identify post-secondary information for all Leavers (full representativeness) to satisfy its Indicator 14 reporting requirement. . This exchange provides data on the number of youth with disabilities no longer in secondary school and who 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. At this time, the data contained in MLDSC does not contain any out-of-state employment or college placements, or federal employment placements. However, data sharing agreements are continuing to be developed between MLDSC and other agencies (i.e., State Vocational Rehabilitation Agency, Developmental Disabilities Administration) to reflect additional efforts to match additional students' post-school outcomes. The State reports on census data, so a response rate (like would be calculated from a survey) is not entirely applicable. Through its partnerships, the State was able to locate information on all 6,656 (100%) Leavers in the MLDSC.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

The State does not use a survey methodology and thus, nonresponse bias is not entirely applicable. As mentioned above, the State makes efforts to obtain information on every Leaver through its partnerships with outside agencies and as a result the State continues to be able to report on a high percentage of leavers. In FFY 2020, eleven (11) Leavers were unable to be located in either the MLDS and/or DORS databases; in FFY 2021, all Leavers were able to be located. The State will continue to work with the DDA in an effort to obtain complete postsecondary data from the agency moving forward.

**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. States must include race/ethnicity in its analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

The State’s data include all Leavers (youth who are no longer in secondary school and had IEPs in effect at the time they left school), so no groups of students who were underrepresented or overrepresented.

**The response data is representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school. (yes/no)**

YES

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

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

For the purpose of determining representativeness, a demographic group is classified as being overrepresented in the MLDSC data set if the percentage of that group is greater than its percentage in the Leaver group by at least 3 percentage points. Similarly, a demographic group is classified as being underrepresented in the MLDSC data set if the difference between the percentage of that group in the MLDSC data set is less than its percentage in the population by 3 percentage points or more. Differences of 3 percentage points or more indicate areas in which the characteristics of Leavers differed from the state’s MLDSC data set. If the difference between the MLDSC data set and the Leavers is less than 3 percentage points in either direction, the respondent sample (MLDSC data set) is not significantly different from the Leaver population.

Because 100% of Leavers were found to be contained within the MLDSC and as such, their associated postsecondary and workforce data is included in the analysis, representativeness was achieved.

| <b>Sampling Question</b> | <b>Yes / No</b> |
|--------------------------|-----------------|
| Was sampling used?       | NO              |
| <b>Survey Question</b>   | <b>Yes / No</b> |
| Was a survey used?       | NO              |

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

The State’s data were not impacted by the COVID-19 pandemic.

**14 - Prior FFY Required Actions**

None

**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 and targets 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 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/02/2022 | 3.1 Number of resolution sessions  | 52   |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/02/2022 | 3.1(a) Number resolution sessions resolved through settlement agreements | 24   |

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

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

18 Parent Members  
Juvenile Services Education  
The Parents' Place of Maryland  
Maryland Higher Education Commission  
4 LEA Representatives (administrators, service providers, etc.)  
Maryland Association of Nonpublic Special Education Facilities  
Maryland Department of Labor  
Maryland Department of Disabilities  
Maryland Developmental Disabilities Council  
Division of Rehabilitation Services/Department of Disabilities  
The ARC of Maryland  
Title I-Program Improvement & Family Support, MSDE  
Maryland State Education Association  
Maryland Department of Human Services  
Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR



Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. The majority of the members must be individuals with disabilities or parents of students, ages birth through 21, with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents' Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's APR and SSIP. Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020 APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in

Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2020. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

**Historical Data**

| Baseline Year | Baseline Data |
|---------------|---------------|
| 2005          | 64.00%        |

| FFY       | 2016            | 2017            | 2018            | 2019          | 2020          |
|-----------|-----------------|-----------------|-----------------|---------------|---------------|
| Target >= | 64.00% - 75.00% | 64.00% - 75.00% | 64.00% - 75.00% | 64.00%-75.00% | 64.00%-75.00% |
| Data      | 52.27%          | 58.46%          | 55.21%          | 58.49%        | 28.26%        |

**Targets**

| FFY       | 2021 (low) | 2021 (high) | 2022 (low) | 2022 (high) | 2023 (low) | 2023 (high) | 2024 (low) | 2024 (high) | 2025 (low) | 2025 (high) |
|-----------|------------|-------------|------------|-------------|------------|-------------|------------|-------------|------------|-------------|
| Target >= | 64.00%     | 75.00%      | 64.00%     | 75.00%      | 64.00%     | 75.00%      | 64.00%     | 75.00%      | 64.00%     | 75.00%      |

**FFY 2021 SPP/APR Data**

| 3.1(a) Number resolutions sessions resolved through settlement agreements | 3.1 Number of resolutions sessions | FFY 2020 Data | FFY 2021 Target (low) | FFY 2021 Target (high) | FFY 2021 Data | Status              | Slippage    |
|---|------------------------------------|---------------|-----------------------|------------------------|---------------|---------------------|-------------|
| 24  | 52                                 | 28.26%        | 64.00%                | 75.00%                 | 46.15%        | Did not meet target | No Slippage |

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

The State's data collection and reporting for this indicator was not 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)(i)) 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 mediations is less than 10. In a reporting period when the number of resolution mediations reaches 10 or greater, develop baseline and targets 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 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1 Mediations held   | 151  |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1.a.i Mediations agreements related to due process complaints     | 38   |
| SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/02/2022 | 2.1.b.i Mediations agreements not related to due process complaints | 45   |

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

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

18 Parent Members

Juvenile Services Education

The Parents' Place of Maryland

Maryland Higher Education Commission

4 LEA Representatives (administrators, service providers, etc.)

Maryland Association of Nonpublic Special Education Facilities

Maryland Department of Labor

Maryland Department of Disabilities

Maryland Developmental Disabilities Council

Division of Rehabilitation Services/Department of Disabilities

The ARC of Maryland

Title I-Program Improvement & Family Support, MSDE

Maryland State Education Association

Maryland Department of Human Services

Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. The majority of the members must be individuals with disabilities or parents of students, ages birth through 21, with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

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- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's APR and SSIP. Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

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In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2020. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

**Historical Data**

| Baseline Year | Baseline Data |
|---------------|---------------|
| 2005          | 73.00%        |

| FFY       | 2016            | 2017            | 2018            | 2019          | 2020          |
|-----------|-----------------|-----------------|-----------------|---------------|---------------|
| Target >= | 75.00% - 85.00% | 75.00% - 85.00% | 75.00% - 85.00% | 75.00%-85.00% | 75.00%-85.00% |
| Data      | 69.33%          | 65.22%          | 70.48%          | 66.45%        | 46.96%        |

**Targets**

| FFY       | 2021 (low) | 2021 (high) | 2022 (low) | 2022 (high) | 2023 (low) | 2023 (high) | 2024 (low) | 2024 (high) | 2025 (low) | 2025 (high) |
|-----------|------------|-------------|------------|-------------|------------|-------------|------------|-------------|------------|-------------|
| Target >= | 75.00%     | 85.00%      | 75.00%     | 85.00%      | 75.00%     | 85.00%      | 75.00%     | 85.00%      | 75.00%     | 85.00%      |

**FFY 2021 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 2020 Data | FFY 2021 Target (low) | FFY 2021 Target (high) | FFY 2021 Data | Status              | Slippage    |
|--|--|-------------------------------|---------------|-----------------------|------------------------|---------------|---------------------|-------------|
| 38   | 45   | 151                           | 46.96%        | 75.00%                | 85.00%                 | 54.97%        | Did not meet target | No Slippage |

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

The State's data collection and reporting for this indicator was not impacted by the COVID-19 Pandemic.

**16 - Prior FFY Required Actions**

None

**16 - OSEP Response**

**16 - Required Actions**

## Indicator 17: State Systemic Improvement Plan

### Instructions and Measurement

**Monitoring Priority:** General Supervision

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

#### Measurement

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

#### Instructions

**Baseline Data:** The State must provide baseline data that must be expressed as a percentage and which is aligned with the State-identified Measurable Result(s) for Children with Disabilities.

**Targets:** In its FFY 2021 SPP/APR, due February 1, 2023, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2021 through FFY 2025. The State's FFY 2025 target must demonstrate improvement over the State's baseline data.

**Updated Data:** In its FFYs 2021 through FFY 2025 SPPs/APRs, due February 1, 2023, the State must provide updated data for that specific FFY (expressed as percentages) and that data must be aligned with the State-identified Measurable Result(s) for Children with Disabilities. In its FFYs 2021 through FFY 2025 SPPs/APRs, the State must report on whether it met its target.

#### Overview of the Three Phases of the SSIP

It is of the utmost importance to improve results for children with disabilities by improving educational services, including special education and related services. Stakeholders, including parents of children with disabilities, local educational agencies, the State Advisory Panel, and others, are critical participants in improving results for children with disabilities and should be included in developing, implementing, evaluating, and revising the SSIP and included in establishing the State's targets under Indicator 17. The SSIP should include information about stakeholder involvement in all three phases.

##### **Phase I: Analysis:**

- Data Analysis;
- Analysis of State Infrastructure to Support Improvement and Build Capacity;
- State-identified Measurable Result(s) for Children with Disabilities;
- Selection of Coherent Improvement Strategies; and
- Theory of Action.

**Phase II: Plan** (which, in addition to the Phase I content (including any updates) outlined above:

- Infrastructure Development;
- Support for local educational agency (LEA) Implementation of Evidence-Based Practices; and
- Evaluation.

**Phase III: Implementation and Evaluation** (which, in addition to the Phase I and Phase II content (including any updates) outlined above:

- Results of Ongoing Evaluation and Revisions to the SSIP.

#### Specific Content of Each Phase of the SSIP

Refer to FFY 2013-2015 Measurement Table for detailed requirements of Phase I and Phase II SSIP submissions.

Phase III should only include information from Phase I or Phase II if changes or revisions are being made by the State and/or if information previously required in Phase I or Phase II was not reported.

##### **Phase III: Implementation and Evaluation**

In Phase III, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress implementing the SSIP. This includes: (A) data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term outcomes or objectives for implementation of the SSIP and its progress toward achieving the State-identified Measurable Result(s) for Children with Disabilities (SiMR); (B) the rationale for any revisions that were made, or that the State intends to make, to the SSIP as the result of implementation, analysis, and evaluation; and (C) a description of the meaningful stakeholder engagement. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

###### A. Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2021 through 2025 SPP/APR, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

###### B. Phase III Implementation, Analysis and Evaluation

The State must provide a narrative or graphic representation, e.g., a logic model, of the principal activities, measures and outcomes that were implemented since the State's last SSIP submission (i.e., Feb 2022). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023 for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023).

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (i.e., behaviors), parent/caregiver outcomes,

and/or child outcomes. Describe any additional data (i.e., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

**C. Stakeholder Engagement**

The State must describe the specific strategies implemented to engage stakeholders in key improvement efforts and how the State addressed concerns, if any, raised by stakeholders through its engagement activities.

**Additional Implementation Activities**

The State should identify any activities not already described that it intends to implement in the next fiscal year (e.g., for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023 for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023)) including a timeline, anticipated data collection and measures, and expected outcomes that are related to the SiMR. The State should describe any newly identified barriers and include steps to address these barriers.

**17 - Indicator Data**

**Section A: Data Analysis**

**What is the State-identified Measurable Result (SiMR)?**

In grades 3, 4, and 5 mathematics proficiency of students with disabilities will increase and the performance gap will narrow.

**Has the SiMR changed since the last SSIP submission? (yes/no)**

NO

**Is the State using a subset of the population from the indicator (e.g., a sample, cohort model)? (yes/no)**

YES

**Provide a description of the subset of the population from the indicator.**

Four Maryland counties (Cecil, Charles, Queen Anne’s, and Worcester) participated in the SSIP during this reporting cycle. Students from grades 3 to 5 in these four counties are included in these analyses. All elementary schools in each district are used for data collection. Moving forward the State will add two local education agencies (Baltimore and Howard Counties) to the SSIP with a continued focus on grades 3 to 5 mathematics performance and gap reduction.

**Is the State’s theory of action new or revised since the previous submission? (yes/no)**

YES

**Please provide a description of the changes and updates to the theory of action.**

The State’s Theory of Action was refined to align and extend the Maryland ESSA State Plan with a focus on capacity need (evidence-based specially designed math instruction), an improvement model inclusive of professional learning and coaching within a data-informed continuous improvement cycle, and a school organizational structure aimed at effective ITSS structures with collaborative planning time. The SiMR does not change but the participant local educational agencies have changed. Updates to the Theory of Action include the following enhancements:

- Creation of an active University-State-Local Education Agency partnership committed to the collaborative design of EBP.
- Development of systems change processes focused on a proven framework directed at organizational structures, professional learning, and specially designed math instruction.

**Please provide a link to the current theory of action.**

<http://mdideareport.org/SupportingDocuments/MDTheoryofActionFFY2021.pdf>

**Progress toward the SiMR**

**Please provide the data for the specific FFY listed below (expressed as actual number and percentages).**

**Select yes if the State uses two targets for measurement. (yes/no)**

NO

**Historical Data**

| Baseline Year | Baseline Data |
|---------------|---------------|
| 2016          | 10.40%        |

**Targets**

| FFY          | 2021   | 2022   | 2023   | 2024   | 2025   |
|--------------|--------|--------|--------|--------|--------|
| Target><br>= | 13.00% | 14.00% | 14.00% | 15.00% | 15.00% |

**FFY 2021 SPP/APR Data**

| Third- through fifth-grade public school students with IEPs in the four MD SSIP counties who meet or exceed | Third- through fifth-grade public school students with IEPs in the four MD SSIP | FFY 2020 Data | FFY 2021 Target | FFY 2021 Data | Status | Slippage |
|---|---|---------------|-----------------|---------------|--------|----------|
|   |   |               |                 |               |        |          |

| mathematics grade-level expectations on the annual State assessment (the Maryland Comprehensive Assessment Program [MCAP]). | counties who take the annual State assessment in mathematics. |       |        |       |                     |             |
|---|---|-------|--------|-------|---------------------|-------------|
| 7   | 101   | 2.71% | 13.00% | 6.93% | Did not meet target | No Slippage |

**Provide the data source for the FFY 2021 data.**

Maryland Comprehensive Assessment Program (MCAP) serves as the data source.

**Please describe how data are collected and analyzed for the SiMR.**

SiMR data come from grade-level results on the Maryland Comprehensive Assessment Program (MCAP) exam in mathematics. MCAP results are publicly available data. The data are aggregated by district and school and analyzed by district by grade and reviewed for school and grade level. The data are disaggregated for students who have an IEP compared to data for all students. The SSIP target is the percentage of students who are proficient (level 4 and 5) in meeting or exceeding grade-level expectations in mathematics. No data are available for FFY 20 (no assessment due to Covid) and for FFY 21 (due to a shortened assessment administered in fall 2021 instead of spring 2021). FFY 22 data is reported here for newly participating schools.

**MCAP Spring 2022 - Mathematics – Baseline**

- Baltimore County Public Schools: Grade Level: 3, 4, & 5. 1 of 44 students with disabilities tested scored proficient with a 2.3% proficiency rate.
  - Howard County Public Schools: Grade Level: 3, 4, & 5. 6 of 58 students with disabilities tested scored proficient with 10.3% proficiency rate.
- Preliminary data suggests that the Mathematics Proficiency Rate for students with disabilities across the participating schools in both LEAs is highest in Grade 3 (17.1%) with a significant decline in Grades 4 (0%) and 5 (6.6%).

**Demographic Profile of Participating Schools**

**Baltimore County**

- MEES: Total student population 350 learners with 17% identified as receiving Special Education Services and 74% participating in Free and Reduced Meals. 58% of the student population identify as African American, 15% identify as White, 17% identify as Hispanic, 8% Multi-racial and 3% identify as Asian.

- SBES: Total student population 520 learners with 10.9% identified as receiving Special Education Services and 71.5% participating in Free and Reduced Meals. 88.9% of the student population identify as African American, 2.35% identify as White, and 7.9% identify as Hispanic.

**Howard County**

- HHES: Total student population 823 learners with 13.6% identified as receiving Special Education Services and 36.2% participating in Free and Reduced Meals. 41% of the student population identify as African American, 11.42% identify as White, 15.6% identify as Hispanic, 6.4% Multi-racial and 24.6% identify as Asian.

- JHES: Total student population 410 learners with 10.2% identified as receiving Special Education Services and 32.7% participating in Free and Reduced Meals. 42.4% of the student population identify as African American, 18.8% identify as White, 23.2% identify as Hispanic, 5.8% Multi-racial and 22.4% identify as Asian.

The State will hire an external evaluator to gather, organize and analyze outcomes related to student performance and achievement as related to the implementation of EBPs with fidelity reflected in individual student data analysis as well as the aggregate school-wide date. Formative evaluation data will be used to drive improvement actions across implementation by providing real-time information necessary to adjust and fine-tune improvement actions. Summative evaluation data will provide evidence of the unique contribution of the plan implementation actions reflected in the existing evaluation activities.

- The primary measure is the MCAP with a need to supplement this measure with a valid and consistent assessment that can be used over time to inform instruction and evaluate impact.
- The implementation of consistent local measures of student performance to inform specially designed math instruction aligned with State standard and can be used across LEAs for the analysis of student growth over time.
- A replicable, well-defined approach for the selection and/or design of math intervention tailored to the unique needs of learners with disabilities.
- Establish protocols and practices for the evaluation of professional learning with coaching to demonstrate how changes in adult behavior/professional practice impacts student outcomes.

**Optional: Has the State collected additional data (i.e., benchmark, CQI, survey) that demonstrates progress toward the SiMR? (yes/no)**

NO

**Did the State identify any general data quality concerns, unrelated to COVID-19, that affected progress toward the SiMR during the reporting period? (yes/no)**

YES

**Describe any data quality issues, unrelated to COVID-19, specific to the SiMR data and include actions taken to address data quality concerns.**

The State identified two data quality issues specific to the SiMR data for the final evaluation of SSIP implementation across the 4 LEAs (Charles, Cecil, Queen Anne's, and Worcester).

- Comparability of local assessments. MSDE collects low-stakes assessment data from the LEAs, and the LEAs participating in the SSIP each use different low-stakes assessments to measure mathematics performance throughout the school year. Each of these assessments have its own cut score for meeting grade-level standards and the threshold may not be comparable. While this may inform instruction within the schools or districts, it is less useful for evaluation purposes across districts. More valid conclusions can be reached when individual student data is collected and when MCAP test scores are available, since these allow for direct comparisons across the State.

- Reporting on professional development/professional learning. The LEAs began to take ownership and provide most of the professional learning in mathematics instruction and adaptations. LEAs received discretionary grant funding to supplement the provision of coaching to educators in their



schools, beginning with a few target schools and expanding across their districts. There was considerable variability in the extent to which the LEAs utilized the survey tool to provide evaluation data. As a result, data about PL participation and feedback may not be representative of all PL participants, depending on the response rate of each LEA.

**Did the State identify any data quality concerns directly related to the COVID-19 pandemic during the reporting period? (yes/no)**

YES

**If data for this reporting period were impacted specifically by COVID-19, the State must include in the narrative for the indicator: (1) the impact on data completeness, validity and reliability for the indicator; (2) an explanation of how COVID-19 specifically impacted the State's ability to collect the data for the indicator; and (3) any steps the State took to mitigate the impact of COVID-19 on the data collection.**

Data for FFY 20 was not collected because the assessment was not administered. An abbreviated assessment in fall of 2021 is not being publicly reported due to the nature of the assessment, altered in quality and timeline.

## **Section B: Implementation, Analysis and Evaluation**

**Please provide a link to the State's current evaluation plan.**

<http://mdideareport.org/SupportingDocuments/EvaluationPlanDraftFFY23.pdf>

**Is the State's evaluation plan new or revised since the previous submission? (yes/no)**

YES

**If yes, provide a description of the changes and updates to the evaluation plan.**

Changes to the evaluation are defined in the updates to the evaluation plan with an emphasis on greater specificity related to :

A formative evaluation will use data gathered during project implementation to help improve progress toward achieving SSIP goals. These will include qualitative input from implementers (University faculty, MSDE staff, school administrators, and implementing teachers), as well as ratings of products designed to guide the work of the SPDG/SSIP (e.g., EBP definitions, fidelity tools, products produced) related to quality, usefulness, and relevance, as well as alignment with research evidence, by an independent review panel of experts qualified to review the substantive content of product

A summative evaluation will focus on assessment of outcomes: the extent to which the SPDG/SSIP achieved its goals and objectives; the extent to which change in University coursework, State technical assistance, and Local professional learning activities has occurred; the extent to which participants implement EBPs with fidelity; as well as the extent to which there is an impact on student performance. Measures will include surveys (for Stakeholders, independent review panel, targeted participants), ratings based on criteria for content of products delivered (by Stakeholders and Independent review panel), fidelity of implementation, percent of completed components of local products delivered, percent of knowledge acquired through professional learning, and differential data of student achievement on State and local assessments.

**If yes, describe a rationale or justification for the changes to the SSIP evaluation plan.**

With the focus of the SSIP shifted to newly identified LEAs committed to the use of strengthened strategies in support of the implementation of refined evidence-based practices (EBP), the evaluation plan also shifted to measure both implementation and results. This shift occurred with funding from OSEP for a State Personnel Development Plan (SPDG) that maintained the SiMR but improved the methods for implementation. An additional focus on social-emotional learning as an EBP to support mathematics learning was added.

**Provide a summary of each infrastructure improvement strategy implemented in the reporting period:**

- Governance: The State re-established LEA leadership teams which met a minimum of twice a year (virtually) to expand understanding of math instructional best/evidence-based practices, increase support across the State and develop coherent messaging from MSDE. Documentation of challenges, successes, barriers, and solutions.
- Professional Learning/Technical Assistance: The State continued to address capacity building across the SSIP districts and within the State implementation team. The original participant LEAs utilized State discretionary grant funding to support locally driven professional learning, instructional coaching, and continuous improvement.
- Data: The State continued to support continuous improvement of learner outcomes in mathematics across the SSIP districts using EBP aligned to implementation fidelity specific to instructional coaching practices.

**Describe the short-term or intermediate outcomes achieved for each infrastructure improvement strategy during the reporting period including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Please relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up.**

Governance:

- Peer systems coaching by DEI/SES staff members with LEA partners (engagement in monthly local implementation team meetings, initially onsite and then remotely) - technical assistance
- Increase the knowledge of stakeholders and acquire stakeholder input into SSIP strategies through regular participation in the SESAC quarterly meetings – accountability
- Increased quality and consistency in coaching through coaching conversations across SSIP districts to support fidelity (16% of teachers responding to survey indicate that the frequency of teacher-coach interactions occurred at least daily with an additional 16% of teachers indicating weekly contact.)

Support / challenge to system change:

- Specific coaching protocols are necessary to support implementation. Variable practices across the 4 districts lead to inconsistencies in the evaluation of effectiveness. This is especially evident in the self-reported use of an "Established Fidelity Tool" at 25%. It is critical that fidelity is clearly defined with observable criteria. Ongoing coaching through a protocol applied across schools and districts is a key component of the implementation plan moving forward. (The coaches' assessment of their understanding of the EBP mathematics practices was indicative of a need for coaching aligned to EBP in mathematics. 20% of respondents indicated expertise in the math practice. 69% of respondents indicated a solid understanding of the math practice.) Implementation with fidelity impacts local district and State sustainability of the EBP necessary to achieve the SiMR.
  - Regular participation in the SESAC quarterly meetings failed to impact system change across the 4 districts or the State. Collaboration with partners is key to maximizing effectiveness. Plan implementation has been refined to address this infrastructure improvement strategy (see next steps summary).
- Professional Learning/Technical Assistance:

- State discretionary funding continued to support locally driven professional learning, instructional coaching, and continuous improvement.
- MSDE programmatic liaisons supported local actions with updates provided within the context of the “Conversations for Solutions” professional learning events.

Support / challenge to system change:

- After teachers, coaches, and administrators participated in a professional learning opportunity offered by the district or the State, they completed a survey in which they were asked about their level of knowledge before and after participating in the training event. Based on participant self-reporting, 76% of professional learning participants indicated that their knowledge increased “extensively”. Although participants reported increased knowledge and skills there was no mechanism to determine the impact of training on instructional practice, student outcomes, SiMR. Sustainability is achieved when the professional learning is implemented with fidelity overtime thus becoming a standard of practice. The professional learning and technical assistance implementation plan have been refined to address this infrastructure improvement strategy (see next steps summary).

Data:

Support / challenge to system change:

- Without a valid and usable data system, and without the talent and skill to use data reports for instructional decisions and to evaluate the impact of the EBP, local school systems will not be able to decide if they are being effective and will not be able to attribute any change in student performance to actual change in teacher instruction. Data use for decisions is critical to both achieving the SiMR and for sustaining use of EBPs over time.

**Did the State implement any new (newly identified) infrastructure improvement strategies during the reporting period? (yes/no)**

NO

**Provide a summary of the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next reporting period.**

Next steps include the following:

- Governance:
  - o The State has implemented a Stakeholder Advisory Group which meets quarterly to:
    - ? Develop a shared understanding of EBP
    - ? Advise the design of EBP
    - ? Advise on family and community engagement
    - ? Review data and plan of the Design Team
    - ? Contribute to the evaluation process
  - o The State recognizes that diversity of representation, knowledge and skills, and expertise are essential to systems change and shared ownership of improvement outcomes. This includes a Design Team and Focus Groups composed of:
    - ? University partners
    - ? National experts
    - ? State and Local leadership
    - ? Diverse school communities across LEAs
  - o The State has identified key personnel to contribute to the oversight, management, and day to day operations of the implementation plan as defined in the SPDG

Outcomes:

- o Conduct Stakeholders Advisory Group and establish Focus Groups
- o Establish practice profiles to operationalize Professional Learning, Math, SDI and SEL EBP
- o Implement Math SDI and SEL within an integrated, tiered system of supports
- o Embed EBP Math in SDI and SEL university level coursework
- Professional Learning/Technical Assistance: The State has established a refined framework for professional learning and coaching using guidance from NIRN for operationalizing the essential functions of core professional learning and coaching activities
- o Application of framework across university, State, and local learning environments inclusive of
  - ? Content focus
  - ? Active learning
  - ? Sustained connections within a professional learning community
  - ? Collective participation
  - ? Coherence including the use of data analytics from real student data
  - o Emphasis on broad stakeholder ownership as the foundation for systemic change
  - o Professional learning integrated with school improvement

Outcomes:

- o Model and implement professional learning and coaching practices for State and local personnel implementing improvement planning
  - o Embed EBP in Math, SDI, and SEL practices in special education teacher preparation coursework
  - o Implement PL EBP with fidelity
  - o Embed EBP Math in SDI and SEL university level coursework
  - o Conduct a “retreat” with the Design Team, Implementation Team, and external evaluator to determine plan modifications
  - Data: The State will demonstrate continuous improvement of learner outcomes in mathematics across the SSIP districts as evidenced in the SiMR data.
    - o Increased achievement in mathematics for children with disabilities over 3 years (MCAP data)
    - o School-wide decrease in achievement gap in mathematics (Universal Screener)
    - o Increased social emotional competence (SEL assessment tool)
    - o Improved implementation of professional learning (QUR & E)
- Outcomes:
- o Gather and report student baseline data in mathematics achievement and SEL- competence
  - o Create district and school profiles of instructional, curricular, intervention, and PL practices
  - o Create and implement EBP Math, SDI, and SEL fidelity measures
  - o Collect PL and coaching fidelity data in University courses
  - o Analyze and summarize student performance data by grade, school, and district to target improvement

**List the selected evidence-based practices implement in the reporting period:**

The EBPs implemented by the 4 LEAs (Charles, Cecil, Queen Anne’s, and Worcester) critical to achieving the SiMR for this reporting period were identified by each LEA. Implementation continued to promote mathematics proficiency for students with disabilities in targeted elementary schools:

- Cecil County: “Targeted Mathematics Instruction” designed through a practice profile and fidelity tool.
- Charles County: Team Based Cycle of Instruction (TBCI) and Structured Cooperative Learning (SCL) with embedded culturally responsive practices

within math instruction.

- Queen Anne's County: "Do The Math" Intervention scaled up across all elementary schools (<https://www.hmhc.com/products/do-the-math/>)
- Worcester County: Main Lesson, Menu Lesson Instructional Framework based on John Tapper's instructional strategies and Concrete, Representational, Abstract (CRA) assessments.

### **Provide a summary of each evidence-based practices.**

#### **TARGETED MATH INSTRUCTION**

Core Components:

1. Formative Assessment
2. Math Content and Pedagogy
3. Intervention Design

Formative Assessment:

High Leverage Assessments: are a progress monitoring tool that assess student understanding related to High Leverage Concepts at each grade level.

- Administer 3 times per school year
- Analyze student responses using the OGAP Learning Progressions
- Identify students in need of targeted instruction

Formative Probes: are a formative assessment administered during instruction to assess progress toward the High Leverage Concepts

- Administer as part of the instructional process
- Analyze student responses using the OGAP Learning Progressions
- Analyze to determine the areas of need for targeted instruction

Analysis of Student Work: involves teachers and teacher teams analyzing student work and strategies used in alignment with the OGAP Learning Progressions to inform instruction

- Analyze and sort student work to determine the applied student strategies and possible misconceptions
- Determine the next step for targeted instruction using the OGAP Learning Progressions

Results of Formative Assessment Analysis: are used to inform targeted instruction to narrow the gap between where students are on the OGAP Learning Progression and the current learning goal.

- Identify current levels and student strengths based on formative assessment
- Utilize the results of the formative assessment and identify the student's placement on the OGAP Learning Progression.
- Identify the appropriate instructional pathway along the OGAP Learning Progression

Unique Student Needs: must be considered when planning targeted instruction. Universal Design for Learning, accommodations, modifications, and/or supplementary aids and services are critical instructional design considerations.

- Identify the learning characteristics and unique needs of students and utilize them in planning instruction
- Adhere to accommodations, modifications, and/or supplementary aids and services that are identified within the IEP

Standards-Based IEP Goals: in mathematics are identified and written based upon assessments that determine student understanding of high leverage concepts and readiness for major grade level content clusters.

- Identify instruction level mathematics goals addressing high level concepts in which students demonstrated difficulty
- Identify grade level mathematics goals addressing major grade level content clusters when necessary
- Main Lesson-Menu Lesson Plan

#### **DO THE MATH ADAPTATIONS**

Materials and Time

- Teacher and student materials ready
- Teacher organized and familiar with lesson

Instructional Routines

- The gradual release model is used to teach explicitly
- Concrete manipulatives are used to demonstrate concepts
- Mathematical representations are modeled and recorded on the board
- Accurate math vocabulary is modeled and consistently used during instruction

Student Engagement

- Students are focused and participate throughout all steps of the gradual release model
- Students work cooperatively with partners as directed for assigned instruction, games, Think-Pair-Share, etc.
- Manipulatives are utilized appropriately during instruction and partner work

Ongoing Evaluation/Check for Understanding

- The math content is modeled, and students are asked clarifying questions to demonstrate understanding before being released to work in pairs
- Student responses are acknowledged with appropriate feedback provided during direct instruction
- Students are monitored for understanding during partner work to assess readiness for release to independent work
- Students demonstrate the ability to apply concepts taught from the first lesson to other lessons throughout the week.

General Observations of the Group

- Student success rate is high
- Transitions between activities are smooth
- Teacher uses evidence from student work as a means to evaluate student understanding
- Teaching goals adjusted for each child as needed

#### **MAIN LESSON-MENU LESSON**

Launch (5-10 minutes):

- Introduces main lesson, activates prior knowledge, and engages all learners (one step word problem or number talk)
  - o Teacher activates prior knowledge by engaging students with prior skills or understanding
  - o Teacher uses Launch to introduce Main Lesson (key concepts/strategies in Launch appear in Main Lesson)
  - o Teacher uses Launch to engage all students

Main Lesson (20-30 minutes):

- Lessons and learning targets usually come from a school or district mathematics program. Main lessons include a problem or task focused on a key math concept, makes strong use of student discourse, and uses heterogeneous grouping for the purpose of inclusion.
  - o Teacher provides problem solving experiences in heterogeneous groups
  - o Teacher provides multiple opportunities for student-to-student discourse
  - o Teacher communicates learning target(s) through verbal and visual strategies
  - o Teacher checks for student understanding of learning target(s)
  - o Teacher refers to learning target throughout lesson

Menu (30-35 minutes):

- This part of the lesson plan is dedicated to differentiating instruction to meet the specific individual learning needs of students in the class.
- o Teacher works with small groups or individual students while the rest of the class is engaged in a variety of learning activities.
- o Students self-select from a variety of activities from a “menu.”
- Must Do’s/Can Do’s (Structural)
- o An observable system for assigning required and optional activities
- o Teacher provides choice of activities for students to take ownership of their learning
- Targeted Instruction (Content)
- o Teacher uses formative assessments to modify instruction
- Math Games (Content)
- o Teacher selects math games that serve an instructional purpose
- o Teacher/Paraprofessional uses games as review of mastered skills or an exploration of new learning
- Journal Prompt (Content)
- o Teacher provides a journal prompt that emphasizes student reflection on key math concepts
- o Teacher provides written feedback to students on a rotating basis
- o Teacher provides a journal for each student to write their reflections in

Closure (5-10 minutes):

- Questions or problems are posed that are related to the learning goal to focus attention and discussion on the work completed during main lesson and/or menu. These can sometimes take the form of exit slips or probes.
  - o Teacher poses question or problem to guide student to student discussion related to the learning goal
  - o Teacher asks students to reflect on the question or problem in small groups or partners
  - o Teacher asks groups or partners to share their thinking on question or problem
  - Instruction and Assessment Strategies in Math Menu (throughout the lesson)
  - o Teacher asks questions to probe and deepen student understanding or uncover misconceptions.
  - o Teacher assists students in clarifying and assessing their thinking with one another.
  - Student work is used to inform the planning of future menus
  - Activities are offered at different levels of complexity
- Formative assessment is used to identify and support struggling learners

**Provide a summary of how each evidence-based practice and activities or strategies that support its use, is intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (e.g. behaviors), parent/caregiver outcomes, and/or child /outcomes.**

The mathematics EBPs were designed by teams following intensive year-long training. Implementation science strategies (e.g., using a practice profile and fidelity check) were used to define the EBP and train implementers to initial fidelity. The theory of action was employed to identify if medium term objectives (teacher implementation) were achieved, as a path to achieving the long-term objective of the SiMR. Rates of fidelity were collected; initial ratings ranged from qualitative summaries to a checklist to a rubric; inconsistency in measures made it difficult to evaluate. This will change with the new SPDG work in which a State-level design team will create the definitions for the EBP and create the methods for measuring fidelity of implementation.

Through consistent descriptors of an EBP, it is expected that teacher instruction will be consistent and measurable, allowing the SSIP leaders to evaluate the impact of the EBP on student performance.

**Describe the data collected to monitor fidelity of implementation and to assess practice change.**

The State’s external evaluator created an online tool that all SSIP stakeholders used to input data. This tool was a branching survey, such that participants indicate their role and the activity on which they are reporting. The tool then opened to the questions specific to that activity and role. The external evaluator partnered with MSDE to ensure the LEAs were using the online tool throughout the school year to track implementation of SSIP activities. MSDE and the external evaluator tracked response rates by LEA and respondent role.

Coaches reported the percentage of their teachers who are implementing evidence-based practices (EBPs) and what percentage are implementing EBPs to fidelity. In addition to teachers’ use of the EBPs, coaches report the extent to which they understand their district’s mathematics EBP. Variable practices across the 4 districts led to inconsistencies in the evaluation of effectiveness. This was especially evident in the self-reported use of an “Established Fidelity Tool” at 25%. It is critical that fidelity is clearly defined with observable criteria. Ongoing coaching through a protocol applied across schools and districts is a key component of the implementation plan moving forward. (The coaches’ assessment of their understanding of the EBP mathematics practices was indicative of a need for coaching aligned to EBP in mathematics. 20% of respondents indicated expertise in the math practice. 69% of respondents indicated a solid understanding of the math practice.) Implementation with fidelity impacts local district and State sustainability of the EBP necessary to achieve the SiMR. After teachers, coaches, and administrators participated in a professional learning opportunity offered by the district or the State, they completed a survey in which they were asked about their level of knowledge before and after participating in the training event. Based on participant self-reporting, 76% of professional learning participants indicated that their knowledge increased “extensively”. Although participants reported increased knowledge and skills there was no mechanism to determine the impact of training on instructional practice, student outcomes, SiMR. Sustainability is achieved when the professional learning is implemented with fidelity overtime thus becoming a standard of practice.

Data for FFY 20 was not collected because the assessment was not administered. An abbreviated assessment in fall of 2021 is not being publicly reported due to the nature of the assessment, altered in quality and timeline. Without a valid and usable data system, and without the talent and skill to use data reports for instructional decisions and to evaluate the impact of the EBP, local school systems will not be able to decide if they are being effective and will not be able to attribute any change in student performance to actual change in teacher instruction. Data use for decisions is critical to both achieving the SiMR and for sustaining use of EBPs over time.

**Describe any additional data (e.g. progress monitoring) that was collected that supports the decision to continue the ongoing use of each evidence-based practice.**

N/A

**Provide a summary of the next steps for each evidence-based practices and the anticipated outcomes to be attained during the next reporting period.**

It is expected that the 4 SSIP LEAs (Charles, Cecil, Queen Anne's, and Worcester) will continue using their EBPs and ongoing coaching efforts as components of effective instructional practice and professional learning to continue to drive system change and improve student achievement. Strategies to achieve the SiMR are changing to meet the needs of learners with disabilities in mathematics for improvement plan implementation in the Revised SSIP LEAs (Baltimore and Howard). These strategies include:

- Evidence-based Professional Learning and Coaching: under the guidance of Dr. Thomas Guskey, and other experts in coaching and professional learning, as well as input from stakeholders, MSDE will design a professional learning system or standards that can be applied across university, State TA, and local levels to support the development of personnel capacity to implement and sustain implementation of math and social-emotional instructional practices. Standards based on research will be designed for initial and ongoing professional learning as well as job-embedded coaching.
- Evidence-based specially designed mathematics instruction: under the guidance of Dr. Jenny Root, Dr. Paul Riccomini, and another national expert in teaching mathematics to students with disabilities in general education settings, and with stakeholder input, MSDE will design a standard approach to adapting an evidence-based mathematics curriculum and daily lessons for learners with varying disabilities.
- Research-based, embedded social-emotional supports: under the guidance of Dr. Doug Fisher, and with input from our stakeholders, MSDE will design an approach for addressing the social-emotional needs of mathematics learners with disabilities during mathematics instruction and across the school day as appropriate.

**Does the State intend to continue implementing the SSIP without modifications? (yes/no)**

NO

**If no, describe any changes to the activities, strategies or timelines described in the previous submission and include a rationale or justification for the changes.**

In Phase 1 of the SSIP the MSDE gathered stakeholders to examine a variety of student data, state indicator data, and input from a mixture of focus groups (advocates, LSS representatives, technical assistance partners, family members), resulting in agreement that math achievement was a priority area to address, and should become the State's State-Identified Measurable Result (SiMR) with a focus on grades 3 through 5. The MSDE then provided professional development workshops and coaching from national math experts to build instructional capacity of state and local coaches and provided technical assistance to support LSSs to: a) design or select their elementary math intervention based on research, b) implement the practice, c) use a team-based continuous improvement cycle with a focus on fidelity data, and d) expand local training and coaching across elementary schools. Despite the relatively high levels of teacher implementation with fidelity, the following problems have been identified:

- The design or selection of the math evidence-based practice (EBP) and measures of fidelity were created locally and not through an agreed-upon criteria. With limited math materials for screening, progress monitoring, and intervention compared to reading, (Fuchs, undated) each district designed their own EBP and created a fidelity of implementation measure. Each district used a different math curriculum and designed a slightly different approach to intervention and specially designed instruction (SDI). There is a need for a replicable, well-defined approach to evidence-based core math instruction coupled with a replicable, well-defined approach for selecting or designing math interventions with specially designed instruction to respond to the unique needs of learners with disabilities.
- The professional development model initially provided to participating LSSs also offered a coaching component through follow up grants. Local instructional coaching, however, varied across districts without a clear link to evidence-based coaching practices. There is a need to establish protocol and practice that is based on research for effective professional learning and coaching to sustain implementation with fidelity and continuously improve implementation.
- The return of students to school post-covid restrictions resulted in a higher level of behavioral challenges from children who forgot how to "do school" or who were in K through 1st grade, transitioning to middle school, or transitioning to high school and had not had a solid structured educational experience that prepared them for a whole new way of teaching and learning methods. Social-emotional supports and affirming asset-based instruction has become recognizes as critical to support children's participation in learning activities, especially for those with disabilities.

MSDE has successfully applied for, and received, a State Personnel Development Grant that is specifically designed to address the SiMR, but with more highly structured strategies, fidelity measures, and PL/Coaching model that can be consistently applied across 2 school districts to improve student learning and demonstrate connections between teaching with evidence-based practices (both specially designed mathematics instruction and social-emotional support strategies). Rather than having districts design their math interventions, the work of the SPDG is to use national experts and research, with input from stakeholders including LEAs, to design practices that would be implemented with fidelity. A coaching model is being designed for implementation in FFY 23 and 24 that will be piloted and refined for replication across the State. Organizational structures that need to accompany professional learning will be addressed, such as: systems for using student data to analyze intervention needs, design of an integrated system of math and SEL supports that include the necessary, ongoing collaborative planning using continuous improvement cycles, and school schedules that allow for collaborative planning time and direct instruction in the needed dose and intensity for learners with disabilities.

**Section C: Stakeholder Engagement**

**Description of Stakeholder Input**

The IDEA requires each State to establish and operate an advisory panel. In Maryland, this panel is called the Special Education State Advisory Committee (SESAC). Under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents' Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association

Maryland Department of Human Services

Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2021. SESAC members were informed of the Divisions' priorities, including but not limited to the State's SPP/APR and State's Systemic Improvement Plan (SSIP). Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 25, 2023, the draft FFY 2021 APR and data were presented to the SESAC.

In preparation for submission of the FFY 2020-2025 SPP/APR cycle, the MSDE also had discussions about new baselines and targets for APR Indicators, including the State's SSIP, with stakeholders at numerous other State facilitated meetings. These meetings included but are not limited to, the Maryland Chapter of the American Academy of Pediatrics (MDAAP) Monthly Meeting (October 5, 2021), the SICC Meetings (October 7, 2021, and December 2, 2021), the State Implementation Team (SIT) Meeting (October 8, 2021), the Local Directors Hot Topics Webinar (November 10, 2021), the SESAC Meetings (November 17, 2021, and January 28, 2022), and the Early Childhood Hot Topics and Funding Webinar (December 1, 2021). The December 2, 2021, SICC meeting and January 28, 2022, SESAC meeting included full presentations of APR data as well as information on setting new targets for the FFY 2020 - FFY 2025 APRs. Both of these meetings allowed for significant input from the public. Past performance for each indicator was presented, along with proposed revised baselines and targets (for applicable indicators). Possible targets were suggested based on patterns of performance from previous years. DEI/SES staff was available to answer methodological or procedural questions related to the indicators and discussed priorities of the State, specific to each indicator.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC, SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Feedback from stakeholders was received through January 10, 2022.

During the FFY 2020 APR Clarification Period, a second Part B SPP/APR Stakeholder Survey was disseminated to Part B stakeholders. This Survey was intended to obtain stakeholder feedback on Indicators 3A, 3B, 3C, and 3D, since assessment data were not available prior to March 2020 (after the initial APR submission period), as well as for Indicators 5 and 6, since the state was not aware that it was required to reset its baseline for these Indicators for FFY 2021. Stakeholder feedback was obtained through April 22, 2022 and targets were revised as appropriate based on Stakeholder feedback. After all surveys were collected and analyzed, revisions to MSDE-proposed targets were made and the final proposed targets were provided/presented to the SICC, SESAC, and other stakeholders. These targets were ultimately included in the FFY 2020 APR.

In preparation for its FFY 2021 APR submission, the State provided numerous opportunities to obtain stakeholder input on its data analysis, evaluating progress on targets, and improvement strategies. For example the MSDE, DEI/SES engages local leaders in Conversations for Solutions meetings 3 to 4 times per year. Meetings were held in August 2021, August 2022, and December 2022. Similarly, the DEI/SES obtained stakeholder feedback during each SESAC and Education Advocacy Coalition (EAC) Meeting, which both occur every other month.

Because the State is proposing a new baseline and targets for Indicator #2 in FFY 2021, consistent with the APR reporting requirements, the State obtained feedback on its proposal at a December 14, 2022 Conversations for Solutions Meeting (which included early intervention and special education leadership from across Maryland, as well as parents and other stakeholder representatives) and the January 25, 2022 SESAC Meeting. Targets were revised as appropriate based on Stakeholder feedback and the final proposed targets are included in the the FFY 2021 submission.

As required, the State revised Indicator 3A Assessment Participation targets to match the ESEA requirement of at least 95%. Stakeholders were informed of this revision during the opportunities for stakeholder feedback mentioned above and were supportive of this revision.

For FFY '21, stakeholder engagement occurred through the States Special Education State Advisory Committee (SESAC). The IDEA requires each State to establish and operate an advisory panel (SESAC) which, under federal law, students with disabilities and families of students with disabilities must comprise at least 50 percent of the committee's membership. The purpose of the committee is to advise the State on unmet needs of students with disabilities, including the development of evaluations, reports, and/or corrective action plans in response to federal monitoring, and implementing policies and procedures to coordinate services for students with disabilities. Members must be individuals with disabilities or parents of students, ages birth through 21, with disabilities. Maryland's SESAC is comprised of the following strong community stakeholders:

- 18 Parent Members
- Juvenile Services Education
- The Parents' Place of Maryland
- Maryland Higher Education Commission
- 4 LEA Representatives (administrators, service providers, etc.)
- Maryland Association of Nonpublic Special Education Facilities
- Maryland Department of Labor
- Maryland Department of Disabilities
- Maryland Developmental Disabilities Council
- Division of Rehabilitation Services/Department of Disabilities
- The ARC of Maryland
- Title I-Program Improvement & Family Support, MSDE
- Maryland State Education Association
- Maryland Department of Human Services
- Division of Early Intervention/Special Education Services, MSDE

The Assistant State Superintendent of DEI/SES met with the SESAC during all five meetings during FFY 2020. SESAC members were informed of the Divisions' priorities, including but not limited to the State's APR and SSIP. Throughout FFY 2021, 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, preschool coordinators/directors, and local special education directors. During the reporting period, updates on SPP/APR federal reporting requirements and State and local performance data were provided at SESAC meetings. On January 28, 2022, the draft FFY 2020 APR and data were presented to the SESAC.

In addition to meetings, the MSDE created two initial SPP/APR Stakeholder Surveys (one for Part B and one for Part C) to obtain stakeholder feedback regarding proposed SPP/APR targets. Target Surveys were provided broadly to stakeholders of the early intervention and special education system in Maryland, including the LITP Directors, Local Preschool Coordinators, Local Special Education Directors, Parents Place of Maryland (PPMD), SICC,

SESAC, and Education Advocacy Coalition (EAC). Each individual/agency was asked to disseminate the surveys to their stakeholders as well, thus ensuring the State obtained as much feedback from stakeholders as possible. Like previous years, parents responding to both surveys provided low responses to issues of training or support. In addition, parents of students in preschool responded less favorably to receiving information about community services and supports. Parents of school-age students responded less favorably to the school providing them information on agencies that can assist their child in transition from school, providing information about organizations that support parents of students with disabilities, and explaining what options parents have if they disagree with the decision made by a school.

In FFY '22, the MSDE created a Stakeholder Advisory Group (SAG) specifically aligned to the work of the SSIP through SPDG funding. This group, after a launch in November 2021, began interactive half-day quarterly meetings in which they learned, advised, and made specific recommendations on:

- Recruitment, readiness, and selection criteria for applicant LEAS who wanted to join the work to address the SiMR.
- Family partnership strategies focused specifically on engagement in their child's learning of mathematics concepts.
- Incorporating social-emotional learning strategies into instruction using the Frey, Fisher, and Smith book: All learning is social and emotional (2019).
- Designing and clarifying the framework and practices for evidence-based mathematics instruction that would serve as the basis for implementation in target schools.

Members of the SAG include approximately 25 regularly attending representatives from:

- MSDE Assistant State Superintendents and Division staff (special education, data/evaluation, teaching and learning)
- Maryland Coalition for Inclusive Education
- Parents' Place of Maryland
- MD Developmental Disabilities Council
- Kennedy Krieger Institute
- National Experts in math, SEL, and professional learning
- Towson University
- LEAs: Baltimore County and Howard County

**Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

In each of the SAG half-day meetings, approximately 1/3 of the time is spent on learning through presentation/discussion with the SPDG Co-Principal Investigator and/or national experts (e.g., Doug Fisher, Jenny Root, Tom Guskey and more). The content of learning is components of implementation science (e.g., understanding fidelity or practice profiles), mathematics or SEL evidence-based practices, etc. in order for members to make informed recommendations. Approximately 1/3 of the time is devoted to small group problem-solving, and 1/3 of the time devoted to recommendations and next steps. These discussions have been very helpful in the LEA recruitment/selection process, decisions about implementation and family engagement, and in assisting MSDE staff in prioritizing the work.

In addition, members of the SAG participate in one of the following Design/Focus groups that meet between SAG meetings to design the EBPs and content in fidelity of implementation measures:

- Mathematics/Specially Designed Instruction
- Social-Emotional Learning
- Professional Learning/Coaching

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

NO

**Additional Implementation Activities**

**List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

With a greater emphasis on the role of the university in teacher preparation, it is anticipated that Towson University can take a larger role in support of local school systems and can become a university model for integrating specially designed instruction with standards-based mathematics instruction with embedded social-emotional supports. This will be the work of the Stakeholder Advisory Group, Design Team and focus groups are ongoing.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

Timelines have been adjusted to reflect ongoing implementation actions.

By the end of the 2023, the SPDG Design Team, with input from Stakeholders and focus group members, will identify and design the EBPs associated with evidence-based specially designed math instruction and social-emotional supports, as measured by Stakeholders' ratings of identified EBPs as a 4 out of 5 on a scale (very low – very high) quality, usefulness, relevance, and evidence-based.

By the end of the 2023, the SPDG Design Team, with input from Stakeholders and focus group members, will define and establish the fidelity of implementation of EBP measures associated with specially designed math instruction and social-emotional supports, as measured by ratings of identified EBPs as a 4 out of 5 on a scale (very low – very high) quality, usefulness, relevance, and evidence-based.

By the end of the 2023, the SPDG Design Team, with input from Stakeholders and focus group members, will revise the specially designed math and SEL EBP process based on implementation fidelity and coaching input, as measured by a 4 out of 5 QUR rating on a 1 – 5 scale) by teacher implementers.

By the end of the 2024, Towson University faculty will have embedded EBP in math SDI and SEL practices in special education teacher preparation coursework, as measured by 60% fidelity in Year 2, and 70% fidelity in Year 3 and 4, and 80% in Year 5.

By the end of Years 2022 - 2026, participants receiving PL services from PL implementers (University, State, and local) will demonstrate a 25% increase in knowledge as measured by pre-post course/PL activity assessments.

By the end of the 2026, all general and special education elementary teachers participating in professional learning and coaching activities will demonstrate improved implementation of math and SEL EBPs as measured by 60% fidelity in Year 2, 70% fidelity in Year 3 and 4, and 80% in Year 5.

**Describe any newly identified barriers and include steps to address these barriers.**

N/A

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

N/A

**17 - Prior FFY Required Actions**

None

**17 - OSEP Response**

The State did not provide FFY 2021 data for this Indicator; However, the State provided data for Indicator 3 using EdFacts FS175 - Academic Achievement in Mathematics, which is the same data source. The State must provide data for FFY 2021, as required by the Measurement Table.

**17 - 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:**

Brian Morrison

#### **Title:**

Branch Chief, Policy and Accountability

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#### **Submitted on:**

04/27/23 1:08:47 PM