

STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B

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

**For reporting on
FFY 2019**

North Dakota



**PART B DUE
February 1, 2021**

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

Introduction

Instructions

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

Intro - Indicator Data

Executive Summary

Additional information related to data collection and reporting

On March 15, 2020, an executive order was issued by the Governor of the State of North Dakota to close all public and non-public K-12 schools in the state. This was part of the measures to mitigate community transmission of the COVID-19 pandemic. To ensure K-12 students continued to receive education in the state, all school districts developed age-appropriate distance learning plans which were approved by the Superintendent of the North Dakota Department of Public Instruction (NDDPI). By April 1, 2020, most school districts had approved plans in place to deliver virtual instructions to all K-12 students. Subsequently, school districts adopted distance and hybrid instructional models to deliver instructions and services to all K-12 students in the state.

Interruptions and disruptions resulting from the COVID-19 pandemic impacted all in-person school programs and activities. These interruptions and disruptions also impacted some of the statewide data collection and reporting in 2019-2020 school year. North Dakota State Assessment (NDSA) was most significantly affected. As a result of the interruptions and disruptions, the NDDPI applied for and was approved by the U.S. Department of Education to waive the administration of the statewide assessment, accountability, and reporting requirements under the Elementary and Secondary Education Act (ESEA). As a result, the NDDPI did not have state assessment data to report on for indicators B-3B and B-3C in its FFY 2019 SPPAPR.

As schools from across the state transition from the online and hybrid instructional models to full-time in-person learning for all students, the NDDPI is collaborating with the North Dakota Healthy Return to Learning team to provide safe and healthy school environments for educators to provide high quality instructions and services to all students. The NDDPI is working with stakeholders and school districts to administer the NDSA in the Spring of the 2020-21 school year.

Apart from assessment data, the process of data collection, review, and analyses by the NDDPI team did not show any indications of the impact of COVID-19 pandemic on the rest of the FFY 2019 SPP/APR indicator data. While the data collection and review processes for some indicators (e.g., B-1, B-2, B-3, B-5, B-6, B-9, B-10, B-15, and B-16) had already been finalized, work on data collection processes had already begun for the other indicators (e.g., B-7, B-8, B-11, B-12, B-13, B-14). As the NDDPI looks ahead to the 2020-2021 school year, it will be closely monitoring the impact of the COVID-19 pandemic on the SPP/APR indicator data.

The NDDPI recognizes that the impact of COVID-19 on learners in both academic and social emotional skill acquisition could be a long-term. The NDDPI is partnering and engaging with its stakeholders in discussing recovery and accelerating learning plans by increasing both the amount and quality of learning time. Some of the strategies being discussed include staffing, professional development to teachers on evidenced-based accelerated learning curriculums, extended schedules, student tutoring, summer enrichment and after-school activities, more personalized instruction, increase of appropriate supports and technical assistance to schools.

Number of Districts in your State/Territory during reporting year

174

General Supervision System

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

Explanation of the NDDPI Special Education Office

The State Education Agency (SEA) in North Dakota is the North Dakota Department of Public Instruction (NDDPI). The following special education positions are held within the Special Education office of the NDDPI:

- Special Education State Director: Oversees the implementation of IDEA regulations statewide. Provides oversight of state legislative responsibilities and supervision of the NDDPI special education personnel.
- Special Education SEA Staff: Hold portfolios specific to disability categories, trainings, monitoring, and special education program responsibilities.
- IDEA Grant Manager: Oversees the IDEA Part B and state special education budgets.

Local Education Agencies (LEA) and Local Special Education Units (LSEUs): North Dakota currently has 174 local school districts. Each school district belongs to one of the 31 special education units and collaborates with the special education unit staff to ensure children with disabilities receive appropriate and individualized special education services. The following offices may be held within each of the local special education unit: Special Education Unit Director, Assistant Special Education Unit Director, and Special Education Coordinator.

Statewide case management and database system: A major component in North Dakota's general supervision system is the statewide Individualized Education Program (IEP) case management system, TIENET. This statewide TIENET database is a web-based student file database available via a secure site. It contains all the components of the IEP and other forms required for students receiving special education services. This database has increased the clarity and accuracy of all student data submitted to the state.

General Supervision monitoring overview and process: The North Dakota Department of Public Instruction (NDDPI) is responsible for ensuring that the requirements of IDEA 2004 are carried out within the state. More specifically, the areas of monitoring include:

- Fiscal Monitoring: Supporting documentation is reviewed to ensure funds were used for allowable expenditures in alignment with the application, as well as other fiscal items such as inventory control, time and effort documentation, parentally placed set-aside funds and record retention. Onsite fiscal audits are now conducted in collaboration with the LSEUs identified for focused monitoring.
- Compliance Monitoring Self-Assessment: The NDDPI has developed toolkits for LSEUs, districts, residential schools, and department of corrections to use as a self-assessment of the compliance of special education staff in conjunction to the federal regulations. These toolkits include recommendations for student level and current compliance corrective actions. As part of local responsibilities for general supervision, LSEUs are highly encouraged to use these toolkits to sample a portion of their Unit's population of student IEP files each year.
- Focused monitoring: The NDDPI uses a data driven focused monitoring which uses the performance indicators 1, 3, 5 and a fiscal risk assessment

score to rank the 31 LSEUs in North Dakota over a period of three years. The LSEUs that fall below the state average are considered for a focused monitoring. More information about North Dakota's focused monitoring procedures can be found at <https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Guidelines/Monitoring/Focusedmonitoring.pdf>. In addition, residential schools are focused monitored on a five-year cycle. This process includes a review of documentation outlined in the self-assessment, individual student file reviews and an onsite visit. In previous years if the special education unit had findings the corrective action plan was due 90 days following the final report. This year due to COVID, the corrective action plan was extended to 180 days to allow for collaboration between general and special education to write the corrective action plan.

d. Data Digs: In addition to focused monitoring of a LSEU for the 2019-2020 school year, the NDDPI office of special education chose two LSEUs that had been recently focused monitored to conduct a data dig. This data dig allowed the LSEUs to create their own hypotheses and determine if new initiatives were changing outcome data for students with disabilities. These data digs happened in the Fall of 2019 and as such COVID-19 couldn't have had an impact on this event.

e. Due Process/Mediation/Complaints: As part of NDDPI's general supervision responsibilities, the SEA provides a series of options for students with disabilities when disagreements cannot be resolved without formal dispute resolution. In addition to the IDEA mandated options of mediation, written state complaint investigations, and due process complaints, the NDDPI also offers formal facilitated IEP meetings to support teams in their efforts to resolve disputes. More information about ND's dispute resolution processes may be found at <https://www.nd.gov/dpi/education-programs/special-education> by clicking on the Special Education Dispute Resolution tab.

Identification of Noncompliance: In the monitoring processes, the NDDPI defines a finding as a written conclusion that includes a citation of the regulation/requirement and a description of the quantitative and/or qualitative data supporting a decision of compliance or noncompliance with a specific regulation/requirement. Findings are given to the LEA superintendent, LSEU board president, and the LSEUs director. The one-year correction timeline begins on the date the NDDPI notifies the school district, in writing, of the noncompliant policies and/or practices.

Corrections of Noncompliance:

The following steps are utilized when NDDPI staff members are verifying the LSEUs and districts' corrections to areas of noncompliance:

- a. NDDPI monitoring staff review the district submission of documents pertaining to the corrective actions such as individual student level correction of noncompliance and training dates, locations, agendas, and participation lists;
- b. Follow-up review of data, other documentation, and/or interviews are conducted to ensure that the noncompliant policies, procedures, and/or practices were revised and corrected within timelines;
- c. A written notification is sent to the LEA superintendent, LSEU board president, and the LSEU director that the noncompliance was corrected as required;
- d. When further action is required, NDDPI staff members conduct on-site and/or off-site activities to verify correction of noncompliance; and,
- e. The NDDPI monitoring staff randomly verify compliance through district and student level data (when necessary) using the TIENET database and tracking on an excel spreadsheet. Most of the student forms are available in the TIENET database. Throughout the year, the NDDPI special education coordinators log into the database and view the student files in question. If the corrective action has not taken place as planned, the NDDPI special education monitoring coordinator contacts the local special education director to discuss the timeline of the required correction. At the agreed upon date, the NDDPI special education monitoring coordinator will log into the system and verify the correction is complete. Once the corrective action is complete and the noncompliance corrected, the NDDPI special education monitoring coordinator sends a "close-out" letter to the local special education unit director, special education unit board president, and LEA superintendent(s) verifying those corrections and the date of completion.

Technical Assistance System

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

The NDDPI Office of Special Education works to partner with stakeholders to provide quality technical assistance that supports compliance and improving student outcomes. The NDDPI special education staff provide technical assistance to each of the 31 LSEUs throughout the state. Each regional coordinator is assigned a region of the state through which the coordinator serves as the lead technical assistance contact for the local units. Staff members also hold portfolios that include specific statewide responsibilities related to disability categories, trainings, monitoring, and special education program responsibilities.

The NDDPI Office of Special Education and Office of Assessment Collaboration:

The Office of Special Education and Office of Assessment work in collaboration to provide quality technical assistance for both the ND State Assessment (NDSA) and ND Alternate Assessment (NDAA) for students with disabilities. North Dakota is a governing member of the Dynamic Learning Maps (DLM) consortium which is the platform used for the NDAA system. A staff member within the Office of Special Education manages the NDAA and provides technical assistance to special education teachers and local unit directors on changes and updates concerning the NDAA as well as consults with the Office of Assessment staff on the NDSA.

National Instructional Materials Accessibility Standard:

The provision of accessible instructional materials in a timely manner is an essential component of making a Free Appropriate Public Education (FAPE) available to children who, due to their disability, cannot access standard text materials. The NDDPI has adopted the National Instructional Materials Accessibility Standard (NIMAS) requirements under IDEA 2004 to provide curriculum materials in alternate formats in a way that is cost-efficient and timely for LEA's. As part of ND's technical assistance ensuring students received accessible materials, ND designated the North Dakota Vision Services/School for the Blind (NDVS/SB) as the primary authorized user for downloading or assigning the source files from the National Instructional Materials Access Center (NIMAC). NDVS/SB coordinates with the NIMAC, to convert materials into formats that are accessible by students who are blind or have other print disabilities. The NDDPI continues to provide technical assistance related to the NIMAS and NIMAC to state educational leaders and school personnel, and coordinate with the NIMAC. NDDPI has posted a NIMAS policy paper at <https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Guidelines/NIMAS.pdf>.

State Longitudinal Data System (SLDS):

The ND SLDS updates data daily from ND public school databases (ex: PowerSchool, STARS) and has the capability to integrate with multiple data vendors used by public schools across the state. Schools use this data to help make student, school building level, and district decisions. ND has a trained state data steward who helps school personnel understand and use information aggregated and stored within the SLDS database and the Regional Education Associations, along with the SEA, support SLDS technical assistance efforts. Part of the ND's SLDS includes guidance, assistance, and information related to ND's SPP/APR indicators and the 618 Data Table. More information about the SLDS can be found at the SLDS site <https://slids.ndcloud.gov/SitePages/Default.aspx>

Departmental Website

The NDDPI's <https://www.nd.gov/dpi/> is a substantial part of the department's technical assistance to districts, schools, and families. It contains guidelines, policy papers, forms for local, district, and parent use. The website also carries the North Dakota State Standards, assessment information, and student privacy policies and agreements. The overall design has moved from an agency-centric design to a user-centric design. When special

education information is shared, stakeholders are frequently directed to a specific website link for additional information. Annually, the NDDPI sends out to stakeholders a link related to ND's SPP/APR. On NDDPI's website, under the Compliance Data and Reports tab, the ND SPP/APR is posted for public viewing under the ND SPP/APR and OSEP Determinations tab at <https://www.nd.gov/dpi/education-programs/special-education>. Likewise, the ND Special Education Guidelines are available on the NDDPI Special Education website under the Special Education State Guidelines tab at <https://www.nd.gov/dpi/education-programs/special-education>.

The special education unit directors and LEA superintendents have ready access to the SPP/APR private report cards through the State Automated Reporting System (STARS). Local unit and district personnel can log in and view report cards, trend reports, and detailed indicator reports for the past several years. These reports provide an overview of current and past performance as well as state-level, special education unit-level, and district-level reports on SPP/APR Indicators 1-14. In addition, the NDDPI makes available to the special education units detailed reports for the Parent Survey (Indicator 8) and the Post-School Outcomes Survey (Indicator 14) through a secure site.

Professional Development System

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

North Dakota has taken a "grow-your-own" approach to filling the shortage areas and retaining special education and related services staff. Some of the professional development programs the state funds include:

Resident Teacher Program (RTP): The RTP seeks to attract and keep teachers in rural schools that have challenges recruiting and retaining teachers in ND. The purpose is to increase the pool of endorsed and prepared special educators already licensed and enrolled in graduate programs in special education. Resident teachers complete a full-year internship in a school district or special education unit. Financial support for this program began in 1998 and continues to assist in meeting the special educator shortage needs in the state.

Speech-Language Pathology Loan Forgiveness Program: Annually, ten loan forgiveness awards are given to graduate level Speech-Language Pathologists. Students receive a \$10,000 loan forgiveness award for each year they contract with a ND public LEA.

Speech-Language Pathology Paraprofessionals (SLPP) Scholarship: As part of the efforts to address the critical shortage of Speech-Language Pathologists in the state, ND has created a certificate for SLPP. Annually the NDDPI issues ten scholarships split between two colleges in ND to support students working toward an Associate in Applied Science in Speech-Language Pathology Professional certificate. The scholarships cover tuition and fees for recommended students.

Traineeship Scholarship: Each year, NDDPI awards Traineeship Scholarships in priority disability areas to ND teachers who wish to pursue graduate level retraining in the field of special education. Traineeship Scholarship recipients may be funded for a maximum of three years. On average, 97 scholarships are given each year in seven different special education and related service areas.

Sign Language Studies Online Curriculum: The NDDPI Office of Special Education issues a one-time funding to the only Sign Language Interpreter Program in the state to create curriculum on an online platform. This has increased access to the program for rural communities.

Para-to-Teacher Program (PTP): The Special Education PTP seeks to attract special education paraprofessionals and supports them in transitioning into licensed special education teachers. With the programs inception in Summer 2020, the NDDPI funded ten candidates who continue working as paraprofessionals as they complete their college coursework toward earning their bachelor's in special education.

Professional Development Collaboration: The NDDPI provided an annual Fall Educators Conference each October. The ND Office of Special Education served on the planning committee for this conference and sponsored of several special education related sessions during the conference. The most recent annual conference (held October 9-11, 2019) had an attendance of more than 650 general and special education professionals from across the state.

Special Education Summer Institute (SESI)

The NDDPI Office of Special Education offered the SESI for the 3rd year (held July 31-August 1, 2019). More than 180 special and general educators, related service providers, and administrators attended sessions in areas that focused on IEP process and implementation, IDEA compliance, transition, assessment, assistive technology, social-emotional learning among other topics.

Law Conference on Students with Disabilities

The NDDPI Office of Special Education collaborated with the state special education offices from Montana and South Dakota to organize and sponsor the 4th annual Northern Plains Law Conference on Students with Disabilities. The purpose is to provide the latest information on special education legal and other related issues. The 2019 Law Conference, held in Bismarck, ND, had an attendance of 292 people from the three states.

Universal Design for Learning (UDL): The NDDPI provides technical assistance and professional development focused on instructional planning incorporating UDL principles. The NDDPI advocates the use of the UDL framework to design classroom instruction and large-scale assessments. The UDL framework and its guiding principles provide students with equal access and opportunities to learn. Reducing curriculum barriers and providing scaffolds and supports promote deep learning, skill mastery, and valid assessment of student learning. UDL is a natural component of early intervening initiatives, such as Multi-Tiered System of Supports (MTSS). More guidance and learning opportunities on NIMAS and UDL may be found at <https://www.nd.gov/dpi/education-programs/special-education>, under Accessibility Resources.

North Dakota Work Group on Improving Functional Behavioral Assessments (FBA) and Behavior Intervention Plans (BIP): North Dakota Behavior Coaching Initiative

In 2019-20, the NDDPI collaborated with Regional Education Associations (REAs) in North Dakota to provide services related to increasing the competencies of educators across the state. Some of this work focused in the areas of conducting and writing FBAs and BIPs. Training efforts in the SY 2019-2020 consisted of sessions for those that are beginning and advanced in Prevent-Teach-Reinforce (PTR), conducting FBAs and BIPs, as well as how to use the Technical Adequacy Tool for Evaluation (TATE). Representatives from the NDDPI meet bimonthly with REA staff to track progress in this area.

Secondary Transition Trainings

The NDDPI hosts annual training related to the federal secondary transition requirements. The structure and specific topics included in this training are dictated by the annual Indicator 13 monitoring results. The most recent Secondary Transition Interagency Conference was held in November 2019 with approximately 150 people participating. Writing Transition IEP training was provided to LSEUs whose Indicator 13 monitoring results indicated they might benefit from receiving additional support in this area.

The NDDPI partakes in NACT Perkins V, VR and IDEA collaboration team meetings held every month. Also, ND created a state Perkins V, VR and

IDEA collaborative team that meets quarterly. The collaborative project is focused on assisting ND schools, ND Vocational Rehabilitation, state and local CTE, private providers, and parents to effectively integrate CTE coursework into IEP implementation to improve secondary transition services and positive post school outcomes for students with disabilities.

State Systemic Improvement Plan (SSIP)

During Phase III, Year 5 of SSIP implementation, LSEUs continued to receive professional development, implemented, and scaled up improvement efforts, while intentionally evaluating evidence-based strategies directed at the middle school and high school levels.

Regional Education Associations (REAs)

North Dakota has established eight REAs designated by the North Dakota State Century Code chapter 15.1-09.1-01. The NDDPI coordinates with each REA to assist in the facilitation of professional development for school personnel throughout regions of the state. The collaborative work between the REAs and the NDDPI is exemplified through ND Multi-Tier System of Supports (NDMTSS) work. NDMTSS is a framework to provide all students with the best opportunities to succeed academically, socially, emotionally, and behaviorally in school. NDMTSS focuses on providing high-quality instruction and interventions matched to student need, monitoring progress frequently to make decisions about changes in instruction or goals. Data are used to allocate resources to improve student learning and support staff implementation of effective practices. NDMTSS focuses on integrating academics and behavioral interventions to improve student outcomes, through a system approach. Professional development opportunities, which include the annual NDMTSS Conference, are offered in statewide locations throughout the year.

Stakeholder Involvement

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

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.,) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

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

YES

Reporting to the Public

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

The North Dakota Department of Public Instruction reported to the public on the FFY 2018 (July 1, 2018-June 30, 2019) performance of each district in the state on the targets in the SPP/APR no later than the 120 day-timeline following the State's submission of its FFY 2018 APR on its website at <https://insights.nd.gov/Education>

To access the districts' performance reports;

1. Click on "Data for Specific District or School" button.
2. Click on the "Browse K-12" tab
3. Select the "Browse by District" radial button to display a list of all districts in the State arranged alphabetically.
4. Click on any district (eg., Bismarck Public School District, Grand Forks Public School District, Fargo Public School District, etc.,) to view its data.
5. On the homepage of the school district, click on "Special Education Performance" on the left-hand side of the screen and select any indicator to view data.

Note that to protect student privacy, data for districts with less than 10 students are not displayed.

Also, the department publicly made available a copy of its FFY 2018 SPP/APR (July 1, 2018-June 30, 2019) submitted to OSEP in 2020 on its website at <https://www.nd.gov/dpi/education-programs/special-education>. Click on the Compliance Data and Reports tab to access the state's FFY 2018 SPP/APR and the SSIP report. In addition, the NDDPI has shared a link <https://sites.ed.gov/idea/spp-apr-letters> on its website to where historical and current ND SPP/APRs and OSEP Determination Letters and Responses have been posted on the IDEA website.

Intro - Prior FFY Required Actions

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

OSEP notes that one or more of the attachments included in the State's FFY 2018 SPP/APR submission are not in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and will not be posted on the U.S. Department of Education's IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

Response to actions required in FFY 2018 SPP/APR

The NDDPI publicly made available a copy of its SSIP report for the FFY 2018 (July 1, 2018-June 30, 2019) submitted to OSEP in 2020 on its website at <https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/ND%20SSIP%20Phase%20III%20Year%204%20Narrative.pdf>.

Intro - OSEP Response

OSEP's response to the State's FFY 2018 SPP/APR required the State to include in the FFY 2019 SPP/APR that one or more of the attachments included in the State's FFY 2018 SPP/APR submission are in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and available to the public as soon as practicable, but no later than 120 days after the date of the determination letter. The State provided the required information.

Intro - Required Actions

Indicator 1: Graduation

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

1 - Indicator Data

Historical Data

Baseline Year	Baseline Data
2011	66.74%

FFY	2014	2015	2016	2017	2018
Target >=	89.00%	89.00%	89.00%	89.00%	89.00%
Data	69.93%	67.82%	67.88%	66.34%	68.60%

Targets

FFY	2019
Target >=	89.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and

Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs graduating with a regular diploma	669
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs eligible to graduate	912
SY 2018-19 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695)	07/27/2020	Regulatory four-year adjusted-cohort graduation rate table	73.36%

FFY 2019 SPP/APR Data

Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma	Number of youth with IEPs in the current year's adjusted cohort eligible to graduate	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
669	912	68.60%	89.00%	73.36%	Did Not Meet Target	No Slippage

Graduation Conditions

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

4-year ACGR

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

The North Dakota Department of Public Instruction (NDDPI) and the local school districts have the authority to set graduation standards, grading policies, and conditions for awarding diplomas as long as those policies do not violate the civil rights of students. The completion of a course of study prescribed under state and local requirements should result in a formal recognition of the completion of that study. Diplomas for students who receive special education services are awarded in the same manner as diplomas are awarded to students without disabilities. North Dakota School Century Code 15.1-21-02.1 includes the following requirement: Before a school district, a non-public high school, or the ND Department of Independent Study issues a diploma to a student, the student must have successfully completed at least 21 units of high school course work from the minimum curriculum offerings established by North Dakota School Century Code 15.1-21-02.

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

NO

Provide additional information about this indicator (optional)

As ND looks ahead to upcoming SPP/APR reports, ND is closely monitoring the impact of the COVID-19 pandemic on graduation rates. As disruption from the pandemic continues to unfold, ND is projecting a flat growth rate in graduation rates for the school year when the pandemic started (2019-20). The SEA continues to work with stakeholders across ND as the state works to minimize the negative impact of the pandemic. Efforts are taking place working with stakeholders seeking to return to positive growth trends in graduation rates for students with disabilities.

1 - Prior FFY Required Actions

None

1 - OSEP Response

1 - Required Actions

Indicator 2: Drop Out

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

Data Source

OPTION 1:

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

OPTION 2:

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

Measurement

OPTION 1:

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

OPTION 2:

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

Instructions

Sampling is not allowed.

OPTION 1:

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

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

OPTION 2:

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

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

Options 1 and 2:

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

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

2 - Indicator Data

Historical Data

Baseline Year	Baseline Data
2011	21.68%

FFY	2014	2015	2016	2017	2018
Target <=	19.50%	19.25%	18.75%	18.00%	17.00%
Data	18.41%	20.26%	17.65%	16.53%	19.40%

Targets

FFY	2019
Target <=	17.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and

setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children’s Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Please indicate the reporting option used on this indicator

Option 1

Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	609
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b)	0
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c)	40
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d)	129
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e)	5

FFY 2019 SPP/APR Data

Number of youth with IEPs who exited special education due to dropping out	Total number of High School Students with IEPs by Cohort	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
129	783	19.40%	17.00%	16.48%	Met Target	No Slippage

Provide reasons for slippage, if applicable

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

The NDDPI defines drop-outs as students who leave school prior to graduation for reasons other than transfer to another school. Students receiving special education services who exit by reaching maximum age are considered drop-outs. Also, students choosing to exit school to attend an alternative form of education or employment training program are also factored into the drop-out total.

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

NO

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

Provide additional information about this indicator (optional)

As ND looks ahead to upcoming SPP/APR reports, ND is closely monitoring the impact of the COVID-19 pandemic on drop-out rates. As the pandemic continues to unfold, the SEA continues to work with stakeholders across ND minimize negative impacts of the pandemic, while returning to positive reduction trends in drop-out rates for students with disabilities.

2 - Prior FFY Required Actions

None

2 - OSEP Response

OSEP notes that the State reported "Students receiving special education services who exit by reaching maximum age are considered drop-outs." It is not clear whether the State is reporting any duplicate counts in the SY 2018-2019 exiting data in the following groups: number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age; and, the number of youth with IEPs (ages 14-21) who exited special education due to dropping out.

2 - Required Actions

Indicator 3B: Participation for Students with IEPs

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

Instructions

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

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

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

3B - Indicator Data

Reporting Group Selection

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

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

Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2005	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	98.10%	Actual	96.43%	95.46%	95.82%	95.89%	95.17%

Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2005	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	98.10%	Actual	95.75%	95.38%	95.73%	95.99%	95.93%

Targets

Subject	Group	Group Name	2019
Reading	A >=	Overall	95.00%
Math	A >=	Overall	95.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.,) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and

setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children’s Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

FFY 2019 Data Disaggregation from EDFacts

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

YES

Data Source:

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

Date:

Reading Assessment Participation Data by Grade

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

Data Source:

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

Date:

Math Assessment Participation Data by Grade

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

FFY 2019 SPP/APR Data: Reading Assessment

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			95.17%	95.00%		N/A	N/A

FFY 2019 SPP/APR Data: Math Assessment

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			95.93%	95.00%		N/A	N/A

Regulatory Information

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

Public Reporting Information

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

The NDDPI publicly reports on students with disabilities participating in statewide assessment with the same frequency and in the same detail as it reports on all students in the state. Student assessment participation data are publicly reported at both state and district levels.

The FFY 2018 (July 1, 2018-June 30, 2019) statewide Math and ELA assessment participation data are available at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>. To access state level report,

1. Click on the link
2. Select "Participation Demographics" tab to display data.
3. Hover mouse over line graphs to display participation numbers and rates for student subgroups, including students with disabilities.
4. Results may be viewed by accommodation status, assessment type, and the grade level tested.

District level reports for the FFY 2018 (July 1, 2018-June 30, 2019) are available at <https://insights.nd.gov/Education>. To access report,

1. Click on "Data for Specific District or School" button.
2. Click on the "Browse K-12" tab, then select the "Browse by District" radial button to display a list of all districts in the State arranged alphabetically.
3. Select any school district (eg., Bismarck Public School District, Grand Forks Public School District, Fargo Public School District, etc.).
4. On the homepage of the school district, click on "Academic Progress" on the left-hand side of the screen.
5. Under "Academic Progress" menu, click on "Student Achievement"
6. Select "Participation Demographics" tab to display data.
7. Hover mouse over line graphs to display participation numbers and rates for student subgroups, including students with disabilities.
8. Results may be viewed by accommodation status, assessment type, and the grade level tested.

Note that to protect student privacy, data for districts with less than 10 students are not displayed. In some cases, when appropriate for the purpose of transparency, information involving 10 or more students may be displayed in ranges to avoid potential identification of students in small demographic populations. When utilized, ranges may be represented visually with diagonal lines or open circles in lightly shaded colors.

Provide additional information about this indicator (optional)

The state of North Dakota was approved by the U.S. Department of Education to waive the administration of the statewide assessment, accountability and reporting requirements under the Elementary and Secondary Education Act (ESEA) for the 2019-2020 school year due to statewide school closures related to the COVID-19 pandemic.

3B - Prior FFY Required Actions

None

3B - OSEP Response

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

3B - Required Actions

Indicator 3C: Proficiency for Students with IEPs

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

Instructions

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

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

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

3C - Indicator Data

Reporting Group Selection

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

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

Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Overall	54.30%	Actual	18.63%	21.52%	17.95%	15.82%	17.00%

Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Overall	50.20%	Actual	13.45%	14.74%	14.23%	14.34%	15.57%

Targets

Subject	Group	Group Name	2019
Reading	A >=	Overall	100.00%
Math	A >=	Overall	100.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.,) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children’s Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

FFY 2019 Data Disaggregation from EDFacts

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

YES

Data Source:

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

Date:

Reading Proficiency Data by Grade

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

Data Source:

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

Date:

Math Proficiency Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations											

Grade	3	4	5	6	7	8	9	10	11	12	HS
scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level											
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level											

FFY 2019 SPP/APR Data: Reading Assessment

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			17.00%	100.00%		N/A	N/A

FFY 2019 SPP/APR Data: Math Assessment

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			15.57%	100.00%		N/A	N/A

Regulatory Information

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

Public Reporting Information

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

The NDDPI publicly reports on students with disabilities performance in statewide assessment with the same frequency and in the same detail as it reports on all students in the state. Student assessment performance data are publicly reported at both state and district levels.

The FFY 2018 (July 1, 2018-June 30, 2019) statewide Math and ELA assessment performance data are available at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>. To access state level report;

1. Click on the link.
2. Select "Performance Demographics" tab to display data.
3. Scroll down to view achievement reports by student subgroups, including students with disabilities.
4. Results may be viewed by accommodation status, assessment type, and the grade level tested.

District level reports for the FFY 2018 (July 1, 2018-June 30, 2019) are available at <https://insights.nd.gov/Education>. To access report,

1. Click on "Data for Specific District or School" button.
2. Click on the "Browse K-12" tab, then select the "Browse by District" radial button to display a list of all districts in the State arranged alphabetically.
3. Select any school district (eg., Bismarck Public School District, Grand Forks Public School District, Fargo Public School District, etc.,).
4. On the homepage of the school district, click on "Academic Progress" on the left-hand side of the screen.
5. Under "Academic Progress" menu, click on "Student Achievement"
6. Select "Performance Demographics" tab to display data.
7. Scroll down to view achievement report by student subgroups, including students with disabilities.
8. Results may be viewed by accommodation status, assessment type, and the grade level tested.

Note that to protect student privacy, data for districts with less than 10 students are not displayed. In some cases, when appropriate for the purpose of

transparency, information involving 10 or more students may be displayed in ranges to avoid potential identification of students in small demographic populations. When utilized, ranges may be represented visually with diagonal lines or open circles in lightly shaded colors.

Provide additional information about this indicator (optional)

The state of North Dakota was approved by the U.S. Department of Education to waive the administration of the statewide assessment, accountability and reporting requirements under the Elementary and Secondary Education Act (ESEA) for the 2019-2020 school year due to statewide school closures related to the COVID-19 pandemic.

3C - Prior FFY Required Actions

None

3C - OSEP Response

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

3C - Required Actions

Indicator 4A: Suspension/Expulsion

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

Results Indicator: Rates of suspension and expulsion:

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

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

Data Source

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

Measurement

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

Include State's definition of "significant discrepancy."

Instructions

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

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

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

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

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

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

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

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

4A - Indicator Data

Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2014	2015	2016	2017	2018
Target <=	0.97%	0.97%	0.97%	0.97%	0.80%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

Targets

FFY	2019
Target <=	0.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g., ND IDEA Part B Advisory Committee, Part C

ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.,) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children’s Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

FFY 2019 SPP/APR Data

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

YES

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

81

Number of districts that have a significant discrepancy	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	94	0.00%	0.00%	0.00%	Met Target	No Slippage

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

Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State

State’s definition of “significant discrepancy” and methodology

The NDDPI uses the “state bar” method for defining significant discrepancy. The FFY2019 (based on 2018-2019 data) state rate for suspending/expelling students with disabilities for more than 10 days is 0.19%. The NDDPI has set the state bar as five percentage points higher than the state rate. Thus, any district that suspends or expels 5.19% or more of its students with disabilities for more than 10 days is flagged for significant discrepancy. There must be at least 30 students with disabilities (minimum n-size) in the denominator for a suspension rate to be flagged. Of the 175 districts, 81 were excluded because there were fewer than 30 students with disabilities enrolled. Seventy-nine (79) of the remaining 94 districts had a 0% suspension/expulsion rate. In the entire state of North Dakota, 30 students with disabilities were suspended/expelled for greater than 10 days in SY 2018-19. A total of 15 districts, with at least 30 students with disabilities enrolled, had a suspension/expulsion rate greater than 0%. However, none of the 15 districts had a suspension/expulsion rate greater or equal 5.19%.

In summary,

- I. Total number of Districts =175
- II. Number of districts excluded with fewer 30 students enrolled Minimum N-size=81
- III. Number of districts with more than 30 students with disabilities but zero Suspensions/Expulsions=79
- IV. Number of districts with more than 30 students and a suspension/expulsion rate >0=15
- V. None of the 15 districts had a suspension/expulsion rate = 5.19%

Provide additional information about this indicator (optional)

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

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

In accordance with regulations, if district data indicates a significant discrepancy in the rate of suspensions and expulsions for children with IEPs, the state would require a review and revision of policies, practices and procedures that contributed to the significant discrepancy; and provide the state an accepted plan and templates required for the required reviews.

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

Correction of Findings of Noncompliance Identified in FFY 2018

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

Correction of Findings of Noncompliance Identified Prior to FFY 2018

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

4A - Prior FFY Required Actions

None

4A - OSEP Response

4A - Required Actions

Indicator 4B: Suspension/Expulsion

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

Compliance Indicator: Rates of suspension and expulsion:

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

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

Data Source

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

Measurement

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

Include State's definition of "significant discrepancy."

Instructions

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

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

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

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

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

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

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

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

Targets must be 0% for 4B.

4B - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Baseline Year	Baseline Data
2016	0.00%

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

Targets

FFY	2019
Target	0%

FFY 2019 SPP/APR Data

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

YES

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

101

Number of districts that have a significant discrepancy, by race or ethnicity	Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0	74	0.00%	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

State's definition of "significant discrepancy" and methodology

The NDDPI uses the "state bar" method for defining significant discrepancy. The FFY 2019 (based on SY 2018-2019 data) state rate for suspending/expelling students with disabilities of the various racial/ethnic groups ranges from 0% to 0.86% for more than 10 days. The NDDPI has set the state bar as 5% higher than the state rate. Thus, any district that suspends or expels 5% or more of its students with disabilities of a particular racial/ethnic group for more than 10 days is flagged for significant discrepancy. There must be at least 30 students with disabilities (minimum n-size) in the denominator for a suspension rate to be flagged.

Of the 175 districts, 101 were excluded because there were fewer than 30 enrolled students with disabilities for the racial/ethnic groups. In the entire state of North Dakota, 30 students with disabilities were suspended/expelled for greater than 10 days in the 2018-19 school year. A total of 15 districts, with at least 30 students with disabilities enrolled, had a suspension/expulsion rate greater than 0%. However, none of the 15 districts had a suspension/expulsion rate greater or equal 5.19% for a specific racial/ethnic group.

In summary,

- I. Total number of Districts 175.
- II. Number of districts excluded with fewer 30 students enrolled Minimum N-size=101.
- III. Number of districts with more than 30 students with disabilities but zero Suspensions/Expulsions=59.
- IV. Number of districts with more than 30 students and a suspension/expulsion rate >0=15.
- V. None of the 15 districts had a suspension/expulsion rate = 5.19% for a specific racial/ethnic group.

Provide additional information about this indicator (optional)

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

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

In accordance with regulations, if district data indicates a significant discrepancy in the rate of suspensions and expulsions for children with IEPs, the state would require a review and revision of policies, practices and procedures that contributed to the significant discrepancy; and provide the state an accepted plan and templates required for the required reviews.

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

Correction of Findings of Noncompliance Identified in FFY 2018

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

Correction of Findings of Noncompliance Identified Prior to FFY 2018

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

Findings of Noncompliance Verified as Corrected

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

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

4B - Prior FFY Required Actions

None

4B - OSEP Response

4B- Required Actions

Indicator 5: Education Environments (children 6-21)

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

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

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

5 - Indicator Data

Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2008	Target >=	75.10%	75.20%	75.30%	76.00%	77.50%
A	77.17%	Data	74.58%	74.08%	73.25%	73.48%	73.10%
B	2008	Target <=	4.85%	4.85%	4.80%	4.80%	4.75%
B	4.98%	Data	5.11%	5.33%	5.69%	5.86%	5.99%
C	2008	Target <=	2.00%	2.00%	1.99%	1.97%	1.08%
C	1.09%	Data	1.66%	1.75%	1.63%	1.56%	1.59%

Targets

FFY	2019
Target A >=	77.50%
Target B <=	4.75%
Target C <=	1.08%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	Total number of children with IEPs aged 6 through 21	13,946
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	10,169
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	898
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c1. Number of children with IEPs aged 6 through 21 in separate schools	88
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c2. Number of children with IEPs aged 6 through 21 in residential facilities	99
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	23

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

NO

FFY 2019 SPP/APR Data

Education Environments	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	10,169	13,946	73.10%	77.50%	72.92%	Did Not Meet Target	No Slippage
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	898	13,946	5.99%	4.75%	6.44%	Did Not Meet Target	Slippage
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	210	13,946	1.59%	1.08%	1.51%	Did Not Meet Target	No Slippage

Use a different calculation methodology (yes/no)

NO

Part	Reasons for slippage, if applicable
B	<p>The FFY2019 data on 5B shows an increase of 0.45% from the FFY2018 data and missing the target by 1.69%. Data on student placement settings were analyzed at the LEA levels, but the NDDPI did not find any significant differences among the Special Education Units and Districts in the number of students served in the regular classroom less than 40% of the day. The NDDPI Office of Special Education then conducted Subgroup analyses of the data which showed increased number of children and youth with the primary disabilities of Autism (from 25% of students in this environment to 27% of students) and Other Health Impairments (from 11% of students to 15% of students) with some of them having complex needs that may be adequately met in more restrictive settings. During NDDPI Internal Focused Monitoring, it was noticed that units making a system change through North Dakota's Multi-Tiered Systems of Support (MTSS) instruct students in different tiers depending on student need. These interventions occurred in the general education environment with grade level peers and were not necessarily specially designed instruction. These minutes were counted as special education minutes which impacted the student's LRE. Technical assistance will be provided in this area. For students ages 18-21 analysis of environmental coding revealed that many were working in the community in a similar manner as their same age peers. Minutes on the IEP were grouped together including minutes in the special education setting with community work environments and included minutes that should have been documented as participation in the general education setting and not special education. Additional training and technical assistance will be provided in this area to teachers across the state.</p>

Provide additional information about this indicator (optional)

5 - Prior FFY Required Actions

None

5 - OSEP Response

5 - Required Actions

Indicator 6: Preschool Environments

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

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

6 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2011	Target >=	27.30%	27.50%	27.70%	28.50%	29.60%
A	29.05%	Data	26.43%	25.20%	24.60%	28.51%	27.53%
B	2011	Target <=	28.80%	28.60%	28.40%	27.60%	26.50%
B	28.77%	Data	32.98%	32.81%	32.85%	33.03%	33.67%

Targets

FFY	2019
Target A >=	29.60%
Target B <=	26.50%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice

Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	Total number of children with IEPs aged 3 through 5	2,492
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	726
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b1. Number of children attending separate special education class	751
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b2. Number of children attending separate school	32
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b3. Number of children attending residential facility	1

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

NO

FFY 2019 SPP/APR Data

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	726	2,492	27.53%	29.60%	29.13%	Did Not Meet Target	No Slippage
B. Separate special education class, separate school or residential facility	784	2,492	33.67%	26.50%	31.46%	Did Not Meet Target	No Slippage

Use a different calculation methodology (yes/no)

NO

Provide additional information about this indicator (optional)

6 - Prior FFY Required Actions

None

6 - OSEP Response

6 - Required Actions

Indicator 7: Preschool Outcomes

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

State selected data source.

Measurement

Outcomes:

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

Progress categories for A, B and C:

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

Summary Statements for Each of the Three Outcomes:

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

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

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

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

Instructions

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

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

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

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

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

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

7 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A1	2013	Target >=	83.50%	83.50%	84.00%	84.00%	84.50%
A1	84.50%	Data	87.57%	88.01%	85.76%	84.17%	85.06%
A2	2013	Target >=	63.00%	63.00%	63.50%	63.50%	64.00%

A2	63.16%	Data	68.23%	66.20%	61.89%	61.02%	60.30%
B1	2013	Target >=	84.00%	84.00%	84.50%	84.50%	85.00%
B1	86.42%	Data	87.76%	90.71%	87.29%	86.59%	84.59%
B2	2013	Target >=	55.00%	55.00%	55.50%	55.50%	56.00%
B2	55.06%	Data	56.73%	55.17%	52.72%	50.00%	47.69%
C1	2013	Target >=	80.50%	80.50%	81.00%	81.00%	81.50%
C1	84.29%	Data	89.47%	86.78%	85.07%	86.67%	83.53%
C2	2013	Target >=	72.00%	72.00%	72.50%	72.50%	73.00%
C2	72.20%	Data	74.28%	73.18%	68.39%	72.04%	67.71%

Targets

FFY	2019
Target A1 >=	85.00%
Target A2 >=	64.00%
Target B1 >=	87.00%
Target B2 >=	56.00%
Target C1 >=	84.50%
Target C2 >=	73.00%

Targets: Description of Stakeholder Input

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In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children’s Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

FFY 2019 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed

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

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	1	0.12%

Outcome A Progress Category	Number of children	Percentage of Children
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	80	9.41%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	252	29.65%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	350	41.18%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	167	19.65%

Outcome A	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	602	683	85.06%	85.00%	88.14%	Met Target	No Slippage
A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	517	850	60.30%	64.00%	60.82%	Did Not Meet Target	No Slippage

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

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	3	0.35%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	93	10.94%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	338	39.76%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	322	37.88%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	94	11.06%

Outcome B	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	660	756	84.59%	87.00%	87.30%	Met Target	No Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	416	850	47.69%	56.00%	48.94%	Did Not Meet Target	No Slippage

Outcome C: Use of appropriate behaviors to meet their needs

Outcome C Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	1	0.12%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	80	9.41%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	193	22.71%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	331	38.94%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	245	28.82%

Outcome C	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	524	605	83.53%	84.50%	86.61%	Met Target	No Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	576	850	67.71%	73.00%	67.76%	Did Not Meet Target	No Slippage

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

YES

Sampling Question	Yes / No
Was sampling used?	NO

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

YES

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

The NDDPI Office of Special Education, with support and information from the ND Early Childhood Special Education Advisory Committee, have approved seven anchor tool assessments that can be utilized to determine entry and exit Early Childhood Outcomes (ECOs) ratings. Entry ratings for the special education students that have been found eligible for special education services is scored on an ECOs Summary Form that is located on ND's special education case management system, known as, TIENET. Preschool children who are included in the ND ECO Process, are children ages three through five years of age who received early childhood special education preschool services for at least six months. ND's ECOs Summary Forms' raw data are compiled in an Excel document for the NDDPI Office of Special Education to report findings for the state's SPP/APR.

Provide additional information about this indicator (optional)

With the initial onset of Covid-19, the NDDPI took an immediate and proactive approach to assisting Local Education Agencies with maintaining required timelines and service provisions under IDEA. The NDDPI maintained the message that there were no allowable flexibilities under IDEA during the COVID-19 pandemic. Local special education units were involved in communication and creative problem-solving sessions to collaborate and design strategies to continue quality service provision, timeline requirements and enhance family communication.

Due to the ongoing communication and technical assistance, data collection for all the SPP/APR Indicators continued with preestablished statewide procedures in place. The NDDPI Office of Special Education team and 619 Coordinator maintained open communication with LSEU directors hosting regular virtual calls. The NDDPI shared its Covid-19 Frequently Asked Questions and Answers Guidance Document on the NDDPI website. Differentiated communication was an essential strategy when disseminating information. Verbal communication, emails, ECSE Advisory meetings and personal phone calls were leveraged to give units ample notification of timelines for submitting data reports. All LSEUs submitted Indicator 7 reports by the NDDPI deadline of July 1, 2020. This allowed NDDPI Office of Special Education staff time to investigate each local unit's reports and provide technical assistance as needed.

The data review process enabled NDDPI to seek additional needed information to verify and clarify submitted data. A team approach to data review enhanced the data quality to ensure accurate reporting measures were followed. Final analysis indicates that the North Dakota made gains across the Part B Early Childhood Indicators. North Dakota's small population size enables NDDPI to reach stakeholders in a timely manner. The cohesiveness and

existing channels of communication proved beneficial as we responded to COVID-19 issues as quickly as possible. The NDDPI recognizes that the long-term effects of COVID-19 could have significant impacts for future Early Childhood Indicator data, particularly in the areas of Early Childhood Outcomes. One recognition is the impact on learners in both academic and social emotional skill acquisition. The NDDPI continues to forge ahead with a growth mindset that it can overcome challenges and puts appropriate supports in place to combat the pandemic's negative effects while capitalizing on the creativity and innovation of the state's educators, families and stakeholders.

7 - Prior FFY Required Actions

None

7 - OSEP Response

The State did not report the number of preschool children aged 3 through 5 with IEPs assessed, as required by the Measurement Table.

7 - Required Actions

Indicator 8: Parent involvement

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

Data Source

State selected data source.

Measurement

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

Instructions

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

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

Provide the actual numbers used in the calculation.

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

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

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

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

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

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

8 - Indicator Data

Question	Yes / No
Do you use a separate data collection methodology for preschool children?	NO

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Historical Data

Baseline Year	Baseline Data
2013	70.58%

FFY	2014	2015	2016	2017	2018
Target >=	70.80%	71.00%	71.20%	72.00%	73.10%
Data	68.03%	75.84%	67.50%	72.24%	71.20%

Targets

FFY	2019
Target >=	73.10%

FFY 2019 SPP/APR Data

Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	Total number of respondent parents of children with disabilities	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
503	688	71.20%	73.10%	73.11%	Met Target	No Slippage

The number of parents to whom the surveys were distributed.

5,444

Percentage of respondent parents

12.64%

Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.

A representative sample of PK-12 students is chosen from each special education unit in the state. Results are weighted according to population size of the special education units so that the overall state parent involvement percentage is an accurate reflection of the experiences of parents of students with disabilities age 3 to 21. Parents of students at all grade levels (PK-12) have equal chance of being selected to participate in the survey.

Sampling Question	Yes / No
Was sampling used?	YES
If yes, has your previously-approved sampling plan changed?	NO

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

OSEP approved this sampling plan on May 20, 2014.

The sampling for this collection was done at the special education unit level. Districts in North Dakota are divided into 31 special education units. A representative sample of parents was randomly selected from each of the 31 special education units. The number of parents chosen was dependent on the number of total students at a special education unit as indicated in the table below. The sample sizes selected ensured roughly similar margins of error across the different district sizes.

Number of Students Sample Size Chosen

1-100 All
101-250 100
251-499 140
500-699 190
700-1199 280
1200-1699 370
1700 or more 570

For special education units that had more than 100 students, and thus for which a sample was chosen, the population was stratified by district, grade, race/ethnicity, primary disability, and gender to ensure representativeness of the resulting sample. Even though the sampling strategy is based on special education unit instead of districts, parents from every district were included in the sample. Please note when the sampling plan was developed in 2013-14, of the 179 districts that had students with disabilities, 13% (23) of them had fewer than 10 students with disabilities, and 32% (56) of them had fewer than 20 students with disabilities. Given the very small districts and the fact that the NDDPI conducts its monitoring based on special education units instead of districts, it was logical to do the parent survey sampling based on special education units as opposed to districts. With this sampling plan, parents from each of the 31 North Dakota special education units were mailed a survey. This allowed for each unit to receive feedback from each child's parents and ensured the state results were in fact representative of the state as a whole. When calculating the state-level results, responses were weighted by the student population size (e.g., a special education unit that has four times the number of students as another special education unit will receive four times the weight in computing overall state results). Any district within a given special education unit that had at least 10 parent respondents also received a report of results.

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

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

In line with NDDPI’s sampling plan, a random selection method was used to select a stratified representative sample of 5,446 of parents who had a child receiving special education services in during the SY 2019-20 school year. Parents of the selected students were mailed a survey. The NDDPI took additional measures by giving the local special education units the option to send an email and/or text to parents of students with disabilities to complete the survey online. A total of 688 surveys were returned for a response rate of 12.61%. The response rate represents an increase of 4.41% from the SY 2018-19 response rate (8.20%).

The NDDPI assessed the representativeness of the survey responses by comparing the demographic characteristics of the students of the parents who responded to the survey to the demographic characteristics of all special education students. The calculation of the representativeness was consistent with the racial/ethnic and primary disability make-up of all students receiving special education and related services in the state. In addition, the representativeness of the sample was examined in line with the proportionate representation of student grade, gender, and the servicing special education unit. Based on outcome of the analyses, the NDDPI determined that the results were generally representative by the race/ethnicity, grade level, gender, and primary disability of the child.

The NDDPI followed through with the implementation of strategies and recommendations by stakeholder groups, including the IDEA advisory committee. The NDDPI continued to work with its stakeholders to explore multiple ways of increasing parent response rate in general, while focusing on facilitating increased participation in the survey by parents of Native American children and youth with disabilities. In line with this effort, the NDDPI collaborated with the local special education unit personnel to have local units verify that students selected had the most current contact information to mail the surveys to. In addition, in partnership with the local school districts, the NDDPI was able to provide a secure online access to the survey for parents. Also, the NDDPI partnered with certain local school districts that volunteered to provide access to the survey for the parents of the selected students in their schools. The NDDPI believes that such partnerships with stakeholders played an important role in increasing the response rate by 4.41%. Also, the NDDPI and school collaborative efforts had a positive impact on increased survey participation by parents of Native American students resulting in an increase in the response rate from 4% to 6.4% in the SY 2019-20. The NDDPI will continue to leverage the strong partnership with its stakeholder groups to facilitate continuous parental involvement.

Provide additional information about this indicator (optional)

Data collection for this indicator was finalized at the time when statewide school closures had just begun because of the COVID-19 pandemic. The NDDPI's analysis of the data did not show anything to suggest that the COVID-19 pandemic had any impact on the data for this indicator.

8 - Prior FFY Required Actions

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

Response to actions required in FFY 2018 SPP/APR

The NDDPI has described in its analysis section, a random selection method it used to select a representative sample of parents who had a child receiving special education services in during the 2019-20 school year. Also, the NDDPI has described the steps it took to create increased access to the survey participation by the sampled parents. In addition, the NDDPI has provided a detailed description of its analysis and the determination of the representativeness of the response group in the FFY 2019.

8 - OSEP Response

8 - Required Actions

Indicator 9: Disproportionate Representation

Instructions and Measurement

Monitoring Priority: Disproportionality

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

9 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Baseline Year	Baseline Data
2016	0.00%

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

Targets

FFY	2019
Target	0%

FFY 2019 SPP/APR Data

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

YES

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

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Number of districts with disproportionate representation of racial and ethnic groups in special education and related services	Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0	34	0.00%	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

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

The NDDPI elects to use the definition of disproportionality as articulated by the National Center for Culturally Responsive Educational Systems' (NCCRES) synopsis of provisions of IDEA 04 (October, 2005)

"Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education."

The NDDPI defines disproportionate representation as a risk ratio of 3.00 or above (considered over-representation). Risk ratios are difficult to interpret when they are based on small numbers of students (either in the racial/ethnic group or the comparison group). When risk ratios are based on small numbers, minor variations in the number of students in either the racial/ethnic group or the comparison group can produce dramatic changes in the size of the risk ratio. Thus, a risk ratio was determined only if there were 10 or more students (minimum n-size) in the target group and the comparison group. The NDDPI uses one year of data to determine disproportionate representation of racial and ethnic groups in special education and related services.

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

A total of 174 districts were included in the analyses. Of these 174, 34 met the minimum n requirements at least one time for a final risk ratio to be calculated (for each district seven risk ratios could be calculated; one for each racial/ethnic group). Please note that many districts in North Dakota have between 0-2 students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated in every district.

When a district's data indicate disproportionate representation in racial or ethnic groups;

1. NDDPI notifies the district/special education unit and provides data indicating disproportionate representation.
2. The district/special education unit is required to complete the North Dakota Disproportionality Workbook to determine whether the disproportionality is the result of inappropriate identification or noncompliant policies, procedures or practices. The Workbook requires the district/special education unit to review policies, procedures and practices in the area of child find and referral, evaluation, eligibility and placement.
3. Once the district has completed the Disproportionality Workbook and given it to NDDPI, NDDPI reviews the completed workbook for any policies, procedures and practices that would result in inappropriate identification. NDDPI also conducts follow-up reviews to verify the information provided in the Disproportionality Workbook as needed and determines if the disproportionate representation was a result of inappropriate identification. The district's disproportionate representation is found to be a result of inappropriate identification if the district doesn't have board approved, written policies and procedures for the disproportionate area, or the district conducted a comprehensive review of policies, procedures, and practices and needs to make revisions as a result of the comprehensive review.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2018

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

Correction of Findings of Noncompliance Identified Prior to FFY 2018

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

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

9 - Prior FFY Required Actions

None

9 - OSEP Response

9 - Required Actions

Indicator 10: Disproportionate Representation in Specific Disability Categories

Instructions and Measurement

Monitoring Priority: Disproportionality

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

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

10 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	8.33%	0.00%

Targets

FFY	2019
Target	0%

FFY 2019 SPP/APR Data

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

YES

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

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Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
2	0	16	0.00%	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

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

The NDDPI elects to use the definition of disproportionality as articulated by the National Center for Culturally Responsive Educational Systems' (NCCRES) synopsis of provisions of IDEA 04 (October, 2005) "Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education."

The NDDPI defines disproportionate representation as a risk ratio of 3.00 or above (considered over-representation). Risk ratios are difficult to interpret when they are based on small numbers of students (either in the racial/ethnic group or the comparison group). When risk ratios are based on small numbers, minor variations in the number of students in either the racial/ethnic group or the comparison group can produce dramatic changes in the size of the risk ratio. Thus, a risk ratio was determined only if there were 10 or more students (minimum n-size) in the target group and the comparison group. The NDDPI uses one year of data to determine disproportionate representation of racial and ethnic groups in special education and related services.

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

A total of 174 districts were included in the analyses. Of these 174, 16 met the minimum n requirements at least one time for a final risk ratio to be calculated (for each district seven risk ratios could be calculated; one for each racial/ethnic group). Please note that many districts in North Dakota have between 0-2 students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated in every district. Two (2) out of the 16 districts' were flagged for disproportionate representation because their risk ratios were 3.00 or more.

These are the steps NDDPI took for the two districts that were flagged for disproportionate representation to determine if it was a result of inappropriate identification:

1. NDDPI notified the district/special education unit and provides data indicating disproportionate representation.
2. The district/special education unit was required to complete the North Dakota Disproportionality Workbook to determine whether the disproportionality was the result of inappropriate identification or noncompliant policies, procedures or practices. The Workbook requires the district/special education unit to review policies, procedures and practices in the area of child find and referral, evaluation, eligibility and placement.
3. Once the district completed the Disproportionality Workbook and gave it to NDDPI, NDDPI reviewed the completed workbook for any policies, procedures and practices that would result in inappropriate identification. NDDPI also conducts follow-up reviews to verify the information provided in the Disproportionality Workbook as needed. The district's disproportionate representation is found to be a result of inappropriate identification if the district doesn't have board approved, written policies and procedures for the disproportionate area, or the district conducted a comprehensive review of policies, procedures, and practices and needs to make revisions as a result of the comprehensive review. Upon a review of the districts' policies, practices, and procedures, the NDDPI made a determination that the disproportionate representation in each of these two districts were not as a result of inappropriate identification.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2018

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

Correction of Findings of Noncompliance Identified Prior to FFY 2018

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY 2017	1		

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

10 - Prior FFY Required Actions

None

10 - OSEP Response

OSEP's response to the State's FFY 2018 SPP/APR required the State to include in the FFY 2019 SPP/APR information that the remaining one uncorrected finding of noncompliance identified in FFY 2017 was corrected. When reporting on the correction of noncompliance, the State must report that it has verified that each LEA with findings of noncompliance identified in FFY 2017: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

10 - Required Actions

Indicator 11: Child Find

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

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

Targets must be 100%.

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

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

11 - Indicator Data

Historical Data

Baseline Year	Baseline Data
2005	88.09%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	98.62%	99.18%	99.51%	99.14%	99.41%

Targets

FFY	2019
Target	100%

FFY 2019 SPP/APR Data

(a) Number of children for whom parental consent to evaluate was received	(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
3,102	3,090	99.41%	100%	99.61%	Did Not Meet Target	No Slippage

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

12

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

In the SY 2019-20, 3102 parental consents for evaluations were received in North Dakota schools, of which 3090 evaluations were completed within the 60-day timeline. The range in days delayed was between 1 and 151. The reasons for delay related to case manager error. However, all the 12 evaluations were timely corrected within the one-year timeframe of notification and if the child was found eligible for services, an IEP was developed. There were no cases where a child with parental consent for an evaluation did not have the evaluation process completed.

Indicate the evaluation timeline used:

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

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

State database that includes data for the entire reporting year

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

North Dakota has a statewide IEP Case management database (TIENET). The NDDPI continues to offer trainings in accurate data input into this database and has had ongoing meetings with PowerSchool, the company that maintains this system, to ensure the accuracy component part of this report. The reports generated from this database are used to compare the date of the parent consent for initial evaluation and date of the Integrated Written Assessment Report (IWAR) meeting. It is the determination of the NDDPI special education staff that the date of the IWAR is an accurate reflection of the date evaluation was completed and results documented.

Provide additional information about this indicator (optional)

With the initial onset of COVID-19, the NDDPI took an immediate and proactive measures to assist Local Education Agencies with maintaining required timelines and service provisions under IDEA. The NDDPI maintained the message that there were no allowable flexibilities under IDEA during the COVID-19 pandemic. Special education units were involved in communication and technical assistance sessions to collaborate and design strategies to continue quality evaluations, service provision, timeline requirements and enhance family communication. The NDDPI Office of Special Education team maintained open communication with Special Education Unit Directors hosting regular virtual calls. The NDDPI shared comprehensive COVID-19 Guidance Resources on the NDDPI website. Due to the ongoing communication and technical assistance, data collection for all the SPP/APR Indicators continued with preestablished statewide procedures in place.

Allowable NDDPI exceptions to the 60-day timeline include: child moves before evaluation was completed, parent does not present the child, extreme weather, and lack of access to qualified examiner. Review of data shows that exceptions due to extreme weather or the child moving was stable. An increase of exceptions was noted in the parent does not present the child and lack of access to qualified examiner. Further analysis of data revealed lack of access to psychologist for initial evaluation was listed most frequently.

North Dakota’s small population size enables the NDDPI to reach stakeholders in a timely manner. The cohesiveness and existing channels of communication proved beneficial as we responded to COVID-19 issues as quickly as possible.

Correction of Findings of Noncompliance Identified in FFY 2018

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
22	22	0	0

FFY 2018 Findings of Noncompliance Verified as Corrected

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

The NDDPI special education monitoring staff reviewed the FFY 2018 data collected using the statewide IEP Case management database (TIENET). All noncompliance for the FFY 2018 (the 22 evaluations) were timely corrected within the one-year timeframe. The FFY 2018 instances were corrected and verified by NDDPI through student file review, phone and virtual interviews with local special education directors before the submission of the FFY 2019 APR. Each district with noncompliance in FF Y2018 was (1) timely corrected within the one-year timeframe of notification and (2) is currently implementing the regulatory requirements of this indicator based on a review of updated data. Each special education unit with noncompliance identified in FFY 2018 had subsequent random samples of student files reviewed for ongoing regulatory compliance through data collected through the state data system (TIENET). This random sample met the 100% compliance standard.

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

The NDDPI Special Education Regional Coordinator reviewed the FFY 2018 data collected using the statewide IEP Case management database (TIENET). The local special education unit director was required to give documentation to the NDDPI special education regional coordinator to ensure each file had been corrected and training had been provided on meeting the requirements of the Indicator. The NDDPI special education regional coordinator subsequently checked the TIENET database to ensure the files have been corrected to meet the requirements of the Indicator. The FFY 2018 instances were corrected and verified before the submission of the FFY 2019 APR. All noncompliance for the FFY 2018 (the 22 evaluations) were (1) timely corrected within the one-year time frame and (2) is correctly implementing the regulatory requirements of this indicator based on a review of updated data at a student and systemic level consistent with OSEP Memorandum 09-02.

Annually, North Dakota includes Indicator 11 in the levels of determination process. A district is placed into a level of determination which includes “needs assistance”, “needs intervention” or “needs substantial intervention” if the district’s data from the Compliance Indicators (4, 9, 10, 11, 12, 13) are not found to be in substantial compliance. A district in needs assistance, needs intervention or needs substantial intervention must then submit a corrective action plan detailing what processes the district is going to enact to ensure future compliance, including implementing a system of internal controls. If a district continues to be out of compliance for two years, the district moves to the next level of determination, which then includes more intensive technical assistance from the NDDPI. After the corrective action is completed and documentation is collected by the NDDPI, a closeout letter is sent.

Correction of Findings of Noncompliance Identified Prior to FFY 2018

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

11 - Prior FFY Required Actions

None

11 - OSEP Response

11 - Required Actions

Indicator 12: Early Childhood Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

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

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

Targets must be 100%.

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

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

12 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Historical Data

Baseline Year	Baseline Data
2005	94.62%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.17%	100.00%	99.73%	100.00%	99.79%

Targets

FFY	2019
Target	100%

FFY 2019 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	713
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	184

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	514
d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	9
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	6
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	0

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	514	514	99.79%	100%	100.00%	Met Target	No Slippage

Number of children who served in part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f
0

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

Attach PDF table (optional)

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

State database that includes data for the entire reporting year

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

The local special education unit (SEU) designee submits a spreadsheet to the NDDPI for each July 1 through June 30 time period. In addition, transition-specific data are collected and verified within the statewide IEP Case management database by each SEU designee. During the collection period (July 1-June 30), local special education unit administrators contacted NDDPI staff members to discuss questions they had based on individual cases. To assure consistent high-quality data, NDDPI staff members completed an Indicator 12 data comparison of statewide IEP Case management database Indicator 12 data with each SEUs' Indicator 12 spreadsheet and verified the TIENET report. The NDDPI staff members completed an Indicator 12 Data Comparison Report for the SEU in areas needing clarifications. Through this system of data sharing, the NDDPI collected the necessary data and calculated the percentage of children found eligible for preschool special education services who received services by their third birthday for the FFY 2019.

Provide additional information about this indicator (optional)

With the initial onset of Covid-19, the NDDPI took an immediate and proactive approach to assisting Local Education Agencies with maintaining required timelines and service provisions under IDEA. The NDDPI maintained the message that there were no allowable flexibilities under IDEA during the COVID-19 pandemic. Special education units were involved in communication and creative problem-solving sessions to collaborate and design strategies to continue quality service provision, timeline requirements and enhance family communication.

Due to the ongoing communication and technical assistance, data collection for all the SPP/APR Indicators continued with preestablished statewide procedures in place. The NDDPI Office of Special Education team and 619 Coordinator maintained open communication with Special Education Unit Directors hosting regular virtual calls. The NDDPI shared our Covid-19 Frequently Asked Questions and Answers Guidance Document on the NDDPI website. Differentiated communication was an essential strategy when disseminating information. Verbal communication, emails, ECSE Advisory meetings and personal phone calls were leveraged to give units ample notification of timelines for submitting data reports. All local special education units submitted Indicator 12 reports by the NDDPI deadline of July 1, 2020. This allowed NDDPI Office of Special Education staff time to investigate each local unit's reports and provide technical assistance as needed.

The data review process enabled NDDPI to seek additional needed information to verify and clarify submitted data. A team approach to data review enhanced the data quality to ensure accurate reporting measures were followed. Final analysis indicates that North Dakota made gains across the Part B Early Childhood Indicators. One component of Indicator 12 that could have been potentially impacted by COVID 19 was an increase from 2018-2019 to 2019-2020 in the number of children for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied. The increase was from 6 to 9 children. However, since the number of children served in Part C and referred to Part B for Part B eligibility determination increased from 685 to 713 the increase from 6 to 9 could be relative. North Dakota's small population size enables the NDDPI to reach stakeholders in a timely manner. The cohesiveness and existing channels of communication proved beneficial as we responded to COVID-19 issues as quickly as possible.

Correction of Findings of Noncompliance Identified in FFY 2018

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
1	1	0	0

FFY 2018 Findings of Noncompliance Verified as Corrected

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

To verify the special education unit that was out of compliance is correctly implementing the regulatory requirements of Indicator 12, the NDDPI Early Childhood Assistant Director checked the Indicator 12 spreadsheet throughout the year to make sure the regulatory requirements were being implemented. The Special Education Unit also completed a corrective action plan through Levels of Determination. The Special Education Unit was 100% in compliance for Indicator 12 in FFY 2019.

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

One child who was served in Part C and referred to Part B for FFY 2018 did not have eligibility for Part B determined and/or an IEP developed and implemented by the child's third birthday. The number of days that the child's IEP was late was 1 day. The NDDPI Early Childhood Assistant Director accessed the student's file in the TIENET database and verified, at the individual student level, that all requirements were complete and the child had an IEP developed and implemented as soon as possible after the child's third birthday.

Correction of Findings of Noncompliance Identified Prior to FFY 2018

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

12 - Prior FFY Required Actions

Response to actions required in FFY 2018 SPP/APR

12 - OSEP Response

12 - Required Actions

Indicator 13: Secondary Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

Targets must be 100%.

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

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

13 - Indicator Data

Historical Data

Baseline Year	Baseline Data
2009	74.56%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	98.36%	97.90%	98.85%	97.87%	99.52%

Targets

FFY	2019
Target	100%

FFY 2019 SPP/APR Data

Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition	Number of youth with IEPs aged 16 and above	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
395	395	99.52%	100%	100.00%	Met Target	No Slippage

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

State monitoring

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

In the previous eight years, the State Monitoring Team consisted of university professors who worked with pre-service special education teachers, state special education personnel, and local special education program coordinators who would gather on site and conduct the monitoring. This year due to COVID-19 and the inability to convene onsite because of businesses being shut down and safety procedures in place, NDDPI Office of Special Education staff completed the 2019-2020 monitoring. This 2019-2020 Indicator 13 State Monitoring Team was provided the same training that the previous Indicator 13 State Monitoring Team participated in, but the training was provided through the Microsoft Teams meeting platform instead of onsite. The training was provided in a consistent manner as in the past to ensure understanding of the requirements of Indicator 13, competence of the team in using the statewide TIENET database system for accessing the student files, and inter-rater reliability during the scoring process. The state transition coordinator, who has held the Indicator 13 portfolio for the past 4 years, took the lead on monitoring activities. The state transition coordinator was available throughout the monitoring process to assist in reviewing files that were questionable and provide ongoing training if necessary.

Valid and Reliable

The TIENET Database provides access to every student special education file throughout the state. The Indicator 13 Transition Requirement Checklist has been built into the TIENET database for school, district, and state monitoring and verification needs. The State Monitoring Team accessed each student's IEP file to both review files and to accumulate the data related to the findings of Indicator 13 monitoring. The Indicator 13 Transition Requirement Checklist used by ND was adapted from the Transition Requirement Checklist developed by the National Secondary Transition Technical Assistance Center.

Statewide Representation

In June 2020, the Indicator 13 State Monitoring team was given one month to complete the monitoring process. They reviewed 395 student files from across the state. The objective was to review one student file from each case manager of students age 16-21 who were on an IEP during FFY 2019. The state representation of disability categories was calculated and used to select the appropriate disability categories to ensure statewide representation was achieved.

The file review information indicated that all the 395 files reviewed met all of the components of the eight questions in the ND Transition Requirements Checklist. Therefore, the data for FFY 2019 for this indicator is 100% as displayed in the attachment titled "Transition Requirements".

Question	Yes / No
Do the State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	NO

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2018

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

FFY 2018 Findings of Noncompliance Verified as Corrected

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

The NDDPI special education transition monitoring team reviewed the FFY2018 data using the statewide IEP Case management database (TIENET). All noncompliance for FFY 2018 were corrected and correction verified through review of each individual student file. The NDDPI verified that each district with noncompliance in FFY 2018 had (1) developed and implemented IEPs in compliance with the transition requirements and (2) is currently implementing the regulatory requirements of this indicator based on a review of updated data at the student and systemic level consistent with OSEP Memorandum 09-02. Districts were notified through a close-out letter once corrections were verified.

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

The NDDPI special education transition monitoring team reviewed current data using the statewide IEP Case management database (TIENET). The NDDPI sent a file to each local special education unit director that contained an Indicator 13 checklist document for all case managers in the unit, including those in compliance and out of compliance. If the file was out of compliance, reasons were given for areas that needed to be corrected. The special education unit directors then contacted each case manager whose file was out of compliance and shared the Indicator 13 checklist completed by NDDPI with each case manager. The local unit director then provided training on how to make corrections. Each case manager who had a file out of compliance made corrections and notified special education unit directors when the corrections were made. The local special education unit directors reviewed the file and notified the NDDPI that files had been corrected. The NDDPI verified corrections through review of the IEP in the TIENET system.

Through NDDPI's Levels of Determination review of Compliance Indicators, it was determined two of the special education units had to provide a corrective action plan outlining how professional development would be provided to the entire unit along with how each case manager would correct his/her file. As part of the corrective action plan, the unit directors and transition coordinators inquired about obtaining Indicator 13 training slides and suggested practice exercises from NDDPI that were used for state training earlier in the year. The local unit director notified NDDPI each time a part of the corrective action plan was completed, and NDDPI verified completion by obtaining copies of training offered and teacher signatures verifying attendance for the training. Case managers made corrections to their own files and shared them with the local unit director. The local unit director reviewed the files and notified NDDPI that corrections were made. After the corrective action was completed and documentation was collected by the NDDPI, a closeout letter was sent.

The NDDPI verified that each district with noncompliance in FFY 2018 had (1) developed and implemented IEPs in compliance with the transition requirements and (2) is currently implementing the regulatory requirements of this indicator based on a review of updated data at the student and systemic level consistent with OSEP Memorandum 09-02.

Correction of Findings of Noncompliance Identified Prior to FFY 2018

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

13 - Prior FFY Required Actions

None

13 - OSEP Response

13 - Required Actions

Indicator 14: Post-School Outcomes

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

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

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

Data Source

State selected data source.

Measurement

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

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

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

Instructions

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

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

I. Definitions

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

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

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

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

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

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

II. Data Reporting

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

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

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

III. Reporting on the Measures/Indicators

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

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

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

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

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

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

14 - Indicator Data

Historical Data

Measure	Baseline	FFY	2014	2015	2016	2017	2018
A	2009	Target >=	30.09%	30.29%	30.49%	31.39%	32.39%
A	21.40%	Data	26.88%	33.47%	29.07%	30.89%	30.00%
B	2009	Target >=	56.72%	56.92%	57.12%	58.02%	59.02%
B	57.30%	Data	56.45%	56.90%	58.72%	62.83%	65.71%
C	2009	Target >=	81.18%	81.38%	81.58%	82.38%	83.48%
C	68.00%	Data	82.26%	87.03%	83.14%	85.34%	85.00%

FFY 2019 Targets

FFY	2019
Target A >=	32.39%
Target B >=	59.02%
Target C >=	83.48%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study

Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

FFY 2019 SPP/APR Data

Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	333
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	97
2. Number of respondent youth who competitively employed within one year of leaving high school	111
3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed)	26
4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).	38

Measure	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Enrolled in higher education (1)	97	333	30.00%	32.39%	29.13%	Did Not Meet Target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	208	333	65.71%	59.02%	62.46%	Met Target	No Slippage
C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4)	272	333	85.00%	83.48%	81.68%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
C	The FFY 2019 data on 14C shows a decrease of 4.32% from the FFY 2018 data and missing the target by 1.80%. The data shows that 29% of the respondents who reported they were not interested in post secondary education had a full-time job. Other students reported they would be looking for work within the next year or were planning on enrolling in college after taking a year break from education. Eleven percent (11%) of the respondents simply stated they did not want to attend post secondary education. Some of the respondents had children of their own or felt their medical issues would impede the ability to succeed. Even though some students reported they were not attending college or working, they later stated they were working through a program provided at a residential facility , were receiving day support services, or performed different jobs around the community through vocational training centers. Data might have been coded as not attending a training facility or working for these students when it should have been entered as other training program/employment. Some families did not feel comfortable sending their student into the education setting or work field but wanted to take care of them at home. Other students were afraid to attend college or get a job due to not wanting to self-disclose their disability. They thought they would lose their job if their employer found out or that their employer would not work with their physical or mental disability. Finally, some students reported losing their jobs due to COVID-19. They may not have held their jobs for 90 days and could not be counted in the data. Twenty-two percent (22%) of the respondents were laid off due to COVID-19 and 32% of them had their hours reduced. Finally, students with emotional disorders or mental health difficulties are less likely to graduate and may not be open to finding jobs after dropping out of high

Part	Reasons for slippage, if applicable
	school. Students who graduated with a regular diploma (51%) were significantly more likely to be competitively employed than students who dropped out (17%). Some of these students reported taking the past year to work on their GED. The ND SSIP will continue to focus on increasing graduation rates of students with emotional disturbance.

Please select the reporting option your State is using:

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

Sampling Question	Yes / No
Was sampling used?	NO

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

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO

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

In April 2020, contact information (phone/address/email) were obtained for all the 747 students with disabilities who exited during the 2018-19 school year, graduated with a regular diploma, dropped-out, or reached the maximum age (21) for receiving special education services. In summer 2020, emails were sent to all students who provided an email in the TIENET system. Email responses were collected for a two-week period. Then all special education units were given the choice of whether or not they would like to conduct the post school survey at the local level. Nine (9) of the thirty-one (31) special education units opted-in to attempt calling and interviewing each of the exiters in their unit about postsecondary education and employment activities in the past year since leaving high school. Attempts to contact exiters from the remaining 22 units were made by a state team of professionals who were trained and contracted by the NDDPI to administer the post school outcomes survey by telephone. After July 2020, additional follow up phone interview attempts were made by personnel from the North Dakota Department of Instruction, Office of Special Education to contact students who didn't respond to emails or calls made from their local units or the state team. A total of 333 exiters completed an interview (on the phone or online) for a response rate of 44.58%. The FFY 2019 response rate represented more than 9% increase from the FFY 2018 response rate.

The response rates were analyzed by the demographic characteristics of gender, race/ethnicity, primary disability, and type of exiter to determine if one group was more likely to respond than another group. There were no significant differences in response rates by gender, ethnicity/race, or disability. Exiters who graduated with a diploma (49.5%) were more likely to respond than exiters who dropped out (15.8%). Exiters with an intellectual disability (59%) were more likely to respond than exiters with an emotional disturbance (34%). The NDDPI will continue to work with local special education units through PD activities aligning with the SSIP to increase graduation rates of students with emotional disturbance which should increase post school outcomes. The NDDPI will require state call team members and opt-in units to make at least three to five attempts when contacting students to complete the Post School Outcomes Survey.

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

Provide additional information about this indicator (optional)

14 - Prior FFY Required Actions

None

14 - OSEP Response

14 - Required Actions

Indicator 15: Resolution Sessions

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

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

15 - Indicator Data

Select yes to use target ranges

Target Range not used

Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1 Number of resolution sessions	0
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1(a) Number resolution sessions resolved through settlement agreements	0

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

NO

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and

Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2014	2015	2016	2017	2018
Target >=					
Data			0.00%		

Targets

FFY	2019
Target >=	

FFY 2019 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0				N/A	N/A

Provide additional information about this indicator (optional)

Under fewer than ten resolution sessions held in FFY 2019, State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

15 - Prior FFY Required Actions

None

15 - OSEP Response

The State reported fewer than ten resolution sessions held in FFY 2019. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

15 - Required Actions

Indicator 16: Mediation

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

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

16 - Indicator Data

Select yes to use target ranges

Target Range not used

Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1 Mediations held	2
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.a.i Mediations agreements related to due process complaints	0
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.b.i Mediations agreements not related to due process complaints	0

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

NO

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. The various stakeholder groups have had continuous active involvement in the review of the SPP/APR indicator data and targets and continue to indicate consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

In the 2019-20 school year, the SEA members met periodically with the various stakeholder groups (e.g. ND IDEA Part B Advisory Committee, Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee, the ND Secondary Transition Community of Practice Advisory Council, the local special education leadership etc.) to review and discuss updates on SPP/APR indicator data, targets, and improvement activities. During these sessions, the NDDPI team reviewed the SPP/APR current indicator data and trends. The NDDPI used these sessions to gather recommendations and feedback on improvement activities for indicators which ND did not meet its FFY 2019 target and/or slipped. In addition, the NDDPI team engaged its stakeholder groups to review and discuss the indicator targets for the FFY 2019. Since the FFY 2019 targets were extension of the FFY 2018 targets, the NDDPI in collaboration with its stakeholder groups, agreed to maintain the targets for indicators that had showed improvement over the baseline data. The NDDPI will continue to actively engage its stakeholder groups in the review of the SPP/APR indicator data and setting new targets for the FFY 2020 – 2025 SPP/APR cycle.

In addition to these meetings, the NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members propose changes, describe new information pertaining to the indicators, present technical assistance in areas of need, and collect feedback from the field. To stay connected with the needs of stakeholders throughout ND during the COVID-19 pandemic, the NDDPI Office of Special Education held weekly calls with special education administrators and weekly calls with parents and advocacy groups from across the state. The NDDPI Office of Special Education continues to hold monthly calls with these groups of stakeholders from across the state.

Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and

Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students.

Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2014	2015	2016	2017	2018
Target >=					
Data	0.00%	0.00%	0.00%	0.00%	100.00%

Targets

FFY	2019
Target >=	

FFY 2019 SPP/APR Data

2.1.a.i Mediation agreements related to due process complaints	2.1.b.i Mediation agreements not related to due process complaints	2.1 Number of mediations held	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0	2	100.00%		0.00%	N/A	N/A

Provide additional information about this indicator (optional)

Under fewer than ten mediations held in FFY 2019, State not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

16 - Prior FFY Required Actions

None

16 - OSEP Response

The State reported fewer than ten mediations held in FFY 2019. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

16 - Required Actions

Certification

Instructions

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

Certify

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

Select the certifier's role:

Designated by the Chief State School Officer to certify

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

Name:

Gerry Teevens

Title:

State Director of Special Education

Email:

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Phone:

701-328-2277

Submitted on: