

200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. David Cox Superintendent Allegany County Public Schools P. O. Box 1724 Cumberland, MD 21502

Dear Dr. Cox:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Allegany County Public Schools (ACPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the ACPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

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Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the ACPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

narcella E. Franczkowski

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR/cc Attachments

c: Lillian M Lowery, Ed.D.Jack R. Smith, Ph.D.

Sheree Witt Branch Chiefs

# Allegany County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                     |                           | FFY 20  | 12 (SFY 20 | 113) Part I | FFY 2012 (SFY 2013) Part B Indicators   |          |                  |
|----|--|---------------------|---------------------------|---------|------------|-------------|---|----------|------------------|
|    | 1 000  |                     |                           |         | FFY 2012   |             |   | Previous | Previous Results |
| Re | SPP/APR Indicators Results Indicator Compliance Indicator                      | dicator             | rS<br>nce Indicator       | State   | Local      | Target      | Action Required   | FFY      | FFY              |
|    |  |                     | under minute and          | Target  | Results    | Met         |   | 2010     | 2011             |
| -  | Students with IEPs graduating with a   | 4 year cohort       | cohort                    | ≥ 81.5% | 20.69%     | No          | Data does not meet the State's target for the 4 and 5 year cohort. Continue to implement                      | <        | 69.62%           |
| -  | regular diploma  | 5 year cohort       | cohort                    | ≥ 84.4% | 24.00%     | No          | Master Plan Improvement Strategies.   | <        | 70.51%           |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | Iroppin             | g out                     | < 3.27% | 5.34%      | No          | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i><br>Improvement Strategies. | ≥ 3.00%  | <3.00%           |
| \c | State Assessment:<br>AMO for disability  | AMO fc              | AMO for Reading           | Meets   | Not Met    | No          | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i>                            | <        | Met              |
| 5  | subgroup in the<br>LEA   | AMO fc              | AMO for Mathematics       | Meets   | Not Met    | No          | Improvement Strategies.   | <        | Met              |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | articipa<br>ades in | ation rates of<br>the LEA | > 95%   | Met        | Yes         | Data meets the State's target. No required action.  | ≥ 95%    | ≥ 95%            |
|    | State Assessment:  | c                   | Mathematics               | 95.22%  | 63.50%     | No          | Data does not meet the State's target.  | 75.42%   | 81.67%           |
|    | Proficiency rate for   | n                   | Reading                   | 94.55%  | 73.91%     | No          | Continue to implement Master Plan   | 78.81%   | 72.50%           |
|    | children with IEPs   | ,                   | Mathematics               | 95.19%  | 82.40%     | No          | Improvement Strategies.   | 78.57%   | 83.48%           |
|    | against grade  | 4                   | Reading                   | 96.15%  | 83.20%     | No          |   | 83.19%   | 82.61%           |
|    | level, modified and  | ш                   | Mathematics               | 94.13%  | 26.07%     | No          |   | 65.38%   | 83.16%           |
|    | alternate academic   | n                   | Reading                   | 95.23%  | 81.31%     | No          |   | 82.86%   | 74.74%           |
| 26 | achievement  | ų                   | Mathematics               | 93.12%  | 23.66%     | No          |   | 64.29%   | 29.76%           |
| 20 | stalldalds   | p                   | Reading                   | 95.50%  | 62.65%     | No          |   | 58.16%   | 65.43%           |
|    |  | 7                   | Mathematics               | 92.83%  | 51.39%     | No          |   | 60.42%   | 58.33%           |
|    |  | `                   | Reading                   | 95.25%  | 68.92%     | No          |   | 66.32%   | 69.51%           |
|    |  | ٥                   | Mathematics               | 92.64%  | 33.77%     | No          |   | 26.37%   | 56.18%           |
|    |  | 0                   | Reading                   | 94.82%  | 44.87%     | No          |   | 43.33%   | 40.45%           |
|    |  | υ                   | Mathematics               | 91.22%  | 22.73%     | No          |   | 47.73%   | 25.00%           |
|    |  | 2                   | Reading                   | 93.17%  | 21.05%     | No          |   | 30.21%   | 19.57%           |

^Data calculation change; data not comparable to FFY 2011 data

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|      |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators  |                  |                |
|------|---|--|----------|------------|------------|--|------------------|----------------|
|      |   |  |          | FFY 2012   | ,          |  | Provious Recults | Roenite        |
| on [ | SPP/APR Indicators                                | dicators   | State    | Local      | Target     | Action Required  | FFY              | FFY            |
| INC  |   | compnance marcator   | Target   | Results    | Met        |  | 2010             | 2011           |
| 44   | Multiple suspension vs. nondisabled               | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled                           | < 2.0    | 2.75*      | Yes        | Data meets the State's target. No required action.                             | 00:00            | 2.47*          |
| V    | Single suspensions ( vs. nondisabled              | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*             | < 2.0    | 0.00       | Yes        | Data meets the State's target. No required action.                             | 00:00            | 0.00           |
|      | Discrepancy                                       | Amer Indian/Alaska Native  | < 2.0    | 00.00      | Yes        | No significant discrepancy. No required  | 0.00             | 0              |
|      | (≥2.0) in the rate                                | Asian  | < 2.0    | 0.00       | Yes        | action.  | 0.00             | 0              |
|      | of suspensions and                                | Black or African American  | < 2.0    | 8.62*      | Yes        |  | 0.00             | 4.29*          |
|      | expulsions of                                     | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00             | 0              |
| 48   | students With IEPs                                | White  | < 2.0    | 2.45*      | Yes        |  | 0.00             | 2.12*          |
|      | by race/eumouty                                   | 2 or more races  | < 2.0    | 4.79*      | Yes        |  | 0.00             | 11.4*          |
|      | Discrepancy exists                                | Hispanic   | < 2.0    | 0.00       | Yes        |  | 00.00            | 0              |
|      | in the category                                   | Policies/ procedures/<br>practices contribute to the                                   | No       | S          | Yes        |  | No               | o <sub>N</sub> |
|      | N size is < 30*                                   | discrepancy.   |          |            |            |  |                  |                |
| 5A   | Student aged 6-21 whos<br>the day (MD SSIS LRE A) | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)                     | ≥ 63.11% | 82.55%     | Yes        | Data meets the State's target.  No required action.                            | 82.13%           | 81.65%         |
| 58   | Students aged 6-21 who<br>the day (MD SSIS LRE C) | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)                    | < 15.11% | 7.94%      | Yes        | Data meets the State's target.<br>No required action.                          | 8.07%            | 7.99%          |
| 2C   | Students aged 6-21 v<br>public/private day a      | Students aged 6-21 whose LRE is separate public/private day and residential facilities | ≥ 6.22%  | 5.32%      | Yes        | Data meets the State's target.<br>No required action.                          | 5.98%            | 5.78%          |
| 6A   | Aged 3-5 LRE: Regular Early Childhood             | ral racilities<br>ir Early Childhood   | > 64.1%  | 77.08%     | Yes        | Data meets the State's target.   | ٥                | 81.29%         |
| 68   | Aged 3-5 LRE: Separate School or Class            | ate School or Class  | ≤ 19.1%  | 1.39%      | Yes        | Data meets the State's target. No required action.                             | ٥                | 2.16%          |
| 7.0  | Age 3-5 Outcomes:<br>Use of social –              | 1. Exits with substantial growth   | ≥ 68.3%  | 27.6%      | No         | Data does not meet the State's target in Category 741 and 742 Improvement Plan | 41.9%            | 70.00%         |
| 4    | emotional skills                                  | 2. Exits within age expectations   | ≥ 73.5%  | 70.4%      | No         | required.  | 26.0%            | 74.60%         |

 $4\Delta$  Data not required to be submitted to OSEP.

|    |   |   | FFY 20     | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                    |                  |            |
|----|---|---|------------|------------|------------|--|------------------|------------|
|    | SPP/APR Indicators  | dicators  |            | FFY 2012   |            | Action Required  | Previous Results | Results    |
| Re | Results Indicator Con   | Compliance Indicator  | State      | Local      | Target     |  | FFY              | FFY        |
|    |   |   | Target     | Results    | Met        |  | 2010             | 2011       |
| 70 | Age 3-5 Outcomes:<br>Use of knowledge                                   | 1. Exits with substantial growth  | > 68.6%    | 61.4%      | No         | Data does not meet the State's target in                 | 43.9%            | 73.91%     |
| 9/ | and skills  | 2. exits within age expectations  | ≥ 59.3%    | 57.4%      | No         | required.  | 44.0%            | 68.25%     |
| 75 | Age 3-5 Outcomes:<br>Use of appropriate                                 | 1. Exits with substantial growth  | ≥ 63.7%    | 20.0%      | No         | Data does not meet the State's target in                 | 25.7%            | 62.79%     |
| 2  | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 25.6%      | No         | required.  | 38.0%            | %29.99     |
|    | Parent Survey   | Age 3-5   | 40.0%      | 33.0%      | No         | Data does not meet the State's target for                | 20%              | 48.0%      |
| 8A |   | Age 6-21  | 38.0%      | 41.0%      | Yes        | age 3-5. Data does meet the State's target for age 6-21. | 36%              | 40.0%      |
|    | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 1.11       | Yes        | No significant disproportionate                          | 0.82             | 0.92       |
|    | representation  | Asian   | < 2.0      | 0.62       | Yes        | representation. No required action.                      | 0.69             | 99.0       |
|    | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.20       | Yes        |  | 1.29             | 1.14       |
|    | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.00       | Yes        |  | 0.00             | 00.00      |
|    | groups as a result  | White   | < 2.0      | 96.0       | Yes        |  | 1.01             | 0.40       |
|    | of inappropriate  | 2 or more races   | < 2.0      | 1.00       | Yes        |  | 0.93             | 1.01       |
| 6  | Identification  | Hispanic  | < 2.0      | 0.86       | Yes        |  | 0.54             | 0.84       |
|    | Disproportionate representation exits in the category.                  | Disproportionate representation is due to inappropriate identification                      | No<br>(%0) | No<br>(%0) | Yes        |  | 0N<br>(%0)       | No<br>(0%) |
|    | N size is < 30*   |   |            |            |            |  |                  |            |
|    |   |   |            |            |            |  |                  |            |
|    | Percentage of students with written                                     | nts with written  |            |            | 17.00      | Substantially compliant. Data verified. No               |                  |            |
| #  | parental consent to evaluate who were evaluated within 60 calendar days | evaluate who were calendar days   | 100%       | 99.70%     | o<br>N     | required action.   | 99.32%           | 94.64%     |
| 12 | Eligible children exiti<br>an IEP in effect by the                      | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes        | Compliant. Data verified. No required action.            | 100%             | 100%       |
|    |   |   |            |            |            |  |                  | -          |

Previous Results

**Action Required** 

FFY 2012 (SFY 2013) Part B Indicators

FFY 2012

Target Met

Local Results

State Target

SPP/APR Indicators
Results Indicator Compliance Indicator

Percentage of youth age 16 and above whose IEP meets secondary transition

100%

Compliant

Compliant. No required action. Compliant. No required action.

Yes

100%

100%

State reported data are timely and accurate

Timely correction of noncompliance

15 20

requirements

13

Yes

100%

100%

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

FFY 2011

FFY 2010

| ب   |
|-----|
| NA  |
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| 4dr |
| 4/1 |
| 3/1 |
|     |

|   | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                             |
|---|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|   | FFY 2012 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 1.94                               | 0.00                    | 0.00                                | 0.00   | 2.31*                         | No significant disproportionate representation |
|   | representation  | Asian  | 0.00                       | 0.72                               | 0.00                    | 0.58                                | 6.05*  | 0.00                          | exists. No action                              |
|   | (≥ 2.0) in<br>disability<br>categories by<br>race as a result of<br>inappropriate<br>identification | Black/African<br>American  | 1.60                       | 0.96                               | 3.82*                   | 0.70                                | 0.40   | 1.46                          | required.                                      |
| 0 |   | Native<br>Hawaiian/<br>Pacific Islander                                | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|   | lucitinication  | White  | 0.59                       | 1.15                               | 0.37                    | 1.50                                | 1.45   | 0.89                          |  |
|   |   | 2 or more races  | 1.08                       | 0.74                               | 0.27                    | 1.79                                | 0.51   | 1.29                          |  |
|   | Disproportionate  | Hispanic   | 1.65                       | 0.93                               | 0.77                    | 0.73                                | 0.00   | 0.82                          |  |
|   | representation<br>exists<br>N size is < 30°   | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |  |

|    |   | FF'  | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate                    | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 1.55                               | 0.00                    | 0.00                                | 0.00   | 2.08*                         | NA                 |
|    | representation  | Asian  | 1.22                       | 0.43                               | 0.00                    | 0.69                                | 3.64*  | 0.00                          |                    |
|    | (≥ 2.0) in disability                                 | Black/African<br>American  | 2.09*                      | 1.33                               | 2.39*                   | 0.44                                | 0.38   | 1.39                          |                    |
|    | categories by race<br>as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification  | White  | 0.41                       | 1.02                               | 0.87                    | 1.84                                | 2.08   | 0.90                          |                    |
|    |   | 2 or more races  | 0.48                       | 0.82                               | 0.83                    | 1.62                                | 0.63   | 1.37                          |                    |
|    | N size is < 30*                                       | Hispanic   | 1.21                       | 0.63                               | 0.00                    | 1.04                                | 0.00   | 0.87                          |                    |
|    | Disproportionate representation exists.               | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

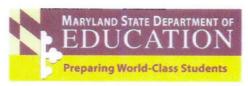
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Ms. Mamie J. Perkins Interim Superintendent Anne Arundel County Public Schools 2644 Riva Road Annapolis, MD 21401

Dear Ms. Perkins:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention." or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Anne Arundel County Public Schools (AACPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the AACPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Ms. Perkins March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the AACPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/

Early Intervention Services

Marcella & Francykowski

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Mary Tillar Branch Chiefs

# Anne Arundel Co. Annual Data Rpt FFY 2012

# Anne Arundel County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                     |                           | FFY 20  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators  |          |                  |
|----|--|---------------------|---------------------------|---------|------------|------------|--|----------|------------------|
|    | CBD / A DD 120   | 18001               |                           |         | FFY 2012   |            |  | Previous | Previous Results |
| R. | SPF/AFR Indicators  Results Indicator  | omnlia              | rs<br>neo Indicator       | State   | Local      | Target     | Action Required  | FFY      | FFY              |
|    | estites muncator   | ompua               | nce marcaron              | Target  | Results    | Met        |  | 2010     | 2011             |
|    | Students with IEPs   | 4 year              | 4 year cohort             | ≥ 81.5% | 53.79%     | No         | Data does not meet the State's target for  | <        | 49.27%           |
| П  | regular diploma  | 5 year              | 5 year cohort             | ≥ 84.4% | %60.09     | No         | the 4 and 5 year conort. Continue to implement <i>Master Plan</i> Improvement Strategies.        | <        | 56.11%           |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | Iroppin             | g out                     | < 3.27% | 5.70%      | No         | Data does not meet the State's target. Continue to implement Master Plan Improvement Strategies. | 5.74%    | 7.49%            |
| 3A | State Assessment:<br>AMO for disability  | AMO fe              | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State's target. Continue to implement Master Plan                         | <        | Not Met          |
|    | subgroup in the<br>LEA   | AMO fo              | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.  | <        | Met              |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | articipa<br>ades in | ation rates of<br>the LEA | ≥ 95%   | Met        | Yes        | Data meets the State's target. No required action.   | > 95%    | ≥ 95%            |
|    | State Assessment:  | ď                   | Mathematics               | 95.22%  | 63.03%     | No         | Data does not meet the State's target.   | 74.22%   | 70.52%           |
|    | Proficiency rate for   | ,                   | Reading                   | 94.55%  | 72.41%     | No         | Continue to implement Master Plan  | 77.25%   | 74.65%           |
|    | children with IEPs   | 4                   | Mathematics               | 95.19%  | 69.34%     | No         | Improvement Strategies.  | 76.88%   | 77.98%           |
|    | against grade  |                     | Reading                   | 96.15%  | 75.81%     | No         |  | 75.19%   | 76.53%           |
|    | ievei, modified and  | и                   | Mathematics               | 94.13%  | 61.99%     | No         |  | 67.38%   | 69.27%           |
|    | arternate academic   | ,                   | Reading                   | 95.23%  | 75.00%     | No         |  | 79.83%   | 76.91%           |
|    | standards  | y                   | Mathematics               | 93.12%  | 39.26%     | No         |  | 26.08%   | 58.48%           |
|    | 550000000000000000000000000000000000000  | ,                   | Reading                   | 95.50%  | 55.84%     | No         |  | 29.50%   | 61.62%           |
|    |  | 7                   | Mathematics               | 92.83%  | 48.19%     | No         |  | 49.24%   | 58.14%           |
|    |  |                     | Reading                   | 95.25%  | 61.12%     | No         |  | 60.04%   | 54.45%           |
|    |  | ×                   | Mathematics               | 92.64%  | 26.00%     | No         |  | 38.83%   | 43.38%           |
|    |  | ,                   | Reading                   | 94.82%  | 49.45%     | No         |  | 63.84%   | 55.94%           |
|    |  | H                   | Mathematics               | 91.22%  | 57.81%     | No         |  | 52.45%   | 53.89%           |
|    |  | 2                   | Reading                   | 93.17%  | %08.09     | No         |  | 62.50%   | 59.02%           |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

|     |   |   | FFV 2.0  | 12 (SEV 20 | 113) Part B | FFV 2012 (SFV 2013) Part B Indicators                                      |                |      |
|-----|---|---|----------|------------|-------------|--|----------------|------|
|     |   |   |          |            | a am i for  | mentantal 3  |                |      |
|     | SPD/APR Indicators  | dicatore  |          | FFY 2012   |             |  | Previous       | (COL |
| Re  | Results Indicator Co  | Compliance Indicator  | State    | Local      | Target      | Action Required  | FFY            |      |
|     |   |   | ıaığıı   | RESUITS    | iviet       |  | 2010           |      |
| <   | Multiple suspensions ( > 10 days ): vs. nondisabled N size is         | s ( > 10 days ): Disabled<br>N size is < 30*                                      | < 2.0    | 0.31       | Yes         | Data meets the State's target. No required action.                         | 0.00           |      |
| Į,  | Single suspensions (<br>vs. nondisabled                               | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*        | < 2.0    | 1.28       | Yes         | Data meets the State's target. No required action.                         | 00.00          | 1    |
|     | Discrepancy   | Amer Indian/Alaska Native   | < 2.0    | 0.00       | Yes         | No significant discrepancy. No required                                    | 00.00          |      |
|     | (≥2.0) in the rate  | Asian   | < 2.0    | 0.00       | Yes         | action.  | 00.00          |      |
|     | of suspensions and  | Black or African American   | < 2.0    | 1.20       | Yes         |  | 00.00          |      |
|     | expulsions of   | Native Haw/Pacific Islander   | < 2.0    | 0.00       | Yes         |  | 00.00          |      |
| 48  | students with IEPs  | White   | < 2.0    | 0.28       | Yes         |  | 00.00          |      |
| !   | by race/ethnicity   | 2 or more races   | < 2.0    | 1.33       | Yes         |  | 0.00           |      |
|     | N size is < 30*   | Hispanic  | < 2.0    | 0.38       | Yes         |  | 0.00           | ı    |
|     |   | Policies/ procedures/   |          |            |             |  |                |      |
|     | Discrepancy exists in the category                                    | practices contribute to the discrepancy.  | No       | No         | Yes         |  | o <sub>N</sub> |      |
| 5A  | Student aged 6-21 whose LRE is $\geq$ 80% of the day (MD SSIS LRE A)  | hose LRE is ≥ 80% of<br>E A)  | ≥ 63.11% | 71.71%     | Yes         | Data meets the State's target. No required action.                         | %98.29         |      |
| 5B  | Students aged 6-21 who the day (MD SSIS LRE C)                        | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)                  | < 15.11% | 10.71%     | Yes         | Data meets the State's target. No required action.                         | 12.44%         |      |
|     | Students aged 6-21 v  | Students aged 6-21 whose LRE is separate  |          |            |             | Data does not meet the State's target.                                     |                | 1    |
| 20  | public/private day and residenti<br>and home and hospital facilities  | public/private day and residential facilities<br>and home and hospital facilities | ≤ 6.22%  | 6.77%      | No          | Improvement Plan required.   | 6.23%          |      |
| 6A  | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day | ır Early Childhood<br>of the day  | ≥ 64.1%  | 41.68%     | No          | Data does not meet the State's target. Improvement Plan required.          | ۵              |      |
| 6B  | Aged 3-5 LRE: Separate School or Class                                | ite School or Class   | ≤ 19.1%  | 25.99%     | No          | Data does not meet the State's target.<br>Improvement Plan required.       | ◁              |      |
| 7.0 | Age 3-5 Outcomes:<br>Use of social –                                  | 1. Exits with substantial growth  | ≥ 68.3%  | 83.1       | Yes         | Data meets the State's target in category 741 and 742. No required action. | 87.4%          |      |
|     | emotional skills  | 2. Exits within age expectations  | ≥ 73.5%  | 74.1       | Yes         |  | 77.3%          |      |

70.44%

No

11.38%

6.50%

26.66%

26.56%

81.54%

75.63%

Results FFY 2011

0.50

0.82

0.00

0.00 0.28

0.00

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP

|     |   |   | FFY 20  | 12 (SFY 20 | )13) Part B               | FFY 2012 (SFY 2013) Part B Indicators         |          |                  |
|-----|---|---|---------|------------|---------------------------|---|----------|------------------|
|     | SPP/APR Indicators  | dicators  |         | FFY 2012   |                           | Action Required                               | Previous | Previous Results |
| Re  | Results Indicator Co  | Compliance Indicator  | State   | Local      | Target                    |   | FFY      | FFY              |
|     |   |   | Target  | Results    | Met                       |   | 2010     | 2011             |
| 40  | Age 3-5 Outcomes:<br>Use of knowledge                                   | <ol> <li>Exits with substantial<br/>growth</li> </ol>                                       | > 68.6% | 85.5       | Yes                       | Data meets the State's target in category     | 91.8%    | 87.57%           |
| a/  | and skills  | 2. exits within age expectations  | ≥ 59.3% | 69.7       | Yes                       | za and zaz. No required action.               | 77.6%    | 72.86%           |
| 22  | Age 3-5 Outcomes:<br>Use of appropriate                                 | 1. Exits with substantial growth  | ≥ 63.7% | 80.8       | Yes                       | Data meets the State's target in category     | 91.1%    | 84.51%           |
| 2   | behaviors   | 2. Exits within age expectations  | ≥ 66.2% | 78.2       | Yes                       | VCI and VCZ. No required action.              | 81.1%    | 77.39%           |
| 8.0 | Parent Survey   | Age 3-5   | 40.0%   | 45%        | Yes                       | Data meets the State's target in 3-5 and 6-   | 49%      | 51%              |
| 5   |   | Age 6-21  | 38.0%   | 41%        | Yes                       | 21.   | 41%      | 43%              |
|     | Disproportionate  | Amer Indian/Alaska Native   | < 2.0   | 0.73       | Yes                       | Compliant. No significant disproportionate    | 0.85     | 06.0             |
|     | representation  | Asian   | < 2.0   | 0.44       | Yes                       | representation. No required action.           | 0.43     | 0.43             |
|     | (≥ 2.0) in special  | Black, African American   | < 2.0   | 1.57       | Yes                       |   | 1.55     | 1.55             |
|     | education of racial   | Native Haw/Pacific Islander   | < 2.0   | 0.95       | Yes                       |   | 0.64     | 1.10             |
|     | groups as a result  | White   | < 2.0   | 0.81       | Yes                       |   | 0.81     | 0.81             |
|     | or mappropriate   | 2 or more races   | < 2.0   | 0.90       | Yes                       |   | 0.88     | 0.89             |
| 6   | identification  | Hispanic  | < 2.0   | 0.78       | Yes                       |   | 0.75     | 0.76             |
|     | N size is < 30*   | Disproportionate representation is due  |         |            |                           |   |          |                  |
|     | Disproportionate representation exits in the                            | to inappropriate<br>identification  | 0%)     | No<br>(0%) | Yes                       |   | 0W)      | No<br>(%0)       |
|     | category  |   |         |            |                           |   |          |                  |
|     |   |   | 드       | dicator 1  | Indicator 10 on last page | page  |          |                  |
|     | Percentage of students with written                                     | its with written  | ,000    | 0          |                           | Substantially compliant. Data verified. No    |          |                  |
| =   | parental consent to evaluate who were evaluated within 60 calendar days | evaluate who were calendar days   | 100%    | 99.34%     | o<br>N                    | required action.                              | 99.61%   | 99.81%           |
| 12  | Eligible children exiti<br>an IEP in effect by the                      | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%    | 100%       | Yes                       | Compliant. Data verified. No required action. | 100%     | 100%             |

**Previous Results** 

**Action Required** 

FFY 2012 (SFY 2013) Part B Indicators

FFY 2012 Local Results

Target Met

State Target

SPP/APR Indicators
Results Indicator

Percentage of youth age 16 and above whose IEP meets secondary transition

100%

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

Yes

100%

100%

State reported data are timely and accurate

Timely correction of noncompliance

15

requirements

13

2011

FFY 2010 100%

100%

100%

Compliant. No required action. Compliant. No required action.

| υĘ         |
|------------|
| /14        |
| /14        |
| <u>a</u> 3 |
| =          |

|     |   |  | Y 2012 (                   | SFY 2013)                          | Part B I                | ndicators                           |        |                               |   |
|-----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
| Co  | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                      |
|     | Y 2012 results:                                       | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.76                               | 0.61                    | 1.30                                | 1.34   | 0.32                          | Identification procedures compliant. No |
|     | presentation  | Asian  | 0.83                       | 0.26                               | 0.25                    | 0.75                                | 0.89   | 0.20                          | required actions.                       |
| dis | ≥ 2.0) in<br>sability                                 | Black/African<br>American  | 2.21                       | 2.02                               | 2.29                    | 0.99                                | 0.91   | 1.66                          |   |
| ra  | categories by<br>race as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                                   | 0.82                       | 1.05                               | 2.42*                   | 0.96                                | 0.44   | 0.63                          |   |
|     | entification  | White  | 0.57                       | 0.58                               | 0.66                    | 1.04                                | 1.26   | 0.92                          |   |
|     |   | 2 or more races  | 0.48                       | 0.79                               | 1.39                    | 0.80                                | 0.97   | 1.05                          |   |
|     | sproportionate  | Hispanic   | 0.68                       | 1.01                               | 0.32                    | 1.09                                | 0.69   | 0.49                          |   |
| ex  | presentation<br>cists<br>size is < 30*                | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |   |

|    |   | FF'  | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           | 100    | 100                           |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate                    | American<br>Indian/Alaska<br>Native                                    | 2.12                       | 0.64                               | 0.52                    | 1.77                                | 0.80   | 0.84                          | NA                 |
|    | representation  | Asian  | 0.74                       | 0.32                               | 0.19                    | 0.58                                | 0.84   | 0.29                          |                    |
|    | (≥ 2.0) in disability                                 | Black/African<br>American  | 2.16                       | 1.91                               | 2.11                    | 1.05                                | 0.92   | 1.58                          |                    |
| 10 | categories by race<br>as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                                   | 0.76                       | 1.25                               | 1.11                    | 1.26                                | 0.43   | 1.21                          |                    |
| 10 | identification  | White  | 0.57                       | 0.61                               | 0.72                    | 1.02                                | 1.29   | 0.92                          |                    |
|    |   | 2 or more races  | 0.54                       | 0.80                               | 1.49                    | 0.68                                | 0.87   | 1.01                          |                    |
|    | Disproportionate                                      | Hispanic   | 0.66                       | 0.99                               | 0.30                    | 1.11                                | 0.66   | 0.49                          |                    |
|    | representation<br>exists<br>N size is < 30*           | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey -- Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### **Meets Requirements**

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 20, 2014

Ms. Tisha Edwards
Interim Superintendent
Baltimore City Public Schools
200 East North Avenue
Baltimore, MD 21202

Dear Ms. Edwards:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Baltimore City Public Schools (BCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the BCPS has achieved the determination status of "Needs Assistance."

The longstanding determination status of "Needs Substantial Intervention" of the BCPS triggered an increased level of accountability and focused intervention by the MSDE. Through State and local collaboration and with the marked improvement over the past year, the MSDE will provide a targeted level of assistance and support moving forward. The BCPS and the DSE/EIS will jointly develop, implement, and evaluate a comprehensive action plan. Next steps will be identified in the near future.

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- · Increasing parent partnerships.

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Ms. Edwards March 20, 2014 Page Two

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the BCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Marcella E. Francykowski

Marcella E. Franczkowski, M.S.

Assistant State Superintendent

Division of Special Education/ Early Intervention Services

MF/DRR Attachments

Lillian M Lowery, Ed.D.
 Jack R. Smith, Ph.D.

Kimberly Hoffmann

Branch Chiefs

Baltimore City Annual Data Rpt FFY 2012

# Baltimore City Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|     |  |                      | FF                        | Y 2012 (SF | Y 2013) Pa | rt B Comp | Y 2012 (SFY 2013) Part B Compliance Indicators                                   |                  |         |
|-----|--|----------------------|---------------------------|------------|------------|-----------|--|------------------|---------|
|     | Spb /App Inc   |                      |                           |            | FFY 2012   |           |  | Previous Results | Results |
| R   | SFF/APR Indicators Results Indicator Compliance Indicator                      | GICATO               | rs<br>nce Indicator       | State      | Local      | Target    | Action Required  | FFY              | FFY     |
|     |  |                      | The municular             | Target     | Results    | Met       |  | 2010             | 2011    |
|     | Students with IEPs   | 4 year               | 4 year cohort             | ≥ 81.5%    | 42.50%     | No        | Data does not meet the State target for the                                      | <                | 39.22%  |
| -   | graduating with a regular diploma  | 5 year               | 5 year cohort             | ≥ 84.4%    | 50.21%     | No        | 4 and 5 year cohort. Continue to implement . Master Plan Improvement Strategies. | <                | 45.28%  |
| 2   | Students with IEPs dropping out (Annual)                                       | Iroppin              | g out                     | < 3.27%    | 6.01%      | No        | Data does not meet the State target.   | 808.9            | 6.80%   |
|     | )  |                      |                           |            |            | !         | Improvement Strategies.  |                  |         |
| 3.0 | State Assessment:<br>AMO for disability  | AMO f                | AMO for Reading           | Meets      | Not Met    | No        | Data does not meet the State target. Continue to implement Master Plan           | <                | Not Met |
| 5   | subgroup in the<br>LEA   | AMO f                | AMO for Mathematics       | Meets      | Not Met    | No        | Improvement Strategies.  | <                | Not Met |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | ation rates of<br>the LEA | > 95%      | Met        | Yes       | Data meets the State's target. No required action.                               | > 95%            | > 95%   |
|     | State Assessment:  | ٠                    | Mathematics               | 95.22%     | 38.79%     | No        | Data does not meet the State target.   | 52.75%           | 48.38%  |
|     | Proficiency rate for   | n                    | Reading                   | 94.55%     | 20.75%     | No        | Continue to implement Master Plan  | 57.12%           | 55.17%  |
|     | children with IEPs   | _                    | Mathematics               | 95.19%     | 46.16%     | No        | Improvement Strategies.  | 52.39%           | 55.29%  |
|     | against grade  | 4                    | Reading                   | 96.15%     | 51.78%     | No        |  | 58.32%           | 57.93%  |
|     | level, modified and  | L                    | Mathematics               | 94.13%     | 35.25%     | No        |  | 42.50%           | 45.74%  |
|     | alternate academic   | n                    | Reading                   | 95.23%     | 49.73%     | No        |  | 22.90%           | 28.36%  |
| 78  | acnievement  | u                    | Mathematics               | 93.12%     | 27.88%     | No        |  | 37.01%           | 36.97%  |
| 25  | stalldalus   | ٥.                   | Reading                   | 95.50%     | 37.07%     | No        |  | 42.48%           | 40.98%  |
|     |  | 7                    | Mathematics               | 92.83%     | 22.91%     | No        |  | 30.68%           | 28.85%  |
|     |  |                      | Reading                   | 95.25%     | 38.80%     | No        |  | 39.98%           | 35.31%  |
|     |  | o                    | Mathematics               | 92.64%     | 15.56%     | No        |  | 19.63%           | 20.68%  |
|     |  |                      | Reading                   | 94.82%     | 31.88%     | No        |  | 36.36%           | 33.11%  |
|     |  | Ä                    | Mathematics               | 91.22%     | 29.84%     | No        |  | 28.33%           | 28.64%  |
|     |  | 2                    | Reading                   | 93.17%     | 29.92%     | No        |  | 33.99%           | 33.58%  |

^Data calculation change; data not comparable to FFY 2011 data.

|        |   | FFY  |                | Y 2013) P. | art B Comp | 2012 (SFY 2013) Part B Compliance Indicators   |         |                  |
|--------|---|--|----------------|------------|------------|--|---------|------------------|
|        | CDD / ADD In  | disstance  |                | FFY 2012   |            |  | Previou | Previous Results |
| Re     | SFF/AFR IIIdicators Results Indicator Compliance Indicator  | dicators<br>omnliance Indicator  | State          | Local      | Target     | Action Required  | FFY     | FFY              |
|        | counts marcaton   | ompiiance marcavor   | Target         | Results    | Met        |  | 2010    | 2011             |
|        | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0          | 2.77       | No         | Data does not meet the State target. Continue to implement Master Plan                         | 2.88    | 2.13             |
| 4A     | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0          | 2.17       | ON         | Data does not meet the State target. Continue to implement Master Plan Improvement Strategies. | 2.50    | 2.35             |
|        | Discrepancy   | Amer Indian/Alaska Native  | < 2.0          | 3.56*      | Yes        | Significant discrepancy exists. A review of  | 00.00   | 2.79*            |
|        | (≥ 2.0) in the rate   | Asian  | < 2.0          | 1.94       | Yes        | policies, procedures and practices do not  | 0.00    | 0.00             |
|        | of suspensions and  | Black or African American  | < 2.0          | 2.39       | No         | contribute to the significant discrepancy. No  | 2.85    | 2.56             |
|        | expulsions of   | Native Haw/Pacific Islander  | < 2.0          | 00.00      | Yes        | required action  | 00.00   | 0.00             |
| 48     | students with IEPs  | White  | < 2.0          | 1.49       | Yes        |  | 0.00    | 0.65             |
|        | by race/ethnicity   | 2 or more races  | < 2.0          | 0.00       | Yes        |  | 0.00    | 00.00            |
|        | Discrepancy exists  | Hispanic   | < 2.0          | 0.51       | Yes        |  | 0.00    | 00.00            |
|        | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | N <sub>O</sub> |            |            |  | No      | N<br>0           |
| 5A     | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)   | ≥ 63.11%       | 61.85%     | No         | Data does not meet the State target.<br>Improvement Plan required.                             | 53.11%  | 58.11%           |
| 58     | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | ≤ 15.11%       | 18.44%     | No         | Data does not meet the State target.<br>Improvement Plan required.                             | 21.76%  | 20.51%           |
| 2C     | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%        | 8.78%      | No         | Data does not meet the State target.<br>Improvement Plan required.                             | 10.26%  | 9.10%            |
| 6A     | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥64.1%         | 72.48%     | Yes        | Data meets the State's target. No required action.   | ۵       | 65.07%           |
| 6B     | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | <19.1%         | 10.71%     | Yes        | Data meets the State's target. No required action.   | Δ       | 22.20%           |
| 7.0    | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%        | 63.7%      | No         | Data does not meet the State target in   | 50.9%   | 56.41%           |
|        | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%        | %2.99      | No         | improvement activities.  | 57.6%   | 58.55%           |
| A Data | timedia od ot out.  | 0.50   |                |            |            |  |         |                  |

 $\Delta$  Data not require to be submitted to OSEP.

|     |   | FF  | Y 2012 (SF | Y 2013) Pa                | irt B Comp | FFY 2012 (SFY 2013) Part B Compliance Indicators       |          |                  | -                                 |
|-----|---|---|------------|---------------------------|------------|--|----------|------------------|-----------------------------------|
|     | PR  |   |            | FFY 2012                  |            | Action Required  | Previous | Previous Results | -                                 |
| Res | Results Indicator Cor   | Compliance Indicator  | State      | Local                     | Target     |  | FFY      | FFY              |                                   |
|     |   |   | Target     | Results                   | Met        |  | 2010     | 2011             |                                   |
| 0   | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth  | > 68.6%    | %0.09                     | No         | Data does not meet the State target in                 | 45.7%    | 52.99%           | CONTRACTOR OF THE PERSON NAMED IN |
| ٥   | and skills  | 2. exits within age expectations  | > 59.3%    | 51.9%                     | No         | improvement activities.                                | 35.9%    | 44.41%           | the same of the same of           |
| (   | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth  | ≥ 63.7%    | 53.1%                     | No         | Data does not meet the State target in                 | 47.7%    | 57.20%           | SPECIFIC STATE                    |
| ,   | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 29.9%                     | No         | improvement activities.                                | 52.8%    | 57.57%           | Marine Marine                     |
| <   | Parent Survey   | Age 3-5   | 40.0%      | 29.0%                     | No         | Data does not meet the State target.                   | 21%      | 28%              | bear 1 had a second               |
|     |   | Age 6-21  | 38.0%      | 32.0%                     | No         | Improvement Plan required.                             | 39%      | 35%              | and the same                      |
|     | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 0.62                      | Yes        | No significant disproportionate                        | 0.68     | 0.65             |                                   |
|     | representation  | Asian   | < 2.0      | 0.35                      | Yes        | representation. No required action.                    | 0.31     | 0.32             |                                   |
|     | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.16                      | Yes        |  | 1.03     | 1.07             |                                   |
|     | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.13                      | Yes        |  | 0.24     | 0.18             |                                   |
|     | groups as a result  | White   | < 2.0      | 1.28                      | Yes        |  | 1.39     | 1.33             |                                   |
|     | or inappropriate  | 2 or more races   | < 2.0      | 0.64                      | Yes        |  | 0.71     | 0.81             |                                   |
|     | Identification  | Hispanic  | < 2.0      | 0.58                      | Yes        |  | 0.57     | 0.59             |                                   |
|     | Disproportionate representation exits in the category   | Disproportionate representation is due to inappropriate identification                      | 0N)        | 0N<br>(%0)                | Yes        |  | NA       | NA               |                                   |
|     | N size is < 30*   |   |            |                           |            |  |          |                  |                                   |
|     |   |   | -E         | Indicator 10 on last page | 0 on last  | page   |          |                  |                                   |
| -   | Percentage of students with written<br>parental consent to evaluate who were<br>evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days                                      | 100%       | 94.85%                    | No         | Quarter 1 substantially compliant. No required action. | 97.18%   | 97.65%           |                                   |
| 2   | Eligible children exiting Part C at age 3 hav<br>an IEP in effect by the child's 3rd birthday                     | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%                      | Yes        | Compliant. Data verified. No required action.          | 100%     | 100%             |                                   |
|     |   |   |            |                           |            |  |          |                  |                                   |

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|----------|
| 14       |
| $^{'14}$ |
| 3        |
| Final    |

|    | FF  | 7 2012 (SF      | Y 2013) Pa       | irt B Comp    | FFY 2012 (SFY 2013) Part B Compliance Indicators            |                  |             |
|----|---|-----------------|------------------|---------------|---|------------------|-------------|
|    | SPP/APR Indicators  |                 | FFY 2012         |               | Action Required   | Previous Results | Results     |
| Re | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010      | FFY<br>2011 |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | %2'96            | No            | Substantially compliant. Data verified. No required action. | 92.0%            | 88.0%       |
|    | requirements  |                 |                  |               |   |                  |             |
| 15 | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No required action.                              | NC               | < 100%      |
| 20 | State reported data are timely and accurate                               | 100%            | 100%             | Yes           | Compliant. No required action.                              | 100%             | 100%        |

|    |   | FFY 201  | 2 (SFY 20                  | 13) Part I                         | B Compli                | ance Indi                           | cators      |                               |                                 |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|-------------|-------------------------------|---------------------------------|
|    | SPP/APR Indi                                |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism      | Other<br>Health<br>Impairment | Required<br>Action              |
|    | FFY 2012 results: Disproportionate          | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.70                               | 0.18                    | 0.84                                | 1.09        | 0.88                          | No significant disproportionate |
|    | representation                              | Asian  | 0.45                       | 0.36                               | 0.12                    | 0.24                                | 1.28        | 0.20                          | representation                  |
|    | (≥ 2.0) in<br>disability                    | Black/African<br>American  | 1.47                       | 1.55                               | 1.55                    | 0.74                                | 0.00   1.22 | exists. No required action.   |                                 |
| LO | race as a result of inappropriate           | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.17                               | 0.00                    | 0.00                                | 0.00        | 0.39                          |                                 |
| U  | identification                              | White  | 0.90                       | 1.08                               | 1.17                    | 1.45                                | 1.81        | 1.38                          |                                 |
|    |   | 2 or more races  | 1.13                       | 0.18                               | 0.95                    | 0.63                                | 1.17        | 0.41                          |                                 |
|    | Disproportionate                            | Hispanic   | 0.65                       | 0.50                               | 0.23                    | 1.28                                | 0.47        | 0.32                          |                                 |
|    | representation<br>exists<br>N size is < 30* | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |             |                               |                                 |

|    |   | FFY 2011   | (SFY 20                    | 12) Part E                         | Compli                  | ance Indi                           | cators |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind                                 |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
| 10 | FFY 20101results: Disproportionate          | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.81                               | 0.49                    | 0.56                                | 1.12   | 0.91                          | NA                 |
|    | representation                              | Asian  | 0.18                       | 0.22                               | 0.05                    | 0.38                                | 0.97   | 0.13                          |                    |
|    | (≥ 2.0) in disability                       | Black/African<br>American  | 1.14                       | 0.52                               | 1.49                    | 0.41                                | 0.54   | 0.79                          |                    |
|    | categories by race<br>as a result of        | Native Hawaiian/<br>Pacific Islander                                   | 0.59                       | 0.17                               | 0.00                    | 0.00                                | 0.00   | 0.43                          |                    |
| 10 | inappropriate White                         | White  | 0.98                       | 1.10                               | 1.21                    | 1.74                                | 1.93   | 1.42                          |                    |
|    |   | 2 or more races  | 1.46                       | 0.31                               | 1.75                    | 0.29                                | 1.48   | 0.51                          |                    |
|    | Disproportionate                            | Hispanic   | 0.57                       | 0.64                               | 0.19                    | 1.13                                | 0.49   | 0.29                          |                    |
|    | representation<br>exists<br>N size is < 30* | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- · Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

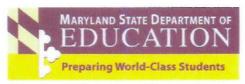
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 20, 2014

Dr. S. Dalias Dance Superintendent Baltimore County Public Schools 6901 Charles Street Towson, MD 21204

Dear Dr. Dance:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Baltimore County Public Schools (BCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the BCPS has achieved the determination status of "Needs Assistance, Year Eight."

For the last consecutive eight (8) years, the BCPS determination status has been "Needs Assistance."

Historically, this represents inconsistent performance and a challenge to sustain targets met. The BCPS and the DSE/EIS will jointly develop, implement, and evaluate a comprehensive action plan that identifies targeted assistance, support, and resources. Next steps will be identified in the near future.

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSF/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- · Increasing parent partnerships.

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Dance March 20, 2014 Page Two

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the BCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Marcella & Francikowski

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.
Jack R. Smith, Ph.D.
Debra Y. Brooks
Branch Chiefs

# Baltimore County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    | . uus  |                      |                           |                 | FFY 2012         | The Life      | FFY 2012   | Previou   | Previous Results |
|----|--|----------------------|---------------------------|-----------------|------------------|---------------|--|-----------|------------------|
|    | SPP/APR Indicators   | dicato               | 118                       |                 |                  |               |  | Licevilli | S Results        |
| Re | Results Indicator Compliance Indicator   | omplia               | nce Indicator             | State<br>Target | Local<br>Results | Target<br>Met | Action Required  | FFY 2010  | FFY 2011         |
|    | Students with IEPs   | 4 year               | 4 year cohort             | > 81.5%         | 58.53%           | No            | Data does not meet the State target for the  | <         | 52.49%           |
|    | regular diploma  | 5 year               | 5 year cohort             | ≥ 84.4%         | 64.39%           | No            | <ul> <li>4 and 5 year cohort. Continue to implement<br/>Master Plan Improvement Strategies.</li> </ul> | <         | 59.32%           |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | droppin              | g out                     | ≤ 3.27%         | 5.32%            | No            | Data does not meet the State target. Continue to implement Master Plan Improvement Strategies.         | 6.39%     | 6.93%            |
| 3A | State Assessment:<br>AMO for disability  | AMO                  | AMO for Reading           | Meets           | Not Met          | No            | Data does not meet the State target. Continue to implement Master Plan                                 | <         | Not met          |
|    | subgroup in the<br>LEA   | AMO                  | AMO for Mathematics       | Meets           | Not Met          | No            | Improvement Strategies.  | <         | Not met          |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | ation rates of<br>the LEA | > 95%           | Met              | Yes           | Data meets the State's target. No required action.   | > 95%     | > 95%            |
|    | State Assessment:  | r                    | Mathematics               | 95.22%          | 62.61%           | No            | Data does not meet the State target.   | 80:69     | 75.47%           |
|    | Proficiency rate for   |                      | Reading                   | 94.55%          | %00.89           | No            | Continue to implement Master Plan  | 73.54%    | 72.33%           |
|    | children with IEPs   | 4                    | Mathematics               | 95.19%          | 71.36%           | No            | Improvement Strategies.  | 73.67%    | 77.29%           |
|    | against grade  |                      | Reading                   | 96.15%          | 73.77%           | No            |  | 74.92%    | 73.80%           |
|    | affernate academic   | r.                   | Mathematics               | 94.13%          | 51.83%           | No            |  | 63.99%    | 74.42%           |
|    | artemate aranemic  | ,                    | Reading                   | 95.23%          | %96.89           | No            |  | 73.43%    | 67.07%           |
| 3C | standards  | 9                    | Mathematics               | 93.12%          | 39.69%           | No            |  | 55.84%    | 55.25%           |
|    |  |                      | Reading                   | 95.50%          | 46.39%           | No            |  | 26.69%    | 51.60%           |
|    |  | 7                    | Mathematics               | 92.83%          | 39.45%           | No            |  | 52.13%    | 51.67%           |
|    |  |                      | Reading                   | 95.25%          | 53.46%           | No            |  | 55.35%    | 51.26%           |
|    |  | oc                   | Mathematics               | 92.64%          | 27.48%           | No            |  | 38.50%    | 54.16%           |
|    |  |                      | Reading                   | 94.82%          | 39.85%           | No            |  | 55.75%    | 38.87%           |
|    |  | H                    | Mathematics               | 91.22%          | 53.58%           | No            |  | 55.08%    | 58.70%           |
|    |  | 2                    | Reading                   | 93.17%          | 53 19%           | No            |  | 1014      | 7000             |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

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|---------------|
| FINAL 3/14/14 |

|     |   |   |                 |                  |               | cional district and a second s |             |                  |
|-----|---|---|-----------------|------------------|---------------|--|-------------|------------------|
|     | CDD / A DD 1m   |   |                 | FFY 2012         |               |  | Previou     | Previous Results |
| Re  | Serry Ark Indicators Results Indicator Compliance Indicator                                       | inicators<br>ompliance Indicator  | State<br>Target | Local<br>Results | Target<br>Met | Action Required  | FFY<br>2010 | FFY 2011         |
| 4A  | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*  | < 2.0           | 2.50             | No            | Data does not meet the State target. Continue to implement Master Plan Improvement Strategies.   | 2.15        | 2.34             |
|     | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*  | < 2.0           | 0.95             | Yes           | Data meets the State target. No required action.   | 2.30        | 1.33             |
|     | Discrepancy   | Amer Indian/Alaska Native   | < 2.0           | 0.00             | Yes           | Significant discrepancy exists. A review of  | 0.00        | 4.25*            |
|     | (≥ 2.0) in the rate   | Asian   | < 2.0           | 0.00             | Yes           | policies, procedures and practices do not  | 0.00        | 0.00             |
|     | of suspensions and  | Black or African American   | < 2.0           | 3.66             | No            | contribute to the significant discrepancy. No  | 3.67        | 3.46             |
|     | expulsions of   | Native Haw/Pacific Islander   | < 2.0           | 00'0             | Yes           | required action.   | 00.0        | 0.00             |
| 48  | students with IEPs  | White   | < 2.0           | 1.14             | Yes           |  | 1.19        | 1.04             |
|     | oy race/etimony   | 2 or more races   | < 2.0           | 0.83             | Yes           |  | 0.00        | 0.93             |
|     | Discrepancy exists  | Hispanic  | < 2.0           | 0.99             | Yes           |  | 0.00        | 2.12**           |
|     | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.  | No              |                  |               |  | No          | No               |
| 5A  | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)   | > 63.11%        | 64.36%           | Yes           | Data meets the State's target. No required action.   | 63.81%      | 63.71%           |
| 58  | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)  | < 15.11%        | 12.07%           | Yes           | Data meets the State's target. No required action.   | 13.82%      | 12.94%           |
| 5C  | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and home and hospital facilities | ≤ 6.22%         | 7.32%            | No            | Data does not meet the State target.<br>Improvement Plan required.   | 7.24%       | 7.36%            |
| 6A  | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day  | ≥64.1%          | 73.38%           | Yes           | Data meets the State's target. No required action.   | ۵           | 59.61%           |
| 68  | Aged 3-5 LRE: Separate School or Class  | ate School or Class   | ≤19,1%          | 12.44%           | Yes           | Data meets the State's target. No required action.   | ۵           | 18.61%           |
| 7.0 | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth  | ≥ 68.3%         | 65.3%            | No            | Data does not meet the State target in   | 69.3%       | 62.33%           |
| 2   | emotional skills  | 2. Exits within age expectations  | > 73.5%         | %9'.29           | No            | improvement activities.  | 69.2%       | 67.37%           |

98.20%

98.67%

Substantially compliant. Data verified. No

Indicator 10 on next page

required action.

No

98.41%

100%

parental consent to evaluate who were

11

evaluated within 60 calendar days

Percentage of students with written

100%

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

Eligible children exiting Part C at age 3 have

an IEP in effect by the child's 3rd birthday

12

61.26%

70.7%

Implement

782.

and

781

category

S

63.6%

≥ 68,6%

1. Exits with substantial

Age 3-5 Outcomes:

Use of knowledge

78

and skills

2. exits within age

growth

expectations

improvement activities

9

58.2%

≥ 59.3%

9

57.1%

≥ 63.7%

1. Exits with substantial

Age 3-5 Outcomes: Use of appropriate

2. Exits within age

growth

expectations

Parent Survey

8A

behaviors

70

Data does not meet the State target in

revious Results

FFY 2012 (SFY 2013) Part B Indicators

FY 2012 Local

SPP/APR Indicators
Results Indicator Compliance Indicator

FFY

58.28%

62.6%

Data does not meet the State target in

category 7C1 and 7C2. Implement

improvement activities.

S

44.0% 40.0% 1.04 0.39

40.0% 40.0% 38.0% < 2.0 < 2.0 < 2.0 < 2.0

57.11%

57.1%

64.10%

65.2%

54%

36%

Data meets the State's target in 3-5 and 6-

Yes Yes Yes

0.38

0.37 1.23 0.91 1.01

representation. No required action.

Yes Yes

0.80

Native Haw/Pacific Islander

education of racial

representation (≥ 2.0) in special

groups as a result

of inappropriate

identification

0

Black, African American

Asian

Amer Indian/Alaska Native

Disproportionate

Age 3-5 Age 6-21 96.0

0.94

< 2.0

2 or more races

White

Hispanic

Yes

0.87

Yes

1.27

No significant disproportionate

21. No required action.

1.01

0.90

0.86

0.83

0.82

0N 0N

ON (%0)

Yes

0%)

0%) (%)

representation is due

to inappropriate

identification

N size is < 30\*

Disproportionate

Disproportionate

representation

exits in the

category

0.80

| υţ    |
|-------|
| /14   |
| /14/  |
| L 3/  |
| N     |
| hetan |

Previous Results

**Action Required** 

FFY 2012 (SFY 2013) Part B Indicators

FFY 2012

SPP/APR Indicators
Results Indicator Compliance Indicator

Percentage of youth age 16 and above whose IEP meets secondary transition

Target Met

Farget

FFY 2011

FFY 2010 100%

100%

Compliant. Data verified. No required

action,

Yes

100%

100%

Yes

100%

100%

< 100%

100%

State reported data are timely and accurate

20

15

Timely correction of noncompliance

requirements

13

100%

NC 100%

Compliant. No required action.

Not timely for school personnel.

| υĘ  |
|-----|
| 114 |
| /14 |
| 13/ |
| NA  |
| Ľ.  |

|    |                                       |  | Y 2012 (                   | SFY 2013)                          | Part B                  | Indicators                          |        |                               | V  |
|----|---------------------------------------|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | SPP/APR Indi                          |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                                   |
|    | FFY 2012 results:<br>Disproportionate | American<br>Indian/Alaska<br>Native          | 0.00                       | 0.98                               | 1.64                    | 1.10                                | 0.46   | 1.66                          | No significant<br>disproportionate<br>representation |
|    | representation                        | Asian  | 0.51                       | 0.28                               | 0.08                    | 0.56                                | 0.69   | 0.18                          | exists. No   |
|    | (≥ 2.0) in disability                 | Black/African<br>American                    | 1.65                       | 1.54                               | 1.70                    | 0.67                                | 0.95   | 1.47                          | required action.                                     |
|    | race as a result of<br>inappropriate  | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 1.20                               | 0.00                    | 0.72                                | 0.00   | 1.39                          |  |
| 10 | identification                        | White  | 0.81                       | 0.72                               | 0.98                    | 1.48                                | 1.32   | 1.02                          |  |
|    |                                       | 2 or more races                              | 0.85                       | 0.79                               | 0.99                    | 1.19                                | 0.80   | 0.97                          |  |
|    | Disproportionate                      | Hispanic                                     | 0.68                       | 1.17                               | 0.38                    | 1.02                                | 0.70   | 0.51                          |  |
|    | representation exists                 | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*                       | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |  |

| SPP/APR Inc                                    |  | Intellectual<br>Disability | ing<br>Hity                        | omal<br>ility           | Speech or<br>language<br>Impairment | =      | Other<br>Health<br>Impairment | Required |
|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|----------|
|  |  | Intellectu<br>Disability   | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairmen  | Autism | Other<br>Health<br>Impair     | Action   |
| FFY 2011 results: Disproportionate             | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.58                               | 2.48*                   | 1.69                                | 0.47   | 1.22                          | None     |
| representation                                 | Asian  | 0.49                       | 0.28                               | 0.08                    | 0.54                                | 0.73   | 0.17                          |          |
| (≥ 2.0) in<br>disability<br>categories by race | Black/African<br>American  | 1.57                       | 1.57                               | 1.65                    | 0.70                                | 0.94   | 1.30                          |          |
| as a result of                                 | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 1.39                               | 0.00                    | 0.83                                | 0.00   | 0.83                          |          |
| identification                                 | White  | 0.84                       | 0.73                               | 1.02                    | 0.46                                | 1.33   | 1.16                          |          |
|  | 2 or more races  | 0.76                       | 0.87                               | 0.93                    | 1.03                                | 0.79   | 0.88                          |          |
| Disproportionate                               | Hispanic   | 0.73                       | 1.09                               | 0.31                    | 0.97                                | 0.66   | 0.53                          |          |
| representation exists  N size is < 30*         | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |          |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

5C).

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part 8 FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### Needs Intervention

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

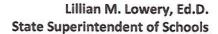
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.





200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 20, 2014

Ms. Nancy Highsmith Interim Superintendent Calvert County Public Schools 1305 Dares Beach Road Prince Frederick, MD 20678

Dear Ms. Highsmith:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Calvert County Public Schools (CCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the CCPS has achieved the determination status of "Needs Assistance, Year Six."

For the last consecutive six (6) years, the CCPS determination status has been "Needs Assistance." The CCPS is "substantially compliant" in all measured indicators of compliance, yet is "significantly below" the State target for the provision of services to students with disabilities in general education settings at least 80% of the day. The CCPS and the DSE/EIS will jointly develop, implement, and evaluate a comprehensive action plan that identifies targeted assistance, support, and resources. Next steps will be identified in the near future.

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Ms. Highsmith March 20, 2014 Page Two

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely.

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.
Jack R. Smith, Ph.D.
Christina Harris
Branch Chiefs

# Calvert County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|     |  |                    |                           | FFY 2   | 012 (SFY 2 | 2013) Par | FFY 2012 (SFY 2013) Part B Indicators                                    |          |                  |
|-----|--|--------------------|---------------------------|---------|------------|-----------|--|----------|------------------|
|     | CDD / ADD In all and S   | 1                  |                           |         | FFY 2012   |           |  | Previous | Previous Results |
| B   | Results Indicator Compliance Indicator   | urcato             | IS<br>nea Indicator       | State   | Local      | Target    | Action Required  | FFY      | FFY              |
|     | courts indicator   | ompua              | nce marcator              | Target  | Results    | Met       |  | 2010     | 2011             |
|     | Students with IEPs   | 4 year             | 4 year cohort             | ≥ 81.5% | %29.89     | No        | Data does not meet the State's target for                                | <        | 72.41%           |
| -   | regular diploma  | 5 year             | 5 year cohort             | ≥ 84.4% | 73.81%     | No        | implement Master Plan Improvement Strategies.                            | <        | 83.91%           |
| 2   | Students with IEPs dropping out (Annual)                                       | Iroppin            | g out                     | s 3.27% | <3.00%     | Yes       | Data meets the State's target. No required action.                       | <3.00%   | ≥ 3.00%          |
| 3.0 | State Assessment:<br>AMO for disability  | AMO f              | AMO for Reading           | Meets   | Not Met    | No        | Data does not meet the State's target. Continue to implement Master Plan | <        | Not Met          |
| 5   | subgroup in the<br>LEA   | AMO f              | AMO for Mathematics       | Meets   | Not Met    | No        | Improvement Strategies.  | <        | Met              |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | articip<br>ades in | ation rates of<br>the LEA | > 95%   | Met        | Yes       | Data meets the State's target. No required action.                       | > 95     | > 95             |
|     | State Assessment:  | 3                  | Mathematics               | 95.22%  | 62.93%     | No        | Data does not meet the State's target.                                   | %08.69   | 70.40%           |
|     | Proficiency rate for   | 2                  | Reading                   | 94.55%  | 61.21%     | No        | Continue to implement Master Plan  | 71.93%   | 70.63%           |
|     | children with IEPs   | 4                  | Mathematics               | 95.19%  | 66.14%     | No        | Improvement Strategies.  | 89.89    | 66.04%           |
|     | against grade  | •                  | Reading                   | 96.15%  | 70.87%     | No        |  | 75.19%   | 77.36%           |
|     | alternate academic   | Ľ                  | Mathematics               | 94.13%  | 49.05%     | No        |  | 56.44%   | 58.77%           |
|     | arternate academic   | )                  | Reading                   | 95.23%  | 62.75%     | No        |  | 69.31%   | 78.07%           |
| 30  | standards  | ٧                  | Mathematics               | 93.12%  | 63.73%     | No        |  | 57.28%   | 58.54%           |
| )   |  |                    | Reading                   | 95.50%  | 62.00%     | No        |  | 65.05%   | 23.66%           |
|     |  | 7                  | Mathematics               | 92.83%  | 57.14%     | No        |  | 50.45%   | 57.30%           |
|     |  |                    | Reading                   | 95.25%  | 58.44%     | No        |  | %98.79   | 51.69%           |
|     |  | oc                 | Mathematics               | 92.64%  | 39.76%     | No        |  | 42.59%   | 46.88%           |
|     |  | )                  | Reading                   | 94.82%  | 54.22%     | No        |  | 67.27%   | 60.42%           |
|     |  | H                  | Mathematics               | 91.22%  | 67.47%     | No        |  | 67.74%   | %86.09           |
|     |  | ?                  | Reading                   | 93.17%  | %29.99     | No        |  | 63.83%   | 67.95%           |

^Data calculation change; data not comparable to FFY 2011 data.

|        |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                                       |         |                  |
|--------|---|--|----------|------------|------------|---|---------|------------------|
|        | SPD / ABB Indicator   | dientane   |          | FFY 2012   |            |   | Previou | Previous Results |
| Re     | Str/Arm indicators Results Indicator Compliance Indicator   | urcators<br>ompliance Indicator  | State    | Local      | Target     | Action Required   | FFY     | FFY              |
|        |   |  | Target   | Results    | Met        |   | 2010    | 2011             |
| 44     | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 1.42       | Yes        | Data meets the State's target. No required action.                          | 0.00    | 1.15             |
|        | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 00.00      | Yes        | Data meets the State's target. No required action.                          | 0.00    | 00.00            |
|        | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required                                     | 0.00    | 0.00             |
|        | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.   | 0.00    | 0.00             |
|        | of suspensions and  | Black or African American  | < 2.0    | 0.74       | Yes        |   | 0.00    | 96.0             |
|        | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |   | 0.00    | 0.00             |
| 48     | Students With IEPS  | White  | < 2.0    | 0.93       | Yes        |   | 0.00    | 1.04             |
|        | ny race/emmenty   | 2 or more races  | < 2.0    | 3.76*      | Yes        |   | 0.00    | 0.00             |
|        | Discrepancy exists  | Hispanic   | < 2.0    | 5.68*      | Yes        |   | 0.00    | 0.00             |
|        | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |   | NA      | AN<br>A          |
| 5A     | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 26.65%     | No         | Data does not meet the State's target.<br>Implement improvement activities. | 55.01%  | 55.74%           |
| 58     | Students aged 6-21 who<br>the day (MD SSIS LRE C)   | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | < 15.11% | 9.54%      | Yes        | Data meets the State's target. No required action.                          | 8.69%   | 7.31%            |
| 25     | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | < 6.22%  | %60.9      | Yes        | Data meets the State's target. No required action.                          | 6.33%   | 6.54%            |
| 6A     | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 70.04%     | Yes        | Data meets the State's target. No required action.                          | ۵       | 65.94%           |
| 6B     | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 12.84%     | Yes        | Data meets the State's target. No required action.                          | ۵       | 20.96%           |
| 7.0    | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 78.3%      | Yes        | Data meets the State's targets for 7A1 and                                  | 29.5%   | 63.64%           |
|        | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | %6.92      | Yes        | יאבי ואס ופקשו כם מכווסונט.   | %0.99   | 71.88%           |
| A Data | A Data not required to be submitted to OSEB   | HOW TO OSED  |          |            |            |   |         |                  |

 $\Delta$  Data not required to be submitted to OSEP.

|    |   |  | C AJJ             | 12 (CEV 20             | 14 9) Damt D              | Indiantons                                    |         |                  |
|----|---|--|-------------------|------------------------|---------------------------|---|---------|------------------|
|    | CDD / A DD 1m   | dissertions.   | rr 1 20           | 12 (3F1 20<br>FFV 2042 | 13) rait b                | re 1 2012 (Set 2013) Fait B illuicators       |         | ,                |
| -  | SFF/AFR IIIGICALOFS   | ulcators   |                   | FFY 2012               |                           | Action Required                               | Previou | Previous Results |
| K  | Results Indicator Compliance Indicator                                  | mphance Indicator  | State             | Local                  | Target                    |   | FFY     | FFY              |
|    |   |  | Target            | Results                | Met                       |   | 2010    | 2011             |
| 70 | Age 3-5 Outcomes:   | <ol> <li>Exits with substantial growth</li> </ol>  | ≥ 68.6%           | %2.69                  | Yes                       | Data meets the State's targets for 7B1 and    | 71.7%   | 70.18%           |
| Q/ | and skills  | 2. exits within age expectations   | > 59.3%           | 69.2%                  | Yes                       | 7 bz. No required actions.                    | 54.0%   | 51.56%           |
| ,  | Age 3-5 Outcomes:   | Exits with substantial growth  | ≥ 63.7%           | 76.7%                  | Yes                       | Data meets the State's targets for 7C1 and    | 48.6%   | 58.82%           |
| 2  | behaviors   | 2. Exits within age expectations   | ≥ 66.2%           | %6.97                  | Yes                       | 7 CZ. INO TEQUITED ACTIONS.                   | 28.0%   | 67.19%           |
| V  | Parent Survey   | Age 3-5  | 40.0%             | 54.0%                  | Yes                       | Data meets the State target for 3-5 and 6-    | %89     | 42%              |
| 20 |   | Age 6-21   | 38.0%             | 45.0%                  | Yes                       | 21.   | 37%     | 25%              |
|    | Disproportionate  | Amer Indian/Alaska Native  | < 2.0             | 1.20                   | Yes                       | No significant disproportionate               | 1.02    | 08.0             |
|    | representation  | Asian  | < 2.0             | 0.52                   | Yes                       | representation. No required action.           | 0.27    | 0.34             |
|    | (≥ 2.0) in special  | Black, African American  | < 2.0             | 1.67                   | Yes                       |   | 1.86    | 1.87             |
|    | education of racial   | Native Haw/Pacific Islander  | < 2.0             | 0.85                   | Yes                       |   | 00.00   | 0.00             |
|    | groups as a result  | White  | < 2.0             | 0.66                   | Yes                       |   | 69.0    | 0.68             |
|    | or inappropriate  | 2 or more races  | < 2.0             | 0.63                   | Yes                       |   | 09.0    | 0.65             |
| 6  | Identification  | Hispanic   | < 2.0             | 1.10                   | Yes                       |   | 0.88    | 98.0             |
|    | Disproportionate representation   | Disproportionate representation is due   |                   |                        |                           |   |         |                  |
|    | exits in the  | to inappropriate   | No                | No                     | Yes                       |   | 8       | No               |
|    | category  | Identification   | (% <sub>0</sub> ) | (%0)                   |                           |   | (%0)    | 00.0(%0)         |
|    | N size is < 30*   |  |                   |                        |                           |   |         |                  |
|    |   |  | 드                 | dicator 1              | Indicator 10 on last page | page  |         |                  |
|    | Percentage of students with written                                     | nts with written   |                   |                        |                           | Compliant. Data verified. No required         |         |                  |
| 11 | parental consent to evaluate who were evaluated within 60 calendar days | evaluate who were calendar days  | 100%              | 98.57%                 | No<br>O                   | action.                                       | %66.86  | 100%             |
| 12 | Eligible children exiti<br>an IEP in effect by th                       | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%              | 100%                   | Yes                       | Compliant. Data verified. No required action. | 100%    | 100%             |

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| 2     | 0 |

|    |  | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators         |           |                  |
|----|--|-----------------|------------------|---------------|---|-----------|------------------|
|    | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required                               | Previous  | Previous Results |
| Re | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY 2010  | FFY 2011         |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 97.8%            | No            | Compliant. Data verified. No required action. | 100%      | < 100%           |
| 15 | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant | 100%             |
| 20 | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%      | 100%             |

|    |   |  | 1 2012 (                   | SFY 2013                           | Part B I                | ndicators                           |        |                               |   |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action  |
|    | FFY 2012 results:  Disproportionate   | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.92                               | 7.27*                   | 0.00                                | 0.00   | 3.33*                         | The MSDE staff will<br>schedule a record<br>review of children                          |
|    | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification  Disproportionate | Asian  | 0.00                       | 0.26                               | 0.00                    | 0.75                                | 1.85   | 0.23                          | in the race category, using Section 12 of the Special Education Record Review document. |
| 10 |   | Black/African<br>American  | 1.50                       | 2.55                               | 1.27                    | 1.30                                | 0.95   | 1.65                          |   |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 4.71*                         |   |
| LU |   | White  | 0.82                       | 0.49                               | 0.86                    | 0.68                                | 0.97   | 0.75                          |   |
|    |   | 2 or more races  | 0.26                       | 0.40                               | 0.94                    | 1.02                                | 0.52   | 0.65                          |   |
|    |   | Hispanic   | 1.38                       | 0.95                               | 1.20                    | 1.41                                | 0.90   | 0.89                          |   |
|    | representation exists  N size is < 30*  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |   |

|    |   | FF   | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Indic   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate   | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 1.62                               | 0.00                    | 0.00                                | 0.00   | 1.58                          | NA                 |
|    | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification             | Asian  | 0.00                       | 0.13                               | 0.00                    | 0.52                                | 1.16   | 0.25                          |                    |
|    |   | Black/African<br>American  | 1.93                       | 2.85                               | 2.25*                   | 1.79                                | 0.77   | 1.35                          |                    |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 |   | White  | 0.84                       | 0.50                               | 0.57                    | 0.61                                | 1.20   | 1.02                          |                    |
|    | 100 mm | 2 or more races  | 0.28                       | 0.35                               | 0.44                    | 0.95                                | 0.83   | 0.50                          |                    |
|    | Disproportionate  | Hispanic   | 0.64                       | 0.70                               | 1.07                    | 1.13                                | 0.99   | 0.78                          |                    |
|    | representation exists  N size is < 30*  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 *et seq.* (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### **Meets Requirements**

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### **AND**

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### **AND**

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### **AND**

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### **Results Indicators**

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### <u>OR</u>

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Dr. Khalid N. Mumin Superintendent Caroline County Public Schools 204 Franklin Street Denton, MD 21629

Dear Dr. Mumin:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Caroline County Public Schools (CCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the CCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five¹ local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Mumin March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Narcella E. Francykowski

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.
Jack R. Smith, Ph.D.
Elizabeth Anthony

Branch Chiefs

# Caroline Co. Annual Data Rpt FFY 2012

# Caroline County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|     |  |                      |                              | FFY 20  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators  |          |                  |
|-----|--|----------------------|------------------------------|---------|------------|------------|--|----------|------------------|
|     | Spp/App Indicators   | diesto               | 200                          |         | FFY 2012   |            |  | Previous | Previous Results |
| R   | Results Indicator C  | omplia               | Compliance Indicator         | State   | Local      | Target     | Action Required  | FFY      | FFY              |
|     |  |                      |                              | Target  | Results    | Met        |  | 2010     | 2011             |
| 1   | Students with IEPs<br>graduating with a  | 4 year               | 4 year cohort                | ≥ 81.5% | 61.11%     | No         | Data does not meet the State target for the 4 and 5 year cohort. Continue to implement | <        | 20.00%           |
|     | regular diploma  | 5 year               | 5 year cohort                | ≥ 84.4% | 64.71%     | No         | Master Plan Improvement Strategies.  | <        | 23.06%           |
| 2   | Students with IEPs dropping out (Annual)                                       | droppin              | ng out                       | ≤ 3.27% | ≪3.00%     | Yes        | Data meets the State target. No required action.                                       | 4.12%    | 4.12%            |
| 3.4 | State Assessment:<br>AMO for disability  | AMO                  | AMO for Reading              | Meets   | Met        | Yes        | Data meets the State's target. No required action.                                     | <        | Met              |
|     | subgroup in the LEA  | AMO                  | AMO for Mathematics          | Meets   | Met        | Yes        |  | <        | Met              |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | oation rates of<br>n the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.                                     | < 95%    | < 95%            |
|     | State Assessment:  | r                    | Mathematics                  | 95.22%  | 57.14%     | No         | Data does not meet the State target.   | 54.76%   | 64.71%           |
|     | Proficiency rate for   |                      | Reading                      | 94.55%  | 59.18%     | No         | Continue to implement Master Plan  | 20.00%   | %2999            |
|     | children with IEPs   | 4                    | Mathematics                  | 95.19%  | 72.55%     | No         | Improvement Strategies.  | 73.81%   | 53.19%           |
|     | against grade  |                      | Reading                      | 96.15%  | 74.51%     | No         |  | %50.69   | 56.25%           |
|     | alternate academic   | 5                    | Mathematics                  | 94.13%  | 38.46%     | No         |  | 35.90%   | 48.78%           |
|     | achievement  |                      | Reading                      | 95.23%  | 55.77%     | No         |  | 58.97%   | %86.09           |
| 30  | standards  | 9                    | Mathematics                  | 93.12%  | 48.78%     | No         |  | 53.57%   | 64.86%           |
|     |  |                      | Reading                      | 95.50%  | 41.46%     | No         |  | 57.14%   | 26.76%           |
|     |  | 7                    | Mathematics                  | 92.83%  | 56.10%     | No         |  | 55.88%   | 89.29%           |
|     |  |                      | Reading                      | 95.25%  | %86.09     | No         |  | 64.71%   | 57.14%           |
|     |  | 00                   | Mathematics                  | 92.64%  | 65.38%     | No         |  | 20.00%   | 52.94%           |
|     |  |                      | Reading                      | 94.82%  | 61.54%     | No         |  | 52.78%   | 47.06%           |
|     |  | HS                   | Mathematics                  | 91.22%  | 45.95%     | No         |  | 56.82%   | 52.78%           |
|     |  |                      | Reading                      | 93.17%  | 47.22%     | No         |  | 51.16%   | 52.94%           |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

|     |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FY 2012 (SFY 2013) Part B Indicators               |          |                  |
|-----|---|--|----------|------------|------------|--|----------|------------------|
|     | CDD/ADD Im  | diantone   |          | FFY 2012   |            |  | Previous | Previous Results |
| Re  | Ser / Arm indicators Results Indicator  | Compliance Indicator   | State    | Local      | Target     | Action Required                                    | FFY      | FFY              |
|     |   |  | Target   | Results    | Met        | K  | 2010     | 2011             |
| 44  | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 1.83       | Yes        | Data meets the State's target. No required action. | 00:00    | 1.22             |
|     | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 0.00       | Yes        | Data meets the State's target. No required action. | 00:0     | 0.00             |
|     | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required            | 0.00     | 0.00             |
|     | (≥ 2.0) in the rate   | Asian  | < 2.0    | 00.0       | Yes        | action.  | 0.00     | 0.00             |
|     | or suspensions and  | Black or African American  | < 2.0    | 2.67*      | Yes        |  | 0.00     | *40.9            |
|     | ctudents with IEBs  | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00     | 0.00             |
| 48  | hy race/ethnicity   | White  | < 2.0    | 1.28       | Yes        |  | 0.00     | 0.00             |
|     | a) race/ comments   | 2 or more races  | < 2.0    | 0.00       | Yes        |  | 0.00     | 0.00             |
|     | Discrepancy exists  | Hispanic   | < 2.0    | 8.51*      | Yes        |  | 0.00     | 0.00             |
|     | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | AN       | NA               |
| 5A  | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 84.51%     | Yes        | Data meets the State's target. No required action. | 83.03%   | 83.69%           |
| 58  | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | < 15.11% | 10.00%     | Yes        | Data meets the State's target. No required action. | 11.66%   | 9.71%            |
| 5C  | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 1.76%      | Yes        | Data meets the State's target. No required action. | 1.84%    | 2.33%            |
| P9  | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 81.94%     | Yes        | Data meets the State's target. No required action. | ۵        | 87.69%           |
| 6B  | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 4.17%      | Yes        | Data meets the State's target. No required action. | ۵        | 1.54%            |
| 7.0 | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 77.8%      | Yes        | Data meets the State's target in category          | 85.7%    | 80.08            |
|     | emotional skills  | 2. Exits within age expectations   | > 73.5%  | 82.28      | Yes        | ישר מומ ישר ואס ובלחובת שכנוסווי                   | 73.5%    | 88.0%            |

 $\Delta$  Data not required to be submitted to OSEP.

|     |   |   | FFV 20     | 12 (SFY 20 | 113) Part B               | FFY 2012 (SFY 2013) Part B Indicators                       |            |                  |
|-----|---|---|------------|------------|---------------------------|---|------------|------------------|
|     | SPD/APR Indicators  | dicatore  |            | EEV 2013   | an lear                   |   |            |                  |
| Re  | Results Indicator Co  | Compliance Indicator  | Chata      | LFY 2012   | Tawart                    | Action Required   | Previou    | Previous Results |
|     |   |   | Target     | Results    | Met                       |   | FFY        | H.               |
|     | 7 C - C   | A College settle and back and a   | 1.9        | Carmena    |                           |   | 0107       | 7107             |
| 78  | Age 3-5 Outcomes:<br>Use of knowledge   | I. Exits with substantial growth  | ≥ 68.6%    | 81.8%      | Yes                       | Data meets the State's target in category                   | 82.1%      | 70.59%           |
| 2   | and skills  | 2. exits within age expectations  | ≥ 59.3%    | 75.0%      | Yes                       | 7 bit dild 7 bz. No required action.                        | 64.7%      | 80.00%           |
| 72  | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth  | ≥ 63.7%    | %2.99      | Yes                       | Data meets the State's target in category                   | 72.7%      | 86.67%           |
| 2   | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 75.0%      | Yes                       | 7C1 diid 7C2. No required action.                           | 73.5%      | 84.00%           |
| 8.8 | Parent Survey   | Age 3-5   | 40.0%      | N/A        | N/A                       | Data meets the State's target.                              | 21%        | 800.09           |
|     |   | Age 6-21  | 38.0%      | 49%        | Yes                       |   | %09        | 61.00%           |
|     | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 2.49*      | Yes                       | No significant disproportionate                             | 1.14       | 1.49             |
|     | representation  | Asian   | < 2.0      | 0.90       | Yes                       | representation. No required action.                         | 0.29       | 0.62             |
|     | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.16       | Yes                       |   | 1.50       | 1.41             |
|     | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.00       | Yes                       |   | 3.29*      | 0.00             |
|     | groups as a result  | White   | < 2.0      | 1.00       | Yes                       |   | 0.95       | 0.88             |
|     | identification  | 2 or more races   | < 2.0      | 0.98       | Yes                       |   | 1.18       | 1.06             |
| 6   |   | Hispanic  | < 2.0      | 0.66       | Yes                       |   | 0.49       | 0.65             |
|     | Disproportionate representation exits in the category N size is < 30*   | Disproportionate representation is due to inappropriate identification                      | No<br>(%0) | 0%)        | Yes                       |   | 0N<br>(%0) | 0N)              |
|     |   |   | 프          | dicator 1  | Indicator 10 on last page | page  |            |                  |
| 11  | Percentage of students with written<br>parental consent to evaluate who were<br>evaluated within 60 calendar days | its with written<br>evaluate who were   | 100%       | %99.86     | N <sub>O</sub>            | Substantially compliant. Data verified. No required action. | 98.63%     | 93.13%           |
| 12  | Eligible children exiting Part C at age 3 hav<br>an IEP in effect by the child's 3rd birthday                     | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes                       | Compliant. Data verified. No required action                | 100%       | 100%             |

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|     |  | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators                       |           |                  |
|-----|--|-----------------|------------------|---------------|---|-----------|------------------|
|     | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required   | Previous  | Previous Results |
| Reg | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY 2010  | FFY 2011         |
| 13  | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | %0.66            | No            | Substantially compliant. Data verified. No required action. | 100%      | 96.4%            |
| 15  | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                              | Compliant | 100%             |
| 20  | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                              | 100%      | 100%             |

|    | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                              |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | FFY 2012 results: Disproportionate  | American<br>Indian/Alaska<br>Native          | 0.00                       | 8.22*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          | Disproportionate representation does not exist. |
|    | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification | Asian  | 0.00                       | 0.00                               | 4.51*                   | 2.19*                               | 0.00   | 0.00                          | No action is required                           |
| 10 |   | Black/African<br>American                    | 2.45*                      | 1.22                               | 0.69                    | 1.03                                | 1.22   | 0.99                          |   |
|    |   | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |   |
| U  |   | White  | 0.53                       | 1.04                               | 0.89                    | 1.12                                | 1.03   | 1.05                          |   |
|    |   | 2 or more races                              | 0.43                       | 0.85                               | 0.00                    | 0.89                                | 1.14   | 2.88*                         |   |
|    | Disproportionate  | Hispanic                                     | 1.06                       | 0.85                               | 0.81                    | 0.20                                | 1.01   | 0.87                          |   |
|    | representation exists   | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |   |
|    | N size is < 30*   | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |   |

|    |  |  | Y 2011 (S                  | SFY 2012)                          | Part B I                | ndicators                           |        |                               |                    |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 4.37*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
|    | representation   | Asian  | 0.00                       | 0.00                               | 0.00                    | 2.54*                               | 0.00   | 0.00                          |                    |
|    | (≥ 2.0) in disability categories by race as a result of inappropriate identification | Black/African<br>American  | 2.69*                      | 1.42                               | 2.00*                   | 0.94                                | 1.52   | 1.51                          |                    |
|    |  | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 |  | White  | 0.47                       | 0.97                               | 0.86                    | 1.03                                | 0.76   | 0.72                          |                    |
|    |  | 2 or more races  | 0.34                       | 0.98                               | 1.08                    | 0.82                                | 2.19*  | 2.59*                         |                    |
|    | Disproportionate   | Hispanic   | 1.08                       | 0.72                               | 0.31                    | 0.40                                | 0.86   | 0.85                          |                    |
|    | representation exists  N size is < 30*   | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### **Meets Requirements**

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

AND

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### **AND**

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### <u>AND</u>

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### <u>AND</u>

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### **AND**

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Mr. Stephen H. Guthrie Superintendent Carroll County Public Schools 125 North Court Street Westminster, MD 21157

Dear Mr. Guthrie:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Carroll County Public Schools (CCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the CCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSF/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- · Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Mr. Guthrie March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella & Trancykowski
Marcella E. Franczkowski, M.S.

Assistant State Superintendent Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D.

Russell Gray Branch Chiefs

# Carroll Co. Annual Data Rpt FFY 2012

# Carroll County Public Schools Annual Data on SPP/APR Part B Indicators

Notice of Performance for the Period July 1, 2012 - June 30, 2013

|         |  |                      |                           | FFY 20  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators  |          |                  |
|---------|--|----------------------|---------------------------|---------|------------|------------|--|----------|------------------|
|         | SDB/ABB Indicators   | diento               | 91                        |         | FFY 2012   |            |  | Previous | Previous Results |
|         | Results Indicator  | omnlia               | Compliance Indicator      | State   | Local      | Target     | Action Required  | FFY      | FFY              |
|         |  |                      |                           | Target  | Results    | Met        |  | 2010     | 2011             |
| -       | Students with IEPs graduating with a   | 4 year               | 4 year cohort             | ≥ 81.5% | 77.25%     | No         | Data does not meet the State's target for the 4 and 5 year cohort. Continue to     | <        | 76.56%           |
| 1       | regular diploma  | 5 year               | 5 year cohort             | ≥ 84.4% | 78.95%     | No         | implement Master Plan Improvement Strategies.                                      | <        | 76.92%           |
| 2       | Students with IEPs dropping out (Annual)   | droppin              | g out                     | ≤ 3.27% | ≥3.00%     | Yes        | Data meets the State's target.<br>No required action.                              | <3.00%   | ≥ 3.00%          |
|         | State Assessment:<br>AMO for disability  | AMOf                 | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i> | <        | Met              |
| 3A      | subgroup in the<br>LEA   | AMOf                 | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.  | <        | Met              |
| 38      | State Assessment: Participation rates of IEP students in all grades in the LEA   | Particip<br>rades in | ation rates of<br>the LEA | ≥ 95%   | Met        | Yes        | Data meets the State's target. No required action.                                 | > 95%    | > 95%            |
|         | State Assessment:  | ٣                    | Mathematics               | 95.22%  | 61.97%     | No         | Data does not meet the State's target.   | 65.42%   | 71.61%           |
|         | Proficiency rate for   | ,                    | Reading                   | 94.55%  | 67.95%     | No         | Continue to implement Master Plan  | 64.58%   | 73.84%           |
|         | children with IEPs   | 4                    | Mathematics               | 95.19%  | 75.51%     | No         | Improvement Strategies.  | 76.01%   | 70.71%           |
|         | against grade  |                      | Reading                   | 96.15%  | 72.43%     | No         |  | 85.66%   | 74.06%           |
|         | alternate academic   | 2                    | Mathematics               | 94.13%  | %00.09     | No         |  | 60.91%   | 64.96%           |
|         | achievement  |                      | Reading                   | 95.23%  | 71.06%     | No         |  | 77.18%   | 83.94%           |
| 3C      | standards  | 9                    | Mathematics               | 93.12%  | 59.22%     | No         |  | 62.95%   | 66.26%           |
|         |  |                      | Reading                   | 95.50%  | 62.85%     | No         |  | 68.13%   | 65.71%           |
|         |  | 7                    | Mathematics               | 92.83%  | 46.72%     | No         |  | 48.33%   | 57.02%           |
|         |  |                      | Reading                   | 95.25%  | 61.84%     | No         |  | 69.04%   | 68.56%           |
|         |  | 00                   | Mathematics               | 92.64%  | 39.30%     | No         |  | 35.71%   | 40.25%           |
|         |  |                      | Reading                   | 94.82%  | %05.09     | No         |  | 59.13%   | 62.87%           |
|         |  | H                    | Mathematics               | 91.22%  | 70.35%     | No         |  | 61.16%   | 29.59%           |
|         |  | 2                    | Reading                   | 93.17%  | 63.53%     | No         |  | 54.09%   | 60.31%           |
| Andread | The state of the s |                      | 1                         |         |            |            |  |          | Pro-             |

^Data calculation change; data not comparable to FFY 2011 data.

|    |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FY 2012 (SFY 2013) Part B Indicators                                 |         |                      |
|----|---|--|----------|------------|------------|--|---------|----------------------|
|    |   |  |          | FFY 2012   |            |  | Previou | Previous Results     |
| Re | SPP/APR Indicators Results Indicator  | dicators<br>omnliance Indicator  | State    | Local      | Target     | Action Required  | FFY     | FFY                  |
|    |   | ompnance interestor  | Target   | Results    | Met        |  | 2010    | 2011                 |
| AA | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 4.39*      | Yes        | Data meets the State's target. No required action.                   | 0.00    | 1.77                 |
| £  | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 3.30*      | Yes        | Data meets the State's target. No required action.                   | 00.00   | 1.24                 |
|    | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | Data meets the State's target. No required                           | 0.00    | 0.00                 |
|    | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.  | 0.00    | 0.00                 |
|    | of suspensions and  | Black or African American  | < 2.0    | 6.21*      | Yes        |  | 0.00    | 2.08**               |
|    | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00                 |
| 48 | by race/ethnicity   | White  | < 2.0    | 3.77*      | Yes        |  | 0.00    | 1.50                 |
|    | מא ומרכן ברווווורונא  | 2 or more races  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00                 |
|    | Discrepancy exists  | Hispanic   | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00                 |
|    | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | NA      | N<br>A               |
| 5A | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)   | ≥ 63.11% | 78.71%     | Yes        | Data meets the State's target. No required action.                   | 75.22%  | 76.14%               |
| 5B | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | < 15.11% | 2.90%      | Yes        | Data meets the State's target. No required action.                   | 8.48%   | 7.07%                |
| 5C | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≥ 6.22%  | 3.51%      | Yes        | Data meets the State's target. No required action.                   | 4.15%   | 3.53%                |
| 6A | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥64.1%   | 54.50%     | No         | Data does not meet the State's target.<br>Improvement Plan required. | ٥       | 43.29%               |
| 6B | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | <19.1%   | 21.80%     | No         | Data does not meet the State's target.<br>Improvement Plan required. | ٥       | 21.64%               |
| i  | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 61.2%      | No         | Data does not meet the State's target in                             | %9.99   | No data<br>submitted |
| /A | emotional skills  | 2. Exits within age<br>expectations  | ≥ 73.5%  | 75.3%      | Yes        | Data meets the State's target in category 7A2. No required action.   | 83.3%   | No data<br>submitted |

 $\Delta$  Data not required to be submitted to OSEP.

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|    |   |   | FFY 20     | 11 (SFY 20 | 12) Part B                | Y 2011 (SFY 2012) Part B Indicators  |            |                      |
|----|---|---|------------|------------|---------------------------|--|------------|----------------------|
|    |   | dicators  |            | FFY 2012   |                           | Action Required  | Previou    | Previous Results     |
| Re | Results Indicator Co  | Compliance Indicator  | State      | Local      | Target                    |  | FFY        | FFY                  |
|    |   |   | Target     | Results    | Met                       |  | 2010       | 2011                 |
| 78 | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth  | ≥ 68.6%    | 71.2%      | Yes                       | Data meets the State's target in category 781 and 782. No required action.       | 55.5%      | No data<br>submitted |
| 2/ | and skills  | 2. exits within age expectations  | ≥ 59.3%    | %8:99      | Yes                       |  | %2.99      | No data<br>submitted |
| r  | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth  | ≥ 63.7%    | 57.7%      | No                        | Data does not meet the State's target in category 7C1. Improvement Plan required | %2'99      | No data<br>submitted |
| 7  | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 73.0%      | Yes                       | Data meets the State's target in category 7C2. No required action.               | 75.0%      | No data<br>submitted |
| 84 | Parent Survey   | Age 3-5   | 40.0%      | 27.0%      | Yes                       | Data meets the State's target in 3-5 and 6-                                      | 42%        | 47%                  |
| 5  |   | Age 6-21  | 38.0%      | 45.0%      | Yes                       | 21. No required action.  | 51%        | 41%                  |
|    | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 1.82       | Yes                       | No significant disproportionate.   | 1.33       | 1.40                 |
|    | representation  | Asian   | < 2.0      | 0.48       | Yes                       | Representation. No required action.  | 0.44       | 0.52                 |
|    | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.67       | Yes                       |  | 1.90       | 1.78                 |
|    | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.32       | Yes                       |  | 0.00       | 0.00                 |
|    | groups as a result  | White   | < 2.0      | 0.70       | Yes                       |  | 0.63       | 0.88                 |
|    | identification  | 2 or more races   | < 2.0      | 1.08       | Yes                       |  | 0.91       | 1.00                 |
| 6  |   | Hispanic  | < 2.0      | 0.84       | Yes                       |  | 0.80       | 0.83                 |
|    | Disproportionate representation exits in the category N size is < 30*                                       | Disproportionate<br>representation is due<br>to inappropriate<br>identification             | 0N<br>(%0) | No<br>(%0) | Yes                       |  | 0N<br>(%0) | No<br>(0%)           |
|    |   |   | In         | dicator 10 | Indicator 10 on next page | page   |            |                      |
| 11 | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days                                      | 100%       | 100%       | Yes                       | Compliant. Data verified. No required action.                                    | 97.77%     | 98.90%               |
| 12 | Eligible children exiting Part C at age 3 hav<br>an IEP in effect by the child's 3rd birthday               | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes                       | Compliant. Data verified. No required action.                                    | 96.15%     | 100%                 |

**Previous Results** 

**Action Required** 

FFY 2012 (SFY 2013) Part B Indicators

FFY 2012

Target Met

Local Results

State Target

Results Indicator Compliance Indicator

SPP/APR Indicators

Percentage of youth age 16 and above whose IEP meets secondary transition

100%

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

FFY 2011

FFY 2010 100%

Compliant

Compliant. No required action. Compliant. No required action.

Yes

100%

100%

State reported data are timely and accurate

15 20

Timely correction of noncompliance

requirements

13

100%

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|    | SPP/APR Inc   |  | Y 2012 (                   |                                    |                         |                                     |        |                               |  |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | Compliance Indi   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                             |
|    | FFY 2012 results:  Disproportionate   | American<br>Indian/Alaska<br>Native    | 0.00                       | 1.83                               | 1.98                    | 0.53                                | 1.97   | 2.39*                         | No significant disproportionate representation |
|    | representation  | Asian                                  | 0.81                       | 0.18                               | 0.00                    | 0.72                                | 0.82   | 0.40                          | exists. No action required.                    |
|    | (≥ 2.0) in<br>disability<br>categories by<br>race as a result of<br>inappropriate<br>identification<br>Disproportionate | Black/African<br>American              | 2.46*                      | 1.83                               | 1.69                    | 1.57                                | 0.98   | 1.76                          |  |
| 10 |   | Native Hawaiian/<br>Pacific Islander   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|    |   | White                                  | 0.46                       | 0.65                               | 0.69                    | 0.72                                | 1.21   | 0.67                          |  |
|    |   | 2 or more races                        | 1.13                       | 0.94                               | 1.07                    | 1.47                                | 1.29   | 0.85                          |  |
|    |   | Hispanic                               | 0.60                       | 0.98                               | 1.10                    | 0.69                                | 0.57   | 0.91                          |  |
|    | representation exists   | Disproportionate representation        |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*   | is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |  |

| Seaton. |   |  | (SFY 20                    | 12) Part E                         | 3 Compli                | ance Indi                           | cators |                               |                    |
|---------|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|         | SPP/APR Indic   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|         | FFY 2011 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.95                               | 1.81                    | 1.45                                | 1.68   | 0.79                          | NA                 |
|         | representation  | Asian  | 0.28                       | 0.15                               | 0.00                    | 0.93                                | 0.80   | 0.46                          |                    |
|         | (≥ 2.0) in<br>disability<br>categories by race<br>as a result of<br>inappropriate<br>identification | Black/African<br>American  | 2.96*                      | 2.19                               | 1.89                    | 1.59                                | 1.40   | 1.57                          |                    |
| 10      |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
|         |   | White  | 0.46                       | 0.60                               | 0.66                    | 0.67                                | 0.97   | 0.67                          |                    |
|         |   | 2 or more races  | 1.19                       | 0.78                               | 0.89                    | 1.14                                | 0.83   | 1.08                          |                    |
|         | Disproportionate  | Hispanic   | 0.46                       | 0.84                               | 0.99                    | 0.78                                | 0.43   | 1.09                          |                    |
|         | representation<br>exists<br>N size is < 30*   | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. D'Ette W. Devine Superintendent Cecil County Public Schools 201 Booth Street Elkton, MD 21921

Dear Dr. Devine:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Cecil County Public Schools (CCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the CCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Devine March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/ Early Intervention Services

Marcella E. Tranczkowski

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Sarah J. Farr

Branch Chiefs

# Cecil County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|     |  |                      |                             | FFY 20  | 12 (SFY 20 | 13) Part B | Y 2012 (SFY 2013) Part B Indicators   |          |                  |
|-----|--|----------------------|-----------------------------|---------|------------|------------|---|----------|------------------|
|     | CDD / ADD In   |                      |                             |         | FFY 2012   |            |   | Previous | Previous Results |
|     | SFF/AFR Indicators   | dicato               | Jr.S                        | State   | Local      | Target     | Action Required   | FFY      | FFY              |
| N N | results indicator — Compilance indicator                                       | ошрша                | mce indicator               | Target  | Results    | Met        |   | 2010     | 2011             |
|     | Students with IEPs graduating with a   | 4 year               | 4 year cohort               | > 81.5% | 54.46%     | No         | Data does not meet the State's target for the 4 and 5 year cohort. Continue to                                | <        | 45.11%           |
| Н   | regular diploma  | 5 year               | 5 year cohort               | ≥ 84.4% | 58.04%     | No         | implement Master Plan Improvement Strategies.   | <        | 50.75%           |
| 2   | Students with IEPs dropping out<br>(Annual)                                    | droppin              | ig out                      | ≥ 3.27% | 7.00%      | No         | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i><br>Improvement Strategies. | 6.89%    | %68.9            |
| 3A  | State Assessment:<br>AMO for disability  | AMO                  | AMO for Reading             | Meets   | Not Met    | No         | Data does not meet the State's target. Continue to implement Master Plan                                      | <        | Not Met          |
|     | subgroup in the<br>LEA   | AMO f                | AMO for Mathematics         | Meets   | Not Met    | No         | Improvement Strategies.   | <        | Met              |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades ir | ation rates of<br>n the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.  | > 95%    | > 95%            |
|     | State Assessment:  | r                    | Mathematics                 | 95.22%  | 39.33%     | No         | Data does not meet the State's target.  | 54.55%   | 61.90%           |
|     | Proficiency rate for   | ,                    | Reading                     | 94.55%  | 53.37%     | No         | Continue to implement Master Plan   | 70.83%   | 79.59%           |
|     | children with IEPs   | 4                    | Mathematics                 | 95.19%  | 20.87%     | No         | Improvement Strategies.   | %28.99   | 63.95%           |
|     | against grade  |                      | Reading                     | 96.15%  | %98.99     | No         |   | 80.37%   | 75.58%           |
|     | level, modified and  | 2                    | Mathematics                 | 94.13%  | 34.41%     | No         |   | 55.03%   | 25.36%           |
|     | arthiovement   | 5                    | Reading                     | 95.23%  | 51.08%     | No         |   | 69.13%   | 74.40%           |
| 30  | standards  | و                    | Mathematics                 | 93.12%  | 21.12%     | No         |   | 45.00%   | 47.10%           |
| )   |  |                      | Reading                     | 95.50%  | 51.88%     | No         |   | 69.38%   | 51.92%           |
|     |  | 7                    | Mathematics                 | 92.83%  | 23.38%     | No         |   | 43.75%   | 45.03%           |
|     |  |                      | Reading                     | 95.25%  | 40.13%     | No         |   | 50.94%   | 39.86%           |
|     |  | 00                   | Mathematics                 | 92.64%  | 18.42%     | No         |   | 29.45%   | 32.00%           |
|     |  | ,                    | Reading                     | 94.82%  | 35.10%     | No         |   | 53.42%   | 38.67%           |
|     |  | Ĭ                    | Mathematics                 | 91.22%  | 58.25%     | No         |   | 57.03%   | 26.86%           |
|     |  | 2                    | Reading                     | 93.17%  | 42.71%     | No         |   | 49.58%   | 47.00%           |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

|           |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FY 2012 (SFY 2013) Part B Indicators                  |          |                  |
|-----------|---|--|----------|------------|------------|---|----------|------------------|
|           |   |  |          | FFY 2012   |            |   | Previous | Previous Results |
| 1 P.      | SPP/APR Indicators  Describe Indicator  Commission Indicator                                      | dicators   | State    | Local      | Target     | Action Required                                       | FFY      | FFY              |
| ne l      | Suits muicator  | ompnance marcator  | Target   | Results    | Met        |   | 2010     | 2011             |
| 44        | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 0.95       | Yes        | Data meets the State's target. No required action.    | 0.00     | 0.28             |
| ¥         | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 1.14       | Yes        | Data meets the State's target. No required action.    | 0.00     | 1.49             |
|           | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 00.00      | Yes        | No significant discrepancy. No required               | 0.00     | 0.00             |
|           | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.   | 0.00     | 0.00             |
|           | of suspensions and  | Black or African American  | < 2.0    | 0.99       | Yes        |   | 0.00     | 2.18             |
|           | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |   | 0.00     | 0.00             |
| 48        | students with IEPs  | White  | < 2.0    | 0.95       | Yes        |   | 0.00     | 0.71             |
|           | by race/etnnicity   | 2 or more races  | < 2.0    | 0.00       | Yes        |   | 0.00     | 0.00             |
|           | Discrepancy exists  | Hispanic   | < 2.0    | 2.81*      | Yes        |   | 0.00     | 0.00             |
|           | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |   | No       | No               |
| 5A        | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 87.84%     | Yes        | Data meets the State's target.<br>No required action. | 90.29%   | 88.72%           |
| 58        | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | ≤ 15.11% | 3.56%      | Yes        | Data meets the State's target.<br>No required action. | 1.77%    | 3.20%            |
| 2C        | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 3.89%      | Yes        | Data meets the State's target.<br>No required action. | 4.44%    | 4.42%            |
| 6A        | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 88.07%     | Yes        | Data meets the State's target.<br>No required action. | ٧        | 89.45%           |
| <b>6B</b> | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 1.75%      | Yes        | Data meets the State's target.<br>No required action. | ٧        | 0.39%            |
| 7.7       | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 62.3%      | No         | Data does not meet the State's target in              | 46.8%    | 74.60%           |
|           | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 62.3%      | No         | required.   | 61.2%    | 69.52%           |

 $\Delta$  Data not required to be submitted to OSEP.

|    |   |  | Y 201      | 2 (SFY 201 | 2012 (SFY 2013) Part B Indicators | ndicators   |         |                  |
|----|---|--|------------|------------|-----------------------------------|---|---------|------------------|
|    | SPP/APR Indicators  | dicators   |            | FFY 2012   |                                   | Action Required   | Previou | Previous Results |
| Re | Results Indicator Co  | Compliance Indicator   | State      | Local      | Target                            |   | FFY     | FFY              |
|    |   |  | Target     | Results    | Met                               |   | 2010    | 2011             |
| 9  | Age 3-5 Outcomes:   | 1. Exits with substantial growth   | ≥ 68.6%    | 49.4%      | No                                | Data does not meet the State's target in                            | 45.2%   | 65.79%           |
| 9/ | and skills  | 2. exits within age expectations   | > 59.3%    | 44.3%      | No                                | rategories / bit and / bit. Improvement Plan<br>required.           | 49.4%   | 55.24%           |
| 76 | Age 3-5 Outcomes:<br>Use of appropriate   | Exits with substantial growth  | ≥ 63.7%    | 42.9%      | No                                | Data does not meet the State's target in                            | 44.4%   | 55.74%           |
| 2  | behaviors   | 2. Exits within age expectations   | ≥ 66.2%    | 54.7%      | No                                | required.   | 20.6%   | %0.09            |
| 84 | Parent Survey   | Age 3-5  | 40.0%      | 20.0%      | Yes                               | Data meets the State's target in 3-5 and 6-                         | 42%     | %19              |
| 5  |   | Age 6-21   | 38.0%      | 42.0%      | Yes                               | 21. No required action.   | 44%     | 42%              |
|    | Disproportionate  | Amer Indian/Alaska Native  | < 2.0      | 1.16       | Yes                               | No significant disproportionate                                     | 0.33    | 0.95             |
|    | representation  | Asian  | < 2.0      | 0.35       | Yes                               | representation. No required action.                                 | 0.26    | 0.17             |
|    | (≥ 2.0) in special  | Black, African American  | < 2.0      | 1.21       | Yes                               |   | 1.37    | 1.27             |
|    | education of racial   | Native Haw/Pacific Islander  | < 2.0      | 0.40       | Yes                               |   | 0.00    | 0.42             |
|    | groups as a result  | White  | < 2.0      | 0.98       | Yes                               |   | 0.85    | 96.0             |
|    | or Inappropriate  | 2 or more races  | < 2.0      | 0.86       | Yes                               |   | 0.81    | 0.85             |
| 6  | neumcarion  | Hispanic   | < 2.0      | 0.98       | Yes                               |   | 1.12    | 1.14             |
|    | Disproportionate representation exits in the category   | Disproportionate representation is due to inappropriate identification                         | 0N<br>(%0) | No<br>(%0) | Yes                               |   | NA      | NA               |
|    | N size is < 30*   |  |            |            |                                   |   |         |                  |
|    |   |  | n          | dicator 1  | Indicator 10 on last page         | page  |         |                  |
| 11 | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days   | 100%       | 99.15%     | No                                | Substantially compliant. Data verified. No required action.         | 98.75%  | 99.40%           |
| 12 | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%       | 94%        | N <sub>O</sub>                    | First quarter data compliant. Data verified.<br>No required action. | 100%    | 100%             |

|   | 2012    |
|---|---------|
|   | FFY 2   |
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|   | al Data |
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Previous Results

**Action Required** 

FFY 2012 (SFY 2013) Part B Indicators

FFY 2012

Target Met

Local Results

State Target

Results Indicator Compliance Indicator

SPP/APR Indicators

Percentage of youth age 16 and above whose IEP meets secondary transition

FFY 2011

FFY 2010 100%

80.0%

Compliant. Data verified. No required action.

Yes

100%

100%

100%

100%

100%

compliant

Non-

Compliant. No required action.

Yes

100%

100%

Compliant. No required action.

Yes

100%

100%

State reported data are timely and accurate

20

Timely correction of noncompliance

15

requirements

13

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|    | SPP/APR Indi  |   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                             |
|----|---|---|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | FFY 2012 results: Disproportionate  | American<br>Indian/Alaska<br>Native             | 0.00                       | 0.00                               | 5.39*                   | 2.26*                               | 0.00   | 2.59*                         | No significant disproportionate representation |
|    | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification | Asian   | 0.00                       | 0.14                               | 0.00                    | 1.44                                | 1.00   | 0.00                          | exists. No required action.                    |
|    |   | Black/African<br>American                       | 2.62*                      | 1.19                               | 3.47*                   | 0.75                                | 0.94   | 1.11                          |  |
| 40 |   | Native Hawaiian/<br>Pacific Islander            | 0.00                       | 0.99                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
| 10 |   | White   | 0.55                       | 1.03                               | 0.36                    | 1.15                                | 1.25   | 1.14                          |  |
|    | Disproportionate  | 2 or more races                                 | 0.00                       | 0.57                               | 1.14                    | 0.61                                | 0.77   | 1.77                          |  |
|    |   | Hispanic  | 1.00                       | 1.16                               | 0.57                    | 1.09                                | 0.70   | 0.70                          |  |
|    | representation<br>exists  | Disproportionate<br>representation<br>is due to |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*   | inappropriate identification                    |                            |                                    |                         |                                     |        |                               |  |

|    |  | FF   | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate                               | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.45                               | 2.30*                   | 2.44*                               | 0.00   | 1.17                          | NA                 |
|    | representation<br>(≥ 2.0) in<br>disability<br>categories by race | Asian  | 0.00                       | 0.00                               | 0.00                    | 0.73                                | 1.17   | 0.00                          |                    |
|    |  | Black/African<br>American  | 2.73*                      | 1.18                               | 3.93*                   | 0.78                                | 0.55   | 1.33                          |                    |
|    | as a result of inappropriate                                     | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 1.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification   | White  | 0.52                       | 0.99                               | 0.36                    | 1.17                                | 1.71   | 0.84                          |                    |
|    |  | 2 or more races  | 0.00                       | 0.67                               | 0.61                    | 1.07                                | 1.29   | 1.20                          |                    |
|    | Disproportionate   | Hispanic   | 0.97                       | 1.31                               | 0.55                    | 1.18                                | 0.69   | 1.23                          |                    |
|    | representation<br>exists<br>N size is < 30*                      | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part 8 FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Dr. Kimberly Hill Superintendent Charles County Public Schools P.O. Box 2770 LaPlata, MD 20646

Dear Dr. Hill:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Charles County Public Schools (CCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the CCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Hill March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the CCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella & Francykowski Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

C: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Arden Sotomayor Branch Chiefs

# Charles Co. Annual Data Rpt FFY 2012

# Charles County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                    |                           | FFY 20  | 12 (SFY 20 | 13) Part B     | FFY 2012 (SFY 2013) Part B Indicators  |         |                  |  |
|----|--|--------------------|---------------------------|---------|------------|----------------|--|---------|------------------|--|
|    | SPD/APR Indicators   | dicato             | 92                        |         | FFY 2012   |                |  | Previou | Previous Results |  |
| R  | Results Indicator Co   | omplia             | Compliance Indicator      | State   | Local      | Target         | Action Required  | FFY     | FFY              |  |
|    |  |                    |                           | Target  | Results    | Met            |  | 2010    | 2011             |  |
| +  | Students with IEPs graduating with a   | 4 year             | 4 year cohort             | ≥ 81.5% | 66.2%      | No             | Data does not meet the State's target for the 4 and 5 year cohort. Continue to     | <       | 64.91%           |  |
| 4  | regular diploma  | 5 year             | 5 year cohort             | ≥ 84.4% | 76.19%     | No             | implement <i>Master Plan</i> Improvement Strategies.                               | <       | 71.79%           |  |
| 2  | Students with IEPs dropping out (Annual)                                       | Iroppin            | ig out                    | ≤ 3.27% | ≥3.00%     | Yes            | Data meets the State's target. No required action.                                 | 3.41%   | 3.41%            |  |
| 34 | State Assessment:<br>AMO for disability  | AMOf               | AMO for Reading           | Meets   | Not Met    | No             | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i> | <       | Met              |  |
|    | subgroup in the<br>LEA   | AMO f              | AMO for Mathematics       | Meets   | Not Met    | N <sub>o</sub> | Improvement Strategies.  | <       | Met              |  |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | articip<br>ades in | ation rates of<br>the LEA | > 95%   | Met        | Yes            | Data meets the State's target. No required action.                                 | > 95%   | > 95%            |  |
|    | State Assessment:  | ٣                  | Mathematics               | 95.22%  | 41.72%     | No             | Data does not meet the State's target.   | 51.98%  | 53.61%           |  |
|    | Proficiency rate for   | ,                  | Reading                   | 94.55%  | 47.33%     | No             | Continue to implement Master Plan  | 25.06%  | 65.27%           |  |
|    | children with IEPs   | 4                  | Mathematics               | 95.19%  | 54.82%     | No             | Improvement Strategies.  | 65.88%  | 60.20%           |  |
|    | against grade  |                    | Reading                   | 96.15%  | 61.68%     | No             |  | 71.76%  | 61.50%           |  |
|    | level, modified and  |                    | Mathematics               | 94.13%  | 41.83%     | No             |  | 51.20%  | 59.55%           |  |
|    | arbievement  | ,                  | Reading                   | 95.23%  | 54.11%     | No             |  | 64.02%  | 70.39%           |  |
| 3C | standards  | 9                  | Mathematics               | 93.12%  | 41.62%     | No             |  | %69.09  | 56.40%           |  |
|    |  |                    | Reading                   | 95.50%  | 37.57%     | No             |  | 63.16%  | 61.63%           |  |
|    |  | 7                  | Mathematics               | 92.83%  | 39.23%     | No             |  | 47.51%  | 52.30%           |  |
|    |  |                    | Reading                   | 95.25%  | 40.88%     | No             |  | 49.45%  | 59.20%           |  |
|    |  | ∞                  | Mathematics               | 92.64%  | 29.31%     | No             |  | 45.75%  | 40.96%           |  |
|    |  |                    | Reading                   | 94.82%  | 36.00%     | No             |  | 59.33%  | 51.34%           |  |
|    |  | HS                 | Mathematics               | 91.22%  | 23.90%     | No             |  | 54.13%  | 57.79%           |  |
|    |  |                    | Reading                   | 93.17%  | 54.49%     | No             |  | 64.76%  | 71.81%           |  |

^Data calculation change; data not comparable to FFY 2011 data.

|          |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FY 2012 (SFY 2013) Part B Indicators                |         |                  |
|----------|---|--|----------|------------|------------|---|---------|------------------|
|          |   |  |          | FFY 2012   |            |   | Previou | Previous Results |
| Res      | SPP/APR Indicators Results Indicator Compliance Indicator   | dicators<br>omnliance Indicator  | State    | Local      | Target     | Action Required                                     | FFY     | FFY              |
|          |   | ompinance interestor   | Target   | Results    | Met        |   | 2010    | 2011             |
| AA       | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 0.57       | Yes        | Data meets the State's target. No required action.  | 0.00    | 0:30             |
| £        | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 00.00      | Yes        | Data meets the State's target. No required action.  | 0.00    | 0.41             |
|          | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No action               | 0.00    | 0.00             |
|          | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | required.   | 00.00   | 1.98             |
|          | of suspensions and  | Black or African American  | < 2.0    | 0.82       | Yes        |   | 00.00   | 0.33             |
|          | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |   | 00.00   | 0.00             |
| 48       | students With IEPs  | White  | < 2.0    | 0.00       | Yes        |   | 0.00    | 0.22             |
|          | by race/eumicity  | 2 or more races  | < 2.0    | 0.00       | Yes        |   | 0.00    | 0.00             |
|          | Discrepancy exists  | Hispanic   | < 2.0    | 00.0       | Yes        |   | 0.00    | 0.85             |
|          | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |   | No      | ON.              |
| 5A       | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 68.12%     | Yes        | Data meets the State's target.  No required action. | 64.73%  | 68.53%           |
| 58       | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | ≤ 15.11% | 13.90%     | Yes        | Data meets the State's target. No required action.  | 18.38%  | 14.67%           |
| 2C       | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 2.59%      | Yes        | Data meets the State's target. No required action.  | 2.84%   | 2.50%            |
| 6A       | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 81.33%     | Yes        | Data meets the State's target. No required action.  | ٥       | 83.01%           |
| 6B       | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 10.76%     | Yes        | Data meets the State's target. No required action.  | ٥       | 8.17%            |
| 7.4      | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 80.08      | Yes        | Data meets the State's target. No required          | 64.3%   | 59.26%           |
|          | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 91.7%      | Yes        |   | 63.4%   | 48.65%           |
| A Data n | A Data not required to be submitted to OSEP   | ttod to Ocep   |          |            |            |   |         |                  |

 $\Delta$  Data not required to be submitted to OSEP.

|    |   |  | FFY 20  | 12 (SFV 2)  | FFY 2012 (SFY 2013) Part B Indicators | Indicators                                    |         |                  |
|----|---|--|---------|-------------|---------------------------------------|---|---------|------------------|
|    | Spp / App Indicators  | digatone   |         | 12 (21 2 21 | d mar form                            |   |         |                  |
|    | 1   | ulcators   |         | rry 2012    |                                       | Action Required                               | Previou | Previous Results |
| Ke | Kesuits indicator   | Compliance Indicator   | State   | Local       | Target                                |   | FFY     | FFY              |
|    |   |  | Target  | Results     | Met                                   |   | 2010    | 2011             |
| 92 | Age 3-5 Outcomes:   | 1. Exits with substantial growth   | ≥ 68.6% | %0.02       | Yes                                   | Data meets the State's target. No required    | 50.00%  | 65.6%            |
| 9/ | and skills  | 2. exits within age expectations   | > 59.3% | 75.0%       | Yes                                   | action.                                       | 32.43%  | 53.6%            |
| 75 | Age 3-5 Outcomes:   | 1. Exits with substantial growth   | ≥ 63.7% | 100%        | Yes                                   | Data meets the State's target. No required    | 46.67%  | 75.0%            |
| 7  | behaviors   | 2. Exits within age expectations   | ≥ 66.2% | 100%        | Yes                                   | action.                                       | 43.24%  | 56.1%            |
| 84 | Parent Survey   | Age 3-5  | 40.0%   | 37.0%       | No                                    | Data meets the State target for 6-21 but not  | 42%     | 36%              |
| 5  |   | Age 6-21   | 38.0%   | 45.0%       | Yes                                   | 3-5. Improvement activities required.         | 45%     | 42%              |
|    | Disproportionate  | Amer Indian/Alaska Native  | < 2.0   | 1.10        | Yes                                   | No significant disproportionate               | 1.07    | 99.0             |
|    | representation  | Asian  | < 2.0   | 0.51        | Yes                                   | representation. No required action.           | 0.57    | 0.59             |
|    | (≥ 2.0) in special  | Black, African American  | < 2.0   | 1.28        | Yes                                   |   | 0.31    | 1.25             |
|    | education of racial   | Native Haw/Pacific Islander  | < 2.0   | 0.50        | Yes                                   |   | 0.00    | 00.00            |
|    | groups as a result  | White  | < 2.0   | 0.98        | Yes                                   |   | 0.99    | 1.02             |
|    | of Inappropriate  | 2 or more races  | < 2.0   | 0.92        | Yes                                   |   | 0.90    | 0.83             |
| 6  |   | Hispanic   | < 2.0   | 0.76        | Yes                                   |   | 0.78    | 0.68             |
|    | Disproportionate representation exits in the category   | Disproportionate representation is due to inappropriate identification                         | No      | No<br>2907  | Yes                                   |   | Ö       | OZ.              |
|    | N size is < 30*   |  | (%0)    | (%0)        |                                       |   |         |                  |
|    |   |  | ū       | dicator 1   | Indicator 10 on next page             | page  |         |                  |
| 11 | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days   | 100%    | 100%        | Yes                                   | Compliant. Data verified. No required action. | 100%    | 100%             |
| 12 | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%    | 100%        | Yes                                   | Compliant. Data verified. No required action. | 100%    | 100%             |

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|     |  | FFY 20          | 12 (SFY 20       | 13) Part B    | 2012 (SFY 2013) Part B Indicators             |             |                  |
|-----|--|-----------------|------------------|---------------|---|-------------|------------------|
|     | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required                               | Previou     | Previous Results |
| Res | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010 | FFY 2011         |
| 13  | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | %0.96       | 100%             |
|     |  |                 |                  |               |   |             |                  |
| .5  | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant   | 100%             |
| 20  | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                | < 100%      | 100%             |

|   | SPP/APR Indi  |   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                               |
|---|---|---|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|   | FFY 2012 results:   | American<br>Indian/Alaska<br>Native       | 0.00                       | 1.64                               | 0.00                    | 0.34                                | 1.91   | 1.66                          | No significant disproportionate                  |
|   | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification  Disproportionate | Asian                                     | 0.51                       | 0.24                               | 0.00                    | 0.77                                | 1.32   | 0.46                          | representation<br>exists. No action<br>required. |
|   |   | Black/African<br>American                 | 1.88                       | 1.79                               | 1.09                    | 1.04                                | 0.79   | 1.48                          |  |
| • |   | Native Hawaiian/<br>Pacific Islander      | 0.00                       | 0.00                               | 0.00                    | 2.00*                               | 0.00   | 0.00                          |  |
| 0 |   | White                                     | 1.01                       | 0.72                               | 1.52                    | 1.08                                | 1.13   | 0.90                          |  |
|   |   | 2 or more races                           | 0.41                       | 0.57                               | 1.02                    | 1.20                                | 0.89   | 1.12                          |  |
|   |   | Hispanic                                  | 0.13                       | 0.93                               | 0.43                    | 0.77                                | 1.02   | 0.58                          |  |
|   | representation exists  N size is < 30*  | Disproportionate representation is due to |                            |                                    |                         |                                     |        |                               |  |
|   |   | inappropriate identification              |                            |                                    |                         |                                     |        |                               |  |

|    | SPP/APR Inc   | licators   |                            |                                    |                         |                                     |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | Compliance Indic  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 1.18                       | 1.49                               | 0.97                    | 0.27                                | 1.69   | 0.86                          | NA                 |
|    | representation  | Asian  | 0.74                       | 0.30                               | 0.40                    | 0.75                                | 1.48   | 0.45                          |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race<br>as a result of<br>inappropriate | Black/African<br>American  | 1.76                       | 1.56                               | 1.13                    | 1.01                                | 0.84   | 1.50                          |                    |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification  | White  | 0.88                       | 0.78                               | 1.25                    | 1.08                                | 1.05   | 1.01                          |                    |
|    |   | 2 or more races  | 0.59                       | 0.63                               | 0.86                    | 1.12                                | 1.07   | 1.04                          |                    |
|    | Disproportionate  | Hispanic   | 0.27                       | 0.99                               | 0.57                    | 0.87                                | 0.93   | 0.35                          |                    |
|    | representation exists  N size is < 30*  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

 Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Dr. Henry V. Wagner, Jr. Superintendent Dorchester County Board of Education 700 Glasgow Street Cambridge, MD 21613

Dear Dr. Wagner:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Dorchester County Board of Education (DCBOE). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the DCBOE has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSF/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Wagner March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the DCBOE to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D.

Angela McPeake Gebert

Branch Chiefs

# Dorchester Co. Annual Data Rpt FFY 2012

# Dorchester County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                    |                           | FFY 20  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators   |          |                  |
|----|--|--------------------|---------------------------|---------|------------|------------|---|----------|------------------|
|    | CDD /ADD In  | 1:00               |                           |         | FFY 2012   |            |   | Previous | Previous Results |
| Re | SPP/APR Indicators Results Indicators  | alicato            | Compliance Indicator      | State   | Local      | Target     | Action Required   | FFY      | FFY              |
|    |  |                    | mee interested            | Target  | Results    | Met        |   | 2010     | 2011             |
|    | Students with IEPs   | 4 year             | 4 year cohort             | ≥ 81.5% | 36.36%     | No         | Data does not meet the State's target for   | <        | 46.15%           |
| н  | regular diploma  | 5 year             | 5 year cohort             | > 84.4% | 41.18%     | No         | the 4 and 5 year cohort. Continue to implement <i>Master Plan</i> Improvement Strategies. | <        | 57.50%           |
| 2  | Students with IEPs dropping out (Annual)                                       | roppin             | g out                     | ≤ 3.27% | 3.03%      | Yes        | Data meets the State's target. No required action.  | <3.00%   | ≥ 3.00%          |
| 3∆ | State Assessment:<br>AMO for disability  | AMO f              | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i>        | <        | Met              |
| 5  | subgroup in the<br>LEA   | AMO f              | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.   | <        | Not Met          |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | articip<br>ades in | ation rates of<br>the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.  | < 95%    | < 95%            |
|    | State Assessment:  | 2                  | Mathematics               | 95.22%  | 40.91%     | No         | Data does not meet the State's target.  | 58.33%   | 39.39%           |
|    | Proficiency rate for   | ,                  | Reading                   | 94.55%  | 45.45%     | No         | Continue to implement Master Plan   | 76.00%   | 42.42%           |
|    | children with IEPs   | 4                  | Mathematics               | 95.19%  | 35.14%     | No         | Improvement Strategies.   | 70.59%   | 48.57%           |
|    | against grade  |                    | Reading                   | 96.15%  | 48.65%     | No         |   | 61.76%   | 62.86%           |
|    | level, modified and  | u                  | Mathematics               | 94.13%  | 54.84%     | No         |   | 64.29%   | 54.29%           |
|    | arternate academic   | 2                  | Reading                   | 95.23%  | 74.19%     | No         |   | 67.86%   | 68.57%           |
| 36 | ctandards  | v                  | Mathematics               | 93.12%  | 34.48%     | No         |   | 20.00%   | 48.15%           |
| 3  |  |                    | Reading                   | 95.50%  | 55.17%     | No         |   | 20.00%   | 69.23%           |
|    |  | 7                  | Mathematics               | 92.83%  | 20.00%     | No         |   | 52.00%   | 44.00%           |
|    |  |                    | Reading                   | 95.25%  | 37.50%     | No         |   | 26.00%   | 52.00%           |
|    |  | oc                 | Mathematics               | 92.64%  | 33.33%     | No         |   | 32.00%   | 41.67%           |
|    |  | ,                  | Reading                   | 94.82%  | 47.83%     | No         |   | 20.00%   | 41.67%           |
|    |  | Ĭ                  | Mathematics               | 91.22%  | 25.00%     | No         |   | 44.83%   | 31.82%           |
|    |  | 2                  | Reading                   | 93.17%  | 23.08%     | No         |   | 28.57%   | 23.81%           |

^Data calculation change; data not comparable to FFY 2011 data.

|     |   |  | FFY 20:  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                                      |                  |         |
|-----|---|--|----------|------------|------------|--|------------------|---------|
|     | Con / Ann I.  | -  |          | FFY 2012   |            |  | Previous Results | Results |
| Re  | SPP/APR Indicators Results Indicator  | Indicators<br>Compliance Indicator   | State    | Local      | Target     | Action Required  | FFY              | FFY     |
|     |   |  | Target   | Results    | Met        |  | 2010             | 2011    |
| 4.6 | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 00:00      | Yes        | Data meets the State's target. No required action.                         | 0.00             | 0.00    |
| Ť.  | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 2.48*      | Yes        | Data meets the State's target. No required action.                         | 0.00             | 0.00    |
|     | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required                                    | 0.00             | 00.00   |
|     | (≥ 2.0) in the rate   | Asian  | < 2.0    | 00.00      | Yes        | action.  | 0.00             | 00.00   |
|     | of suspensions and  | Black or African American  | < 2.0    | 1.53       | Yes        |  | 0.00             | 00.00   |
|     | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 00.00      | Yes        |  | 0.00             | 00.00   |
| 48  | students with IEPs  | White  | < 2.0    | 0.27       | Yes        |  | 0.00             | 00.00   |
|     | by race/ethnicity   | 2 or more races  | < 2.0    | 00.0       | Yes        |  | 0.00             | 00.00   |
|     | Discrepancy exists  | Hispanic   | < 2.0    | 00.00      | Yes        |  | 00.00            | 00.00   |
|     | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | No               | No      |
| 5A  | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | > 63.11% | 77.72%     | Yes        | Data meets the State's target.<br>No required action.                      | 74.14%           | 75.73%  |
| 58  | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | < 15.11% | 2.65%      | Yes        | Data meets the State's target.<br>No required action.                      | 2.11%            | 2.93%   |
| 50  | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | < 6.22%  | 1.33%      | Yes        | Data meets the State's target.<br>No required action.                      | 1.05%            | 1.33%   |
| 6A  | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 68.75%     | Yes        | Data meets the State's target.<br>No required action.                      | ٥                | 92.86%  |
| 6B  | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 0.00%      | Yes        | Data meets the State's target.  No required action.                        | ۵                | 2.38%   |
| 7.0 | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 100%       | Yes        | Data meets the State's target in category 7A1 and 7A2. No required action. | Not<br>reported  | %0.09   |
| ¥   | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 100%       | Yes        |  | Not<br>reported  | 62.50%  |

 $\Delta$  Data not required to be submitted to OSEP.

|      |   |   | FFY 20     | 12 (SFY 20 | 13) Part B                | FFY 2012 (SFY 2013) Part B Indicators                                      |                 |                  |
|------|---|---|------------|------------|---------------------------|--|-----------------|------------------|
|      | SPP/APR Indicators  | dicators  |            | FFY 2012   |                           | Action Required  | Previou         | Previous Results |
| Res  | Results Indicator Compliance Indicator  | mpliance Indicator  | State      | Local      | Target                    |  | FFY             | FFY              |
|      |   |   | Target     | Results    | Met                       |  | 2010            | 2011             |
| 70   | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth  | ≥ 68.6%    | 100%       | Yes                       | Data meets the State's target in category 781 and 782. No required action. | Not<br>reported | 37.50%           |
| 9/   | and skills  | 2. exits within age expectations  | ≥ 59.3%    | 100%       | Yes                       |  | Not<br>reported | 37.50%           |
| , F  | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth  | ≥ 63.7%    | 100%       | Yes                       | Data meets the State's target in category 7C1 and 7C2. No required action. | Not             | 40.0%            |
| 7    | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 100%       | Yes                       |  | Not             | 20.0%            |
| VO   | Parent Survey   | Age 3-5   | 40.0%      | N/A        | N/A                       | Data meets the State's target in 6-21. No                                  | %29 0           | 20%              |
| Wo . |   | Age 6-21  | 38.0%      | 45.0%      | Yes                       | required action.   | 46%             | 48%              |
|      | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 1.58       | Yes                       | No significant disproportionate  | 0.93            | 69.0             |
|      | representation  | Asian   | < 2.0      | 0.27       | Yes                       | representation. No required action.  | 0.24            | 0.24             |
|      | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.53       | Yes                       |  | 1.38            | 1.44             |
|      | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 5.55*      | Yes                       |  | 0.00            | 00.00            |
|      | groups as a result  | White   | < 2.0      | 0.84       | Yes                       |  | 96.0            | 0.84             |
|      | of inappropriate  | 2 or more races   | < 2.0      | 0.81       | Yes                       |  | 0.81            | 0.98             |
| 6    | поептисатіоп  | Hispanic  | < 2.0      | 0.80       | Yes                       |  | 0.77            | 0.87             |
|      | Disproportionate representation exits in the category  N size is < 30*                                      | Disproportionate<br>representation is due<br>to inappropriate<br>identification             | No<br>(%0) | No<br>(0%) | Yes                       |  | S<br>S          | N                |
|      |   |   | ll l       | dicator 1  | Indicator 10 on last page | page   |                 |                  |
| 11   | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days                                      | 100%       | 100%       | Yes                       | Compliant. Data verified. No required action.                              | 100%            | 98.63%           |
| 12   | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes                       | Compliant. Data verified. No required action.                              | 100%            | 100%             |

98.63%

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

FFY 2011

2010

FFY

100%

Compliant

Compliant. No required action. Compliant. No required action.

Yes

100%

100%

State reported data are timely and accurate

15 20

Timely correction of noncompliance

requirements

13

100%

Previous Results

**Action Required** 

FFY 2012 (SFY 2013) Part B Compliance Indicators

FFY 2012

Target Met

Local Results

State Target

Results Indicator Compliance Indicator

SPP/APR Indicators

Percentage of youth age 16 and above whose IEP meets secondary transition

| υţ      |
|---------|
| 14/14   |
| inal 3/ |

|    | /   |  |                            |                                    |                         | ndicators                           |        |                               |  |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                             |
|    | FFY 2012 results: Disproportionate                    | American<br>Indian/Alaska<br>Native          | 0.00                       | 0.00                               | 21.32*                  | 0.00                                | 0.00   | 0.00                          | No significant disproportionate representation |
|    | representation  | Asian  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 2.30*  | 0.00                          | exists. No                                     |
|    | ( ≥ 2.0) in<br>disability                             | Black/African<br>American                    | 1.70                       | 1.59                               | 1.97                    | 1.76                                | 0.98   | 1.21                          | required action.                               |
| 10 | categories by<br>race as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.00                               | 0.00                    | 27.18*                              | 0.00   | 0.00                          |  |
| 10 | identification  | White  | 0.86                       | 0.85                               | 0.98                    | 0.89                                | 0.53   | 0.98                          |  |
|    |   | 2 or more races                              | 1.40                       | 0.40                               | 0.00                    | 0.51                                | 1.68   | 1.24                          |  |
|    | Disproportionate                                      | Hispanic                                     | 0.58                       | 1.10                               | 0.00                    | 0.43                                | 1.56   | 1.10                          |  |
|    | representation<br>exists                              | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*                                       | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |  |

|  | CDD/ADD Ind   |  |                            | SFY 2012)                          |                         |                                     |        | The second second             | PSIESSES DE L'ANDRE DE L'ALEDA |
|--|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------------------|
|  | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action             |
|  | FFY 2011 results: Disproportionate                                      | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 2.51*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          | NA                             |
|  | representation  | Asian  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 2.07*  | 0.00                          |                                |
|  | (≥ 2.0) in disability   | Black/African<br>American  | 2.19                       | 1.55                               | 2.70*                   | 0.96                                | 0.83   | 1.52                          |                                |
|  | categories by race<br>as a result of<br>inappropriate<br>identification | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                                |
|  |   | White  | 0.76                       | 0.78                               | 0.87                    | 1.81                                | 0.52   | 0.68                          |                                |
|  |   | 2 or more races  | 1.07                       | 0.62                               | 0.00                    | 0.72                                | 1.80   | 1.72                          |                                |
|  | Disproportionate  | Hispanic   | 0.36                       | 1.17                               | 0.00                    | 0.37                                | 2.18*  | 1.26                          |                                |
|  | representation<br>exists<br>N size is < 30*                             | Disproportionate representation is due to inappropriate identification | 0.00                       | 2.51*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          |                                |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

 Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

(1) Take any of the actions described in 34 C.F.R. §300.604(a);

(2) Take one or more of the following actions:

(i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.

(ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.

(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.

(iv) Seeks to recover funds under Section 452 of the GEPA.

(v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

(1) Recover Funds under section 452 of the GEPA; or

(2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Dr. Theresa R. Alban Superintendent Frederick County Public Schools 191 South East Street Frederick, MD 21701

Dear Dr. Alban:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Frederick County Public Schools (FCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the FCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SFED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Alban March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the FCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent

Division of Special Education/ Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D.

Daniel Martz Branch Chiefs

# Frederick Co. Annual Data Rpt FFY 2012

# Frederick County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|                                       | Previous Results    | FFY FFY                              | 2010 2011         | ۸ 72.28%   | ۸ 75.57%                | < 3.00% < 3.00%                                 | A Not Met  | ۸ Met                  | > 95% > 95%  | 69.02% 65.67%                             | 79.75% 75.00%                         | 73.39% 73.50%               | 79.82% 81.48% | 61.52% 72.78%      | 80.34% 84.62% | 64.16% 68.15% | %96.99 %98.59 | 63.06% 72.05% | 71.97% 62.11% | 44.94% 45.85% | 68.25% 65.78% | 55.74% 57.35% | E2 67% 62 60% |
|---------------------------------------|---------------------|--------------------------------------|-------------------|--|-------------------------|---|--|------------------------|--|---|---------------------------------------|-----------------------------|---------------|--------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| )IS                                   | Pre                 | Action Required F                    | 20                | Data does not meet the State target for the 4 and 5 year cohort. Continue to implement |                         | Data meets the State's target. No required < 3. | Data meets the State's target. Continue to implement Master Plan Improvement |                        | Data meets the State's target. No required > 9 action.                         | Data does not meet the State target. 69.0 | Continue to implement Master Plan 79. | Improvement Strategies. 73. | 79.8          | 61                 | 80.3          | 64.           |               | 63.0          | 71.9          | 44.9          | 2.89          | . 55.7        | 201           |
| FFY 2012 (SFY 2013) Part B Indicators | FFY 2012            | Local Target                         | Results Met       | 65.0% No Data do   | 76.28% No <i>Master</i> | S.00% Yes Data me action.                       | Not Met No Data me   | Not Met No Strategies. | Met Yes Data me  | 53.43% No Data do                         | 68.48% No Continu                     | 62.61% No Improve           | 73.59% No     | 51.25% No          | 79.78% No     | 48.94% No     | 63.22% No     | 43.52% No     | 63.89% No     | 31.52% No     | 52.71% No     | 57.41% No     | 63.60% No     |
| FFY 2012 (                            | FFY                 | 100                                  | Target Re         | ≥ <b>81.5</b> % 65   | ≥ 84.4% 76              | ≤ <b>3.27</b> % ≤3.                             | Meets  | Meets Not              | N 86 ≤   | 95.22% 53.                                | 94.55% 68.                            | 95.19% 62.                  | 96.15% 73.    | 94.13% 51.         | -             | 93.12% 48.    | 95.50% 63.    | 92.83% 43.    | 95.25% 63.    | $\dashv$      | 94.82% 52.    | 91.22% 57.    | 93.17% 63     |
|                                       | lingtone            | Compliance Indicator                 | mpromoce maneared | 4 year cohort  | 5 year cohort           | opping out                                      | AMO for Reading  | AMO for Mathematics    | articipation rates of ides in the LEA  | Mathematics                               | Reading                               | 4 Mathematics               | Reading       | Mathematics        | Reading       | Mathematics   | Reading       | 7 Mathematics | Reading       | Mathematics   | Reading       | Mathematics   | Reading       |
|                                       | SPB /ABB Indicators | SEF/AFR IIIG<br>Results Indicator Co |                   | Students with IEPs<br>graduating with a  | regular diploma         | Students with IEPs dropping out (Annual)        | State Assessment:<br>AMO for disability                                      | subgroup in the<br>LEA | State Assessment: Participation rates of IEP students in all grades in the LEA | State Assessment:                         | Proficiency rate for                  | children with IEPs          | against grade | ever, modified and | arhievement   | standards     |               |               |               |               |               |               |               |
|                                       |                     | Re                                   |                   | 1  |                         | 2   | 3A   |                        | 38   |   |                                       |                             |               |                    |               | 3C            | 3             |               |               |               |               |               |               |

^Data calculation change; data not comparable to FFY 2011 data.

|          |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                            |         |                  |
|----------|---|--|----------|------------|------------|--|---------|------------------|
|          |   |  |          | FFV 2012   |            |  | Dravion | Dravious Doculte |
| Ros      | SPP/APR Indicators  Recults Indicator   | dicators   | State    | Local      | Target     | Action Required  | FFY     | FFY              |
| uc.      | suits multator  | ompnance muicator  | Target   | Results    | Met        |  | 2010    | 2011             |
| AA       | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 1.70       | Yes        | Data meets the State's target.<br>No required action.            | 00.00   | 1.46             |
| -        | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 08.0       | Yes        | Data meets the State's target.<br>No required action.            | 0.00    | 1.17             |
|          | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required                          | 0.00    | 0.0              |
|          | (≥ 2.0) in the rate   | Asian  | < 2.0    | 4.86*      | Yes        | action.  | 0.00    | 0.0              |
|          | of suspensions and  | Black or African American  | < 2.0    | 3.34*      | Yes        |  | 0.00    | 2.61*            |
|          | expulsions or   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.0              |
| 48       | students With IEPs  | White  | < 2.0    | 0.68       | Yes        |  | 0.00    | 1.13             |
|          | by race/ethnicity   | 2 or more races  | < 2.0    | 0.00       | Yes        |  | 0.00    | 2.46*            |
|          | Discrepancy exists  | Hispanic   | < 2.0    | 2.09*      | Yes        |  | 0.00    | 09.0             |
|          | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | No      | No               |
| 5A       | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is $\geq$ 80% of the day (MD SSIS LRE A)   | ≥ 63.11% | 79.91%     | Yes        | Data meets the State's target.  No required action.              | 79.28%  | 78.92%           |
| 58       | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | < 15.11% | 6.35%      | Yes        | Data meets the State's target.<br>No required action.            | %80'9   | 6.30%            |
| 5C       | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≥ 6.22%  | 5.01%      | Yes        | Data meets the State's target.<br>No required action.            | 4.53%   | 4.75%            |
| 6A       | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 35.07%     | No         | Data does not meet State's target.<br>Improvement Plan required. | ٥       | 56.21%           |
| 6B       | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | < 19.1%  | 20.88%     | No         | Data does not meet State's target.<br>Improvement Plan required. | ٥       | 7.37%            |
| 7.0      | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 75.5%      | Yes        | Data meets the State's target in category                        | 73.1%   | 64.12%           |
|          | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 72.5%      | Yes        | יייי פלמוו כת מכנוסווי   | 75.5%   | 68.72%           |
| A Data r | A Data not required to be reported to OSED  | to d to Octo   |          |            |            |  |         | P                |

 $\Delta$  Data not required to be reported to OSEP.

|    |   |   | FFY 20  | 12 (SFY 20 | 13) Part B                | FFY 2012 (SFY 2013) Part B Indicators         |         |                  | - |
|----|---|---|---------|------------|---------------------------|---|---------|------------------|---|
|    | SPP/APR Indicators                      | dicators  |         | FFY 2012   |                           | Action Required                               | Previou | Pravione Paeulte |   |
| Re | Results Indicator Co                    | Compliance Indicator  | State   | Local      | Target                    |   | FFY     | FFY              |   |
|    |   |   | Target  | Results    | Met                       |   | 2010    | 2011             |   |
| 70 | Age 3-5 Outcomes:<br>Use of knowledge   | Exits with substantial growth   | ≥ 68.6% | 74.6%      | Yes                       | Data meets the State's target in category     | 74.8%   | 70.63%           |   |
| 9/ | and skills                              | 2. exits within age expectations  | ≥ 59.3% | 64.3%      | Yes                       | 7 Dit and 7 DZ. NO required action.           | 64.2%   | 57.95%           |   |
| 16 | Age 3-5 Outcomes:<br>Use of appropriate | 1. Exits with substantial growth  | ≥ 63.7% | 72.7%      | Yes                       | Data meets the State's target in category     | 67.1%   | 64.84%           |   |
| 2  | behaviors                               | 2. Exits within age expectations  | ≥ 66.2% | 75.8%      | Yes                       | CT and CC. NO lequiled action.                | 71.7%   | 70.77%           |   |
| 84 | Parent Survey                           | Age 3-5   | 40.0%   | %0.09      | Yes                       | Data meets the State's target in 3-5 and      | 48%     | 47%              |   |
|    |   | Age 6-21  | 38.0%   | 44.0%      | Yes                       | 6-21. No required action.                     | 45%     | 48%              |   |
|    | Disproportionate                        | Amer Indian/Alaska Native   | < 2.0   | 1.13       | Yes                       | No significant disproportionate               | 1.02    | 1.06             |   |
|    | representation                          | Asian   | < 2.0   | 0.36       | Yes                       | representation exists. No required action.    | 0.39    | 0.38             | _ |
|    | (≥ 2.0) in special                      | Black, African American   | < 2.0   | 1.69       | Yes                       |   | 1.58    | 1.68             |   |
|    | education of racial                     | Native Haw/Pacific Islander   | < 2.0   | 1.50       | Yes                       |   | 1.62    | 1.01             |   |
|    | groups as a result                      | White   | < 2.0   | 0.76       | Yes                       |   | 0.78    | 0.76             |   |
|    | of mappropriate                         | 2 or more races   | < 2.0   | 0.91       | Yes                       |   | 0.89    | 0.84             |   |
| 6  | ומבוווווימוווי                          | Hispanic  | < 2.0   | 0.77       | Yes                       |   | 0.82    | 0.77             |   |
|    | Disproportionate representation         | Disproportionate representation is due  |         |            |                           |   |         |                  |   |
|    | exits in the                            | to inappropriate  | S.      | N          |                           |   |         |                  |   |
|    | category                                | identification  | (%0)    | (%0)       | Yes                       |   | No      | No               |   |
|    | N size is < 30*                         |   |         |            |                           |   |         |                  |   |
|    |   |   | =       | dicator 1  | Indicator 10 on last page | раве  |         |                  |   |
|    |   |   |         |            |                           |   |         |                  |   |
| -  | Percentage of students with written     | nts with written  | 1000/   | /00 420/   | -                         | Substantially Compliant. Data verified. No    |         |                  |   |
| 1  | evaluated within 60 calendar days       | calendar days   | 100%    | 99.42%     | 0                         | required action.                              | %88.66  | 100%             |   |
| 12 | Eligible children exiti                 | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%    | 100%       | Yes                       | Compliant. Data verified. No required action. | 100%    | 100%             |   |
|    |   |   |         |            |                           |   |         |                  |   |

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|     |  | FFY 20          | 12 (SFY 20       | 113) Part B   | FFY 2012 (SFY 2013) Part B Indicators         |             |                  |
|-----|--|-----------------|------------------|---------------|---|-------------|------------------|
|     | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required                               | Previou     | Previous Results |
| Res | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010 | FFY 2011         |
| 13  | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%        | 100%             |
| 15  | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant   | 100%             |
| 20  | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%        | 100%             |

|    | CDD/ADD In   |  | 1                          | SFY 2013]                          | ALCOHOLD IN             | 1                                   |        |                               |   |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | SPP/APR Indi   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action  |
|    | FFY 2012 results: Disproportionate                                 | American<br>Indian/Alaska<br>Native          | 1.39                       | 1.46                               | 0.85                    | 0.94                                | 1.51   | 0.66                          | The MSDE staff will<br>schedule a record<br>review of children                          |
|    | representation   | Asian  | 0.56                       | 0.17                               | 0.20                    | 0.53                                | 0.70   | 0.24                          | in the race   |
|    | (≥ 2.0) in<br>disability<br>categories by                          | Black/African<br>American                    | 1.99                       | 2.06                               | 2.33                    | 1.60                                | 1.25   | 1.45                          | category, using<br>Section 12 of the<br>Special Education<br>Record Review<br>document. |
| 10 | race as a result of inappropriate identification  Disproportionate | Native Hawaiian/<br>Pacific Islander         | 3.68*                      | 0.43                               | 4.52*                   | 3.33*                               | 0.00   | 1.76                          |   |
|    |  | White  | 0.63                       | 0.59                               | 0.65                    | 0.78                                | 0.98   | 0.94                          |   |
|    |  | 2 or more races                              | 0.43                       | 0.89                               | 1.23                    | 0.64                                | 0.92   | 1.12                          |   |
|    |  | Hispanic                                     | 0.78                       | 0.93                               | 0.34                    | 0.80                                | 0.72   | 0.66                          |   |
|    | representation exists  | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |   |
|    | N size is < 30*  | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |   |

|    |   | FF'  | Y 2011 (S                  | SFY 2012)                          | Part B I                | ndicators                           |      |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|------|-------------------------------|--------------------|
|    | SPP/APR Inc   | licators   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment |      | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.0                        | 2.08**                             | 0.91                    | 0.32                                | 1.17 | 0.39                          |                    |
|    | representation  | Asian  | 0.84                       | 0.17                               | 0.20                    | 0.61                                | 0.79 | 0.22                          |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race<br>as a result of<br>inappropriate<br>identification | Black/African<br>American  | 2.48                       | 2.02                               | 2.35                    | 1.57                                | 1.20 | 1.43                          |                    |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.0                        | 0.0                                | 2.96*                   | 3.10*                               | 0.0  | 1.27                          |                    |
| 10 |   | White  | 0.57                       | 0.59                               | 0.64                    | 0.76                                | 1.04 | 1.00                          |                    |
|    |   | 2 or more races  | 0.19                       | 0.83                               | 1.16                    | 0.80                                | 0.90 | 0.87                          |                    |
|    | Disproportionate  | Hispanic   | 0.49                       | 0.96                               | 0.37                    | 0.81                                | 0.60 | 0.63                          |                    |
|    | representation<br>exists<br>N size is < 30*   | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |      |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- · Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Sceks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### **Meets Requirements**

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

5C).

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

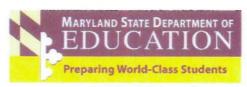
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. Janet Wilson Superintendent Garrett County Board of Education 40 South Second Street Oakland, MD 21550

Dear Dr. Wilson:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Garrett County Board of Education (GCBOE). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the GCBOE has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Wilson March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the GCBOE to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Marcella & Tirancykowski

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/ Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Jennifer Kotulak

Branch Chiefs

# Garrett County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    | Show ( and )   |                      |                           | FFY 20  | 12 (SFY 20<br>FFY 2012 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators FFY 2012   | Previous | Previous Results |       |
|----|--|----------------------|---------------------------|---------|------------------------|------------|--|----------|------------------|-------|
| L  |  | dicato               | JLS                       | State   | Local                  | Tarout     | Action Bosningd  | LEVING   | LESTING          |       |
|    | Kesuits Indicator C  | omplia               | Compliance Indicator      | Target  | Results                | Met        | na imbay iignay  | 2010     | 2011             |       |
| 1  | Students with IEPs<br>graduating with a  | 4 year               | 4 year cohort             | ≥ 81.5% | 69.23%                 | No         | Data does not meet the State target for the 4 and 5 year cohort. Continue to implement | <        | 52.78%           | - 200 |
|    | regular diploma  | 5 year               | 5 year cohort             | ≥ 84.4% | 72.00%                 | No         | Master Plan Improvement Strategies.  | <        | 50.00%           |       |
| 2  | Students with IEPs dropping out (Annual)                                       | droppin              | ig out                    | ≤ 3.27% | ≥3.00%                 | Yes        | Data meets the State target. No required action.                                       | < 3.00%  | ≥ 3.00%          |       |
| 3A | State Assessment:<br>AMO for disability  | AMO f                | AMO for Reading           | Meets   | Not Met                | No         | Data does not meet the State target. Continue to implement <i>Master Plan</i>          | <        | Met              |       |
|    | subgroup in the<br>LEA   | AMO                  | AMO for Mathematics       | Meets   | Not Met                | No.        | Improvement Strategies.  | <        | Met              |       |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | ation rates of<br>the LEA | > 95%   | Met                    | Yes        | Data meets the State's target. No required action.                                     | > 95%    | > 95%            |       |
|    | State Assessment:  | ~                    | Mathematics               | 95.22%  | 67.86%                 | No         | Data does not meet the State target.   | 74.36%   | 78.38%           |       |
|    | Proficiency rate for   |                      | Reading                   | 94.55%  | 64.29%                 | No         | Continue to implement Master Plan  | 82.05%   | 70.27%           |       |
|    | children with IEPs   | 4                    | Mathematics               | 95.19%  | 58.82%                 | No         | Improvement Strategies.  | 75.76%   | 91.43%           |       |
|    | against grade  |                      | Reading                   | 96.15%  | 85.29%                 | No         |  | 84.85%   | 71.43%           |       |
|    | alternate academic   | 2                    | Mathematics               | 94.13%  | 20.00%                 | No         |  | 55.26%   | 77.42%           |       |
|    | achievement  |                      | Reading                   | 95.23%  | 75.00%                 | No         |  | 71.05%   | 54.84%           |       |
| 3C | standards  | 9                    | Mathematics               | 93.12%  | 35.29%                 | No         |  | 50.00%   | 63.89%           |       |
|    |  |                      | Reading                   | 95.50%  | 70.59%                 | No         |  | 52.78%   | 44.44%           |       |
|    |  | 7                    | Mathematics               | 92.83%  | 51.35%                 | No         |  | 57.89%   | 62.16%           |       |
|    |  |                      | Reading                   | 95.25%  | 58.33%                 | No         |  | 65.79%   | 63.89%           |       |
|    |  | 00                   | Mathematics               | 92.64%  | 29.03%                 | No         |  | 56.41%   | 72.97%           |       |
|    |  |                      | Reading                   | 94.82%  | 46.67%                 | No         |  | 79.49%   | 40.54%           |       |
|    |  | HS                   | Mathematics               | 91.22%  | 40.74%                 | No         |  | 57.14%   | 55.81%           |       |
|    |  |                      | Reading                   | 93.17%  | 36.36%                 | No         |  | 28.06%   | 43.18%           |       |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

|          |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators             |                |                  |
|----------|---|--|----------|------------|------------|---|----------------|------------------|
|          | SPD / APR Indicators  | dientone   |          | FFY 2012   |            |   | Previou        | Previous Results |
| <b>Z</b> | Results Indicator C   | Compliance Indicator   | State    | Local      | Target     | Action Required                                   | FFY            | FFY              |
|          | Multiple suspension   | Multiple suspensions ( > 10 days ): Disabled   | < 2.0    | 1.68       | Yes        | Data meets the State target.                      | 0000           | 7000             |
| 4A       | vs. nondisabled   | N size is < 30*  |          |            | 2          | No required action.                               | 0.00           | 0.00             |
|          | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 00:00      | Yes        | Data meets the State target.  No required action. | 0.00           | 00:00            |
|          | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 00.00      | Yes        | No significant discrepancy. No required           | 0.00           | 0.00             |
|          | (≥ 2.0) in the rate   | Asian  | < 2.0    | 00.00      | Yes        | action.   | 0.00           | 0.00             |
|          | of suspensions and  | Black or African American  | < 2.0    | 0.00       | Yes        |   | 0.00           | 0.00             |
|          | expulsions or   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |   | 0.00           | 0.00             |
| 48       | by race/othnicity   | White  | < 2.0    | 1.45       | Yes        |   | 0.00           | 0.00             |
|          | by race/elimenty  | 2 or more races  | < 2.0    | 00.00      | Yes        |   | 0.00           | 0.00             |
|          | Discrepancy exists  | Hispanic   | < 2.0    | 0.00       | Yes        |   | 0.00           | 0.00             |
|          | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |   | o <sub>N</sub> | o<br>N           |
| 5A       | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)   | ≥ 63.11% | 79.33%     | Yes        | Data meets the State target. No required action.  | 76.80%         | 81.99%           |
| 58       | Students aged 6-21 who<br>the day (MD SSIS LRE C)   | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | ≤ 15.11% | 8.27%      | Yes        | Data meets the State target. No required action.  | 9.74%          | 6.87%            |
| 5C       | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≥ 6.22%  | 4.13%      | Yes        | Data meets the State target. No required action.  | 3.25%          | 4.74%            |
| 6A       | Aged 3-5 LRE: Regular Early Childhood<br>setting the majority of the day                          | ır Early Childhood<br>of the day   | ≥ 64.1%  | 84.31%     | Yes        | Data meets the State target. No required action.  | ۵              | 77.97%           |
| 6B       | Aged 3-5 LRE: Separate School or Class  | ite School or Class  | ≤ 19.1%  | 1.96%      | Yes        | Data meets the State target. No required action.  | ۵              | 3.39%            |
| 7.4      | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | %2.99      | No         | Data does not meet the State's target in          | 81.8%          | 71.43%           |
|          | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 81.5%      | Yes        |   | 83.3%          | 60.87%           |

 $\Delta$  Data not required to be submitted to OSEP.

|     |   |   | FFY 20     | 12 (SFY 20 | Y 2012 (SFY 2013) Part B Indicators | Indicators                                    |         |                 |
|-----|---|---|------------|------------|-------------------------------------|---|---------|-----------------|
|     | SPP/APR Indicators  | dicators  |            | FFY 2012   | 7 ( e                               | Action Required                               | Dravion | Dravione Paente |
| Re  | Results Indicator Co  | Compliance Indicator  | State      | Local      | Target                              | na un bass ucasas                             | FFY     | FFY             |
|     |   |   | Target     | Results    | Met                                 |   | 2010    | 2011            |
| 7.0 | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth  | > 68.6%    | 61.9%      | No                                  | Data does not meet the State's target in      | 87.5%   | 70.59%          |
| 9/  | and skills  | 2. exits within age expectations  | ≥ 59.3%    | 59.3%      | Yes                                 | category / bz. Improvement Plan required.     | 77.8%   | 52.17%          |
| 26  | Age 3-5 Outcomes:<br>Use of appropriate   | Exits with substantial growth   | ≥ 63.7%    | %0.09      | No                                  | Data does not meet the State's target in      | 75.0%   | 76.47%          |
| 2   | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 77.8%      | Yes                                 | category / C.t. Improvement Plan required.    | 77.78%  | 60.87%          |
| 84  | Parent Survey   | Age 3-5   | 40.0%      | N/A        | N/A                                 | Data does not meet the State target for age   | 70%     | %00.29          |
|     |   | Age 6-21  | 38.0%      | 37.0%      | No                                  | 6-21. Improvement plan required.              | 30%     | 45.00%          |
|     | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 0.00       | Yes                                 | No significant disproportionate               | 0.00    | 00.00           |
|     | representation  | Asian   | < 2.0      | 0.00       | Yes                                 | representation. No required action.           | 0.42    | 0.26            |
|     | (≥ 2.0) in special  | Black, African American   | < 2.0      | 7.34*      | Yes                                 |   | 0.42    | 2.53*           |
|     | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.00       | Yes                                 |   | 0.00    | 0.00            |
|     | groups as a result  | White   | < 2.0      | 0.25       | Yes                                 |   | 0.72    | 0.42            |
|     | identification  | 2 or more races   | < 2.0      | 0.31       | Yes                                 |   | 3.50*   | 09.0            |
| 6   | idelinii canoli   | Hispanic  | < 2.0      | 0.24       | Yes                                 |   | 3.73*   | 1.20            |
|     | Disproportionate representation exits in the category   | Disproportionate representation is due to inappropriate identification                      | No<br>(0%) | No<br>(0%) | Yes                                 |   | N       | A               |
|     | N size is < 30*   |   | 2          |            |                                     |   |         |                 |
|     |   |   | n In       | dicator 1  | Indicator 10 on last page           | oage  |         |                 |
| 11  | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days                                      | 100%       | 100%       | Yes                                 | Compliant. Data verified. No required action. | 100%    | 100%            |
| 12  | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes                                 | Compliant. Data verified. No required action. | 100%    | 100%            |

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|    |   | FFY 20          | 12 (SFY 20       | 12) Part B    | FFY 2012 (SFY 2012) Part B Indicators         |             |                  |
|----|---|-----------------|------------------|---------------|---|-------------|------------------|
|    | SPP/APR Indicators  |                 | FFY 2011         |               | Action Required                               | Previous    | Previous Results |
| Re | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010 | FFY<br>2011      |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%        | 100%             |
|    | requirements  |                 |                  |               |   |             |                  |
| 15 | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant   | 100%             |
| 20 | State reported data are timely and accurate                               | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%        | <100%            |

|    | SPP/APR Indicators  |  | 1 2012 (                   | SFY 2013                           | Jiaitbi                 | nuicators                           |        | 1                             |  |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action   |
|    | FFY 2012 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | The MSDE Staff wil<br>schedule a record<br>review of children  |
|    | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification | Asian  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | in the race<br>category, using<br>Section 12 of the<br>Special Education<br>Record Review<br>document. |
| 10 |   | Black/African<br>American  | 0.00                       | 0.00                               | 14.38*                  | 7.05*                               | 0.00   | 29.13*                        |  |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|    |   | White  | 1.28                       | 4.79                               | 0.10                    | 0.35                                | 0.00   | 0.07                          |  |
|    | Disproportionate  | 2 or more races  | 3.47*                      | 1.38                               | 0.14                    | 0.00                                | 0.00   | 0.31                          |  |
|    |   | Hispanic   | 4.56*                      | 1.43                               | 0.27                    | 0.00                                | 0.00   | 0.00                          |  |
|    | representation<br>exists<br>N size is < 30*   | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |  |

|    |   | FF   | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | NA                 |
|    | representation (≥ 2.0) in disability categories by race as a result of inappropriate identification | Asian  | 0.00                       | 0.00                               | 0.00                    | 3.16*                               | 0.00   | 0.00                          |                    |
|    |   | Black/African<br>American  | 0.00                       | 0.00                               | 10.11*                  | 0.00                                | 0.00   | 0.00                          |                    |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 |   | White  | 4.26                       | 3.86                               | 0.09                    | 1.45                                | 0.00   | 0.74                          |                    |
|    |   | 2 or more races  | 8.14*                      | 0.63                               | 0.21                    | 0.77                                | 0.00   | 3.20*                         |                    |
|    | Disproportionate  | Hispanic   | 0.00                       | 2.27*                              | 0.65                    | 2.94*                               | 0.00   | 8.63*                         |                    |
|    | representation exists  N size is < 30*  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- · Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

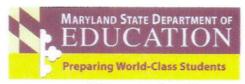
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Mrs. Barbara P. Canavan Interim Superintendent Harford County Public Schools 102 South Hickory Avenue Bel Air, MD 21014-3731

Dear Mrs. Canavan:

The Maryland State Department of Education (MSDE), Division of Special Education/Farly Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention." or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSF/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Harford County Public Schools (HCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the HCPS has achieved the determination status of "Needs Assistance."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Mrs. Canavan March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the HCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincercly,

Marcella E. Francykowski Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Anne-Marie Spakowski Branch Chiefs

## Harford Co. Annual Data Rpt FFY 2012

### Harford County Public Schools Annual Data on SPP/APR Part B Indicators

Notice of Performance for the Period July 1, 2012 - June 30, 2013

|     |  |                       |                           | FFV 20  | 12 (SEV 20 | 13) Part B | FFV 2012 (SFV 2013) Part B Indicators  |         |                  |
|-----|--|-----------------------|---------------------------|---------|------------|------------|--|---------|------------------|
|     |  |                       |                           |         | EEV 2012   |            |  | Dennion | Drawione Doeulte |
|     | SPP/APR Indicators   | dicator               | 5.1                       |         | FF1 2012   |            |  | Fieviou | s Results        |
|     | Results Indicator Compliance Indicator   | reilamo               | nco Indicator             | State   | Local      | Target     | Action Required  | FFY     | FFY              |
|     | o la ronnami cunca   | ompuai                | ace mancaron              | Target  | Results    | Met        |  | 2010    | 2011             |
|     | Students with IEPs   | 4 year                | 4 year cohort             | ≥ 81.5% | 63.79%     | No         | Data does not meet the State's target for  | <       | 63.26%           |
| Ħ   | graduating with a<br>regular diploma   | 5 year                | 5 year cohort             | > 84.4% | 68.11%     | N<br>0     | the 4 and 5 year cohort. Continue to implement <i>Master Plan</i> Improvement Strategies.        | <       | %88.99           |
| 2   | Students with IEPs dropping out (Annual)                                       | Iropping              | g out                     | ≤ 3.27% | 4.47%      | No         | Data does not meet the State's target. Continue to implement Master Plan Improvement Strategies. | 4.48%   | 4.48%            |
| 3.0 | State Assessment:<br>AMO for disability  | AMO fe                | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State's target.<br>Continue to implement Master Plan                      | <       | Met              |
| 5   | subgroup in the<br>LEA   | AMO fe                | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.  | <       | Met              |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | Participa<br>Pades in | ation rates of<br>the LEA | ≥ 95%   | Met        | Yes        | Data meets the State's target. No required action.   | > 95%   | > 95%            |
|     | State Assessment:  | 2                     | Mathematics               | 95.22%  | 57.02%     | No         | Data does not meet the State target.   | 62.11%  | 71.58%           |
|     | Proficiency rate for   | n                     | Reading                   | 94.55%  | %99'59     | No         | Continue to implement Master Plan  | 69.47%  | 66.83%           |
|     | children with IEPs   | _                     | Mathematics               | 95.19%  | 66.92%     | No         | Improvement Strategies.  | 69.83%  | 74.33%           |
|     | against grade  | t                     | Reading                   | 96.15%  | 71.75%     | No         |  | %90.92  | 60.84%           |
|     | level, modified and  | U                     | Mathematics               | 95.22%  | 54.37%     | No         |  | 56.22%  | 74.81%           |
|     | alternate academic   | ٠                     | Reading                   | 95.23%  | %69.89     | No         |  | 73.50%  | 51.94%           |
|     | ctandards  | y                     | Mathematics               | 93.12%  | 48.45%     | No         |  | 64.16%  | %89.09           |
| 30  | stalitidal da  | 0                     | Reading                   | 95.50%  | 55.78%     | No         |  | 26.99%  | 28.68%           |
|     |  | 7                     | Mathematics               | 92.83%  | 39.86%     | No         |  | 45.81%  | 55.62%           |
|     |  | `                     | Reading                   | 95.25%  | 68.28%     | No         |  | 62.33%  | 36.58%           |
|     |  | 0                     | Mathematics               | 92.64%  | 33.14%     | No         |  | 33.33%  | 60.43%           |
|     |  | 0                     | Reading                   | 94.82%  | 47.65%     | No         |  | 58.97%  | 27.60%           |
|     |  | HS                    | Mathematics               | 91.22%  | 55.24%     | No         |  | 23.96%  | 49.15%           |
|     |  |                       | Reading                   | 93.17%  | 47.88%     | No         |  | 51.16%  | 64.75%           |
| -   |  |                       |                           |         |            |            |  |         |                  |

^Data calculation change; data not comparable to FFY 2011 data.

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| Final 3/2  |

|        |   |  | FFY 201  | 12 (SFY 20 | 13) Part B | 2012 (SFY 2013) Part B Indicators                                    |         |                  |
|--------|---|--|----------|------------|------------|--|---------|------------------|
|        | Cnn / 4 nn I  |  |          | FFY 2012   |            |  | Previou | Previous Results |
| Re     | SPF/APR Indicators Results Indicator Compliance Indicator   | dicators<br>omnliance Indicator  | State    | Local      | Target     | Action Required  | FFY     | FFY              |
|        |   | omprime marcator   | Target   | Results    | Met        |  | 2010    | 2011             |
| 4      | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 1.14       | Yes        | Data meets the State's target. No required action.                   | 0.00    | 1.02             |
| Y.     | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 0.36       | Yes        | Data meets the State's target. No required action.                   | 0.00    | 0.23             |
|        | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required                              | 0.00    | 0.00             |
|        | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.  | 0.00    | 00.00            |
|        | of suspensions and  | Black or African American  | < 2.0    | 0.57       | Yes        |  | 0.00    | 1.28             |
|        | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00             |
| 48     | students with IEPs  | White  | < 2.0    | 0.75       | Yes        |  | 00.00   | 0.33             |
|        | חל ומכפל פרווחוכונל   | 2 or more races  | < 2.0    | 1.78       | Yes        |  | 0.00    | 0.88             |
|        | Discrepancy exists  | Hispanic   | < 2.0    | 0.48       | Yes        |  | 0.00    | 0.52             |
|        | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | o<br>Z  | o N              |
| 5A     | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)   | ≥ 63.11% | 84.10%     | Yes        | Data meets the State's target.<br>No required action.                | 83.90%  | 84.00%           |
| 58     | Students aged 6-21 who<br>the day (MD SSIS LRE C)   | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | < 15.11% | 3.17%      | Yes        | Data meets the State's target.<br>No required action.                | 3.03%   | 2.78%            |
| 2C     | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≥ 6.22%  | 7.40%      | No         | Data does not meet the State's target.<br>Improvement Plan required. | 6.67%   | 7.23%            |
| 6A     | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 44.27%     | No         | Data does not meet the State's target. Improvement Plan required.    | ۷       | 44.63%           |
| 68     | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 24.84%     | No         | Data does not meet the State's target.<br>Improvement Plan required. | ٥       | 22.78%           |
| 7.7    | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 51.8%      | No         | Data does not meet the State's target in                             | 44.4%   | No               |
| 3      | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 58.8%      | No         | required.  | 57.8%   | No               |
| Δ Data | $\Delta$ Data not required to be submitted to OSEP.   | itted to OSEP.   |          |            |            |  |         |                  |

|                                      | Drawiane Doenlee                         | ious ke                             | 2010 2011           | 33.3% 40.00%                             | 42.1% 46.67%                     | 28.6% 42.15%                             | 48.4% 55.90%                     | 41% 49%                                     | 36% 36%  | 1.58 1.44                       | 0.47 0.51                           | 1.31 1.39               | 0.75 0.87                   | 0.87 0.88          | 1.04 1.03        | 0.90 0.75      | NO<br>NO   |                           | 99.37% 99.58%   |  |
|--------------------------------------|--|-------------------------------------|---------------------|--|----------------------------------|--|----------------------------------|---|----------|---------------------------------|-------------------------------------|-------------------------|-----------------------------|--------------------|------------------|----------------|--|---------------------------|---|--|
| Indicatore                           |  | Action Required                     |                     | Data does not meet the State's target in | required.                        | Data does not meet the State's target in | required.                        | Data meets the State's target in 3-5 and 6- | 21.      | No significant disproportionate | representation. No required action. |                         |                             |                    |                  |                |  | oage                      | Substantially compliant. Data verified. No required action.   | Compliant Data verified No required            |
| EV 2012 (SEV 2013) Barr B Indicators | la l | Toward                              | i aliget<br>Met     | No                                       | No                               | No                                       | No                               | Yes   | Yes      | Yes                             | Yes                                 | Yes                     | Yes                         | Yes                | Yes              | Yes            | Yes  | Indicator 10 on last page | No  |  |
| 2 (CEV 201                           | EEV 2012                                 | 1021                                | Results             | 41.4%                                    | 47.1%                            | 40.6%                                    | 56.1%                            | 43.0%                                       | 40.0%    | 1.40                            | 0.54                                | 1.40                    | 0.77                        | 0.88               | 0.95             | 0.76           | No<br>(0%)   | dicator 10                | 98.77%  |  |
| EEV 201                              | 707 111                                  | Chata                               | Target              | ≥ 68.6%                                  | ≥ 59.3%                          | ≥ 63.7%                                  | ≥ 66.2%                          | 40.0%                                       | 38.0%    | < 2.0                           | < 2.0                               | < 2.0                   | < 2.0                       | < 2.0              | < 2.0            | < 2.0          | (%0)   | Inc                       | 100%  |  |
|                                      | icatore                                  | Compliance Indicator                | inpurance indicator | 1. Exits with substantial growth         | 2. exits within age expectations | 1. Exits with substantial growth         | 2. Exits within age expectations | Age 3-5                                     | Age 6-21 | Amer Indian/Alaska Native       | Asian                               | Black, African American | Native Haw/Pacific Islander | White              | 2 or more races  | Hispanic       | Disproportionate representation is due to inappropriate identification |                           | its with written<br>valuate who were  | ng Part Cat age 3 have                         |
|                                      | Spb/App Ind                              | SFF/AFR Indicator Results Indicator | VU.100035           | Age 3-5 Outcomes:                        |                                  | Age 3-5 Outcomes:<br>Use of appropriate  |                                  | Parent Survey                               |          | Disproportionate                | representation                      | (≥ 2.0) in special      | education of racial         | groups as a result | of inappropriate | Identification | Disproportionate representation exits in the category N size is < 30*  |                           | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | Eligible children exiting Part C at age 3 have |
|                                      | All the second second                    | Rec                                 | COW I               | ę.                                       | 9/                               | 72                                       | 2                                | VO  | Wo .     |                                 |                                     |                         |                             |                    |                  | 6              |  |                           | п   | , ,  |

|    |   | FFY 20          | 12 (SFY 20       | 13) Part B    | 7 2012 (SFY 2013) Part B Indicators           |                  |             |
|----|---|-----------------|------------------|---------------|---|------------------|-------------|
|    | SPP/APR Indicators  |                 | FFY 2012         |               | Action Required                               | Previous Results | Results     |
| Re | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010      | FFY<br>2011 |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%             | 100%        |
|    | requirements  |                 |                  |               |   |                  |             |
| 15 | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant        | 100%        |
| 20 | State reported data are timely and accurate                               | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%             | 100%        |

|    | SPP/APR Indi   |   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action  |
|----|--|---|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | FFY 2012 results: Disproportionate   | American<br>Indian/Alaska<br>Native                     | 1.45                       | 1.17                               | 1.77                    | 2.30*                               | 1.58   | 0.89                          | The MSDE staff wil<br>schedule a record<br>review of children |
|    | representation   | Asian   | 0.57                       | 0.21                               | 0.26                    | 1.05                                | 1.68   | 0.32                          | in the race   |
|    | ( ≥ 2.0) in<br>disability  | Black/African<br>American                               | 2.42                       | 1.57                               | 1.63                    | 1.16                                | 0.79   | 1.49                          | Section 12 of the   |
|    | categories by<br>race as a result of<br>inappropriate  | Native Hawaiian/<br>Pacific Islander                    | 0.00                       | 0.39                               | 0.00                    | 0.77                                | 0.00   | 1.79                          | Special Education Record Review document.                     |
| 10 | identification   | White   | 0.47                       | 0.84                               | 0.78                    | 0.85                                | 1.20   | 0.92                          | document.   |
|    | Commence of the Commence of th | 2 or more races   | 0.65                       | 0.85                               | 0.91                    | 1.14                                | 1.13   | 0.88                          |   |
|    | Disproportionate   | Hispanic  | 0.87                       | 0.84                               | 0.85                    | 0.87                                | 0.65   | 0.68                          |   |
|    | representation exists  N size is < 30*   | Disproportionate representation is due to inappropriate |                            |                                    |                         |                                     |        |                               | -   |

|    | SPP/APR Ind   | licators  |                            |                                    |                         |                                     |        |                               |                    |
|----|---|---|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | Compliance Indic                                      |   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate                    | American<br>Indian/Alaska<br>Native                     | 1.28                       | 1.11                               | 2.66                    | 2.04                                | 1.60   | 1.37                          | NA                 |
|    | representation  | Asian   | 0.40                       | 0.19                               | 0.36                    | 0.94                                | 1.79   | 0.31                          |                    |
|    | (≥ 2.0) in disability                                 | Black/African<br>American                               | 2.40                       | 1.50                               | 1.69                    | 1.28                                | 0.70   | 1.34                          |                    |
|    | categories by race<br>as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                    | 0.00                       | 1.15                               | 0.00                    | 0.70                                | 0.00   | 1.13                          |                    |
| 10 | identification  | White   | 0.44                       | 0.85                               | 0.77                    | 0.81                                | 1.28   | 0.99                          |                    |
|    |   | 2 or more races   | 0.56                       | 1.09                               | 0.98                    | 1.14                                | 1.13   | 0.97                          |                    |
|    | Disproportionate                                      | Hispanic  | 1.11                       | 0.82                               | 0.68                    | 0.84                                | 0.66   | 0.70                          |                    |
|    | representation exists  N size is < 30*                | Disproportionate representation is due to inappropriate |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

AND

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

•

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Dr. Renee A. Foose Superintendent Howard County Public Schools 10910 Route 108 Ellicott City, MD 21042

Dear Dr. Foose:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Howard County Public Schools (HCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the HCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Foose March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the HCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent
Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D.

Patty Daley Branch Chiefs

# Howard County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|     |  |                    |                           | FFY 20  | 12 (SFY 20 | 13) Part B | Y 2012 (SFY 2013) Part B Indicators   |                  |         |
|-----|--|--------------------|---------------------------|---------|------------|------------|---|------------------|---------|
|     |  |                    |                           |         | FFY 2012   |            |   | Previous Results | Results |
|     | SPP/APR Indicators   | dicato             | LS                        | State   | Local      | Target     | Action Required   | FFY              | FFY     |
| K   | Results Indicator Compliance Indicator   | omplia             | nce indicator             | Target  | Results    | Met        |   | 2010             | 2011    |
|     | Students with IEPs   | 4 year             | 4 year cohort             | ≥ 81.5% | 50.22%     | No         | Data does not meet the State target for the                                   | <                | 58.08%  |
| H   | regular diploma  | 5 year             | 5 year cohort             | ≥ 84.4% | 60.18%     | No         | Master Plan Improvement Strategies.   | <                | 70.59%  |
| 2   | Students with IEPs dropping out (Annual)                                       | Iroppin            | g out                     | < 3.27% | 3.21%      | Yes        | Data meets the State's target. No required action.                            | 4.40%            | 4.40%   |
| 7.0 | State Assessment:<br>AMO for disability  | AMOf               | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State target. Continue to implement <i>Master Plan</i> | <                | Not met |
| Y.  | subgroup in the<br>LEA   | AMOf               | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.   | <                | Met     |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | articip<br>ades in | ation rates of<br>the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.                            | > 95%            | > 95%   |
|     | State Assessment:  | ,                  | Mathematics               | 95.22%  | 61.66%     | No         | Data does not meet the State target.  | %98'69           | 71.11%  |
|     | Proficiency rate for   | n                  | Reading                   | 94.55%  | %88.99     | No         | Continue to implement Master Plan   | 71.28%           | 78.07%  |
|     | children with IEPs   | ,                  | Mathematics               | 95.19%  | 67.41%     | No         | Improvement Strategies.   | 75.41%           | 81.52%  |
|     | against grade  | 4                  | Reading                   | 96.15%  | 72.50%     | No         |   | 75.08%           | 86.96%  |
|     | level, modified and  |                    | Mathematics               | 94.13%  | 27.50%     | No         |   | 65.23%           | %67.92  |
|     | alternate academic   | n                  | Reading                   | 95.23%  | 74.61%     | No         |   | 73.54%           | 84.39%  |
| 00  | achievement  | ,                  | Mathematics               | 93.12%  | 47.32%     | No         |   | 20.00%           | 69.20%  |
| 35  | standards  | ٥                  | Reading                   | 95.50%  | 26.38%     | No         |   | 65.15%           | 74.26%  |
|     |  | 1                  | Mathematics               | 92.83%  | 48.62%     | No         |   | 65.40%           | %06.99  |
|     |  | `                  | Reading                   | 95.25%  | 65.40%     | No         |   | %60.02           | 62.68%  |
|     |  | c                  | Mathematics               | 92.64%  | 37.07%     | No         |   | 50.16%           | 22.06%  |
|     |  | ю                  | Reading                   | 94.82%  | 51.36%     | No         |   | %29.99           | 70.28%  |
|     |  | -                  | Mathematics               | 91.22%  | 65.20%     | No         |   | 68.73%           | %09.89  |
|     |  | SE .               | Reading                   | 93.17%  | 64.24%     | No         |   | 62.25%           | 63.04%  |

^Data calculation change; data not comparable to FFY 2011 data.

|    |   |  | FFY 201  | 2 (SFY 20 | FY 2012 (SFY 2013) Part B Indicators | Indicators  |                  |         |
|----|---|--|----------|-----------|--------------------------------------|---|------------------|---------|
|    |   |  |          | FFY 2012  |                                      |   | Previous Results | Results |
|    |   | dicators   | State    | Local     | Target                               | Action Required   | FFY              | FFY     |
| Ke | Results Indicator Co  | Compnance Indicator  | Target   | Results   | Met                                  |   | 2010             | 2011    |
|    | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 1.61      | Yes                                  | Data meets the State's target.<br>No required action.                           | 00.00            | 1.01    |
| 4A | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 2.85*     | Yes                                  | Data meets the State's target.<br>No required action.                           | 00.00            | 3.83*   |
|    | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 00.00     | Yes                                  | No significant discrepancy. No required   | 0.00             | 0.00    |
|    | (≥ 2.0) in the rate   | Asian  | < 2.0    | 00.00     | Yes                                  | action.   | 0.00             | 0.00    |
|    | of suspensions and  | Black or African American  | < 2.0    | 5.42*     | Yes                                  |   | 0.00             | 5.22*   |
|    | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 00.0      | Yes                                  |   | 0.00             | 0.00    |
| AR | students with IEPs  | White  | < 2.0    | 0.84      | Yes                                  |   | 0.00             | 1.51    |
| 7  | by race/ethnicity   | 2 or more races  | < 2.0    | 00.0      | Yes                                  |   | 0.00             | 3.18*   |
|    | Discrepancy exists  | Hispanic   | < 2.0    | 3.04*     | Yes                                  |   | 0.00             | 1.87    |
|    | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No        | Yes                                  |   | NA               | NA      |
| 5A | Student aged 6-21 whos the day (MD SSIS LRE A)  | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 81.35%    | Yes                                  | Data meets the State's target.<br>No required action.                           | 78.72%           | 80.67%  |
| 5B | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | 15.11%   | 1.83%     | Yes                                  | Data meets the State's target.<br>No required action.                           | 4.02%            | 1.98%   |
| 5C | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 5.53%     | Yes                                  | Data meets the State's target.<br>No required action.                           | 5.05%            | 5.52%   |
| 6A | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 80.54%    | Yes                                  | Data meets the State's target.<br>No required action.                           | Δ                | 83.51%  |
| 6B | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | < 19.1%  | 1.14%     | Yes                                  | Data meets the State's target.<br>No required action.                           | Δ                | 0.47%   |
|    | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 74.4%     | Yes                                  | Data meets the State's target in category 7A1. No required action.              | 79.7%            | 73.86%  |
| 7A | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 69.4%     | No                                   | Data does not meet the State target in category 7A2. Improvement Plan required. | 70.2%            | %90.99  |

Δ Data not required to be submitted by OSEP.

|    |   |  | FFY 20  | FFY 2012 (SFY 2013) Part B Indicators | 13) Part B | Indicators  |         |                  |
|----|---|--|---------|---------------------------------------|------------|---|---------|------------------|
|    | SPP/APR Indicators  | licators   |         | FFY 2012                              |            | Action Required   | Previou | Previous Results |
| Re | Results Indicator Compliance Indicator  | mpliance Indicator   | State   | Local                                 | Target     |   | FFY     | FFY              |
|    |   |  | Target  | Results                               | Met        |   | 2010    | 2011             |
|    | Age 3-5 Outcomes:   | Exits with substantial growth  | ≥ 68.6% | 72.1%                                 | Yes        | Data meets the State's target in category                                       | 75.0%   | 73.96%           |
| 78 | and skills  | 2. exits within age expectations   | ≥ 59.3% | 57.7%                                 | No         | Data does not meet the State target in category 782. Improvement Plan required. | 59.5%   | 57.80%           |
| 75 | Age 3-5 Outcomes:   | Exits with substantial growth  | ≥ 63.7% | 67.5%                                 | Yes        | Data meets the State's target in category                                       | 70.3%   | 65.12%           |
| 2  | behaviors   | 2. Exits within age expectations   | ≥ 66.2% | 68.2%                                 | Yes        |   | 61.9%   | 64.22%           |
| VÖ | Parent Survey   | Age 3-5  | 40.0%   | 26.0%                                 | Yes        | Data meets the State's target in 3-5 and 6-                                     | 51%     | 53%              |
| 70 |   | Age 6-21   | 38.0%   | 43.0%                                 | Yes        | 21.   | 39%     | 38%              |
|    | Disproportionate  | Amer Indian/Alaska Native  | < 2.0   | 0.70                                  | Yes        | No significant disproportionate   | 0.62    | 0.82             |
|    | representation  | Asian  | < 2.0   | 0.40                                  | Yes        | representation. No required action  | 0.38    | 0.39             |
|    | (≥ 2.0) in special  | Black, African American  | < 2.0   | 1.42                                  | Yes        |   | 1.42    | 1.38             |
|    | education of racial   | Native Haw/Pacific Islander  | < 2.0   | 0.54                                  | Yes        |   | 1.12    | 0.73             |
|    | groups as a result  | White  | < 2.0   | 0.81                                  | Yes        |   | 0.83    | 0.84             |
|    | of inappropriate  | 2 or more races  | < 2.0   | 0.81                                  | Yes        |   | 0.79    | 0.78             |
| 6  | Identification  | Hispanic   | < 2.0   | 1.05                                  | Yes        |   | 0.99    | 1.03             |
|    | Disproportionate representation exits in the category  N size is < 30*                                      | Disproportionate<br>representation is due<br>to inappropriate<br>identification                | 0N)     | oN<br>(%0)                            | Yes        |   | o<br>Z  | O<br>N           |
|    |   |  | -l      | Indicator 10 on last page             | 0 on last  | page  |         |                  |
| 11 | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days   | 100%    | 98.26%                                | No         | Data is substantially compliant. Data<br>verified. No required action .         | 99.41%  | 98.10%           |
| 12 | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%    | 100%                                  | Yes        | Data is compliant. Data verified. No required action.                           | 100%    | 100%             |

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| 14    |
| 3     |
| Final |

|     |   | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators                 |                  |           |
|-----|---|-----------------|------------------|---------------|---|------------------|-----------|
|     | SPP/APR Indicators  |                 | FFY 2012         |               | Action Required                                       | Previous Results | s Results |
| Res | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010      | FFY 2011  |
| 13  | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | 100%             | Yes           | Data is compliant. Data verified. No required action. | 100%             | < 100%    |
|     | requirements  |                 |                  |               |   |                  |           |
| 15  | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No required action.                        | Compliant        | 100%      |
| 20  | State reported data are timely and accurate                               | 100%            | 100%             | Yes           | Compliant. No required action.                        | 100%             | 100%      |

|    |   | FF  | Y 2012 (S                  | SFY 2013)                          | Part B I                | ndicators                           |        |                               |                                 |
|----|---|---|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---------------------------------|
|    | SPP/APR Indi  |   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action              |
|    | FFY 2012 results: Disproportionate  | American<br>Indian/Alaska<br>Native       | 2.23*                      | 0.40                               | 2.36*                   | 0.58                                | 0.00   | 0.73                          | Disproportionate representation |
|    | representation  | Asian                                     | 0.48                       | 0.15                               | 0.23                    | 0.52                                | 0.79   | 0.22                          | does not exist.                 |
|    | (≥ 2.0) in<br>disability<br>categories by<br>race as a result of<br>inappropriate | Black/African<br>American                 | 1.45                       | 1.58                               | 1.46                    | 1.43                                | 1.06   | 1.74                          | No action required.             |
|    |   | Native Hawaiian/<br>Pacific Islander      | 0.00                       | 0.00                               | 0.00                    | 1.80                                | 1.19   | 0.00                          |                                 |
| 10 | identification  | White                                     | 0.79                       | 0.72                               | 0.78                    | 0.71                                | 1.11   | 0.79                          |                                 |
|    |   | 2 or more races                           | 0.62                       | 0.67                               | 1.27                    | 0.86                                | 0.72   | 0.77                          |                                 |
|    | Disproportionate  | Hispanic                                  | 1.04                       | 1.26                               | 0.98                    | 1.24                                | 0.82   | 0.77                          |                                 |
|    | representation<br>exists  | Disproportionate representation is due to |                            |                                    |                         |                                     |        |                               |                                 |
|    | N size is < 30*   | inappropriate<br>identification           |                            |                                    |                         |                                     |        |                               |                                 |

|    |   | FF   | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011results: Disproportionate   | American<br>Indian/Alaska<br>Native                                    | 1.99                       | 0.73                               | 2.22                    | 0.00                                | 0.00   | 1.28                          | NA                 |
|    | representation  | Asian  | 0.49                       | 0.15                               | 0.11                    | 0.51                                | 0.81   | 0.20                          |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race<br>as a result of<br>inappropriate | Black/African<br>American  | 1.63                       | 1.53                               | 1.60                    | 1.49                                | 1.08   | 1.49                          |                    |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 1.31                               | 0.00                    | 1.69                                | 0.00   | 0.00                          |                    |
| 10 | identification  | White  | 0.69                       | 0.77                               | 0.83                    | 0.72                                | 1.06   | 0.86                          |                    |
|    | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1   | 2 or more races  | 0.77                       | 0.67                               | 1.27                    | 0.73                                | 0.87   | 0.66                          |                    |
|    | Disproportionate  | Hispanic   | 1.02                       | 1.16                               | 0.69                    | 1.18                                | 0.82   | 0.94                          |                    |
|    | representation exists  N size is < 30*  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### **Meets Requirements**

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### <u>AND</u>

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### <u>AND</u>

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street . Baltimore, MD 21201 . 410-767-0100 . 410-333-6442 TTY/TDD

March 19, 2014

Dr. Karen M. Couch Superintendent Kent County Public Schools 5608 Boundary Avenue Rock Hall, MD 21661

Dear Dr. Couch:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Kent County Public Schools (KCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the KCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- · Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Couch March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the KCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Narcella E. Francykowski

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.

Jack R. Smith, Ph.D. Laura Cochran Branch Chiefs

### Kent Co. Annual Data Rpt FFY 2012

# Kent County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|                                      | Previous Results | FFY                          | 2011           | 76.00%                                      | 76.00%  | ≥ 3.00%   | Met  | Met  | > 95%  | 38.89%                               | 72.22%                            | 70.59%                  | 82.35%        | 68.18%              | 81.82%             | 73.33%      | 80.00%                                  | 15.00%      | 20.00%  | 33.33%      | 25.56%  | 61.54%      | 46.15%  |
|--------------------------------------|------------------|------------------------------|----------------|---|---|---|--|--|--|--------------------------------------|-----------------------------------|-------------------------|---------------|---------------------|--------------------|-------------|---|-------------|---------|-------------|---------|-------------|---------|
|                                      | Previou          | FFY                          | 2010           | <   | <   | <3.00%  | <  | <  | > 95%  | %00.09                               | %00.09                            | 25.56%                  | 72.22%        | %00.59              | 80.00%             | 48.70%      | 57.14%                                  | 20.00%      | 25.00%  | 30.43%      | 56.52%  | 43.48%      | 44.00%  |
| FY 2012 (SFY 2013) Part B Indicators |                  | Action Required              |                | Data does not meet the State target for the | 4 and 5 year cohort. Continue to implement<br>Master Plan Improvement Strategies. | Data does not meet the State target. Continue to implement <i>Master Plan</i> Improvement Strategies. | Data meets the State target for reading but does not meet the State target for math. | Continue to implement <i>Master Plan</i> Improvement Strategies. | Data meets the State's target. No required action.                             | Data does not meet the State target. | Continue to implement Master Plan | Improvement Strategies. |               |                     |                    |             |   |             |         |             |         |             |         |
| 13) Part B                           |                  | Target                       | Met            | Yes   | Yes   | No  | Yes  | No   | Yes  | No                                   | No                                | No                      | No            | No                  | No                 | No          | No                                      | No          | No      | No          | No      | No          | No      |
| 12 (SFY 20                           | FFY 2012         | Local                        | Results        | 87.5%                                       | 90.91%  | 7.14%   | Met  | Not Met  | Met  | 57.14%                               | 60.71%                            | %28.09                  | 78.26%        | 47.37%              | 73.68%             | 42.00%      | 25.00%                                  | 29.41%      | 70.59%  | 23.08%      | %00.09  | 31.03%      | 37.93%  |
| FFY 20                               |                  | State                        | Target         | > 81.5%                                     | ≥ 84.4%   | <3.27%  | Meets  | Meets  | ≥ 95%  | 95.22%                               | 94.55%                            | 95.19%                  | 96.15%        | 94.13%              | 95.23%             | 93.12%      | 95.50%                                  | 92.83%      | 95.25%  | 92.64%      | 94.82%  | 91.22%      | 93.17%  |
|                                      |                  | Compliance Indicator         | nance marcaror | 4 year cohort                               | 5 year cohort   | ping out  | AMO for Reading  | AMO for Mathematics  | State Assessment: Participation rates of IEP students in all grades in the LEA | Mathematics                          | Reading                           | Mathematics             | Reading       | Mathematics         | Reading            | Mathematics | Reading                                 | Mathematics | Reading | Mathematics | Reading | Mathematics | Reading |
|                                      | ob India         | SFF/AFR Illurcators          |                | S   |   | IEPs drop   |  |  | ent: Parti<br>all grade  | ent:                                 | <u>_</u>                          | EPs                     |               | and                 |                    |             |   | 7           |         | ox          |         | Ĕ           |         |
|                                      | Spb/AT           | SFF/AFR<br>Results Indicator | Tompount come  | Students with IEPs                          | graduating with a<br>regular diploma  | Students with IEPs dropping out<br>(Annual)   | State Assessment:<br>AMO for disability  | subgroup in the<br>LEA   | State Assessment: Participation rat IEP students in all grades in the LEA      | State Assessment:                    | Proficiency rate for              | children with IEPs      | against grade | level, modified and | arternate academic | standards   | 550000000000000000000000000000000000000 |             |         |             |         |             |         |
|                                      |                  | Res                          |                | -   | 1   | 2   | ٧,6  | 5  | 38   |                                      |                                   |                         |               |                     |                    | 36          | 3                                       |             |         |             |         |             |         |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

| Multiple suspensions ( > 10 days ): Disabled vs. nondisabled Nsize is < 30*  Discrepancy expulsions of students with IEPs by race/ethnicity Discrepancy exists in the category N size is < 30*  Student aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE A) Students aged 6-21 whose LRE is separate public/private day and residential facilities and home and hospital facilities Aged 3-5 LRE: Regular Early Childhood setting the majority of the day | State Target                                       | Local Results 2.20* 0.00 0.00 0.00 0.00 0.00 0.00 0.0 | Target Met Yes Yes Yes Yes Yes Yes Yes Yes Yes | Action Required  Data meets the State's target. No required action.  Data meets the State's target. No required action.  No significant discrepancy. No required action. | Previous<br>FFY<br>2010<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00   | Previous Results           FFY         2010           2010         2011           0.00         1.02           0.00         0.00           0.00         0.00           0.00         0.00           0.00         0.74           0.00         0.00           0.00         0.00           0.00         0.00           0.00         0.00           0.00         0.00 |
|---|--|---|--|--|---|---|
| compliance Indicator  Compliance Indicator  Insions (> 10 days): Disabled  N size is < 30*  Insions (> 10 days): Disabled  Amer Indian/Alaska Native  Amer Indian/Alaska Native  Asian  Rack or African American  Native Haw/Pacific Islander  IEPs  White  2 or more races  Hispanic  Policies/ procedures/ practices contribute to the discrepancy.  Policies/ procedures/ practices contribute to the discrepancy.  FIST RE A)  6-21 whose LRE is ≤ 40% of SIS LRE C)  6-21 whose LRE is separate day and residential facilities  hospital facilities  Regular Early Childhood  Inside the day   |  | 2.20* 2.20* 0.00 0.00 0.00 0.00 0.00 0.0              | Yes        | Action Required  Data meets the State's target. No required action.  Data meets the State's target. No required action.  No significant discrepancy. No required action. | 0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.0   | 2.38*<br>2.38*<br>0.00<br>0.00<br>0.00<br>0.74<br>0.00<br>0.00  |
| insions (> 10 days): Disabled  N size is < 30* ions (> 10 days): Disabled  N size is < 30*  N size is < 30*  Amer Indian/Alaska Native Asian  Native Haw/Pacific Islander IEPs White Ity 2 or more races Hispanic Policies/ procedures/ practices contribute to the discrepancy.  Policies/ procedures/ practices contribute to the discrepancy.  Policies/ procedures/ practices contribute to the discrepancy.  BIS LRE A)  6-21 whose LRE is \$ 80% of SIS LRE C)  6-21 whose LRE is separate day and residential facilities hospital facilities Regular Early Childhood   |  | 2.20* 0.00 0.00 0.00 0.00 0.00 0.00 0.00              | Yes        | Data meets the State's target. No required action.  Data meets the State's target. No required action.  No significant discrepancy. No required action.                  | 0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.0   | 2011<br>1.02<br>2.38*<br>0.00<br>0.00<br>0.00<br>0.74<br>0.00<br>0.00   |
| led how wative wative slander slander of of foof  |  | 2.20* 0.00 0.00 0.00 0.00 0.00 0.00 0.08              | Yes        | Data meets the State's target. No required action.  Data meets the State's target. No required action.  No significant discrepancy. No required action.                  | 0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.0   | 1.02<br>2.38*<br>0.00<br>0.00<br>0.00<br>0.74<br>0.00<br>0.00   |
| led Native rican slander  to the of of of ate   |  | 0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00          | Yes Yes Yes Yes Yes Yes Yes Yes Yes            | Data meets the State's target. No required action.  No significant discrepancy. No required action.  | 0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00  | 2.38* 0.00 0.00 3.83* 0.00 0.74 0.00 0.00   |
| vican slander y to the of of ate  | 4 2.0 4 2.0 4 2.0 5 2.0 6 2.0 7 2.0 8 2.0 8 2.0 No | 0.00<br>0.00<br>0.00<br>0.00<br>0.00<br>0.00          | Yes Yes Yes Yes Yes Yes Yes Yes                | No significant discrepancy. No required action.  | 0.00 0. | 0.00<br>0.00<br>3.83*<br>0.00<br>0.00<br>0.00   |
| slander  slander  to the  of  of  lities  | 4 2.0 5 2.0 6 2.0 7 2.0 8 2.0 8 2.0 No             | 0.00<br>0.00<br>0.00<br>0.00<br>0.00                  | Yes Yes Yes Yes Yes Yes                        | action.  | 0.00  | 0.00<br>3.83*<br>0.00<br>0.74<br>0.00<br>0.00   |
| slander // to the of ate  | <2.0<br><2.0<br><2.0<br><2.0<br>No                 | 3.51*<br>0.00<br>0.68<br>0.00<br>0.00                 | Yes<br>Yes<br>Yes<br>Yes                       |  | 0.00  | 3.83*<br>0.00<br>0.74<br>0.00<br>0.00   |
| slander // to the of of sate  | < 2.0<br>< 2.0<br>< 2.0<br>No                      | 0.00<br>0.00<br>0.00<br>0.00                          | Yes<br>Yes<br>Yes                              |  | 0.00  | 0.00<br>0.74<br>0.00<br>0.00  |
| of of sate  | < 2.0<br>< 2.0<br>No                               | 00.0<br>00.0<br>00.0                                  | Yes<br>Yes<br>Yes                              |  | 0.00  | 0.00  |
| of of sate  | <2.0<br><2.0<br>No                                 | 0.00<br>0.00  | Yes  |  | 0.00  | 0.00  |
| to the of ate litties   | < 2.0<br>No  | 0.00<br>No  | Yes  |  | 0.00  | 0.00  |
| to the of ate   | 8  | 2   |  |  |   |   |
| of<br>6 of<br>ate<br>lities   |  | 2   | Yes  |  | No  | No  |
| 6 of<br>ate<br>lities   | ≥ 63.11%   | 78.38%  | Yes  | Data meets the State's target.<br>No required action.  | 79.45%  | 78.63%  |
| ate   | < 15.11%   | 10.81%  | Yes  | Data meets the State's target.<br>No required action.  | 8.90%   | 11.69%  |
|   | ≤ 6.22%  | 1.80%   | Yes  | Data meets the State's target.<br>No required action.  | 2.05%   | 2.42%   |
|   | ≥ 64.1%  | 92.31%  | Yes  | Data meets the State's target. No required action.   | ٥   | 100%  |
| Aged 3-5 LRE: Separate School or Class  | 19.1%  | 0.00%   | Yes  | Data meets the State's target.<br>No required action.  | ٥   | 0.00  |
| Age 3-5 Outcomes: 1. Exits with substantial 2 Use of social — growth  | ≥ 68.3%  | %0.08   | Yes  | Data meets the State's target in category  | 20.0%   | 100%  |
| ls 2. Exits within age expectations   | ≥ 73.5%  | 75.0%   | Yes  |  | 62.5%   | 100%  |

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP.

6

**7B** 

70

**8A** 

\*00.0

100%

action.

an IEP in effect by the child's 3rd birthday

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|    |   | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators         |             |                  |
|----|---|-----------------|------------------|---------------|---|-------------|------------------|
| -  | SPP/APR Indicators  |                 | FFY 2012         |               | Action Required                               | Previous    | Previous Results |
| Re | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010 | FFY<br>2011      |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%        | 100%             |
|    | requirements  |                 |                  |               |   |             |                  |
| 15 | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant   | 100%             |
| 20 | State reported data are timely and accurate                               | 100%            | < 100%           | No            | Compliant. No required action.                | 100%        | 100%             |

|    |  |  | Y 2012 (                   | SFY 2013)                          | Part B I                | ndicators                           | \$     |                               |   |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | SPP/APR Ind                                |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action  |
|    | FFY 2012 results: Disproportionate         | American<br>Indian/Alaska<br>Native          | 0.00                       | 2.97*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          | The MSDE staff will<br>schedule a record<br>review of children                            |
|    | representation                             | Asian  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | in the race<br>category, using<br>Section 12 of the<br>Special Education<br>Record Review |
|    | ( ≥ 2.0) in<br>disability<br>categories by | Black/African<br>American                    | 5.58*                      | 2.47                               | 3.37*                   | 1.17                                | 0.96   | 1.14                          |   |
| 10 | race as a result of inappropriate          | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |   |
| LU | identification                             | White  | 0.14                       | 0.67                               | 0.73                    | 1.81                                | 2.56*  | 1.35                          | document.   |
|    |  | 2 or more races                              | 0.00                       | 0.15                               | 0.00                    | 0.93                                | 0.00   | 0.91                          |   |
|    | Disproportionate                           | Hispanic                                     | 1.32                       | 0.61                               | 0.00                    | 0.00                                | 0.00   | 0.61                          |   |
|    | representation exists                      | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |   |
|    | N size is < 30*                            | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |   |

|    | CDD/ADD In-   |  | A STATE OF THE STA | The State of State of              |                         |                                     |        | Total Control of the          |                    |
|----|---|--|--|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc   |  | Intellectual<br>Disability   | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate  | American<br>Indian/Alaska<br>Native                                    | 0.00   | 5.06*                              | 36.05*                  | 0.00                                | 0.00   | 0.00                          | NA                 |
|    | representation  | Asian  | 0.00   | 1.42                               | 0.00                    | 0.00                                | 14.88* | 0.00                          |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race<br>as a result of<br>inappropriate | Black/African<br>American  | 11.07*   | 1.76                               | 2.27*                   | 2.72*                               | 0.12   | 2.19*                         |                    |
|    |   | Native Hawaiian/<br>Pacific Islander                                   | 0.00   | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification  | White  | 0.21   | 0.68                               | 0.68                    | 0.87                                | 0.82   | 0.87                          |                    |
|    |   | 2 or more races  | 0.00   | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
|    | Disproportionate  | Hispanic   | 0.00   | 0.56                               | 0.00                    | 0.00                                | 0.54   | 0.46                          |                    |
|    | representation<br>exists<br>N size is < 30*                                       | Disproportionate representation is due to inappropriate identification |  |                                    |                         |                                     | 9      |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

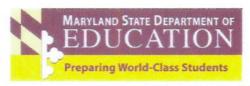
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. Joshua P. Starr Superintendent Montgomery County Public Schools 850 Hungerford Drive Rockville, MD 21661

Dear Dr. Starr:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Montgomery County Public Schools (MCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the MCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Starr March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the MCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c:

Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Gwendolyn J. Mason Branch Chiefs

# Montgomery County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                      |                     | FFY 20  | 12 (SFY 20 | 13) Part B     | FFY 2012 (SFY 2013) Part B Indicators   |                  |         |
|----|--|----------------------|---------------------|---------|------------|----------------|---|------------------|---------|
|    |  | All Ministra         |                     |         | FFY 2012   |                |   | Previous Results | Results |
| -  |  | dicato               | ors                 | State   | Local      | Target         | Action Required   | FFY              | FFY     |
|    | results marcator — co  | ompna                | compnance muicator  | Target  | Results    | Met            |   | 2010             | 2011    |
|    | Students with IEPs   | 4 year               | 4 year cohort       | > 81.5% | 62.78%     | No             | Data does not meet the State target for the                                       | <                | 62.53%  |
| -  | graduating with a regular diploma  | 5 year               | 5 year cohort       | ≥ 84.4% | 69.47%     | No             | 4 and 5 year cohort. Continue to implement is Master Plan Improvement Strategies. | <                | %88.69  |
| 2  | Students with IEPs dropping out (Annual)                                       | droppin              | ig out              | ≤ 3.27% | 3.63%      | No             | Data does not meet the State target.<br>Continue to implement <i>Master Plan</i>  | 3.57%            | 3.57%   |
|    | State Assessment:  | AMO                  | AMO for Reading     | Meets   | Not Met    | S.             | Improvement strategies.  Data does not meet the State target.                     | <                | Not met |
| 3A | AIMO for disability subgroup in the LEA  | AMOf                 | AMO for Mathematics | Meets   | Not Met    | N <sub>O</sub> | Continue to implement <i>Master Plan</i><br>Improvement Strategies.               | <                | Not met |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | ation rates of      | ≥ 95%   | Met        | Yes            | Data meets the State's target. No required action.                                | > 95%            | > 95%   |
|    | State Assessment:  | ,                    | Mathematics         | 95.22%  | 47.29%     | No             | Data does not meet the State's target.  | 66.64%           | 67.13%  |
|    | Proficiency rate for   | n                    | Reading             | 94.55%  | 63.40%     | No             | Continue to implement Master Plan   | 72.11%           | 74.30%  |
|    | children with IEPs   | _                    | Mathematics         | 95.19%  | 64.06%     | No             | Improvement Strategies.   | 69.45%           | 69.02%  |
|    | against grade  | †                    | Reading             | 96.15%  | 72.29%     | No             |   | 77.81%           | 76.52%  |
|    | level, modified and  | U                    | Mathematics         | 94.13%  | 55.52%     | No             |   | 67.24%           | 67.55%  |
|    | arternate academic   | n                    | Reading             | 95.23%  | 73.96%     | No             |   | 78.96%           | 79.26%  |
| 76 | ctandards  | u                    | Mathematics         | 93.12%  | 49.34%     | No             |   | 61.36%           | %99.09  |
| 2  | Spingar  |                      | Reading             | 95.50%  | 65.01%     | No             |   | 72.23%           | %09.69  |
|    |  | _                    | Mathematics         | 92.83%  | 20.56%     | No             |   | 60.25%           | 58.40%  |
|    |  | `                    | Reading             | 95.25%  | 70.55%     | No             |   | 70.28%           | 69.47%  |
|    |  | α                    | Mathematics         | 92.64%  | 40.52%     | No             |   | 44.49%           | 49.03%  |
|    |  | ,                    | Reading             | 94.82%  | 61.29%     | No             |   | 71.89%           | 67.78%  |
|    |  | Ĭ                    | Mathematics         | 91.22%  | 60.33%     | No             |   | %26.09           | 62.32%  |
|    |  | 2                    | Reading             | 93.17%  | 61.65%     | No             |   | %06.09           | 62.70%  |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

|        |   |   | FFY 201  | 12 (SFY 20 | 13) Part B     | FY 2012 (SFY 2013) Part B Indicators                                     |         |                  |
|--------|---|---|----------|------------|----------------|--|---------|------------------|
|        | CDB / A BB T=   | 1.004.00.1  |          | FFY 2012   |                |  | Previou | Previous Results |
| Re     | SFF/AFR Indicators Results Indicator Complianc                        | Compliance Indicator  | State    | Local      | Target         | Action Required  | FFY     | FFY              |
|        |   |   | Target   | Kesults    | Met            |  | 2010    | 2011             |
|        | Multiple suspension vs. nondisabled                                   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled                      | < 2.0    | 4.23       | No             | Data does not meet the State's target. Continue to implement Master Plan | 2.43    | 3.47             |
| 77     |   |   |          |            |                | Improvement Strategies.  |         |                  |
| V.     | Single suspensions (  | Single suspensions ( > 10 days ): Disabled  |          |            |                | Data does not meet the State's target.                                   |         |                  |
|        | vs. nondisabled   | N size is < 30*   | < 2.0    | 2.23       | N <sub>o</sub> | Continue to implement Master Plan  | 2.70    | 3.56             |
|        |   |   |          |            |                | Improvement Strategies.  |         |                  |
|        | Discrepancy   | Amer Indian/Alaska Native   | < 2.0    | 0.00       | Yes            | Significant discrepancy exists. A previous                               | 0.00    | 15.27*           |
|        | (≥ 2.0) in the rate   | Asian   | < 2.0    | 1.08       | Yes            | MSDE review of policies, procedures and                                  | 0.00    | 1.58             |
|        | of suspensions and  | Black or African American   | < 2.0    | 7.27       | No             | practices do not contribute to the significant                           | 5.50    | 7.27             |
|        | expulsions of   | Native Haw/Pacific Islander   | < 2.0    | 0.00       | Yes            | discrepancy. No required action.   | 0.00    | 0.00             |
| 48     | students with IEPs  | White   | < 2.0    | 0.99       | Yes            |  | 0.00    | 1.36             |
| !      | by race/ethnicity   | 2 or more races   | < 2.0    | 2.08*      | Yes            |  | 0.00    | 1.57             |
|        | Discrepancy exists  | Hispanic  | < 2.0    | 2.32*      | Yes            |  | 0.00    | 3.27             |
|        | in the category  N size is < 30*                                      | Policies/ procedures/<br>practices contribute to the<br>discrepancy.              | No       |            |                |  | N<br>O  | No               |
| 5A     | Student aged 6-21 whos the day (MD SSIS LRE A)                        | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)                   | ≥ 63.11% | 67.49%     | Yes            | Data meets the State's target.  No required action.                      | 68.19%  | 67.58%           |
| 58     | Students aged 6-21 who the day (MD SSIS LRE C)                        | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)                  | < 15.11% | 13.13%     | Yes            | Data meets the State's target.  No required action.                      | 11.91%  | 12.15%           |
|        | Students aged 6-21 \  | Students aged 6-21 whose LRE is separate  |          |            |                | Data meets the State's target.   |         |                  |
| 2C     | public/private day and residenti<br>and home and hospital facilities  | public/private day and residential facilities<br>and home and hospital facilities | ≤ 6.22%  | 2.68%      | Yes            | No required action.  | 5.47%   | 6.07             |
| 6A     | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day | ar Early Childhood<br>of the day  | ≥ 64.1%  | 42.55%     | No             | Data does not meet State target. Implement improvement activities.       | ۵       | 47.90%           |
| 6B     | Aged 3-5 LRE: Separate School or Class                                | ate School or Class   | < 19.1%  | 34.96%     | No             | Data does not meet State target. Implement improvement activities.       | ۵       | 32.8%            |
| 7.0    | Age 3-5 Outcomes:<br>Use of social –                                  | 1. Exits with substantial growth  | ≥ 68.3%  | %8.09      | No             | Data does not meet the State target for 7A1                              | 67.1%   | 80.04%           |
| 4      | emotional skills  | 2. Exits within age expectations  | ≥ 73.5%  | 58.4%      | No             |  | 65.6%   | 77.16%           |
| A Data | A Data not required to be submitted to OSEP                           | itted to OSEP   |          |            |                |  |         |                  |

Δ Data not required to be submitted to OSEP.

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|     | SPP/APR Indicators   |                 | FFY 2012         | a amar for    | FFY 2012 Action Required                      | Previous    | Previous Results |
|-----|--|-----------------|------------------|---------------|---|-------------|------------------|
| Res | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010 | FFY<br>2011      |
| 13  | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%        | 100%             |
| 15  | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant   | 100%             |
| 20  | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%        | 100%             |

|    | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action   |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | FFY 2012 results:  Disproportionate                   | American<br>Indian/Alaska<br>Native          | 0.00                       | 0.83                               | 1.43                    | 0.70                                | 1.18   | 1.07                          | The MSDE staff will<br>schedule a record<br>review of children |
|    | representation  | Asian  | 0.62                       | 0.24                               | 0.15                    | 0.80                                | 0.77   | 0.28                          | in the race  |
|    | ( ≥ 2.0) in<br>disability                             | Black/African<br>American                    | 2.06                       | 1.47                               | 2.30                    | 1.03                                | 0.88   | 1.17                          | category, using<br>Section 12 of the                           |
|    | categories by<br>race as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.72                               | 0.00                    | 0.81                                | 0.00   | 0.62                          | Special Education Record Review                                |
| 10 | identification  | White  | 0.50                       | 0.64                               | 0.71                    | 0.82                                | 1.48   | 1.16                          | document.  |
|    |   | 2 or more races                              | 0.79                       | 0.69                               | 0.62                    | 0.82                                | 0.88   | 0.90                          |  |
|    | Disproportionate                                      | Hispanic                                     | 1.08                       | 1.63                               | 0.45                    | 1.54                                | 0.53   | 0.71                          |  |
| 10 | representation exists                                 | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*                                       | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |  |

|    |   | FFY 2011   | (SFY 20                    | 12) Part E                         | 3 Complia               | ance Indi                           | cators |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate                    | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.65                               | 3.14*                   | 0.25                                | 1.05   | 1.59                          | NA                 |
|    | representation  | Asian  | 0.62                       | 0.24                               | 0.20                    | 0.72                                | 0.76   | 0.26                          |                    |
|    | (≥ 2.0) in disability                                 | Black/African<br>American  | 1.95                       | 1.53                               | 2.02                    | 1.06                                | 0.84   | 1.13                          |                    |
|    | categories by race<br>as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.61                               | 0.00                    | 1.39                                | 0.00   | 0.00                          |                    |
| 10 | identification  | White  | 0.54                       | 0.64                               | 0.75                    | 0.84                                | 1.55   | 1.20                          |                    |
|    |   | 2 or more races  | 0.66                       | 0.69                               | 0.55                    | 0.81                                | 0.86   | 0.83                          |                    |
|    | Disproportionate                                      | Hispanic   | 1.10                       | 1.57                               | 0.55                    | 1.49                                | 0.48   | 0.72                          |                    |
|    | representation<br>exists<br>N size is < 30*           | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- · Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

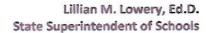
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### <u>OR</u>

LSS informed the State that it is unwilling to comply with the core requirements.





200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 20, 2014

Dr. Kevin M. Maxwell Chief Executive Officer Prince George's County Public Schools 14201 School Lane Upper Marlboro, MD 20772

Dear Dr. Maxwell:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Prince George's County Public Schools (PGCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the PGCPS has achieved the determination status of "Needs Substantial Intervention, Year Three."

The longstanding determination status of "Needs Substantial Intervention" of the PGCPS indicates a need for an increased level of accountability and focused intervention to improve results for children and youth with disabilities and their families. The MSDE, DSE/EIS will initiate enforcement actions, consistent with 34 CFR §300.600. In the near future you will receive an invitation to meet with Dr. Lillian M. Lowery, State Superintendent of Schools, Dr. Jack R. Smith, Chief Academic Officer, and me, Marcella E. Franczkowski, Assistant State Superintendent, Division of Special Education/Early Intervention Services to discuss next steps of intervention and support.

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Maxwell March 20, 2014 Page Two

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the PGCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Francykowski

Marcella E. Francykowski, M.S.

Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Joan Rothgeb, Ed. S. Branch Chiefs

# Prince George's County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

| 8        |  |                      |                           | FFY 201 | 12 (SFY 20 | 13) Part B | 2012 (SFY 2013) Part B Indicators  |          |                  |
|----------|--|----------------------|---------------------------|---------|------------|------------|--|----------|------------------|
|          | chn / Ann I.   |                      |                           |         | FFY 2012   |            |  | Previous | Previous Results |
| <u> </u> | SPF/APR Indicators  Results Indicator  | dicato               | rs<br>neo Indicator       | State   | Local      | Target     | Action Required  | FFY      | FFY              |
|          | esuits indicator   | ompina               | nce mancator              | Target  | Results    | Met        |  | 2010     | 2011             |
|          | Students with IEPs   | 4 year               | 4 year cohort             | > 81.5% | 26.0%      | No         | Data does not meet the State target for the                                    | <        | 26.69%           |
| 4        | graduating with a regular diploma  | 5 year               | 5 year cohort             | ≥ 84.4% | 61.90%     | No         | 4 and 5 year conort. Continue to implement Master Plan Improvement Strategies. | <        | 62.83%           |
| 2        | Students with IEPs dropping out<br>(Annual)                                    | droppin              | ig out                    | ≤ 3.27% | 7.19%      | No         | Data does not meet the State target. Continue to implement <i>Master Plan</i>  | 6.48%    | 6.48%            |
| ٧٥       | State Assessment:<br>AMO for disability  | AMO f                | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State target. Continue to implement Master Plan         | <        | Not Met          |
| T.       | subgroup in the<br>LEA   | AMO f                | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.  | <        | Not Met          |
| 38       | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | ation rates of<br>the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.                             | > 95%    | > 95%            |
|          | State Assessment:  | 6                    | Mathematics               | 95.22%  | 48.15%     | No         | Data does not meet the State target.   | 52.76%   | 26.59%           |
|          | children with IFPs   | •                    | Reading                   | 94.55%  | 58.07%     | No         | Improvement Strategies   | 61.35%   | 64.00%           |
|          | against grade  | ,                    | Mathematics               | 95.19%  | 49.57%     | No         |  | 59.27%   | 55.57%           |
|          | level, modified and  | †                    | Reading                   | 96.15%  | 57.28%     | No         |  | 64.55%   | 65.13%           |
|          | alternate academic   | и                    | Mathematics               | 94.13%  | 38.19%     | No         |  | 52.00%   | 55.95%           |
|          | achievement  | n                    | Reading                   | 95.23%  | 57.71%     | No         |  | 63.54%   | 67.84%           |
| 3C       | standards  | u                    | Mathematics               | 93.12%  | 47.38%     | No         |  | 54.50%   | 54.46%           |
|          |  | ٥                    | Reading                   | 95.50%  | 49.52%     | No         |  | 59.82%   | 57.39%           |
|          |  | 7                    | Mathematics               | 92.83%  | 27.76%     | No         |  | 42.52%   | 39.81%           |
|          |  | `                    | Reading                   | 95.25%  | 42.21%     | No         |  | 49.31%   | 41.78%           |
|          |  | ٥                    | Mathematics               | 92.64%  | 23.58%     | No         |  | 22.45%   | 27.98%           |
|          |  | ٥                    | Reading                   | 94.82%  | 32.33%     | No         |  | 41.69%   | 40.99%           |
|          |  | ū                    | Mathematics               | 91.22%  | 27.12%     | No         |  | 32.63%   | 29.68%           |
|          |  | 2                    | Reading                   | 93.17%  | 36.33%     | No         |  | 35.64%   | 39.30%           |

<sup>^</sup>Data calculation change; data not comparable to FFY 2011 data.

|        |   |  | FFY 201  | 12 (SFY 20 | 13) Part B    | FY 2012 (SFY 2013) Part B Indicators  |          |                  |
|--------|---|--|----------|------------|---------------|---|----------|------------------|
|        | i du vi duo   |  |          | FFY 2012   |               |   | Previous | Previous Results |
| Re     | SPP/APR Indicators Results Indicator  | indicators<br>Compliance Indicator   | State    | Local      | Target<br>Met | Action Required   | FFY 2010 | FFY 2011         |
|        | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 3.68       | No<br>O       | Data does not meet the State target. Continue to implement Master Plan Improvement Strategies.        | 3.40     | 3.95             |
| 44     | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 2.55       | No            | Data does not meet the State target. Continue to implement <i>Master Plan</i> Improvement Strategies. | 2.08     | 1.78             |
|        | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 2.22*      | Yes           | Significant discrepancy exists. A previous  | 00.00    | 1.80             |
|        | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes           | MSDE review of policies, procedures and   | 0.00     | 0.59             |
|        | of suspensions and  | Black or African American  | < 2.0    | 4.33       | No            | practices do not contribute to the significant  | 3.78     | 4.39             |
|        | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes           | discrepancy. No required action.  | 0.00     | 0.00             |
| AR.    | students with IEPs  | White  | < 2.0    | 1.40       | Yes           |   | 0.00     | 0.70             |
| P      | by race/ethnicity   | 2 or more races  | < 2.0    | 2.52*      | Yes           |   | 0.00     | 2.21*            |
| NY COL | Discrepancy exists  | Hispanic   | < 2.0    | 0.73       | Yes           |   | 0.00     | 0.84             |
|        | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       |            |               |   | No       | No               |
| 5A     | Student aged 6-21 whos the day (MD SSIS LRE A)  | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 52.30%     | No            | Data does not meet the State target.<br>Improvement Plan required.                                    | 52.17%   | 52.57%           |
| 58     | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | < 15.11% | 27.92%     | No            | Data does not meet the State target.<br>Improvement Plan required.                                    | 27.94%   | 28.46%           |
| 5C     | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 9.12%      | No            | Data does not meet the State target.<br>Improvement Plan required.                                    | 9.4%     | 8.75%            |
| 6A     | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 40.46%     | No            | Data does not meet State's target for 3-5. Improvement Plan required.                                 | ٥        | 55.83%           |
| 6B     | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 29.17%     | No            | Data does not meet State's target for 3-5. Improvement Plan required.                                 | ٧        | 33.60%           |
| VZ     | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | %2'99      | No            | Data does not meet the State target in category 7A1 and 7A2. Improvement Plan                         | %2'99    | 58.16%           |
| 4      | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 61.5%      | No            | required.   | 70.2%    | 57.78%           |
| A D.+. | 0000 of bottimding od of boximon for the O  | 11+04+0 OSEB   |          |            |               |   |          |                  |

 $\Delta$  Data not required to be submitted to OSEP.

|    |  |  | FFY 20  | 12 (SFY 20 | Y 2012 (SFY 2013) Part B Indicators | Indicators  |          |                  |
|----|--|--|---------|------------|-------------------------------------|---|----------|------------------|
|    | SPP/APR Indicators   | dicators   |         | FFY 2012   | ,                                   | Action Required   | Previous | Previous Results |
| Re | Results Indicator Co.  | Compliance Indicator   | State   | Local      | Target                              |   | FFY      | FFY              |
|    |  |  | Target  | Results    | Met                                 |   | 2010     | 2011             |
| Î  | Age 3-5 Outcomes:  | Exits with substantial growth  | ≥ 68.6% | 55.8%      | No                                  | Data does not meet the State target in                      | 64.4%    | 56.25%           |
| 8/ | and skills   | 2. exits within age expectations   | ≥ 59.3% | 42.6%      | No                                  | required.   | 41.3%    | 42.74%           |
| 1  | Age 3-5 Outcomes:  | 1. Exits with substantial growth   | ≥ 63.7% | 58.7%      | No                                  | Data does not meet the State target in                      | 61.4%    | 20.65%           |
| 2  | behaviors  | 2. Exits within age expectations   | ≥ 66.2% | 57.8%      | No                                  | required.   | 54.0%    | 52.51%           |
|    | Parent Survey  | Age 3-5  | 40.0%   | 52.0%      | Yes                                 | Data meets the State's target in 3-5.                       | 46%      | 49%              |
| 8A |  | Age 6-21   | 38.0%   | 700 66     | 2                                   | Improvement Plan required.                                  | 33%      | ,010             |
|    |  |  |         | 33.0%      | 0                                   | No required action.   |          | 33%              |
|    | Disproportionate   | Amer Indian/Alaska Native  | < 2.0   | 0.95       | Yes                                 | No significant disproportionate                             | 1.10     | 1.04             |
|    | representation   | Asian  | < 2.0   | 0.40       | Yes                                 | representation. No required action.                         | 0.39     | 0.39             |
|    | (≥ 2.0) in special   | Black, African American  | < 2.0   | 0.91       | Yes                                 |   | 0.86     | 0.91             |
|    | education of racial  | Native Haw/Pacific Islander  | < 2.0   | 0.10       | Yes                                 |   | 0.20     | 0.22             |
|    | groups as a result   | White  | < 2.0   | 1.47       | Yes                                 |   | 1.53     | 1.45             |
|    | of inappropriate   | 2 or more races  | < 2.0   | 0.74       | Yes                                 |   | 0.68     | 0.75             |
| 6  | identification   | Hispanic   | < 2.0   | 0.71       | Yes                                 |   | 0.67     | 0.70             |
|    | Disproportionate representation exits in the category N size is < 30*  | Disproportionate representation is due to inappropriate identification                         | 0N)     | 0%)        | Yes                                 |   | No (%0)  | No<br>(%0)       |
|    |  |  | 드       | dicator 1  | Indicator 10 on last page           | page  |          |                  |
| 11 | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days. | nts with written<br>evaluate who were<br>calendar days.  | 100%    | 97.15%     | N<br>N                              | Substantially compliant. Data verified. No required action. | 95.70%   | 98.10%           |
| 12 | Eligible children exit<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%    | %69'66     | No                                  | Substantially compliant. Data verified. No required action. | 100%     |                  |

Prince George's Co. Annual Data Rpt FFY 2012

| e George's Co. Annual Data Rpt FFY 2012 |
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**Previous Results** 

**Action Required** 

FY 2012(SFY 2013) Part B Indicators

FFY 2012

Target Met

Results

State Target

Local

SPP/APR Indicators
Results Indicator Compliance Indicator

Percentage of youth age 16 and above whose IEP meets secondary transition

FFY 2011

2010

FF

< 100%

compliant

Non-

Compliant. No required action.

Compliant. No required action.

Yes

100%

100%

State reported data are timely and accurate

20

15

Timely correction of noncompliance

requirements

13

Yes

100%

100%

100%

100%

%0.66

79.0%

Substantially compliant. Data verified. No

required action.

S

95.5%

100%

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|    | SPP/APR Inc   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                            |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | FFY 2012 results: Disproportionate  | American<br>Indian/Alaska<br>Native          | 0.97                       | 1.08                               | 1.19                    | 0.44                                | 0.56   | 0.54                          | Identification<br>procedures<br>compliant. No |
| 10 | representation  | Asian  | 0.45                       | 0.27                               | 0.19                    | 0.65                                | 0.74   | 0.12                          | required actions.                             |
|    | (≥ 2.0) in<br>disability<br>categories by<br>race as a result of<br>inappropriate | Black/African<br>American                    | 1.26                       | 1.05                               | 1.17                    | 0.56                                | 0.62   | 0.93                          |   |
|    |   | Native Hawaiian/<br>Pacific Islander         | 0.57                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |   |
| U  | identification  | White  | 1.23                       | 1.12                               | 1.61                    | 2.06                                | 2.29   | 1.69                          |   |
| 10 |   | 2 or more races                              | 0.43                       | 0.78                               | 0.59                    | 1.03                                | 0.75   | 0.75                          |   |
|    | Disproportionate  | Hispanic                                     | 0.50                       | 1.07                               | 0.19                    | 0.63                                | 0.30   | 0.53                          |   |
|    | representation exists   | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |   |
|    | N size is < 30*   | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |   |

|    |   | FF'  | 7 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Ind   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate                    | American<br>Indian/Alaska<br>Native                                    | 1.25                       | 1.17                               | 1.56                    | 0.25                                | 0.92   | 0.90                          | NA                 |
|    | representation  | Asian  | 0.42                       | 0.27                               | 0.11                    | 0.87                                | 0.72   | 0.16                          |                    |
|    | (≥ 2.0) in disability                                 | Black/African<br>American  | 1.31                       | 1.06                               | 1.23                    | 0.72                                | 0.52   | 0.33                          |                    |
|    | categories by race<br>as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                                   | 0.0                        | 0.10                               | 0.0                     | 0.49                                | 0.0    | 0.25                          |                    |
| 10 | identification  | White  | 1.18                       | 1.13                               | 1.57                    | 1.44                                | 2.66   | 1.73                          |                    |
|    |   | 2 or more races  | 0.44                       | 0.73                               | 0.53                    | 1.32                                | 0.68   | 0.75                          |                    |
|    | Disproportionate                                      | Hispanic   | 0.47                       | 1.06                               | 0.15                    | 0.77                                | 0.28   | 0.50                          |                    |
|    | representation<br>exists<br>N size is < 30*           | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at http://mdideareport.org no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. Carol A. Williamson Superintendent Queen Anne's County Board of Education 202 Chesterfield Avenue Centreville, MD 21617

Dear Dr. Williamson:

The Maryland State Department of Education (MSDF), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSF/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Queen Anne's County Board of Education (QACBOE). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the QACBOE has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- · Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Williamson March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SPCAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the QACBOE to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Marcella E. Francykowski

Division of Special Education/ Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.
Jack R. Smith, Ph.D.
Diane McGowan
Branch Chiefs

# Queen Anne's Co. Annual Data Rpt FFY 2012

# Queen Anne's County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                     |                           | FFY 20  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators   |          |                  |
|----|--|---------------------|---------------------------|---------|------------|------------|---|----------|------------------|
|    | CDD / ABD In   | J. Cart.            |                           |         | FFY 2012   |            |   | Previous | Previous Results |
|    | SPF/AFR IIIdicators Results Indicator Compliance Indicator                     | omnlia              | IFS<br>nce Indicator      | State   | Local      | Target     | Action Required   | FFY      | FFY              |
|    |  | ombue               | mee mancaror              | Target  | Results    | Met        |   | 2010     | 2011             |
| -  | Students with IEPs<br>graduating with a  | 4 year              | 4 year cohort             | ≥ 81.5% | %0.02      | No         | Data does not meet the State's target for the 4 and 5 year cohort. Continue to                                | <        | 74.55%           |
| 1  | regular diploma  | 5 year              | 5 year cohort             | ≥ 84.4% | 72.88%     | No         | implement <i>Master Plan</i> Improvement Strategies.  | <        | 79.63%           |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | droppin             | ig out                    | ≤ 3.27% | 3.76%      | No         | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i><br>Improvement Strategies. | 3.95%    | 3.95%            |
| 3A | State Assessment:<br>AMO for disability  | AMOf                | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i>                            | <        | Met              |
|    | subgroup in the<br>LEA   | AMOf                | AMO for Mathematics       | Meets   | Not Met    | No         | Improvement Strategies.   | <        | Met              |
| 3B | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>ades in | ation rates of<br>the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.  | > 95%    | > 95%            |
|    | State Assessment:  | m                   | Mathematics               | 95.22%  | 59.46%     | No         | Data does not meet the State's target.  | 58.90%   | 84.62%           |
|    | Proficiency rate for   | ,                   | Reading                   | 94.55%  | 77.03%     | No         | Continue to implement Master Plan   | 75.34%   | 79.49%           |
|    | children with IEPs   | 4                   | Mathematics               | 95.19%  | 73.56%     | No         | Improvement Strategies.   | 74.36%   | 80.95%           |
|    | against grade  |                     | Reading                   | 96.15%  | 83.91%     | No         |   | 82.05%   | 84.52%           |
|    | alternate academic   | Ľ                   | Mathematics               | 94.13%  | 34.07%     | No         |   | 68.29%   | 88.67%           |
|    | artievement  |                     | Reading                   | 95.23%  | 73.63%     | No         |   | 86.59%   | 76.19%           |
| 3C | standards  | 9                   | Mathematics               | 93.12%  | 31.17%     | No         |   | 67.11%   | 71.95%           |
| )  |  |                     | Reading                   | 95.50%  | 61.04%     | No         |   | 72.37%   | 73.49%           |
|    |  | 7                   | Mathematics               | 92.83%  | 30.86%     | No         |   | 53.85%   | 65.38%           |
|    |  |                     | Reading                   | 95.25%  | 65.43%     | No         |   | 74.68%   | 71.79%           |
|    |  | 00                  | Mathematics               | 95.64%  | 30.86%     | No         |   | 46.38%   | 48.65%           |
|    |  |                     | Reading                   | 94.82%  | 64.20%     | No         |   | 75.36%   | 75.68%           |
|    |  | HS                  | Mathematics               | 91.22%  | 70.73%     | No         |   | 55.22%   | 62.0%            |
|    |  |                     | Reading                   | 93.17%  | 71.43%     | No         |   | 29.09%   | 64.0%            |

^Data calculation change; data not comparable to FFY 2011 data.

|     |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                                |         |                  |
|-----|---|--|----------|------------|------------|--|---------|------------------|
|     | CDD / A DD In discatory   | disatons   |          | FFY 2012   |            |  | Previou | Previous Results |
| Re  | Serly Mr Indicator Sesults Indicator  | urcators<br>ompliance Indicator  | State    | Local      | Target     | Action Required  | FFY     | FFY              |
|     |   | ompried marcarot   | Target   | Results    | Met        | k  | 2010    | 2011             |
| 44  | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 0.00       | Yes        | Data meets the State's target. No required action.                   | 0.00    | 1.17             |
|     | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 0.00       | Yes        | Data meets the State's target. No required action.                   | 00:00   | 00:00            |
|     | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 00.00      | Yes        | No significant discrepancy. No required                              | 00.00   | 0.00             |
|     | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.  | 0.00    | 0.00             |
|     | of suspensions and  | Black or African American  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00             |
|     | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00             |
| 48  | by race/ethnicity   | White  | < 2.0    | 0.00       | Yes        |  | 0.00    | 1.45             |
|     | by race/ cumulity   | 2 or more races  | < 2.0    | 0.00       | Yes        |  | 00.00   | 0.00             |
|     | Discrepancy exists  | Hispanic   | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00             |
|     | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | No      | No               |
| 5A  | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 92.38%     | Yes        | Data meets the State's target.<br>No required action.                | 91.34%  | 91.84%           |
| 58  | Students aged 6-21 who<br>the day (MD SSIS LRE C)   | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | ≤ 15.11% | 3.98%      | Yes        | Data meets the State's target.  No required action.                  | 4.03%   | 3.63%            |
| 5C  | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 1.22%      | Yes        | Data meets the State's target.<br>No required action.                | 1.54%   | 1.36%            |
| 6A  | Aged 3-5 LRE: Regular Early Childhood<br>setting the majority of the day                          | ır Early Childhood<br>of the day   | ≥ 64.1%  | 54.55%     | No         | Data does not meet the State's target.<br>Improvement Plan required. | ٥       | 52.38%           |
| 6B  | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 23.23%     | No         | Data does not meet the State's target.<br>Improvement Plan required. | ∇       | 27.38%           |
| 7.0 | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 80.08      | Yes        | Data meets the State's target in category                            | 100%    | 76.0%            |
|     | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 93.8%      | Yes        |  | 81.6%   | 84.78%           |

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP.

|                                       | Previous Results   | FFY                                    | 2011    | 72.41%                                    | 76.09%                             | 78.26%                                    | 89.13%                             | 63.0%                                       | 45.0%                   | 1.36                            | 0.56                                | 1.85                    | 2.18*                       | 0.67  | 0.72             | 0.73           | oN<br>(%0)   |                           | 98.94%  | 100%   |
|---------------------------------------|--------------------|--|---------|---|------------------------------------|---|------------------------------------|---|-------------------------|---------------------------------|-------------------------------------|-------------------------|-----------------------------|-------|------------------|----------------|--|---------------------------|---|--|
|                                       | Previo             | FFY                                    | 2010    | 81.5%                                     | 73.7%                              | 68.4%                                     | 76.3%                              | 28%   | 41%                     | 1.44                            | 0.36                                | 2.07                    | 1.73                        | 0.70  | 69.0             | 0.47           | 0N<br>(%0)   |                           | 95.08%  | 100%   |
| FFY 2012 (SFY 2013) Part B Indicators | Action Required    |  |         | Data meets the State's target in category | יסד מומ יסד. ואס ובאמוובת מכנוסוו. | Data meets the State's target in category | יכד מומ יכד. ואס ופלמוופת מכנוסוו. | Data meets the State's target in 3-5 and 6- | 21. No required action. | No significant disproportionate | representation. No required action. |                         |                             |       |                  |                |  | page                      | Substantially compliant. Data verified. No required action.   | Compliant. Data verified. No required          |
| 13) Part B                            |                    | Target                                 | Met     | Yes                                       | Yes                                | Yes                                       | Yes                                | Yes   | Yes                     | Yes                             | Yes                                 | Yes                     | Yes                         | Yes   | Yes              | Yes            | No<br>(%0)   | Indicator 10 on last page | Yes   | Yes  |
| 12 (SFY 20                            | FFY 2012           | Local                                  | Results | 100%                                      | 93.8%                              | 100%                                      | 93.8%                              | 44.0%                                       | 49.0%                   | 0.84                            | 0.59                                | 1.95                    | 2.16*                       | 0.71  | 0.64             | 0.55           | (%0)   | dicator 10                | 95.93%  | 100%   |
| FFY 201                               |                    | State                                  | Target  | > 68.6%                                   | ≥ 59.3%                            | ≥ 63.7%                                   | ≥ 66.2%                            | 40.0%                                       | 38.0%                   | < 2.0                           | < 2.0                               | < 2.0                   | < 2.0                       | < 2.0 | < 2.0            | < 2.0          | No<br>(0%)   | Inc                       | 100%  | 100%   |
|                                       | licators           | mpliance Indicator                     |         | 1. Exits with substantial growth          | 2. exits within age expectations   | 1. Exits with substantial growth          | 2. Exits within age expectations   | Age 3-5                                     | Age 6-21                | Amer Indian/Alaska Native       | Asian                               | Black, African American | Native Haw/Pacific Islander | White | 2 or more races  | Hispanic       | Disproportionate representation is due to inappropriate identification |                           | ts with written<br>valuate who were<br>alendar days   | Eligible children exiting Part C at age 3 have |
|                                       | SPP/APR Indicators | Results Indicator Compliance Indicator |         | Age 3-5 Outcomes:<br>Use of knowledge     | and skills                         | Age 3-5 Outcomes:<br>Use of appropriate   | behaviors                          | Parent Survey                               |                         | Disproportionate                |                                     |                         |                             |       | or inappropriate | Identification | Disproportionate representation exits in the category  N size is < 30* |                           | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | Eligible children exiting Part C at age 3 hav  |
|                                       |                    | Res                                    |         | 78  | 9/                                 | 26  | 2                                  | 84  | 5                       |                                 |                                     |                         |                             |       |                  | 6              |  |                           | 11  | 12   |

**Previous Results** 

Action Required

FFY 2012(SFY 2013) Part B Indicators

FFY 2012

Target Met

Local

Results Indicator Compliance Indicator

SPP/APR Indicators

Percentage of youth age 16 and above whose IEP meets secondary transition

Results

State Target

2011

FFY 2010 100%

compliant <100%

Compliant. No required action. Compliant. No required action.

Yes

< 100%

100%

100%

State reported data are timely and accurate

Timely correction of noncompliance

15

20

requirements

13

%98

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

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| Fina |

|    | SPP/APR Ind  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                             |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | FFY 2011 results: Disproportionate   | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 1.07                               | 0.00                    | 0.00                                | 4.37*  | 0.00                          | No significant disproportionate representation |
|    | representation   | Asian  | 0.00                       | 0.62                               | 0.00                    | 0.42                                | 1.04   | 0.43                          | exists. No action                              |
|    | (≥2.0) in<br>disability<br>categories by<br>race as a result of<br>inappropriate<br>identification | Black/African<br>American  | 2.22*                      | 1.95                               | 2.10*                   | 3.22*                               | 0.75   | 2.08*                         | required.                                      |
| 10 |  | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 2.04*                              | 0.00                    | 7.03*                               | 0.00   | 0.00                          | ×  |
| 10 |  | White  | 0.72                       | 0.69                               | 0.64                    | 0.56                                | 1.04   | 0.72                          |  |
|    |  | 2 or more races  | 0.00                       | 0.69                               | 1.17                    | 0.00                                | 0.95   | 1.03                          |  |
|    | Disproportionate   | Hispanic   | 0.82                       | 0.58                               | 0.80                    | 0.25                                | 1.40   | 0.40                          |  |
|    | representation<br>exists<br>N size is < 30*  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |  |

|    | SPP/APR Ind   | icators  |                            |                                    |                         |                                     |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
| Co | ompliance Indic   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FY 2010 results:<br>Disproportionate                                    | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 1.51                               | 0.00                    | 0.00                                | 4.56*  | 1.75                          | NA                 |
|    | epresentation   | Asian  | 0.00                       | 0.66                               | 0.00                    | 0.00                                | 1.22   | 0.45                          |                    |
| d  | ≥ 2.0) in<br>lisability   | Black/African<br>American  | 1.97                       | 2.02                               | 2.43*                   | 1.99                                | 0.82   | 2.15*                         |                    |
| a  | categories by race<br>as a result of<br>inappropriate<br>identification | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 4.03*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
|    |   | White  | 0.61                       | 0.66                               | 0.43                    | 0.59                                | 1.12   | 0.60                          |                    |
|    |   | 2 or more races  | 1.19                       | 0.52                               | 0.77                    | 0.81                                | 1.06   | 0.81                          |                    |
|    | Disproportionate  | Hispanic   | 1.00                       | 0.57                               | 1.38                    | 1.18                                | 0.88   | 0.67                          |                    |
| е  | epresentation<br>exists<br>I size is < 30*                              | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- · Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. John B. Gaddis Interim Superintendent Somerset County Public Schools 7982-A Tawes Campus Drive Westover, MD 21871

Dear Dr. Gaddis:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Somerset County Public Schools (SCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the SCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Gaddis March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the SCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

arcella & Francykowski Marcella E. Franczkowski, M.S.

Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.

Jack R. Smith, Ph.D. Lynette Johnson Branch Chiefs

Somerset Co. Annual Data Report FFY 2012

# Somerset County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                     |                         | FFY 20  | 12 (SFY 20 | 13) Part B     | Y 2012 (SFY 2013) Part B Indicators   |          |                  |
|----|--|---------------------|-------------------------|---------|------------|----------------|---|----------|------------------|
|    | SPD/APR Indicators   | dicato              | 3110                    |         | FFY 2012   |                |   | Previous | Previous Results |
| R  | Results Indicator Co   | omplia              | Compliance Indicator    | State   | Local      | Target         | Action Required   | FFY      | FFY              |
|    |  |                     |                         | Target  | Results    | Met            |   | 2010     | 2011             |
| 1  | Students with IEPs<br>graduating with a  | 4 year              | 4 year cohort           | ≥ 81.5% | 64.29%     | No             | Data does not meet the State's target for the 4 year cohort. Continue to implement                      | <        | 65.52%           |
|    | regular diploma  | 5 year              | 5 year cohort           | ≥ 84.4% | 64.52%     | No             | Master Plan Improvement Strategies.   | <        | 68.97            |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | droppin             | ng out                  | ≤ 3.27% | 5.22%      | N<br>O         | Data does not meet the State's target. Continue to implement <i>Master Plan</i> Improvement Strategies. | 4.86%    | 4.86%            |
| 3A | State Assessment:<br>AMO for disability  | AMO                 | AMO for Reading         | Meets   | Not Met    | N <sub>O</sub> | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i>                      | <        | Met              |
|    | subgroup in the  | AMO                 | AMO for Mathematics     | Meets   | Not Met    | No.            | Improvement Strategies.   | <        | Met              |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>ades in | bation rates of the LEA | > 95%   | Met        | Yes            | Data meets the State target. No required action.  | < 95%    | < 95%            |
|    | State Assessment:  | ď                   | Mathematics             | 95.22%  | 71.43%     | No             | Data does not meet the State's target.  | 73.33%   | 70.00%           |
|    | Proficiency rate for   | ,                   | Reading                 | 94.55%  | 78.05%     | No             | Continue to implement Master Plan   | 80.00%   | 80.65%           |
|    | children with IEPs   | 4                   | Mathematics             | 95.19%  | 74.19%     | No             | Improvement Strategies.   | 75.56%   | 75.00%           |
|    | against grade  |                     | Reading                 | 96.15%  | 70.97%     | No             |   | 82.22%   | 81.25%           |
|    | alternate academic   | ď                   | Mathematics             | 94.13%  | 71.43%     | No             |   | 78.79%   | 82.98%           |
| W  | arbievement  | ,                   | Reading                 | 95.23%  | 85.71%     | No             |   | 78.79%   | 80.85%           |
| 30 | standards  | œ                   | Mathematics             | 93.12%  | 75.00%     | No             |   | 92.50%   | 72.41%           |
| 3  |  |                     | Reading                 | 95.50%  | 75.00%     | No             |   | %00.06   | 70.00%           |
|    |  | 7                   | Mathematics             | 92.83%  | 75.86%     | No             |   | 78.14%   | 71.05%           |
|    |  |                     | Reading                 | 95.25%  | 72.41%     | No             |   | 87.50%   | 81.58%           |
|    |  | ∞                   | Mathematics             | 92.64%  | 30.77%     | No             |   | 38.46%   | 39.29%           |
|    |  |                     | Reading                 | 94.82%  | 56.41%     | No             |   | 70.37%   | 65.52%           |
|    |  | HS                  | Mathematics             | 91.22%  | 30.43%     | No             |   | 43.48%   | 29.17%           |
|    |  |                     | Reading                 | 93.17%  | 30.43%     | No             |   | 54.55%   | 37.50%           |

^Data calculation change; data not comparable to FFY 2011 data.

|     |   |  | FFV 20   | 12 (SEV 2) | FFV 2012 (SFV 2013) Part B Indicators | Indicators   |          |                  |
|-----|---|--|----------|------------|---------------------------------------|--|----------|------------------|
|     |   |  |          | FFV 2012   | a am i far.                           | THE COURT OF THE C |          |                  |
|     | SPP/APR Indicators  | dicators   |          | FFY 2012   |                                       |  | Previous | Previous Results |
| Re  | Results Indicator Co  | Compliance Indicator   | State    | Local      | Target                                | Action Required  | FFY      | FFY              |
|     |   | ompnance marcator  | Target   | Results    | Met                                   |  | 2010     | 2011             |
| 44  | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled   | < 2.0    | 2.01*      | Yes                                   | Data meets the State's target. No required action.   | 0.00     | 3.35*            |
| ¥   | Single suspensions ( vs. nondisabled  | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 0.00       | Yes                                   | Data meets the State's target. No required action.   | 00.00    | 0                |
|     | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes                                   | No significant discrepancy. No required  | 0.00     | 0.00             |
|     | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes                                   | action.  | 0.00     | 0.00             |
|     | of suspensions and  | Black or African American  | < 2.0    | 3.09*      | Yes                                   |  | 0.00     | 4.61*            |
|     | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes                                   |  | 0.00     | 00.0             |
| 48  | students with IEPs  | White  | < 2.0    | 1.24       | Yes                                   |  | 0.00     | 1.92             |
|     | by race/etimenty  | 2 or more races  | < 2.0    | 0.00       | Yes                                   |  | 0.00     | 0.00             |
|     | Discrepancy exists  | Hispanic   | < 2.0    | 0.00       | Yes                                   |  | 0.00     | 11.78*           |
|     | in the category  N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes                                   |  | No       | No               |
| 5A  | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 80.15%     | Yes                                   | Data meets the State's target.<br>No required action.  | 85.11%   | 83.85%           |
| 58  | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | s 15.11% | 15.01%     | Yes                                   | Data meets the State's target.  No required action.  | 10.11%   | 11.28%           |
| 2C  | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≥ 6.22%  | 4.07%      | Yes                                   | Data meets the State's target.<br>No required action.  | 2.13%    | 2.05%            |
| 6A  | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 62.50%     | No                                    | Data does not meet the State target. Improvement Plan required.  | ٥        | 51.16%           |
| 68  | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | < 19.1%  | 8.33%      | Yes                                   | Data meets the State's target. No required action.   | ٥        | 6.98%            |
| 7.0 | Age 3-5 Outcomes:   | 1. Exits with substantial growth   | ≥ 68.3%  | %0.09      | No                                    | Data does not meet the State's targets in  | 94.1%    | 83.33%           |
|     | emotional skills  | 2. Exits within age expectations   | ≥ 73.5%  | 20.0%      | No                                    | category /A1 and /A2. Improvement Plan required.   | 83.3%    | 75%              |

 $\Delta$  Data not required to be submitted to OSEP.

100%

Percentage of students with written parental consent to evaluate who were

11

evaluated within 60 calendar days

100%

Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday

12

100%

100%

| Age 3-5 Outcomes:  Use of appropriate behaviors  Parent Survey  Parent Survey  Age 3-5  Age 6-21  Disproportionate representation  (≥ 2.0) in special groups as a result groups as a result of inappropriate identification  Hispanic | 1. Exits with substantial growth 2. exits within age expectations 1. Exits with substantial growth 2. Exits within age expectations Age 3-5 Age 6-21 Amer Indian/Alaska Native Asian Black, African American White 2 or more races 4 or more races | State Target  > 68.6%  > 68.6%  > 63.7%  40.0%  40.0%  < 2.0  < 2.0  < 2.0  < 2.0  < 2.0  < 2.0  < 2.0  < 2.0 | Local Results 40.0% 33.3% 50.0% 62.0% 67.0% 0.00 0.00 0.00 0.07 1.16 0.77 | Target Met No No No Yes Yes Yes Yes Yes Yes Yes | Action Required  Data does not meet the State's targets in Category 7B1 and 7B2. Improvement Plan required.  Data does not meet the State's targets in Category 7C1 and 7C2. Improvement Plan required.  Data meets the State's target in 3-5 and 6-21. No required action.  No significant disproportionate representation. No required action. | Previous<br>FFY<br>2010<br>77.8%<br>44.4%<br>88.2%<br>83.3%<br>0.0%<br>51%<br>0.00<br>0.32<br>1.56<br>0.00<br>0.00<br>0.99 | Previous Results           FFY         FFY           2010         2011           77.8%         100%           74.4%         75%           88.2%         50%           83.3%         75.00           0.0%         60%           51%         61%           0.00         0.00           0.32         0.34           1.56         1.36           0.00         0.00           0.99         1.13           0.64         0.84           0.64         0.84 |
|---|--|---|---|---|--|--|--|
| Disproportionate Disproportion representation exits in the category Identification N size is < 30*  | Disproportionate representation is due to inappropriate identification   | oN (%0)   | oN (%0)   | Yes   |  | No (0%)  | No (0%)  |

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|    |   | FFY 20          | 12 (SFY 20       | 113) Part B   | FFY 2012 (SFY 2013) Part B Indicators                                 |           |                   |
|----|---|-----------------|------------------|---------------|---|-----------|-------------------|
|    | SPP/APR Indicators  |                 | FFY 2012         |               | Action Required   | Previou   | Previous Results  |
| Re | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |   | FFY 2010  | FFY 2011          |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | 95.7%            | No            | Substantially compliant. Data verified. No required action.           | 100%      | No annual<br>data |
|    | reduirements  |                 |                  |               |   |           | reported          |
| 15 | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No action required.  | Compliant | <100%             |
| 20 | State reported data are timely and accurate                               | 100%            | < 100%           | No            | Action plan required to address timely and accurate reporting of data | < 100%    | <100%             |

|    | SPP/APR Inc                              | dicators                                     | Y 2012 (                   |                                    |                         | 1                                   |        | 1                             |  |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | Compliance Indi                          |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                                       |
|    | FFY 2012 results: Disproportionate       | American<br>Indian/Alaska<br>Native          | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | The MSDE staff will schedule a record review of children |
|    | representation                           | Asian  | 0.00                       | 0.00                               | 0.00                    | 2.29*                               | 0.00   | 0.00                          | in the race  |
|    | (≥2.0) in<br>disability<br>categories by | Black/African<br>American                    | 2.68*                      | 2.05                               | 1.52                    | 0.49                                | 0.89   | 1.38                          | category, using<br>Section 12 of the                     |
|    | race as a result of inappropriate        | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | Special Education<br>Record Review                       |
| 10 | identification                           | White  | 0.58                       | 0.88                               | 1.62                    | 1.78                                | 2.04*  | 1.17                          | document.  |
|    |  | 2 or more races                              | 0.76                       | 0.97                               | 0.00                    | 0.38                                | 0.00   | 0.95                          |  |
|    | Disproportionate                         | Hispanic                                     | 0.58                       | 0.30                               | 0.00                    | 0.58                                | 0.54   | 0.53                          |  |
|    | representation exists                    | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*                          | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |  |

|    |  | FF   | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc                                    |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate             | American<br>Indian/Alaska<br>Native                                    | 0.0                        | 0.0                                | 0.0                     | 0.0                                 | 0.0    | 0.0                           | NA                 |
|    | representation                                 | Asian  | 0.0                        | 0.0                                | 0.0                     | 2.55*                               | 0.0    | 0.0                           |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race | Black/African<br>American  | 2.20*                      | 2.25                               | 0.84                    | 0.61                                | 0.94   | 1.36                          |                    |
|    | as a result of inappropriate                   | Native Hawaiian/<br>Pacific Islander                                   | 0.0                        | 0.0                                | 0.0                     | 0.0                                 | 0.0    | 0.0                           |                    |
| 10 | identification                                 | White  | 0.50                       | 0.79                               | 2.80*                   | 1.43                                | 1.73   | 1.18                          |                    |
|    |  | 2 or more races  | 0.67                       | 1.13                               | 0.0                     | 0.32                                | 0.0    | 1.06                          |                    |
|    | Disproportionate                               | Hispanic   | 1.35                       | 0.22                               | 0.0                     | 0.60                                | 0.74   | 0.48                          |                    |
|    | representation<br>exists<br>N size is < 30*    | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. Michael J. Martirano Superintendent St. Mary's County Public Schools P.O. Box 641 Leonardtown, MD 20650

Dear Dr. Williamson:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the St. Mary's County Public Schools (SMCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the SMCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes:
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Martirano March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the SMCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.

Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D.

Melissa Charbonnet

Branch Chiefs

# St. Mary's Co. Annual Data Rpt FFY 2012

# St. Mary's County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                       |                           | FFY 20  | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators   |          |                  |
|----|--|-----------------------|---------------------------|---------|------------|------------|---|----------|------------------|
|    | CDD/ADD 1m   |                       |                           |         | FFY 2012   |            |   | Previous | Previous Results |
|    | Serlfs Indicator Complians   | ancaro                | rs<br>neo Indicator       | State   | Local      | Target     | Action Required   | FFY      | FFY              |
|    | resuits indicator  | ошрия                 | nce indicator             | Target  | Results    | Met        |   | 2010     | 2011             |
| -  | Students with IEPs<br>graduating with a  | 4 year                | 4 year cohort             | ≥ 81.5% | 57.98%     | No         | Data does not meet the State's target for the 4 and 5 year cohort. Continue to implement                | <        | 46.94%           |
| (  | regular diploma  | 5 year                | 5 year cohort             | ≥ 84.4% | 66.10%     | No         | Master Plan Improvement Strategies.   | <        | 55.91%           |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | droppin               | g out                     | ≤ 3.27% | 3.33%      | No<br>No   | Data does not meet the State's target. Continue to implement <i>Master Plan</i> Improvement Strategies. | <3.00%   | 7.24%            |
| 3A | State Assessment:<br>AMO for disability  | AMOf                  | AMO for Reading           | Meets   | Not Met    | No         | Data does not meet the State's target. Continue to implement Master Plan Improvement                    | <        | Met              |
|    | subgroup in the LEA  | AMO f                 | AMO for Mathematics       | Meets   | Not Met    | No         | Strategies.   | <        | Not Met          |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | Participa<br>rades in | ation rates of<br>the LEA | > 95%   | Met        | Yes        | Data meets the State's target. No required action.  | > 95%    | > 95%            |
|    | State Assessment:  | c                     | Mathematics               | 95.22%  | 48.76%     | No         | Data does not meet the State's target. Continue   | 65.91%   | 76.76%           |
|    | Proficiency rate for   |                       | Reading                   | 94.55%  | 56.20%     | No         | to implement Master Plan Improvement  | 67.42%   | 79.02%           |
|    | children with IEPs   | 4                     | Mathematics               | 95.19%  | 73.05%     | No         | strategies.   | 69.23%   | 61.19%           |
|    | against grade  |                       | Reading                   | 96.15%  | %29.99     | No         |   | 72.31%   | 73.88%           |
|    | alternate academic   | 5                     | Mathematics               | 94.13%  | 47.33%     | No         |   | 57.45%   | 66.92%           |
|    | achievement  | 1                     | Reading                   | 95.23%  | 65.65%     | No         |   | %29.99   | 76.92%           |
| 3C | standards  | 9                     | Mathematics               | 93.12%  | 51.82%     | No         |   | 62.16%   | 20.89%           |
|    |  |                       | Reading                   | 95.50%  | 52.29%     | No         |   | 48.65%   | 53.57%           |
|    |  | 7                     | Mathematics               | 92.83%  | 35.54%     | No         |   | 62.14%   | 45.26%           |
|    |  |                       | Reading                   | 95.25%  | 46.28%     | No         |   | 62.14%   | 43.80%           |
|    |  | 8                     | Mathematics               | 92.64%  | 36.36%     | No         |   | 20.79%   | 55.04%           |
|    |  |                       | Reading                   | 94.82%  | 38.84%     | No         |   | 60.32%   | 26.59%           |
|    |  | HS                    | Mathematics               | 91.22%  | 28.67%     | No         |   | 67.74%   | 29.09%           |
|    |  |                       | Reading                   | 93.17%  | 37.97%     | No         |   | %00.09   | 20.00%           |

^Data calculation change; data not comparable to FFY 2011 data.

|     |   |   | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                 |          |                  |
|-----|---|---|----------|------------|------------|---|----------|------------------|
|     | CDD / ADD In  | dinatona  |          | FFY 2012   |            |   | Previous | Previous Results |
| Re  | SFF/AFR IIIdicators Results Indicator Compliance Indicator  | urcators<br>omnliance Indicator   | State    | Local      | Target     | Action Required                                       | FFY      | FFY              |
|     |   | de la companya de la | Target   | Results    | Met        |   | 2010     | 2011             |
| 44  | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled  | < 2.0    | 0.18       | Yes        | Data meets the State's target. No required action.    | 00:00    | 0.08             |
| F   | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*  | < 2.0    | 00.00      | Yes        | Data meets the State's target. No required action.    | 00.0     | 00:00            |
|     | Discrepancy   | Amer Indian/Alaska Native   | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required               | 0.00     | 00.00            |
|     | (≥ 2.0) in the rate   | Asian   | < 2.0    | 0.00       | Yes        | action.   | 0.00     | 00.00            |
|     | of suspensions and  | Black or African American   | < 2.0    | 0.31       | Yes        |   | 0.00     | 00.00            |
|     | expulsions of   | Native Haw/Pacific Islander   | < 2.0    | 0.00       | Yes        |   | 0.00     | 00.00            |
| 48  | students with IEPs  | White   | < 2.0    | 0.14       | Yes        |   | 0.00     | 0.13             |
|     | by race/eumenty   | 2 or more races   | < 2.0    | 0.00       | Yes        |   | 0.00     | 00.00            |
|     | Discrepancy exists  | Hispanic  | < 2.0    | 00.00      | Yes        |   | 00.00    | 0.00             |
|     | in the category<br>N size is < 30*  | Policies/ procedures/<br>practices contribute to the<br>discrepancy.  | No       | No         | Yes        |   | No       | No               |
| 5A  | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)   | ≥ 63.11% | 78.64%     | Yes        | Data meets the State's target.<br>No required action. | 77.08%   | 77.95%           |
| 5B  | Students aged 6-21 who<br>the day (MD SSIS LRE C)   | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)   | ≤ 15.11% | 9.85%      | Yes        | Data meets the State's target.<br>No required action. | 10.87%   | 9.92%            |
| 5C  | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and home and hospital facilities   | ≤ 6.22%  | 1.65%      | Yes        | Data meets the State's target.<br>No required action. | 1.74%    | 1.96%            |
| 6A  | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day  | ≥ 64.1%  | 64.35%     | Yes        | Data meets the State's target.<br>No required action. | ٥        | 69.19%           |
| 6B  | Aged 3-5 LRE: Separate School or Class  | ate School or Class   | < 19.1%  | 0.43%      | Yes        | Data meets the State's target.  No required action.   | ٥        | 9.95%            |
| 7.0 | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth  | ≥ 68.3%  | %8.69      | Yes        | Data meets the State's target in category             | 77.4%    | 76.62%           |
|     | emotional skills  | 2. Exits within age expectations  | ≥ 73.5%  | 78.1%      | Yes        | ייי מומ יייי אס וכלמו כמ מכנוסוי.                     | 81.9%    | 80.62%           |
| <   | Vertex or and an experience of the last   |   |          |            |            |   |          |                  |

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP.

|    |   |   | FFY 20     | 12(SFY 20  | 13) Part B                | FFY 2012(SFY 2013) Part B Indicators                                    |            |                  |
|----|---|---|------------|------------|---------------------------|---|------------|------------------|
|    | SPP/APR Indicators  | dicators  |            | FFY 2012   |                           | Action Required   | Previous   | Previous Results |
| Re | Results Indicator Compliance Indicator  | mpliance Indicator  | State      | Local      | Target                    |   | FFY        | FFY              |
|    |   |   | Target     | Results    | Met                       |   | 2010       | 2011             |
| 78 | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth  | ≥ 68.6%    | 68.3%      | Yes                       | Data meets the State's target in category                               | 84.7%      | 83.51%           |
| 2  | and skills  | 2. exits within age expectations  | > 59.3%    | 61.9%      | Yes                       | יסד מומיס בלי ואס ובלמוובת מכנוסוו.                                     | %6.89      | 79.07%           |
|    | Age 3-5 Outcomes:   | 1. Exits with substantial growth  | ≥ 63.7%    | 69.4%      | Yes                       | Data meets the State's target in category                               | 84.9%      | 81.33%           |
| 7  | behaviors   | 2. Exits within age expectations  | > 66.2%    | 81.0%      | Yes                       | /C.t. and /C.z. No required action.                                     | 83.6%      | 83.72%           |
|    | Parent Survey   | Age 3-5   | 40.0%      | 40.0%      | Yes                       | Data does not meet the State's target for                               | 20%        | 36%              |
| 8A |   | Age 6-21  | 38.0%      | 39.0%      | Yes                       | parents of children, age 3-5 years.<br>Improvement activities required. | 44%        | 37%              |
|    | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 1.76       | Yes                       | No significant disproportionate   | 1.38       | 1.54             |
|    | representation  | Asian   | < 2.0      | 0.36       | Yes                       | representation. No required action.                                     | 0.39       | 0.32             |
|    | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.81       | Yes                       |   | 1.70       | 1.80             |
|    | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.32       | Yes                       |   | 1.64       | 1.03             |
|    | groups as a result  | White   | < 2.0      | 0.70       | Yes                       |   | 0.75       | 0.73             |
|    | or inappropriate  | 2 or more races   | < 2.0      | 0.73       | Yes                       |   | 0.83       | 0.89             |
| 6  | neumcanon   | Hispanic  | < 2.0      | 0.83       | Yes                       |   | 0.73       | 0.74             |
|    | Disproportionate representation exits in the category N size is < 30*   | Disproportionate<br>representation is due<br>to inappropriate<br>identification             | No<br>(%0) | No<br>(0%) | Yes                       |   | oN<br>(%0) | 0N<br>(%0)       |
|    |   |   | ū          | dicator 10 | Indicator 10 on last page | page  |            |                  |
| 11 | Percentage of students with written<br>parental consent to evaluate who were<br>evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days                                      | 100%       | 98.39%     | N <sub>O</sub>            | Substantially compliant. Data verified. No required action.             | 97.89%     | %92.76           |
| 12 | Eligible children exiti<br>an IEP in effect by the  | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes                       | Compliant. Data verified. No required action.                           | 100%       | 100%             |

St. Mary's Co. Annual Data Rpt FFY 2012

| 012  |
|--|
| : FFY 2                                      |
| Rpt  |
| Data   |
| <ul> <li>Annual Data Rpt FFY 2012</li> </ul> |
| 0.<br>V                                      |
| St. Mary's Co.                               |
| St. ≥  |
|  |
|  |
|  |

<100%

100%

100%

Compliant

Compliant. No required action. Compliant. No required action.

Yes

100%

100%

State reported data are timely and accurate

Timely correction of noncompliance

15 20

requirements

13

100%

100%

Compliant. Data verified. No required

action.

Yes

100%

100%

2011

FFY 2010

**Previous Results** 

**Action Required** 

FFY 2012 (SFY 2013) Part B Indicators

FFY 2012

Target Met

Local Results

State Target

Results Indicator Compliance Indicator

SPP/APR Indicators

Percentage of youth age 16 and above whose IEP meets secondary transition

|    | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                      |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | FFY 2012 results: Disproportionate                    | American<br>Indian/Alaska<br>Native          | 0.00                       | 2.42*                              | 2.01*                   | 1.82                                | 0.00   | 2.10*                         | Identification procedures compliant. No |
|    | representation  | Asian  | 0.00                       | 0.30                               | 0.30                    | 0.56                                | 0.77   | 0.21                          | required action.                        |
|    | ( ≥ 2.0) in disability                                | Black/African<br>American                    | 4.16                       | 2.20                               | 2.39                    | 1.01                                | 1.35   | 1.79                          |   |
| .0 | categories by<br>race as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.87                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |   |
| .0 | identification  | White  | 0.42                       | 0.68                               | 0.63                    | 0.81                                | 0.83   | 0.63                          |   |
|    |   | 2 or more races                              | 0.55                       | 0.55                               | 0.42                    | 0.87                                | 1.06   | 0.98                          |   |
|    | Disproportionate                                      | Hispanic                                     | 0.36                       | 0.55                               | 0.58                    | 1.73                                | 0.85   | 1.07                          |   |
|    | representation exists                                 | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |   |
|    | N size is < 30*                                       | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |   |

|    | CDD/ADD I                                      |  | Y 2011 (S                  | SFY 2012)                          | Part B I                | ndicators                           |        |                               |                    |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc                                    |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate            | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 2.51*                              | 2.08*                   | 0.82                                | 0.00   | 1.47                          | NA                 |
|    | representation                                 | Asian  | 0.00                       | 0.22                               | 0.00                    | 0.51                                | 0.82   | 0.23                          |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race | Black/African<br>American  | 3.75                       | 2.26                               | 2.39                    | 1.03                                | 1.22   | 1.60                          |                    |
|    | as a result of inappropriate                   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.88                               | 0.00                    | 2.01*                               | 0.00   | 1.81                          |                    |
| 10 | identification                                 | White  | 0.36                       | 0.66                               | 0.74                    | 0.78                                | 0.94   | 0.77                          |                    |
|    |  | 2 or more races  | 0.32                       | 0.58                               | 0.56                    | 1.74                                | 1.20   | 1.12                          |                    |
|    | Disproportionate                               | Hispanic   | 0.82                       | 0.53                               | 0.33                    | 1.51                                | 0.73   | 0.82                          |                    |
|    | representation exists  N size is < 30*         | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- · Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

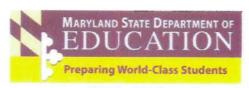
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Mrs. Kelly L. Griffith Interim Superintendent Talbot County Public Schools P. O. Box 1029 Easton, MD 21601

Dear Mrs. Griffith:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Talbot County Public Schools (TCPS). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the TCPS has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Mrs. Griffith March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the TCPS to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S. Assistant State Superintendent

Division of Special Education/

Early Intervention Services

Marcella & Francykowski

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.

Jack R. Smith, Ph.D. Kristin Mentges Branch Chiefs

# Talbot County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|    |  |                      |                           | FFY 20  | 12 (SFY 20 | 113) Part B | FFY 2012 (SFY 2013) Part B Indicators  |          |                  |
|----|--|----------------------|---------------------------|---------|------------|-------------|--|----------|------------------|
|    | Suctoribut ADD / ADS   | diesto               | 91                        |         | FFY 2012   |             |  | Previous | Previous Results |
|    | SPF/APR IIIIIICALOI S Results Indicator  | omnlia               | IIS<br>nce Indicator      | State   | Local      | Target      | Action Required  | FFY      | FFY              |
|    |  |                      | mee muneauni              | Target  | Results    | Met         |  | 2010     | 2011             |
| *  | Students with IEPs graduating with a   | 4 year               | 4 year cohort             | ≥ 81.5% | 56.25%     | No          | Data does not meet the State's target for the 4 and 5 year cohort. Continue to | <        | 59.26%           |
| 4  | regular diploma  | 5 year               | 5 year cohort             | ≥ 84.4% | 62.5%      | No          | implement <i>Master Plan</i> Improvement Strategies.                           | <        | 61.54%           |
| 2  | Students with IEPs dropping out (Annual)                                       | droppin              | ig out                    | ≤ 3.27% | ≥3.00%     | Yes         | Data meets the State's target. No required action.                             | 7.75%    | 7.75%            |
| 34 | State Assessment:<br>AMO for disability  | AMO (                | AMO for Reading           | Meets   | Not Met    | No          | Data does not meet the State's target. Continue to implement Master Plan       | <        | Met              |
|    | subgroup in the LEA  | AMO                  | AMO for Mathematics       | Meets   | Not Met    | No          | Improvement Strategies.  | <        | Met              |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | Particip<br>rades in | ation rates of<br>the LEA | ≥ 95%   | Met        | Yes         | Data meets the State's target. No required action.                             | > 95%    | > 95%            |
|    | State Assessment:  | 'n                   | Mathematics               | 95.22%  | 44.44%     | No          | Data does not meet the State target.   | 20.00%   | 57.17%           |
|    | Proficiency rate for   | ,                    | Reading                   | 94.55%  | 52.78%     | No          | Continue to implement Master Plan  | 52.94%   | 82.61%           |
|    | children with IEPs   | 4                    | Mathematics               | 95.19%  | 25.00%     | No          | Improvement Strategies.  | 25.00%   | 67.86%           |
|    | against grade  |                      | Reading                   | 96.15%  | 20.00%     | No          |  | %00.09   | 78.57%           |
|    | level, modified and  | Ľ                    | Mathematics               | 94.13%  | 30.43%     | No          |  | 29.09%   | 33.33%           |
|    | arternate academic   | ,                    | Reading                   | 95.23%  | %28.09     | No          |  | 77.27%   | %29.99           |
| 36 | standards  | ب                    | Mathematics               | 93.12%  | 30.00%     | No          |  | 44.44%   | 58.33%           |
| 2  |  |                      | Reading                   | 95.50%  | 15.00%     | No          |  | 25.56%   | 62.50%           |
|    |  | 7                    | Mathematics               | 92.83%  | 31.82%     | No          |  | 48.15%   | 20.00%           |
|    |  |                      | Reading                   | 95.25%  | 54.55%     | No          |  | 25.56%   | 40.00%           |
|    |  | α                    | Mathematics               | 92.64%  | 23.81%     | No          |  | 72.22%   | 36.36%           |
|    |  | ,                    | Reading                   | 94.82%  | 47.62%     | No          |  | 61.11%   | 51.52%           |
|    |  | H                    | Mathematics               | 91.22%  | 40.91%     | No          |  | 47.62%   | 20.00%           |
|    |  | 2                    | Reading                   | 93.17%  | 40.91%     | No          |  | 47.62%   | 20.00%           |

^Data calculation change; data not comparable to FFY 2011 data.

|          |   |  | FFV 20   | 12 (SFY 20 | 13) Part B | FY 2012 (SFY 2013) Part B Indicators  |          |                  |
|----------|---|--|----------|------------|------------|---|----------|------------------|
|          |   |  |          | FFV 2012   |            |   | December | Dearions Doenles |
| [        | SPP/APR Indicators  | dicators   | State    | Local      | Target     | Action Required   | FFFY     | FFY              |
| IN E     | resuits indicator — compnance indicator   | omphance indicator   | Target   | Results    | Met        | •   | 2010     | 2011             |
| 46       | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 1.18       | Yes        | Data meets the State's target. No required action.                              | 0.00     | 1.76             |
| <b>F</b> | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 00.00      | Yes        | Data meets the State's target. No required action.                              | 00:00    | 5.50*            |
|          | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required   | 0.00     | 0.00             |
|          | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.   | 0.00     | 0.00             |
|          | of suspensions and  | Black or African American  | < 2.0    | 3.52*      | Yes        |   | 0.00     | *60.5            |
|          | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |   | 0.00     | 0.00             |
| 48       | students with IEPs  | White  | < 2.0    | 0.00       | Yes        |   | 0.00     | 0.62             |
|          | חל ומכפל בנווווכונל   | 2 or more races  | < 2.0    | 11.52*     | Yes        |   | 0.00     | 15.45*           |
|          | Discrepancy exists  | Hispanic   | < 2.0    | 00.0       | Yes        |   | 0.00     | 0.00             |
|          | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |   | No       | N <sub>o</sub>   |
| 5A       | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)   | ≥ 63.11% | 74.39%     | Yes        | Data meets the State's target.<br>No required action.                           | 76.45%   | 73.77%           |
| 58       | Students aged 6-21 who<br>the day (MD SSIS LRE C)   | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | ≤ 15.11% | 7.01%      | Yes        | Data meets the State's target.  No required action.                             | 6.12%    | 2.56%            |
| 5C       | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≥ 6.22%  | 0.91%      | Yes        | Data meets the State's target.<br>No required action.                           | 0.92%    | 0.62%            |
| 6A       | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ır Early Childhood<br>of the day   | ≥ 64.1%  | 96.23%     | Yes        | Data meets the State's target.  No required action.                             | Δ        | 87.50%           |
| 6B       | Aged 3-5 LRE: Separate School or Class  | ite School or Class  | < 19.1%  | 0.00%      | Yes        | Data meets the State's target.  No required action.                             | ٥        | %0.0             |
| i        | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 72.2%      | Yes        | Data meets the State's target in category                                       | 71.4%    | 63.16%           |
| A/       | emotional skills  | 2. Exits within age expectations   | > 73.5%  | %6.09      | No         | Data does not meet the State target in category 7A2. Improvement Plan required. | 20.0%    | %0.09            |
| ADOLO    | A Date not required to be and to  | ALL OCTO   |          |            |            |   |          |                  |

 $\Delta$  Data not required to be submitted to OSEP.

|     |   |   | FFY 2012   | 12 (SFY 20 | (SFY 2013) Part B Indicators | Indicators  |            |                  |
|-----|---|---|------------|------------|------------------------------|---|------------|------------------|
|     | SPP/APR Indicators  | dicators  |            | FFY 2012   |                              | Action Required   | Previous   | Previous Results |
| Re  | Results Indicator Co  | Compliance Indicator  | State      | Local      | Target                       |   | FFY        | FFY              |
|     |   |   | Target     | Results    | Met                          |   | 2010       | 2011             |
| 7.0 | Age 3-5 Outcomes:<br>Use of knowledge   | <ol> <li>Exits with substantial growth</li> </ol>   | ≥ 68.6%    | 59.1%      | No                           | Data does not meet the State target in  | 61.5%      | 72.73%           |
| 9/  | and skills  | 2. exits within age expectations  | ≥ 59.3%    | 47.8%      | No                           | required.   | 42.3%      | %0.09            |
|     | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth  | ≥ 63.7%    | 71.4%      | Yes                          | Data meets the State's target in category                                       | %0.09      | 76.19%           |
| 70  | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | 47.8%      | No                           | Data does not meet the State target in category 7C2. Improvement Plan required. | 20.0%      | %0.89            |
| 8.0 | Parent Survey   | Age 3-5   | 40.0%      | N/A        | N/A                          | Data meets the State's target for age 6-21.                                     | %89        | 44%              |
| 5   |   | Age 6-21  | 38.0%      | 28.0%      | Yes                          | No required action.   | %09        | %59              |
|     | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 0.00       | Yes                          | No significant disproportionate   | 0.00       | 0.00             |
|     | representation  | Asian   | < 2.0      | 0.44       | Yes                          | representation. No required action.   | 0.30       | 0.48             |
|     | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.51       | Yes                          |   | 1.36       | 1.51             |
|     | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 5.70*      | Yes                          |   | 1.56       | 1.94             |
|     | groups as a result  | White   | < 2.0      | 0.83       | Yes                          |   | 0.64       | 0.88             |
|     | identification  | 2 or more races   | < 2.0      | 0.93       | Yes                          |   | 0.79       | 0.84             |
| 6   | idellingarion   | Hispanic  | < 2.0      | 0.75       | Yes                          |   | 1.83       | 99.0             |
|     | Disproportionate representation exits in the category  N size is < 30*  | Disproportionate representation is due to inappropriate identification                      | No<br>(%0) | No<br>(%0) | Yes                          |   | oN<br>(%0) | No<br>(%0)       |
|     |   |   | <u>n</u>   | dicator 1  | Indicator 10 on last page    | page  |            |                  |
| #   | Percentage of students with written<br>parental consent to evaluate who were<br>evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days                                      | 100%       | 99.15%     | Yes                          | Data is substantially compliant. Data<br>Verified. No required action.          | 100%       | 100%             |
| 12  | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have an IEP in effect by the child's 3rd birthday | 100%       | %09        | No                           | First quarter data compliant. Data Verified.<br>No required action.             | 100%       | 100%             |

| 4     |
|-------|
|       |
| /14   |
| 14    |
| 3     |
| Final |

|     |  | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators                    |                  |          |
|-----|--|-----------------|------------------|---------------|--|------------------|----------|
|     | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required  | Previous Results | Results  |
| Res | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |  | FFY 2010         | FFY 2011 |
| 13  | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 100%             | Yes           | Data is compliant. Data Verified. No<br>required action. | 100%             | 100%     |
| 15  | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                           | Compliant        | 100%     |
| 20  | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                           | 100%             | 100%     |

|    | SPP/APR Indi                              |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                             |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | FFY 2012 results: Disproportionate        | American<br>Indian/Alaska<br>Native          | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | No significant disproportionate representation |
|    | representation                            | Asian  | 1.46                       | 0.38                               | 0.00                    | 0.63                                | 0.00   | 0.00                          | exists. No action                              |
|    | (≥ 2.0) in<br>disability<br>categories by | Black/African<br>American                    | 1.49                       | 1.78                               | 1.74                    | 1.02                                | 0.89   | 1.39                          | required.                                      |
| 0  | race as a result of inappropriate         | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 14.73*                             | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
| .U | identification                            | White  | 0.49                       | 0.79                               | 1.41                    | 0.84                                | 2.20*  | 1.00                          |  |
| 10 |   | 2 or more races                              | 0.71                       | 0.79                               | 0.00                    | 1.33                                | 1.42   | 0.79                          |  |
|    | Disproportionate                          | Hispanic                                     | 1.46                       | 0.50                               | 0.00                    | 1.46                                | 0.00   | 0.90                          |  |
|    | representation exists                     | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |  |
|    | N size is < 30*                           | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |  |

|    | SPP/APR Inc                         | licators                                  | CONTRACTOR OF STREET       |                                    |                         |                                     |        |                               |                    |
|----|-------------------------------------|---|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | Compliance Indic                    |   | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate | American<br>Indian/Alaska<br>Native       | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | NA                 |
| 10 | representation                      | Asian                                     | 1.22                       | 0.46                               | 0.00                    | 0.66                                | 0.00   | 0.00                          |                    |
|    | (≥ 2.0) in disability               | Black/African<br>American                 | 1.66                       | 1.94                               | 2.41*                   | 0.84                                | 1.15   | 0.72                          |                    |
|    | as a result of inappropriate        | Native Hawaiian/<br>Pacific Islander      | 0.00                       | 5.61*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification                      | White                                     | 0.59                       | 0.74                               | 0.98                    | 1.21                                | 1.57   | 1.49                          |                    |
|    |                                     | 2 or more races                           | 1.38                       | 1.08                               | 0.00                    | 0.37                                | 0.00   | 1.12                          |                    |
| 10 | Disproportionate                    | Hispanic                                  | 0.73                       | 0.37                               | 0.00                    | 1.32                                | 0.53   | 1.27                          |                    |
|    | representation<br>exists            | Disproportionate representation is due to |                            |                                    |                         |                                     |        |                               |                    |
|    | N size is < 30*                     | inappropriate<br>identification           |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. Clayton M. Wilcox Superintendent Washington County Board of Education P. O. Box 730 Hagerstown, MD 21740

Dear Dr. Wilcox:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Washington County Board of Education (WCBOE). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the WCBOE has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Wilsox March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the WCBOE to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.

Assistant State Superintendent

Division of Special Education/ Early Intervention Services

MF/DRR Attachments

c: Lillian M Lowery, Ed.D.

Jack R. Smith, Ph.D. Jeffrey Gladhill

Branch Chiefs

# Washington Co. Annual Data Rpt FFY 2012

# Washington County Public Schools Annual Data on SPP/APR Part B Indicators

Notice of Performance for the Period July 1, 2012 - June 30, 2013

|    |  |                    |                           | FFY 20  | 12 (SFY 20 | 113) Part B | FFY 2012 (SFY 2013) Part B Indicators   |          |                  |
|----|--|--------------------|---------------------------|---------|------------|-------------|---|----------|------------------|
|    | CDD/ADD In   | dicato             |                           |         | FFY 2012   |             |   | Previous | Previous Results |
|    | SFF/AFR IIIdicators Results Indicator To Compliance Indicator                  | omnlia             | IFS<br>ince Indicator     | State   | Local      | Target      | Action Required   | FFY      | FFY              |
|    |  | our pure           | mee muncator              | Target  | Results    | Met         |   | 2010     | 2011             |
|    | Students with IEPs<br>graduating with a  | 4 year             | 4 year cohort             | ≥ 81.5% | 61.88%     | No          | Data does not meet the State's target for the 4 and 5 year cohort. Continue to                          | <        | %0.09            |
| H  | regular diploma  | 5 year             | 5 year cohort             | ≥ 84.4% | 64.38%     | No          | implement <i>Master Plan</i> Improvement<br>Strategies.   | <        | 63.03%           |
| 2  | Students with IEPs dropping out<br>(Annual)                                    | Iroppin            | ig out                    | ≤ 3.27% | 3.55%      | No          | Data does not meet the State's target. Continue to implement <i>Master Plan</i> Improvement Strategies. | 4.26%    | 4.26%            |
| 3A | State Assessment:<br>AMO for disability  | AMO                | AMO for Reading           | Meets   | Not Met    | No          | Data does not meet the State's target. Continue to implement Master Plan                                | <        | Not met          |
|    | subgroup in the<br>LEA   | AMO 1              | AMO for Mathematics       | Meets   | Not Met    | No          | Improvement Strategies.   | <        | Met              |
| 38 | State Assessment: Participation rates of IEP students in all grades in the LEA | articip<br>ades in | ation rates of<br>the LEA | ≥ 95%   | Met        | Yes         | Data meets the State's target. No required action.  | > 95%    | > 95%            |
|    | State Assessment:  | m                  | Mathematics               | 95.22%  | 43.92%     | No          | Data does not meet the State's target.  | 50.92%   | 54.66%           |
|    | Proficiency rate for   |                    | Reading                   | 94.55%  | 44.59%     | No          | Continue to implement Master Plan   | 58.28%   | 58.39%           |
|    | children With IEPS   | 4                  | Mathematics               | 95.19%  | 52.87%     | No          | Improvement Strategies.   | 62.43%   | 86.90%           |
|    | level modified and   |                    | Reading                   | 96.15%  | 55.17%     | No          |   | 66.28%   | 67.82%           |
|    | alternate academic   | S                  | Mathematics               | 94.13%  | 46.67%     | No          |   | 23.68%   | 26.07%           |
|    | achievement  |                    | Reading                   | 95.23%  | %00.09     | No          |   | 73.68%   | 65.14%           |
| 30 | standards  | 9                  | Mathematics               | 93.12%  | 25.56%     | No          |   | 65.73%   | 67.58%           |
|    |  |                    | Reading                   | 95.50%  | 47.80%     | No          |   | 68.54%   | 65.38%           |
|    |  | 7                  | Mathematics               | 92.83%  | 51.69%     | No          |   | 54.00%   | 60.12%           |
|    |  |                    | Reading                   | 95.25%  | 60.45%     | No          |   | 64.68%   | 55.42%           |
|    |  | ∞                  | Mathematics               | 92.64%  | 45.78%     | No          |   | 20.00%   | 49.21%           |
| -  |  |                    | Reading                   | 94.82%  | 24.76%     | No          |   | 62.42%   | 48.96%           |
|    |  | HS                 | Mathematics               | 91.22%  | 60.40%     | No          |   | 71.35%   | 68.75%           |
|    |  |                    | Reading                   | 93.17%  | 62.64%     | No          |   | 58.62%   | %69.09           |

^Data calculation change; data not comparable to FFY 2011 data.

|          |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators  |         |                      |
|----------|---|--|----------|------------|------------|--|---------|----------------------|
|          | SPD/ADR Indicators  | dinatore   |          | FFY 2012   |            |  | Previou | Previous Results     |
| Re       | Results Indicator Compliance Indicator  | urcators<br>ompliance Indicator  | State    | Local      | Target     | Action Required  | FFY     | FFY                  |
|          |   |  | Target   | Results    | Met        |  | 2010    | 2011                 |
| 44       | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0    | 00:00      | Yes        | Data meets the State's target.<br>No required action.                        | 0.00    | 2.09*                |
|          | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 00.00      | Yes        | Data meets the State's target.  No required action.                          | 00:00   | 0.00                 |
|          | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 0.00       | Yes        | No significant discrepancy. No required                                      | 0.00    | 0.00                 |
|          | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.  | 00.00   | 0.00                 |
|          | of suspensions and  | Black or African American  | < 2.0    | 0.00       | Yes        |  | 0.00    | 4.88*                |
|          | expulsions or   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00    | 0.00                 |
| 48       | by race/otheicity   | White  | < 2.0    | 00:00      | Yes        |  | 0.00    | 1.76                 |
|          | מל ומרכל ברוווורונל   | 2 or more races  | < 2.0    | 00.00      | Yes        |  | 0.00    | 0.00                 |
|          | Discrepancy exists  | Hispanic   | < 2.0    | 00.0       | Yes        |  | 0.00    | 0.00                 |
|          | in the category N size is < 30*   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No       | No         | Yes        |  | No      | o <sub>N</sub>       |
| 5A       | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)                                   | hose LRE is ≥ 80% of<br>E A)   | ≥ 63.11% | 81.53%     | Yes        | Data meets the State's target.<br>No required action.                        | 81.03%  | 81.93%               |
| 58       | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | ≤ 15.11% | 8.91%      | Yes        | Data meets the State's target.<br>No required action.                        | 80.6    | 8.73%                |
| 5C       | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 4.27%      | Yes        | Data meets the State's target.<br>No required action.                        | 4.11%   | 4.52%                |
| 6A       | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ır Early Childhood<br>of the day   | ≥ 64.1%  | 71.37%     | Yes        | Data meets the State's target.  No required action.                          | ٥       | 74.43%               |
| 6B       | Aged 3-5 LRE: Separate School or Class  | ite School or Class  | s 19.1%  | 0.85%      | Yes        | Data meets the State's target.  No required action.                          | ٥       | 0.91%                |
| 7A       | Age 3-5 Outcomes:<br>Use of social –  | 68.3%  | ≥ 68.3%  | 64.3%      | No         | Data does not meet the State target in category 7A1 and 7A2 Improvement Plan | 61.7%   | No data<br>submitted |
|          | emotional skills  | 73.5%  | ≥ 73.5%  | 28.9%      | No         | required.  | 68.1%   | No data<br>submitted |
| A Data r | A Data not required to be submitted to OSEB   | ## DO 05 PD ##   |          |            |            |  |         |                      |

Final 3/14/14 nf

|     |   |  | FFY 20         | 12(SFY 20 | 13) Part B                | Y 2012(SFY 2013) Part B Indicators                          |         |                      |
|-----|---|--|----------------|-----------|---------------------------|---|---------|----------------------|
|     | PR  | dicators   |                | FFY 2012  |                           | Action Required   | Previou | Previous Results     |
| R   | Results Indicator Co  | Compliance Indicator   | State          | Local     | Target                    |   | FFY     | FFY                  |
| No. |   |  | Target         | Results   | Met                       |   | 2010    | 2011                 |
| 78  | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth   | ≥ 68.6%        | 20.7%     | No                        | Data does not meet the State target in                      | 46.5%   | No data<br>submitted |
| 2   | and skills  | 2. exits within age expectations   | ≥ 59.3%        | 35.6%     | No                        |   | 43.1%   | No data<br>submitted |
| 27  | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth   | ≥ 63.7%        | 20.0%     | No                        | Data does not meet the State target in                      | 46.2%   | No data<br>submitted |
| 2   | behaviors   | 2. Exits within age expectations   | ≥ 66.2%        | %9'97     | No                        | required.   | 52.8%   | No data<br>submitted |
| 8A  | Parent Survey   | Age 3-5  | 40.0%          | 33.0%     | No                        | Data does not meet the State's target in 3-5                | 30%     | 20.00%               |
|     |   | Age 6-21   | 38.0%          | 36.0%     | No                        | and 6-21. Improvement Plan required.                        | 34%     | 38.00%               |
|     | Disproportionate  | Amer Indian/Alaska Native  | < 2.0          | 1.09      | Yes                       | No significant disproportionate                             | 1.32    | 0.99                 |
|     | representation  | Asian  | < 2.0          | 0.44      | Yes                       | representation. No required action.                         | 0.53    | 0.48                 |
|     | (≥ 2.0) in special  | Black, African American  | < 2.0          | 1.46      | Yes                       |   | 1.47    | 1.50                 |
|     | education of racial   | Native Haw/Pacific Islander  | < 2.0          | 0.89      | Yes                       |   | 0.00    | 0.00                 |
|     | groups as a result  | White  | < 2.0          | 0.91      | Yes                       |   | 0.84    | 0.78                 |
|     | identification  | 2 or more races  | < 2.0          | 0.74      | Yes                       |   | 0.75    | 99.0                 |
| 6   |   | Hispanic   | < 2.0          | 0.73      | Yes                       |   | 0.79    | 0.78                 |
|     | Disproportionate representation exits in the  | Disproportionate representation is due to inappropriate identification                         | N <sub>O</sub> | No        | ,<br>,                    |   | No      | No                   |
|     | N size is < 30*   |  | (%0)           | (%0)      | 3                         |   | (%0)    | (%0)                 |
|     |   |  | -I             | dicator 1 | Indicator 10 on last page | page  |         |                      |
| 11  | Percentage of students with written<br>parental consent to evaluate who were<br>evaluated within 60 calendar days | its with written<br>valuate who were<br>alendar days   | 100%           | 100%      | Yes                       | Compliant. Data verified. No required action.               | 100%    | 100%                 |
| 12  | Eligible children exiti<br>an IEP in effect by th   | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%           | 97.30%    | No                        | Substantially compliant. Data verified. No required action. | 100%    | 100%                 |

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|    |  | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators         |             |                  |
|----|--|-----------------|------------------|---------------|---|-------------|------------------|
|    | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required                               | Previous    | Previous Results |
| Re | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010 | FFY 2011         |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%        | 100%             |
| 15 | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Compliant. No required action.                | Compliant   | 100%             |
| 20 | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%        | 100%             |

|   | CDD / LDD   |  | 1 2012 (                   | 3F I 2013                          | raitbi                  | Indicators                          |        | 1                             |  |
|---|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|   | SPP/APR Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action   |
|   | FFY 2012 results: Disproportionate                    | American<br>Indian/Alaska<br>Native                                    | 2.87*                      | 0.78                               | 0.00                    | 0.00                                | 0.00   | 1.29                          | The MSDE staff will<br>schedule a record<br>review of children |
|   | representation  | Asian  | 0.28                       | 0.31                               | 0.00                    | 0.69                                | 1.67   | 0.13                          | in the race  |
|   | (≥ 2.0) in disability                                 | Black/African<br>American  | 1.72                       | 1.66                               | 2.03                    | 0.88                                | 1.06   | 1.47                          | category, using<br>Section 12 of the                           |
| • | categories by<br>race as a result of<br>inappropriate | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 2.57*                              | 0.00                    | 0.00                                | 0.00   | 0.00                          | Special Education<br>Record Review                             |
| 0 | identification  | White  | 0.81                       | 0.85                               | 0.87                    | 1.30                                | 0.82   | 0.97                          | document.  |
|   |   | 2 or more races  | 0.49                       | 0.74                               | 0.47                    | 0.64                                | 0.53   | 1.09                          |  |
|   | Disproportionate                                      | Hispanic   | 0.76                       | 0.64                               | 0.47                    | 0.96                                | 1.16   | 0.64                          |  |
|   | representation exists  N size is < 30*                | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |  |

|    |  | FF   | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        | il tella si                   |                    |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc                                    |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results: Disproportionate             | American<br>Indian/Alaska<br>Native                                    | 2.58*                      | 0.69                               | 0.00                    | 0.00                                | 0.00   | 1.29                          | NA                 |
|    | representation                                 | Asian  | 0.27                       | 0.60                               | 0.00                    | 0.21                                | 1.75   | 0.14                          |                    |
|    | (≥ 2.0) in<br>disability<br>categories by race | Black/African<br>American  | 1.39                       | 1.75                               | 2.61                    | 0.94                                | 1.01   | 1.35                          |                    |
|    | as a result of inappropriate                   | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification                                 | White  | 0.77                       | 0.77                               | 0.75                    | 1.20                                | 0.87   | 1.03                          |                    |
|    |  | 2 or more races  | 0.49                       | 0.59                               | 0.51                    | 0.78                                | 0.67   | 0.87                          |                    |
|    | Disproportionate                               | Hispanic   | 1.37                       | 0.63                               | 0.21                    | 1.20                                | 1.03   | 0.72                          |                    |
|    | representation<br>exists<br>N size is < 30*    | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources: and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

(1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;

(2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or

(3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### **Meets Requirements**

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the

State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.

# Wicomico Co. Annual Data Rpt FFY 2012

# Wicomico County Public Schools Annual Data on SPP/APR Part B Indicators

Notice of Performance for the Period July 1, 2012 - June 30, 2013

| Target Met Data does not meet the State's target for the 4 and 5 year cohort. Continue to implement Master Plan Improvement Strategies.  No Strategies.  No Continue to implement Master Plan Improvement Strategies.  No Continue to implement Master Plan Improvement Strategies.  No Data does not meet the State's target.  At 1.19%  At 1.19%  At 2.1%  At 1.1%  At 2.1%  At 2 |    |   |                     |                              | 0.00FFY | 2012 (SFY | 2013) Par | FFY 2012 (SFY 2013) Part B Indicators   |         |           |  |
|---|----|---|---------------------|------------------------------|---------|-----------|-----------|---|---------|-----------|--|
| Students with IEPs drawing with a regular diploma         Students with IEPs drawing with a regular diploma         Feature for a regular diploma         Feature for a regular diploma         Action Required         FFF and 5 year cohort         Action Required         FFF and 5 year cohort         Action Regular diploma         Action Regular diplomatics         Action Regular dip  |    | SPD/APR In                              | dicate              | ore.                         |         | FFY 2012  |           |   | Previou | s Results |  |
| Students with IEPs gradualing with a regular diploma regular diploma graduating with IEPs are colort         2 84.4%         61.47%         No         Data does not meet the State's target for implement Master Plan Improvement         And the A and 5 year cohort         2 84.4%         61.47%         No         The A and 5 year cohort         2 84.4%         61.47%         No         The A and 5 year cohort         A strategies.         And 5 year cohort         A strategies.         And 5 year cohort         And 5 year cohor   |    | Str/Armin                               | omplia              | ots<br>ance Indicator        | State   | Local     | Target    | Action Required   | FFY     | FFY       |  |
| Students with IEPs are cohort         2 81.5%         55.96%         No         Data does not meet the State's target for Improvement Aracter Plan Improvement Ar  |    |   |                     |                              | Target  | Results   | Met       |   | 2010    | 2011      |  |
| Students with IEPs dropping cut (Annual)         5 84.4%         61.47%         No         Implement Master Plan improvement (Anster Plan improvement Flategies.)         A 3.1%           Students with IEPs dropping cut (Annual)         \$ 3.27%         5.47%         No I Met  |    | Students with IEPs graduating with a    | 4 year              | r cohort                     | ≥ 81.5% | 25.96%    | No        | Data does not meet the State's target for the 4 and 5 year cohort. Continue to                                | <       | 62.20%    |  |
| Students with IEPs dropping out         5 3.27%         5.47%         No Mortinue to implement Master starget.         4.31%           AMO for disability subgroup in the LEA for information or disability subgroup in the leading trade in the LEA sessment:         Amofor Mathematics         Not Met         Not Met         No Met  | 1  | regular diploma                         | 5 уеа               | r cohort                     | ≥ 84.4% | 61.47%    | No        | implement <i>Master Plan</i> Improvement<br>Strategies.   | <       | %20.29    |  |
| State Assessment: augrache in the state states state and are subgroup in the subgroup in the states state assessment: a subgroup in the states in the LEA states state and a state and are states in the LEA states in the LEA states in the LEA state and are states in the LEA states and are states a                       | 2  | Students with IEPs d<br>(Annual)        | droppir             | ng out                       | ≤ 3.27% | 5.47%     | No        | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i><br>Improvement Strategies. | 4.31%   | 4.31%     |  |
| LEA         AMO for Mathematics         Meets         Not Met         No         Improvement Strategies.         A           State Assessment: Participation rates of least and least statements in all grades in the LEA         ≥ 95%         Met         Yes         action.         2.95%         A           State Assessment: Participation rates of least and least state in all grades in the LEA         3 Mathematics         95.22%         63.64%         No         Data meets the State's target. No required action.         7.219%           Proficiency rate for with leaven least and least and least and least and least and stands gainst grade level, modified and alternate academic academic standards         4 Reading 95.23%         69.05%         No         Improvement Strategies.         64.88%         17.10%           Ashievement standards academic standards         6 Reading 95.25%         54.65%         No         A.11%         No         A.11%         A.11% <th>3A</th> <td>State Assessment:<br/>AMO for disability</td> <td>AMO</td> <td>for Reading</td> <td>Meets</td> <td>Not Met</td> <td>No</td> <td>Data does not meet the State's target.<br/>Continue to implement <i>Master Plan</i></td> <td>&lt;</td> <td>Not Met</td> <td></td>   | 3A | State Assessment:<br>AMO for disability | AMO                 | for Reading                  | Meets   | Not Met   | No        | Data does not meet the State's target.<br>Continue to implement <i>Master Plan</i>                            | <       | Not Met   |  |
| State Assessment: Participation rates of IEP students in all grades in the LEA         ≥ 95%         Met         Yes         Data meets the State's target. No required         ≥ 95%           State Assessment: Strate Assessment: Proficiency rate for children with IEPs against grade         A mathematics against grade         95.22%         63.64%         No         Data does not meet the State's target. No Continue to implement Master Plan         77.90%           Proficiency rate for children with IEPs against grade level, modified and alternate academic academic standards         A mathematics academic standards         95.13%         69.05%         No         Improvement Strategies.         77.90%           standardards         6         Mathematics academic standards         95.13%         44.03%         No         A mathematics academic standards         95.26%         A mathematics academic standards         96.122%         A mathematics academic standards         96.122%         A mathematics ac   |    | subgroup in the<br>LEA                  | AMO                 | for Mathematics              | Meets   | Not Met   | No        | Improvement Strategies.   | <       | Met       |  |
| State Assessment:         3         Mathematics         95.22%         63.64%         No         Data does not meet the State's target.         74.19%           Proficiency rate for children with IEPs children with IEPs against grade level, modified and alternate academic standards         4         Reading pos.12%         65.13%         No         Continue to implement Master Plan         77.30%           Reading adilevel, modified and alternate academic academic standards         8         Reading pos.12%         44.13%         No         Mathematics         94.13%         44.03%         No           Achievement standards         6         Mathematics         92.23%         64.66%         No         No         7         Reading pos.23%         44.03%         No         A6.11%         No         A6.10%  | 38 | State Assessment: P                     | Particip<br>ades in | oation rates of<br>n the LEA | > 95%   | Met       | Yes       | Data meets the State's target. No required action.  | > 95%   | > 95%     |  |
| Proficiency rate for children with IEPs         Reading         94.55%         67.13%         No         Continue to implement Master Plan         72.90%           children with IEPs against grade level, modified and alternate academic standards         Mathematics         95.19%         69.05%         No         Improvement Strategies.         73.94%           achildren with IEPs against grade level, modified and alternate academic standards         Mathematics         94.13%         45.11%         No         Associated to implement Strategies.         71.09%         71.00%         7   |    | State Assessment:                       | ~                   | Mathematics                  | 95.22%  | 63.64%    | No        | Data does not meet the State's target.  | 74.19%  | 68.05%    |  |
| children with IEPs         4 Reading         Mathematics         95.19%         69.05%         No         Improvement Strategies.         73.94%           against grade level, modified and alternate academic standards         4 Reading         96.15%         71.26%         No         Improvement Strategies.         68.48%           standards         6 Reading         95.23%         64.66%         No         No         56.30%         56.30%           standards         7 Reading         95.50%         53.68%         No         No         64.65%         46.21%           8 Reading         95.25%         54.62%         No         A0.91%         No         43.27%         44.71%           18 Reading         94.82%         47.71%         No         43.27%         43.27%         43.01%         No         43.27%         43.10%         No         43.27%         43.01%         A0.91%         No         43.27%         43.01%         A0.91%   |    | Proficiency rate for                    | ,                   | Reading                      | 94.55%  | 67.13%    | No        | Continue to implement Master Plan   | 72.90%  | 69.64%    |  |
| against grade level, modified and alternate academic standards         Reading but build be aching achinement academic standards         96.15%         71.26%         No         64.68%         No         64.03%         45.11%         No         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.09%         71.00% </td <th></th> <td>children with IEPs</td> <td>4</td> <td>Mathematics</td> <td>95.19%</td> <td>%50.69</td> <td>No</td> <td>Improvement Strategies.</td> <td>73.94%</td> <td>77.99%</td> <td></td>   |    | children with IEPs                      | 4                   | Mathematics                  | 95.19%  | %50.69    | No        | Improvement Strategies.   | 73.94%  | 77.99%    |  |
| alternate academic standards         Mathematics         94.13% ps.21% ps.22% ps.21% ps   |    | against grade                           |                     | Reading                      | 96.15%  | 71.26%    | No        |   | 68.48%  | 73.89%    |  |
| achievement standards         Reading         95.23%         64.66%         No         7         Mathematics         93.12%         44.03%         No         56.30%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65%         66.65% <th< td=""><th></th><td>altornate academic</td><td><u>.</u></td><td>Mathematics</td><td>94.13%</td><td>45.11%</td><td>No</td><td></td><td>53.91%</td><td>58.27%</td><td></td></th<>   |    | altornate academic                      | <u>.</u>            | Mathematics                  | 94.13%  | 45.11%    | No        |   | 53.91%  | 58.27%    |  |
| standards         6         Mathematics         93.12%         44.03%         No         56.30%         55.15%           7         Mathematics         92.83%         43.59%         No         46.21%         46.21%           8         Mathematics         92.64%         40.91%         No         25.24%           HS         Mathematics         91.22%         43.01%         No         44.71%           Reading         93.17%         43.96%         No         53.01%  |    | arternate aranemic                      | ,                   | Reading                      | 95.23%  | 64.66%    | No        |   | 71.09%  | 75.54%    |  |
| Reading         95.50%         53.68%         No         55.15%           Adthematics         92.83%         43.59%         No         46.21%           Reading         95.25%         54.62%         No         64.65%           Reading         92.64%         40.91%         No         25.24%           HS         Mathematics         94.82%         43.01%         No         44.71%           Reading         93.17%         43.96%         No         53.01%  | 3C | standards                               | ď                   | Mathematics                  | 93.12%  | 44.03%    | No        |   | 26.30%  | 26.69%    |  |
| Mathematics         92.83%         43.59%         No           Reading         95.25%         54.62%         No         64.65%           Mathematics         92.64%         40.91%         No         25.24%           Reading         94.82%         47.71%         No         43.27%           Mathematics         91.22%         43.01%         No         53.01%  | )  |   | ,                   | Reading                      | 95.50%  | 23.68%    | No        |   | 55.15%  | 48.41%    |  |
| Reading         95.25%         54.62%         No         64.65%           Mathematics         92.64%         40.91%         No         25.24%           Reading         94.82%         47.71%         No         43.27%           Reading         91.22%         43.01%         No         53.01%   |    |   | 7                   | Mathematics                  | 92.83%  | 43.59%    | No        |   | 46.21%  | 37.90%    |  |
| Mathematics         92.64%         40.91%         No           Reading         94.82%         47.71%         No           Mathematics         91.22%         43.01%         No           Reading         93.17%         43.96%         No   |    |   |                     | Reading                      | 95.25%  | 54.62%    | No        |   | 64.65%  | 49.19%    |  |
| Reading         94.82%         47.71%         No         A3.27%           Mathematics         91.22%         43.01%         No         44.71%           Reading         93.17%         43.96%         No         53.01%   |    |   | ×                   | Mathematics                  | 92.64%  | 40.91%    | No        |   | 25.24%  | 40.98%    |  |
| Mathematics         91.22%         43.01%         No         44.71%           Reading         93.17%         43.96%         No         53.01%   |    |   |                     | Reading                      | 94.82%  | 47.71%    | No        |   | 43.27%  | 46.72%    |  |
| Reading 93.17% 43.96% No 53.01%   |    |   | H                   | Mathematics                  | 91.22%  | 43.01%    | No        |   | 44.71%  | 43.48%    |  |
|   |    |   | !                   | Reading                      | 93.17%  | 43.96%    | No        |   | 53.01%  | 40.66%    |  |

^Data calculation change; data not comparable to FFY 2011 data.

|    |   |  | FFY 20   | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators                                |                |                  |
|----|---|--|----------|------------|------------|--|----------------|------------------|
|    | Spb/Abb Indicators  | directors  |          | FFY 2012   |            |  | Previous       | Previous Results |
| Re | Results Indicator C   | Compliance Indicator   | State    | Local      | Target     | Action Required  | FFY            | FFY              |
|    |   |  | 1.49     | Comment    | To let     |  | OTOZ           | 1107             |
| 44 | Multiple suspension vs. nondisabled   | Multiple suspensions ( > 10 days ): Disabled<br>vs. nondisabled N size is < 30*                                | < 2.0    | 0.48       | Yes        | Data meets the State's target.<br>No required action.                | 00:00          | 0.35             |
|    | Single suspensions (<br>vs. nondisabled   | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0    | 3.71*      | Yes        | Data meets the State's target.<br>No required action.                | 00:00          | 4.96*            |
|    | Discrepancy   | Amer Indian/Alaska Native  | < 2.0    | 00.00      | Yes        | No significant discrepancy. No required                              | 0.00           | 00.00            |
|    | (≥ 2.0) in the rate   | Asian  | < 2.0    | 0.00       | Yes        | action.  | 0.00           | 00.00            |
|    | of suspensions and  | Black or African American  | < 2.0    | 0.95       | Yes        |  | 0.00           | 06.0             |
|    | expulsions of   | Native Haw/Pacific Islander  | < 2.0    | 0.00       | Yes        |  | 0.00           | 0.00             |
| 48 | students With IEPs  | White  | < 2.0    | 0.17       | Yes        |  | 0.00           | 1.76             |
|    | by race/eumenty   | 2 or more races  | < 2.0    | 0.74       | Yes        |  | 0.00           | 00.0             |
|    | Discrepancy exists  | Hispanic   | < 2.0    | 0.00       | Yes        |  | 00.00          | 0.00             |
|    | in the category   | Policies/ procedures/  |          |            |            |  |                |                  |
|    | N size is < 30*   | discrepancy.   | No       | S<br>S     | Yes        |  | N <sub>O</sub> | No               |
| 5A | Student aged 6-21 whos<br>the day (MD SSIS LRE A)   | Student aged 6-21 whose LRE is ≥ 80% of the day (MD SSIS LRE A)  | ≥ 63.11% | 74.75%     | Yes        | Data meets the State's target.<br>No required action.                | 73.84%         | 74.56%           |
| 58 | Students aged 6-21 who the day (MD SSIS LRE C)  | Students aged 6-21 whose LRE is ≤ 40% of<br>the day (MD SSIS LRE C)  | ≤ 15.11% | 13.59%     | Yes        | Data meets the State's target.<br>No required action.                | 13.44%         | 13.80%           |
| 2C | Students aged 6-21 whose LRE is public/private day and residenti and home and hospital facilities | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | < 6.22%  | %09:0      | Yes        | Data meets the State's target.<br>No required action.                | <1.00%         | 0.26%            |
| 6A | Aged 3-5 LRE: Regular Early Childhood setting the majority of the day                             | ar Early Childhood<br>of the day   | ≥ 64.1%  | 40.64%     | No         | Data does not meet the State's target.<br>Improvement Plan required. | Δ              | 64.62%           |
| 6B | Aged 3-5 LRE: Separate School or Class  | ate School or Class  | ≤ 19.1%  | 896.6      | Yes        | Data meets the State's target. No required action.                   | ۵              | 17.95%           |
| i  | Age 3-5 Outcomes:<br>Use of social –  | 1. Exits with substantial growth   | ≥ 68.3%  | 68.3%      | Yes        | Data meets the State's target for 7A1 and 7A2                        | 70.0%          | 67.39%           |
| A/ | emotional skills  | 2. Exits within age expectations   | > 73.5%  | 79.1%      | Yes        | No required action.  | 80.0%          | 77.11%           |
| V  |   |  |          |            |            |  |                | 7                |

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP.

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|    |  | FFY 20          | 12 (SFY 20       | 113) Part B   | 2012 (SFY 2013) Part B Indicators             |                  |          |
|----|--|-----------------|------------------|---------------|---|------------------|----------|
|    | SPP/APR Indicators   |                 | FFY 2012         |               | Action Required                               | Previous Results | Results  |
| Re | Results Indicator Compliance Indicator   | State<br>Target | Local<br>Results | Target<br>Met |   | FFY<br>2010      | FFY 2011 |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition requirements | 100%            | 100%             | Yes           | Compliant. Data verified. No required action. | 100%             | 100%     |
| 15 | Timely correction of noncompliance   | 100%            | 100%             | Yes           | Yes Compliant. No required action.            | Compliant        | 100%     |
| 20 | State reported data are timely and accurate  | 100%            | 100%             | Yes           | Compliant. No required action.                | 100%             | 100%     |

|    | SPP/APR Inc  |  |                            | SFY 2013)                          |                         |                                     |        | T                             |   |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|---|
|    | Compliance Indi  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                      |
|    | FFY 2012 results:  Disproportionate representation (≥ 2.0) in disability | American<br>Indian/Alaska<br>Native          | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 2.14*                         | Identification procedures compliant. No |
|    |  | Asian  | 0.98                       | 0.09                               | 0.00                    | 0.63                                | 0.39   | 0.00                          | required actions.                       |
| 10 |  | Black/African<br>American                    | 1.80                       | 1.67                               | 2.00                    | 0.97                                | 0.71   | 1.84                          |   |
|    | race as a result of inappropriate  | Native Hawaiian/<br>Pacific Islander         | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |   |
| LU | identification   | White  | 0.55                       | 0.81                               | 0.73                    | 1.18                                | 1.69   | 0.77                          |   |
|    |  | 2 or more races                              | 0.16                       | 0.76                               | 1.46                    | 0.80                                | 0.82   | 0.94                          |   |
|    | Disproportionate   | Hispanic                                     | 1.25                       | 0.90                               | 0.55                    | 0.94                                | 0.88   | 0.74                          |   |
|    | representation exists  | Disproportionate representation              |                            |                                    |                         |                                     |        |                               |   |
|    | N size is < 30*  | is due to<br>inappropriate<br>identification |                            |                                    |                         |                                     |        |                               |   |

|    |   | FF'  | Y 2011 (S                  | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Inc   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate representation (≥ 2.0) in disability categories by race | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 1.07                               | 0.00                    | 0.00                                | 0.00   | 1.19                          | NA                 |
|    |   | Asian  | 1.67                       | 0.10                               | 0.00                    | 0.86                                | 0.47   | 0.00                          |                    |
|    |   | Black/African<br>American  | 1.55                       | 1.99                               | 2.11                    | 0.93                                | 0.73   | 1.75                          |                    |
| 10 | as a result of inappropriate  | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
| 10 | identification  | White  | 0.54                       | 0.73                               | 0.77                    | 1.16                                | 1.70   | 0.82                          |                    |
|    |   | 2 or more races  | 0.51                       | 0.76                               | 1.23                    | 0.89                                | 0.77   | 0.73                          |                    |
|    | Disproportionate  | Hispanic   | 1.17                       | 0.67                               | 0.38                    | 0.91                                | 0.76   | 0.78                          |                    |
|    | representation<br>exists<br>N size is < 30*   | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey -- Help their children develop and learn
- Child Find 0-1
- Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- 4. Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### **Needs Substantial Intervention**

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### <u>OR</u>

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street \* Baltimore, MD 21201 \* 410-767-0100 \* 410-333-6442 TTY/TDD

March 19, 2014

Dr. Jerry B. Wilson Superintendent Worcester County Board of Education 6270 Worcester Highway Newark, MD 21841

Dear Dr. Wilson:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the Worcester County Board of Education (WCBOE). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the WCBOE has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSE/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Wilson March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to work closely with their local Special Education Citizens' Advisory Committee (SECAC) to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the WCBOE to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

c:

Lillian M Lowery, Ed.D. Jack R. Smith, Ph.D. Rae Record Branch Chiefs

# Worcester County Public Schools Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

|     |  |                     |                           | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators  |          |                  |
|-----|--|---------------------|---------------------------|-----------------|------------------|---------------|--|----------|------------------|
|     | CDD / ABB 13   |                     |                           |                 | FFY 2012         |               |  | Previous | Previous Results |
|     | Ser/Ark mulcators Results Indicator Complianc                                  | omplia              | Compliance Indicator      | State<br>Target | Local<br>Results | Target<br>Met | Action Required  | FFY 2010 | FFY 2011         |
| 4   | Students with IEPs<br>graduating with a  | 4 year              | 4 year cohort             | ≥ 81.5%         | 79.55%           | No            | Data does not meet the State target for the 4 and 5 year cohort. Continue to implement | <        | 84.09%           |
| 4   | regular diploma  | 5 year              | 5 year cohort             | ≥ 84.4%         | 79.55%           | No            | Master Plan Improvement Strategies.  | <        | 84.44%           |
| 2   | Students with IEPs dropping out (Annual)                                       | Iroppin             | g out                     | ≤ 3.27%         | ≥3.00%           | Yes           | Data meets the State's target. No required action.                                     | 16.36%   | ≥ 3.00%          |
| 3.4 | State Assessment:<br>AMO for disability  | AMO f               | AMO for Reading           | Meets           | Met              | Yes           | Data meets the State target for reading but does not meet the State target for math.   | <        | Met              |
| 5   | subgroup in the<br>LEA   | AMO f               | AMO for Mathematics       | Meets           | Not Met          | No            | Continue to implement Master Plan Improvement Strategies.                              | <        | Met              |
| 38  | State Assessment: Participation rates of IEP students in all grades in the LEA | articipa<br>ades in | ation rates of<br>the LEA | > 95%           | Met              | Yes           | Data meets the State's target. No required action.                                     | > 95%    | > 95%            |
|     | State Assessment:  | ۲                   | Mathematics               | 95.22%          | 86.67%           | No            | Data does not meet the State target.   | 95.00%   | 86.49%           |
|     | Proficiency rate for   | ,                   | Reading                   | 94.55%          | 82.00%           | No            | Continue to implement Master Plan  | 95.00%   | 87.84%           |
|     | children with IEPs   | 4                   | Mathematics               | 95.19%          | %95'08           | No            | Improvement Strategies.  | 85.25%   | 84.00%           |
|     | against grade  |                     | Reading                   | 96.15%          | 84.72%           | No            |  | 88.52%   | 93.88%           |
|     | alternate academic   | 2                   | Mathematics               | 94.13%          | 69.49%           | No            |  | %29.99   | 75.41%           |
|     | achievement  |                     | Reading                   | 95.23%          | 84.48%           | No            |  | 73.91%   | 82.26%           |
| 3C  | standards  | 9                   | Mathematics               | 93.12%          | 74.55%           | No            |  | 75.68%   | 85.92%           |
|     |  |                     | Reading                   | 95.50%          | 70.91%           | No            |  | 77.03%   | 78.87%           |
|     |  | 7                   | Mathematics               | 92.83%          | 87.32%           | No            |  | 78.95%   | 82.89%           |
|     |  |                     | Reading                   | 95.25%          | 81.69%           | No            |  | 73.68%   | 65.79%           |
|     |  | ∞                   | Mathematics               | 92.64%          | %60.79           | No            |  | 94.12%   | 71.43%           |
|     |  |                     | Reading                   | 94.82%          | 69.23%           | No            |  | 92.16%   | 73.68%           |
|     |  | HS                  | Mathematics               | 91.22%          | 70.45%           | No            |  | %68.89   | 77.27%           |
|     |  |                     | Reading                   | 93.17%          | 47.62%           | No            |  | 43.75%   | 68.18%           |

^Data calculation change; data not comparable to FFY 2011 data.

|   |                               |  | FFY 20   | 12 (SFY 20 | 113) Part B  | FFY 2012 (SFY 2013) Part B Indicators                                |         |                  |
|---|-------------------------------|--|--|------------|--|--|---------|------------------|
| // uus  |                               |  |  | FFY 2012   |  |  | Previou | Previous Results |
| SPP/APP<br>Results Indicator                                      |                               | SPF/APR Indicators   | State  | Local      | Target   | Action Required  | FFY     | FFY              |
|   |                               | ompnance marcator  | Target   | Results    | Met  |  | 2010    | 2011             |
| Multiple susper   | spensior<br>bled              | Multiple suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                   | < 2.0  | 2.10*      | Yes  | Data meets the State's target.  No required action.                  | 00:00   | 1.04             |
| Single suspensions.   | ensions (                     | Single suspensions ( > 10 days ): Disabled vs. nondisabled N size is < 30*                                     | < 2.0  | 0.00       | Yes  | Data meets the State's target.  No required action.                  | 00:00   | 00:00            |
| Discrepancy   | >                             | Amer Indian/Alaska Native  | < 2.0  | 0.00       | Yes  | No significant discrepancy. No required                              | 0.00    | 0.00             |
| (≥ 2.0) in the rate   | he rate                       | Asian  | < 2.0  | 0.00       | Yes  | action.  | 0.00    | 0.00             |
| of suspensions and  | ons and                       | Black or African American  | < 2.0  | 5.10*      | Yes  |  | 0.00    | 1.87             |
| expulsions of   | 01                            | Native Haw/Pacific Islander  | < 2.0  | 0.00       | Yes  |  | 0.00    | 0.00             |
| students with IEPs  | ith IEPS                      | White  | < 2.0  | 1.13       | Yes  |  | 0.00    | 0.80             |
| by race/eunicity  | inicity                       | 2 or more races  | < 2.0  | 0.00       | Yes  |  | 0.00    | 0.00             |
| Discrepancy exists  | y exists                      | Hispanic   | < 2.0  | 0.00       | Yes  |  | 0.00    | 0.00             |
| in the category N size is < 30*                                   | gory<br>10*                   | Policies/ procedures/<br>practices contribute to the<br>discrepancy.   | No   | No         | Yes  |  | No      | No               |
| Student aged 6-21 whos<br>the day (MD SSIS LRE A)                 | ed 6-21 w<br>D SSIS LR        | Student aged 6-21 whose LRE is ≥ 80% of<br>the day (MD SSIS LRE A)   | ≥ 63.11%   | 88.68      | Yes  | Data meets the State's target.<br>No required action.                | 88.32%  | 89.58%           |
| Students aged 6-21 who<br>the day (MD SSIS LRE C)                 | ged 6-21<br>D SSIS LR         | Students aged 6-21 whose LRE is ≤ 40% of the day (MD SSIS LRE C)   | < 15.11%   | 2.05%      | Yes  | Data meets the State's target.  No required action.                  | 0.75%   | 1.88%            |
| Students ag<br>public/priva                                       | ged 6-21 atte day a and hospi | Students aged 6-21 whose LRE is separate public/private day and residential facilities and hospital facilities | ≤ 6.22%  | 4.51%      | Yes  | Data meets the State's target.<br>No required action.                | 2.99%   | 4.49%            |
| Aged 3-5 LRE: Regular Early Ch<br>setting the majority of the day | RE: Reguli<br>majority        | Aged 3-5 LRE: Regular Early Childhood<br>setting the majority of the day                                       | > 64.1%  | 35.92%     | No   | Data does not meet the State's target.<br>Improvement Plan required. | Δ       | 65.48%           |
| Aged 3-5 LF   | E: Separ                      | Aged 3-5 LRE: Separate School or Class   | ≤ 19.1%  | 28.16%     | No   | Data does not meet the State's target.<br>Improvement Plan required. | V       | 27.38%           |
| Age 3-5 Outcomes:<br>Use of social –                              | tcomes:                       | 1. Exits with substantial growth   | ≥ 68.3%  | 83.3%      | Yes  | Data meets the State's target for 7A1 and 7A2                        | 43.8%   | 69.23%           |
| emotional skills  | skills                        | 2. Exits within age expectations   | ≥ 73.5%  | 85.3%      | Yes  | No required action.  | 44.4%   | 80.00%           |
| 1   |                               |  | COLUMN TO SECURE AND ADDRESS OF THE PERSON NAMED IN COLUMN TO SECURE A |            | The state of the last of the l |  |         |                  |

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP.

|    |   |   | FFY 20     | 12 (SFY 20 | 13) Part B                | / 2012 (SFY 2013) Part B Indicators                         |         |                  |
|----|---|---|------------|------------|---------------------------|---|---------|------------------|
|    | SPP/APR Indicators  | dicators  |            | FFY 2012   |                           | Action Required   | Previou | Previous Results |
| Re | Results Indicator Compliance Indicator  | mpliance Indicator  | State      | Local      | Target                    |   | FFY     | FFY              |
|    |   |   | Target     | Results    | Met                       |   | 2010    | 2011             |
|    | Age 3-5 Outcomes:<br>Use of knowledge   | 1. Exits with substantial growth  | ≥ 68.6%    | 79.3%      | Yes                       | Data meets the State's target for 7B1 and 7B2.              | %2'99   | 76.47%           |
| 78 | and skills  | 2. exits within age expectations  | ≥ 59.3%    | %2'.29     | Yes                       | No required action.   | 50.0%   | 75.00%           |
| ,  | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth  | ≥ 63.7%    | %2'99      | Yes                       | Data meets the State's target for 7C1 and 7C2.              | 38.5%   | 80.00%           |
| 2  | behaviors   | 2. Exits within age expectations  | ≥ 66.2%    | %9.79      | Yes                       | No required action.   | 20.0%   | 80.00%           |
|    | Parent Survey   | Age 3-5   | 40.0%      | %0.09      | Yes                       | Data meets the State's target in 3-5 and 6-                 | 64%     | 30%              |
|    |   | Age 6-21  | 38.0%      | 47.0%      | Yes                       | 21. No required action.                                     | 46%     | 29%              |
|    | Disproportionate  | Amer Indian/Alaska Native   | < 2.0      | 0.88       | Yes                       | No significant disproportionate                             | 0.00    | 1.14             |
|    | representation  | Asian   | < 2.0      | 0.58       | Yes                       | representation. No required action.                         | 0.00    | 0.82             |
|    | (≥ 2.0) in special  | Black, African American   | < 2.0      | 1.50       | Yes                       |   | 0.00    | 1.47             |
|    | education of racial   | Native Haw/Pacific Islander   | < 2.0      | 0.00       | Yes                       |   | 0.00    | 00.00            |
|    | groups as a result  | White   | < 2.0      | 0.80       | Yes                       |   | 0.00    | 0.81             |
|    | identification  | 2 or more races   | < 2.0      | 0.78       | Yes                       |   | 0.00    | 0.81             |
| ກ  |   | Hispanic  | < 2.0      | 0.87       | Yes                       |   | 0.00    | 0.73             |
|    | Disproportionate  | Disproportionate  |            |            |                           |   |         |                  |
|    | representation  | representation is due   |            |            |                           |   |         |                  |
|    | exits in the category   | to inappropriate<br>identification  | oN<br>(0%) | oN<br>(0%) | Yes                       |   | 0%)     | No<br>(%0)       |
|    | N size is < 30*   |   |            |            |                           |   |         |                  |
|    |   |   | 드          | dicator 1  | Indicator 10 on last page | page  |         |                  |
| 11 | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | its with written<br>evaluate who were<br>calendar days  | 100%       | 99.41%     | o N                       | Substantially compliant. Data verified. No required action. | 100%    | 100%             |
| 12 | Eligible children exiting Part Cat age 3 hav<br>an IEP in effect by the child's 3rd birthday                | Eligible children exiting Part Cat age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%       | 100%       | Yes                       | Compliant. Data verified . No required action.              | 100%    | 100%             |

Worcester Co. Annual Data Rpt FFY 2012

|    |   | FFY 20 | 11 (SFY 20 | 12) Part B | 2011 (SFY 2012) Part B Indicators     |           |                  |
|----|---|--------|------------|------------|---------------------------------------|-----------|------------------|
|    | SPP/APR Indicators                          |        | FFY 2012   |            | Action Required                       | Previous  | Previous Results |
| Re | Results Indicator Compliance Indicator      | State  | Local      | Target     |                                       | FFY       | FFY              |
|    |   | Target | Results    | Met        |                                       | 2010      | 2011             |
|    | Percentage of youth age 16 and above        |        |            |            | Compliant. Data verified. No required |           |                  |
| 13 | whose IEP meets secondary transition        | 100%   | 100%       | Yes        | action.                               | 100.0%    | 100%             |
|    | requirements                                |        |            |            |                                       |           |                  |
| 15 | Timely correction of noncompliance          | 100%   | 100%       | Yes        | Compliant. No required action.        | Compliant | 100%             |
| 20 | State reported data are timely and accurate | 100%   | 100%       | Yes        | Compliant. No required action.        | 100%      | 100%             |

|    |  |  |                            | SFY 2013)                          |   |                                     |        |                               |                                 |
|----|--|--|----------------------------|------------------------------------|---|-------------------------------------|--------|-------------------------------|---------------------------------|
|    | SPP/APR Indi                                       |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability                 | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action              |
|    | FFY 2012 results:  Disproportionate representation | American<br>Indian/Alaska<br>Native    | 0.00                       | 0.00                               | 0.00                                    | 0.00                                | 5.97*  | 2.37*                         | Disproportionate representation |
| 10 |  | Asian                                  | 3.34*                      | 0.14                               | 0.00                                    | 0.72                                | 2.97*  | 0.34                          | does not exist.<br>No required  |
|    | (≥ 2.0) in<br>disability                           | Black/African<br>American              | 2.86*                      | 1.92                               | 1.57                                    | 0.90                                | 0.50   | 1.40                          | action.                         |
|    | race as a result of inappropriate                  | Native Hawaiian/<br>Pacific Islander   | 0.00                       | 0.00                               | 0.00                                    | 0.00                                | 0.00   | 0.00                          |                                 |
|    | identification                                     | White                                  | 0.37                       | 0.57                               | 1.57                                    | 1.08                                | 1.45   | 1.21                          |                                 |
|    |  | 2 or more races                        | 0.00                       | 0.79                               | 0.00                                    | 1.04                                | 1.28   | 0.50                          |                                 |
|    | Disproportionate                                   | Hispanic                               | 0.00                       | 1.27                               | 0.00                                    | 1.18                                | 0.28   | 0.35                          |                                 |
|    | representation exists                              | Disproportionate representation        |                            |                                    | *************************************** |                                     |        |                               |                                 |
|    | N size is < 30*                                    | is due to inappropriate identification |                            |                                    |   |                                     |        |                               |                                 |

|    |   | FF   | Y 2011(S                   | FY 2012)                           | Part B I                | ndicators                           |        |                               |                    |
|----|---|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Indic   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate                     | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 4.69*  | 0.00                          | NA                 |
|    | representation (≥ 2.0) in disability categories by race | Asian  | 3.60*                      | 0.17                               | 0.00                    | 1.57                                | 3.10*  | 0.38                          |                    |
| 10 |   | Black/African<br>American  | 2.26*                      | 1.81                               | 0.00                    | 1.12                                | 0.66   | 1.62                          |                    |
|    | as a result of inappropriate                            | Native Hawaiian/<br>Pacific Islander                                   | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |                    |
|    | identification  | White  | 0.32                       | 0.67                               | 2.25*                   | 0.88                                | 1.13   | 1.02                          |                    |
|    |   | 2 or more races  | 0.00                       | 1.30                               | 0.00                    | 0.53                                | 0.42   | 0.55                          |                    |
|    | Disproportionate  | Hispanic   | 0.51                       | 0.87                               | 4.42*                   | 0.91                                | 0.61   | 0.25                          |                    |
|    | representation<br>exists<br>N size is < 30*             | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- · Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- 5. Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- 9. Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- 1. Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- 9. Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

<u>OR</u>

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### Needs Assistance

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

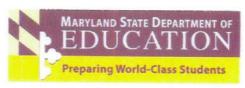
LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.



200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD

March 19, 2014

Dr. Khalek Kirkland Head of School The SEED School of Maryland 200 Font Hill Avenue Baltimore, MD 21223

Dear Dr. Kirkland:

The Maryland State Department of Education (MSDE), Division of Special Education/Early Intervention Services (DSE/EIS) is required to make determinations annually on the performance of each local school system using one of the following four determination categories: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention" [34 CFR §§300.600 and 300.604]. The MSDE, DSE/EIS uses a results-based rubric for specific indicators to evaluate each local school system's performance in meeting the State's targets for Federal Fiscal Year (FFY) 2012 (2012-2013 school year). Attached please find the FFY 2012 Determination Overview that identifies the Part B Indicators used to assign a local determination and the FFY 2012 Local Determination Scoring Criteria. The attached FFY 2012 Annual Data Table on SPP/APR Part B Indicators provides a three-year data analysis and required actions for the SEED School of Maryland (SSMD). Based on the FFY 2012 data, as well as information obtained through monitoring and complaint investigations, the SSMD has achieved the determination status of "Meets Requirements."

The criteria for the current assignment of the determination status have been in effect for the last seven (7) years and have been primarily based upon indicators of compliance. We know what is measured is what gets done and, as a result, twenty-two of Maryland's twenty-five local school systems met substantial compliance for each of the six (6) Compliance Indicators in FFY 2012. Moving forward, there will be a shift to a more balanced accountability approach. Critical to the focus and accountability shift is the collaborative work between general and specialized education leaders to narrow the school readiness and achievement gaps. Beginning with the FFY 2013 (2013-2014) Part B local determinations, the DSF/EIS will implement a graduated six-year results driven accountability plan in order to concentrate efforts on:

- Improving student performance, including assessments, preschool outcomes, graduation, dropout, and post-school outcomes;
- Providing access to and participation in the general curriculum with nondisabled peers to the maximum extent appropriate; and
- Increasing parent partnerships.

As a result of the accountability shift to an increased emphasis on results, a local school system's determination status may be impacted in the future. Decisions regarding the setting of new State targets and local determination criteria will be made in the coming months through broad stakeholder input, including local

<sup>&</sup>lt;sup>1</sup> The SEED School of Maryland is a local school system for the Elementary and Secondary Education Act (ESEA) accountability purposes.

Dr. Kirkland March 19, 2014 Page Two

Directors of Special Education, local Preschool Coordinators, and the Special Education State Advisory Committee (SESAC). Local school systems are strongly encouraged to perform an analysis of local data and infrastructure. The analysis should guide the development of strategies for data-informed decision-making, increased parent partnerships, strategic collaboration, and the use of evidence-based practices to improve the results for children and youth with disabilities and their families. As we implement this shift in focus to results-driven accountability, the MSDE, DSE/EIS will provide State and local professional learning opportunities.

Thank you for your hard work and commitment to excellence, equity, and efficiency. The MSDE is committed to supporting the efforts of the SSMD to improve results for students with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call me at 410-767-0238.

Sincerely,

Marcella E. Franczkowski, M.S.
Assistant State Superintendent

Division of Special Education/

Early Intervention Services

MF/DRR Attachments

Lillian M Lowery, Ed.D.
 Jack R, Smith, Ph.D.

Branch Chiefs

 $\boldsymbol{\Delta}$  Data not required to be submitted to OSEP.

|     |   |  | FFY 20     | 12 (SFY 20 | 13) Part B | FFY 2012 (SFY 2013) Part B Indicators          |                  |         |
|-----|---|--|------------|------------|------------|--|------------------|---------|
|     | SPP/APR Indicators  | dicators   |            | FFY 2012   | Tame for   | Action Required                                | Drawione Doenlee | Doenlee |
| Re  | Results Indicator Compliance Indicator  | mpliance Indicator   | State      | Local      | Target     | no imbournous                                  | FFY              | FFY     |
|     |   |  | Target     | Results    | Met        |  | 2010             | 2011    |
| 7.0 | Age 3-5 Outcomes:<br>Use of knowledge   | Exits with substantial growth  | ≥ 68.6%    | NA         |            |  |                  |         |
| 9/  | and skills  | 2. exits within age expectations   | ≥ 59.3%    | AN         |            |  |                  |         |
| 26  | Age 3-5 Outcomes:<br>Use of appropriate   | 1. Exits with substantial growth   | ≥ 63.7%    | NA         |            |  |                  |         |
| 2   | behaviors   | 2. Exits within age expectations   | ≥ 66.2%    | NA         |            |  |                  |         |
| V 8 | Parent Survey   | Age 3-5  | 40.0%      | NA         |            |  |                  |         |
| 20  |   | Age 6-21   | 38.0%      | NA         |            |  |                  |         |
|     | Disproportionate  | Amer Indian/Alaska Native  | < 2.0      | 0.00       | Yes        | Significant disproportionality not due to      |                  |         |
|     | representation  | Asian  | < 2.0      | 0.00       | Yes        | inappropriate identification. No required      |                  |         |
|     | (≥ 2.0) in special  | Black, African American  | < 2.0      | 3.88       | No         | action.  |                  |         |
|     | education of racial   | Native Haw/Pacific Islander  | < 2.0      | 0.00       | Yes        |  |                  |         |
|     | groups as a result  | White  | < 2.0      | 0.00       | Yes        |  |                  |         |
|     | or inappropriate  | 2 or more races  | < 2.0      | 4.87       | Yes        |  |                  |         |
| 6   | Identification  | Hispanic   | < 2.0      | 1.37       | Yes        |  |                  |         |
|     | Disproportionate representation exits in the category.  | Disproportionate representation is due to inappropriate identification                         | 0N<br>(%0) |            |            |  |                  |         |
|     | N size is < 30*   |  |            |            |            |  |                  |         |
|     |   |  |            |            |            |  |                  |         |
| #   | Percentage of students with written parental consent to evaluate who were evaluated within 60 calendar days | nts with written<br>evaluate who were<br>calendar days   | 100%       | 100%       | Yes        | Compliant. Data verified . No required action. |                  |         |
| 12  | Eligible children exiti<br>an IEP in effect by the  | Eligible children exiting Part C at age 3 have<br>an IEP in effect by the child's 3rd birthday | 100%       | NA         |            |  |                  |         |

|    |   | FFY 20          | 12 (SFY 20       | 13) Part B    | FFY 2012 (SFY 2013) Part B Indicators |             |                  |
|----|---|-----------------|------------------|---------------|---------------------------------------|-------------|------------------|
|    | SPP/APR Indicators  |                 | FFY 2012         |               | Action Required                       | Previous    | Previous Results |
| Re | Results Indicator Compliance Indicator                                    | State<br>Target | Local<br>Results | Target<br>Met |                                       | FFY<br>2010 | FFY<br>2011      |
| 13 | Percentage of youth age 16 and above whose IEP meets secondary transition | 100%            | NA               |               |                                       |             |                  |
|    | requirements  |                 |                  |               |                                       |             |                  |
| 15 | Timely correction of noncompliance  | 100%            | 100%             | Yes           | Compliant. No required action.        |             |                  |
| 20 | State reported data are timely and accurate                               | 100%            | 100              | Yes           | Compliant. No required action.        |             |                  |

|    |  |  | Y 2012 (                   | SFY 2013)                          | Part B I                | ndicators                           |        |                               |  |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--|
|    | SPP/APR Indi   |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action                           |
|    | FFY 2012 results:  Disproportionate representation (≥ 2.0) in disability categories by | American<br>Indian/Alaska<br>Native                                    | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          | No significant disproportionality exists. No |
|    |  | Asian  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
| 10 |  | Black/African<br>American  | 0.00                       | 3.99*                              | 0.00                    | 0.00                                | 0.00   | 1.88                          | required action.                             |
|    | race as a result of inappropriate identification                                       | Native<br>Hawaiian/<br>Pacific Islander                                | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|    | , action dution  | White  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|    | 5253   | 2 or more races  | 0.00                       | 0.00                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|    | Disproportionate   | Hispanic   | 0.00                       | 3.30                               | 0.00                    | 0.00                                | 0.00   | 0.00                          |  |
|    | representation<br>exists<br>N size is < 30°  | Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |  |

|    |  | FF   | Y 2011 (S                  | SFY 2012)                          | Part B I                | ndicators                           |        |                               |                    |
|----|--|--|----------------------------|------------------------------------|-------------------------|-------------------------------------|--------|-------------------------------|--------------------|
|    | SPP/APR Indic  |  | Intellectual<br>Disability | Specific<br>Learning<br>Disability | Emotional<br>Disability | Speech or<br>language<br>Impairment | Autism | Other<br>Health<br>Impairment | Required<br>Action |
|    | FFY 2011 results:  Disproportionate representation (≥ 2.0) in disability categories by race as a result of | American Indian/Alaska Native Asian Black/African American Native Hawaiian/      |                            |                                    |                         |                                     |        |                               | NA                 |
| 10 | inappropriate identification  N size is < 30*  | Pacific Islander White 2 or more races   |                            |                                    |                         |                                     |        |                               |                    |
|    | Disproportionate representation exists.  | Hispanic  Disproportionate representation is due to inappropriate identification |                            |                                    |                         |                                     |        |                               |                    |

### FFY 2012 Determination Overview Part C & Part B July 1, 2012 – June 30, 2013

The Individuals with Disabilities Education Act 2004 (IDEA) is focused on state accountability on Part C and Part B Indicators defined in the Office of Special Education's (OSEP) State Performance Plans. Annually, the OSEP evaluates each state's performance on these Indicators, and, as a result, assigns each state to one of four levels of determination: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." The Maryland State Department of Education (MSDE) anticipates receiving its current federal determination status for Part C and Part B in early June 2014.

The Individuals with Disabilities Education Act (IDEA) also requires states to evaluate each state's Local Lead Agency (LLA) for the IDEA Part C early intervention services, and each Local School System (LSS) for the IDEA Part B special education performance on the Part C and Part B Indicators. As a result of that evaluation, each state is to assign each LLA and LSS to one of four levels of determination status: "Meets Requirements," "Needs Assistance," "Needs Intervention," or "Needs Substantial Intervention." In making determinations, the OSEP requires that states consider:

- Performance on Compliance Indicators;
- Whether data submitted by public agencies are valid, reliable (accurate), and timely;
- Uncorrected noncompliance from other sources; and
- Any audit findings.

In addition, states should also consider:

- · Performance on Results Indicators; and
- Other information.

The MSDE, Division of Special Education/Early Intervention Services, uses a results-based rubric on specific indicators to rate each LLA's and LSS's performance in meeting the State's targets as defined by the State Performance Plan for Part C and Part B. Each LLA's and LSS's determination status and results will be posted, as required, on the MSDE Public Website of State Performance Plan Results at <a href="http://mdideareport.org">http://mdideareport.org</a> no later than June 14, 2014.

The following Part C indicators are included in assigning determinations:

### Results Indicators

- 2. Primary Service Setting
- 4a. Family Survey Know their rights
- 4b. Family Survey Effectively communicate their children's needs
- 4c. Family Survey Help their children develop and learn
- Child Find 0-1
- 6. Child Find 0-3

### Compliance Indicators

- 1. Timely Services
- 7. 45 Day Timeline
- 8a. Transition Transition Outcomes
- 8b. Transition Notification to LSS
- 8c. Transition Timely Planning Meeting
- Correction of Noncompliance
- 14. Timely and Accurate Data

The following Part B indicators are included in assigning determinations:

### Results Indicators

- Graduation with a Diploma
- 2. Dropout
- 5a. LRE for Students Ages 6-21 Inside the regular class 80% or more of the day
- 5b LRE for Students Ages 6-21 Inside the regular class less than 40% of the day
- 5c LRE for Students Ages 6-21 In separate schools, residential facilities, or homebound/hospital placements

### Compliance Indicators

- Suspension/Expulsion
- Disproportionate Representation Disaggregated by Race/Ethnicity
- 10. Disproportionate Representation Disaggregated by Race/Ethnicity and Disability
- 11. Initial Evaluation Timeline
- 12. Part C to B Transition
- 13. Secondary Transition
- 15. Timely Correction of Noncompliance
- 20. Timely and Accurate Data

The MSDE supports each LLA's and LSS's effort to improve performance and identify and correct noncompliance with federal and State requirements. Programmatic technical assistance and monitoring may include, but is not limited to, teleconference calls, targeted technical assistance, professional learning opportunities, targeted funds for improvement, and onsite visits. While it is the MSDE's preference to work collaboratively with each LLA and LSS to improve performance, other enforcement options may be necessary for sustained poor performance and/or ongoing noncompliance.

In accordance with 34 C.F.R. §300.604(a), if Maryland determines, for two consecutive years, a public agency needs assistance under §300.603(b)(1)(ii) in implementing the requirements of the IDEA, the MSDE must take one or more of the following actions:

- (1) Advise the public agency of available sources of technical assistance that may help to address the identified areas in which the public agency needs assistance;
- (2) Direct the use of federal funds, in accordance with 34 C.F.R. §300.604(a)(2), on the area or areas in which the public agency needs assistance; and/or
- (3) Identify the public agency as a high-risk grantee and impose special conditions on the public agency application for federal funds under the IDEA.

In accordance with 34 C.F.R. §300.604(b), if Maryland determines, for three or more consecutive years, that a public agency needs intervention under §300.603(b)(1)(iii) in implementing the requirements of the IDEA, the MSDE must implement enforcement actions.

### The MSDE may:

- (1) Take any of the actions described in 34 C.F.R. §300.604(a);
- (2) Take one or more of the following actions:
  - (i) Requires the public agency to prepare a corrective action plan or improvement plan if the MSDE determines that the public agency should be able to correct the problem within one year.
  - (ii) Require the public agency to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. §1221 et seq. (GEPA), if the MSDE has reason to believe that the public agency cannot correct the problem within one year.
  - (iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under Section 611(e) of the IDEA, until the MSDE determines the public agency has sufficiently addressed the areas in which the public agency needs intervention.
  - (iv) Seeks to recover funds under Section 452 of the GEPA.
  - (v) Withholds, in whole or in part, any further payments to the public agency under Part B of the IDEA.

In addition to the enforcement actions described above, if the MSDE determines a LLA or LSS needs substantial intervention in implementing the requirements of the IDEA or that there is a substantial failure to comply with any condition of a public agency's eligibility under the IDEA, in accordance with 34 C.F.R. §300.604(c), the MSDE may take one or more of the following actions:

- (1) Recover Funds under section 452 of the GEPA; or
- (2) Withhold, in whole or in part, any further payments to the public agency under the IDEA.

Prior to withholding any funds under the IDEA, the MSDE provides reasonable notice and an opportunity for a hearing to the public agency involved, pursuant to the procedures in 34 C.F.R. §§ 300.180 through 300.183.

### FFY 2012 Local Determination Scoring Criteria July 1, 2012 – June 30, 2013 Data

### Meets Requirements

### Results Indicators

LSS met or exceeded State targets for five performance Indicators (1, 2, 5A, 5B, and 5C).

OR

LSS data for LRE performance indicators 5A, 5B, and 5C were not significantly below the State targets.

AND

### Compliance Indicators

LSS demonstrated full compliance for at least five of the compliance indicators (4, 9, 10, 11, 12, 13 and 20)

### AND

### General Supervision Indicator

LSS has no corrective actions or corrected all previously identified findings of noncompliance within one year of identification (15).

### **Needs Assistance**

### Results Indicators

LSS data were not significantly below State targets for at least two of five performance indicators (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least four of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS corrected all but one corrective action and identified timely diligent effort and substantial improvement overall (15).

Part B FFY 2012 Local Determination Scoring Criteria FINAL 3/14/2014 drr

### **Needs Intervention**

### Results Indicators

LSS met or exceeded State targets in at least one performance indicator (1, 2, 5A, 5B and 5C).

### AND

### Compliance Indicators

LSS demonstrated full compliance for at least three of seven compliance indicators (4, 9, 10, 11, 12, 13 and 20).

### AND

### General Supervision Indicator

LSS did not correct all previously identified findings of noncompliance within two years of identification (15).

### Needs Substantial Intervention

LSS demonstrated continued failure to correct all previously identified noncompliance and completion of corrective actions for two or more years from date of identification.

### OR

LSS failure to substantially comply has affected the core requirements, such as the delivery of services to students with disabilities or to provide effective general supervision and oversight.

### OR

LSS informed the State that it is unwilling to comply with the core requirements.

# Seed School Annual Data rpt FFY 2012

# The SEED School of Maryland Annual Data on SPP/APR Part B Indicators Notice of Performance for the Period July 1, 2012 – June 30, 2013

| es                 | SPP/APR Indicators Results Indicator Compliance Indicator Students with IEPs 4 year cohort | dicato<br>omplia     | icators<br>npliance Indicator<br>4 year cohort | FFY 20 State Target > 81.5% | 12 (SFY 20<br>FFY 2012<br>Local<br>Results | 13) Part B Target Met | FFY 2012 (SFY 2013) Part B Indicators  FFY 2012 (SFY 2013) Part B Indicators  FFY 2012 (SFY 2013) Part B Indicators  Action Required  arget Results Met NA NA | Previous Results FFY FFY 2010 2011 | Results<br>FFY<br>2011 |
|--------------------|--|----------------------|--|-----------------------------|--|-----------------------|---|------------------------------------|------------------------|
| regi<br>Stu        | regular diploma 5 year cohori<br>Students with IEPs dropping out (Annual)                  | 5 year               | 5 year cohort<br>opping out                    | ≥ 84.4%<br>≤ 3.27%          | NA<br>0%                                   | NA                    | Data meets the State's target. No required action.  |                                    |                        |
| Stat<br>AM<br>subg | State Assessment: AMO for disability subgroup in the                                       | AMO                  | AMO for Reading AMO for Mathematics            | Meets                       | Met  | Yes                   | Data meets the State's target. No required action.  |                                    |                        |
| SE                 | State Assessment: Participation rates of IEP students in all grades in the LEA             | Particip<br>rades in | nation rates of                                | ≥ 95%                       | Met  | Yes                   | Data meets the State's target. No required action.  |                                    |                        |
| St.                | State Assessment:<br>Proficiency rate for  | m                    | Mathematics<br>Reading                         | 95.22%                      | A N  |                       |   |                                    |                        |
| chi                | children with IEPs   | 4                    | Mathematics                                    | 95.19%                      | AN :                                       |                       |   |                                    |                        |
| <u>6</u> 8         | level, modified and  | L                    | Reading<br>Mathematics                         | 96.15%                      | A A  |                       |   |                                    |                        |
| 3                  | alternate academic   | n                    | Reading  | 95.23%                      | AN   |                       |   |                                    |                        |
| מל ל               | acnievement  | ď                    | Mathematics                                    | 93.12%                      | 42.86%                                     | No                    | Data does not meet the State's target.  |                                    |                        |
| 5                  | 50 00  |                      | Reading  | %05.56                      | 52.38%                                     | No                    | Continue to implement Master Plan   |                                    |                        |
|                    |  | 7                    | Mathematics                                    | 92.83%                      | 20.00%                                     | No                    | miprovement strategies.   |                                    |                        |
|                    |  | `                    | Reading  | 95.25%                      | 10.00%                                     | No                    |   |                                    |                        |
|                    |  | ٥                    | Mathematics                                    | 92.64%                      | NA   |                       |   |                                    |                        |
|                    |  | 0                    | Reading  | 94.82%                      | NA   |                       |   |                                    |                        |
|                    |  | ĭ                    | Mathematics                                    | 91.22%                      | NA   |                       | 1   |                                    |                        |
|                    |  | 5                    | Reading  | 93.17%                      | NA   |                       |   |                                    |                        |