

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

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

**For reporting on  
FFY 2021**

**North Dakota**



**PART B DUE February 1, 2023**

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

## Introduction

### Instructions

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

## Intro - Indicator Data

### Executive Summary

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

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

171

#### 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 Office of Special Education: 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 NDDPI, Office of Special Education:

- a. Director, Office of Special Education: Oversees the implementation of IDEA regulations statewide and provides oversight of state legislative responsibilities and supervision of the NDDPI special education personnel.
- b. SEA Staff, Office of Special Education: Hold portfolios specific to disability categories, training, monitoring, and special education program responsibilities.
- c. 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 171 local school districts. Each school district belongs to one of the 31 LSEUs and collaborates with the LSEU staff to ensure children with disabilities receive appropriate and individualized special education services.

The following offices may be held within each of the local LSEUs:

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 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:

- a. 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.
- b. Compliance Monitoring Self-Assessment: The NDDPI has developed toolkits for LSEUs, districts, residential schools, and the Department of Corrections to use as a self-assessment of the compliance of special education staff in conjunction with 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.
- c. Focused monitoring: The NDDPI collaborated with the Office of Educational Improvement and Support to identify schools/districts in the second year of targeted support with a targeted subgroup of students with disabilities and a drive for improvement. Two districts were identified and monitored using the focused monitoring procedures. More information about North Dakota's focused monitoring procedures can be found at: <https://www.nd.gov/dpi/sites/www/files/documents/SpecEd/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 on-site visit. In previous years, if the LSEU had findings, the corrective action plan was due 90 days following the final report.

d. Due Process/Mediation/Complaints: As part of the 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 resolving 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 non-compliance with a specific regulation/requirement. Findings are given to the LEA superintendent, LSEU board president, and the LSEU director. The one-year correction timeline begins on the date the NDDPI notifies the school district, in writing, of the non-compliant policies and/or practices.

Corrections of Noncompliance:

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

- a. The NDDPI monitoring staff review the district submission of documents pertaining to the corrective actions such as individual student-level correction of non-compliance and training dates, locations, agendas, and participation lists;

b. Follow-up review of data, other documentation, or interviews are conducted to ensure that the non-compliant 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 non-compliance was corrected as required;

d. When further action is required, the NDDPI staff members conduct on-site and/or off-site activities to verify correction of non-compliance; and,

e. The NDDPI monitoring staff randomly verifies 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 non-compliance corrected, the NDDPI special education monitoring coordinator sends a "close-out" letter to the LSEU director, LSEU 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 provides technical assistance to each of the 31 LSEUs throughout the state. Each regional coordinator holds 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.

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 (REAs), 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 at: <https://www.slds.nd.gov/>

Departmental Website: The NDDPI's website found at: <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 Part B 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 the NDDPI's website, under the Compliance Data and Reports, the ND SPP/APR is posted for public viewing then 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 LSEU 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, LSEU-level, and district-level reports on SPP/APR Indicators 1-14. In addition, the NDDPI makes available to the LSEUs detailed reports for the Parent Survey (Indicator 8), the Post-School Outcomes Survey (Indicator 14) and 6-year graduation cohort data (Indicator 17) through a secure site.

Communication with Special Education Units: As a way to communicate new guidance during COVID-19, the NDDPI started having monthly Microsoft TEAMS calls with Special Education Directors and coordinators across the state. The LSEU directors appreciated the monthly calls, so these calls continued throughout the 2021-2022 school year.

#### **Professional Development System:**

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

North Dakota has taken a "grow-your-own" approach to fill the shortage areas and retain special education and related services staff. Professional development programs within the Office of Special Education include:

Resident Teacher Program (RTP): The RTP seeks to attract and keep teachers in rural schools with 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 LSEU. 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 each year they contract with an ND public LEA.

Speech-Language Pathology Paraprofessionals (SLPP) Scholarship: 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 given by Lake Region State College in ND to cover tuition and fees for recommended students working toward an Associate in Applied Science in Speech-Language Pathology Paraprofessional.

Traineeship Scholarship: Each year, the NDDPI awards Traineeship Scholarships in priority disability areas to ND teachers who wish to pursue graduate-level retraining in special education. Traineeship Scholarship recipients may be funded for up to three years. On average, 55 scholarships are given each year in seven special education and related service areas.

**Special Education Technician:** In 2021, the NDDPI was granted authority to administer certificates for special education technicians in North Dakota. Special education technicians are allowed to conduct academic and behavioral screenings, document student progress, assist with regulatory paperwork, participate in multidisciplinary team meetings, prepare materials, assist with scheduling and maintaining space and equipment under the supervision of a special education teacher.

**Educator Pathway:** Using ESSER funds, the Educator Pathway Program created course codes for five courses that would enable school districts to recruit potential teacher candidates while still in high school. The Educator Pathway Program provides high school students interested in entering the teaching field the opportunity to take dual credit while still in high school, which will count towards both graduation requirements and college credit.

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

**Special Education Webinar Series:** Live webinars were provided monthly from September through April and were recorded and shared with participants. More than 400 teachers, administrators, community agency staff, and parents registered. Topics covered included dynamic assessment, collaboration with general education teachers, behavioral planning and support, progress monitoring, ask the NDDPI, and a variety of pre-recorded sessions on IEP writing, evaluation, FBA & BIPs, and more. Upon completion of the webinar series, 53 educators were granted a professional development credit toward renewal of their teaching certificate and 85 participants were given a certificate of hours completed to use toward board licensure (OT, PT, school psych).

**Law Conference on Students with Disabilities:** The NDDPI collaborated with the state special education offices from Montana and South Dakota to organize and sponsor the 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 2021 Law Conference was held virtually and had 266 attendees from all three states.

**Early Childhood Professional Development:** The NDDPI collaborated on various professional development activities with partners in Part C, Child Care, and Head Start. Trainings were offered across the state to provide access to rural populations in the following areas: ND Early Learning Standards, Language & Literacy, and Family Engagement.

**Comprehensive Literacy State Development Grant:** Several team members from the Office of Special Education serve on the statewide Literacy Advisory group. This statewide initiative has embedded research-based practices of literacy development from early childhood through grade 12. Educators have participated in the Science of Reading trainings, Literacy summits and Family Engagement Cohorts.

**Family Engagement:** The NDDPI has a strong presence in statewide Family Engagement initiatives. Two Special Education Coordinators serve on the Core Family Engagement team and assist with the Superintendent's Family Cabinet, a diverse group of stakeholders and families. This group serves as advisors and actively shares information and professional development in interventions, inclusion, and strengthening home-to-school connections. The Family Cabinet developed a Family Engagement Toolkit and other resources which promote inclusive practices. The Toolkit can be found at: Family Resource Toolkit | North Dakota Department of Public Instruction (nd.gov)

After monitoring and visiting with school districts with an MTSS system, the NDDPI noticed confusion between a three-tiered system and the provision of Specially Designed Instruction (SDI) for students with disabilities at the different tier levels. For this reason, the NDDPI partnered with the PROGRESS Center and worked with a group of state professionals to draft a document defining and providing examples of SDI for students with different disabilities within a tiered system. The document is currently in draft format and will be revised and finalized and used to offer professional development across the state.

The NDDPI Resource Center is designed to be a one-stop-shop to help schools, educators, students, parents, and caregivers by providing access to educational supports and resources at the local, regional and national levels. The Resource Center page was carefully chosen to align with North Dakota K-12 Education Content Standards. Particular attention has been given to identifying best practices and guidance in supporting ALL students, including students with disabilities, and providing suggestions for educator professional learning. This can be found at: [www.nd.gov/dpi/familiescommunity/nddpi-updates-and-guidance-covid-19/resource-center](http://www.nd.gov/dpi/familiescommunity/nddpi-updates-and-guidance-covid-19/resource-center).

The NDDPI hosts annual training related to the federal secondary transition requirements. The annual Indicator 13 monitoring results dictate the structure and specific topics. Professional development was provided on; "All Students Have Hopes and Dreams", "Tying Transition Assessment into the Transition Process" and "Graduation and Choice Ready". The ND ESSA plan requires districts to prepare students to be choice reading in the following areas: post-secondary, workforce, military or independent living. The NDDPI stresses the importance of Graduation Improvement with concentrated efforts centered around four research-based practices schools can choose to use to increase graduation rates for students with disabilities. The four practices will be covered in greater depth in the Indicator 17 section. The NDDPI collaborates with the ND CTE Office in the CCSO Career Collaborative to ensure students, including those with disabilities are involved in workplace learning opportunities.

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

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

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of

Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

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

YES

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

143

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

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

During the setting of targets in FFY 2021, parents of students with disabilities were involved in all the meetings the NDDPI held to discuss the targets. For parents who were unable to attend the meetings potential targets and a survey were posted to the NDDPI website, shared on the NDDPI's Family Engagement Facebook group and through the NDDPI weekly newsletter, the BLAST, to allow additional parents across the state to provide input. In addition, the NDDPI sent invitations to Special Education Directors, parent support and advocacy groups, special education consortiums, and other offices in the NDDPI and asked them to share with as many parents, school administrators, educators, advocacy organizations, community members, and other stakeholders as possible.

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

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

The NDDPI Office of Special Education intentionally seeks diverse voices on our activities by intentionally reaching out to diverse groups to be a part of our Advisory Committees and Community of Practices. The NDDPI works with parent support groups and the Office of Indian and Multicultural Education to increase the number of parents on Advisory Committees and Community of Practices. Meetings occur with the parent support groups (ND Federation of Families, ND Pathfinders, ND Family Voices, the ARC of ND and Designer Genes of ND) on an as-needed basis. Information is shared regularly through emails and via telephone calls with the agencies. Each of the entities is represented in various state-led groups that were discussed above (IDEA Advisory, Transition CoP, Early Childhood, etc.). The ND Protection and Advocacy Center have members that regularly attend state led meetings, and conversations are held regularly between the NDDPI and Protection and Advocacy staff members when parents reach out to them with questions or concerns.

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

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

As stated above, data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee and the ND Transition Community of Practice members, and the Community of Practice for Social-Emotional-Behavioral Disorder members. During FFY 2021, the data and activities were discussed with each group twice this year. None of the group members recommended revision or strategies for improving the targets. However, some group members provided information on why slippage might have occurred with individual indicators.

**Making Results Available to the Public:**

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

The NDDPI online surveys with the potential targets were available on the NDDPI website until December 31, 2021. The information gathered from the survey was looked at to see if the targets should be changed. As previously mentioned, most stakeholders agreed with the proposed end targets and intervening targets. Thus, no changes were made to the targets proposed by stakeholders. The notes from the IDEA Advisory Committee meeting are posted on the NDDPI website with the information presented to the members. Meeting minutes are posted at: <https://www.nd.gov/dpi/familiescommunity/community/boards-and-committees/idea-advisory-committee>

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2020 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2020 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP/APR, including any revision if the State has revised the targets that it submitted with its FFY 2020 APR in 2022, is available.**

The North Dakota Department of Public Instruction reported to the public on the FFY 2020 (July 1, 2020-June 30, 2021) 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 2020 APR on its website at <https://insights.nd.gov/Education>

To access the districts' performance reports:

1. Click the "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 (e.g., Bismarck Public School District, Grand Forks Public School District, Fargo Public School District, etc.) to view its data.
  5. On the school district's homepage, click "Special Education Performance" on the left-hand side of the screen and select any indicator to view data.
- Note that data for districts with less than ten students are not displayed to protect student privacy.

**Intro - Prior FFY Required Actions**

None

**Intro - OSEP Response**

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

**Intro - Required Actions**

The State has not provided a description of the activities conducted to increase the capacity of diverse groups of parents. In its FFY 2022 SPP/APR, the State must provide the required information.

The State's IDEA Part B determination for both 2022 and 2023 is Needs Assistance. In the State's 2023 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2022 SPP/APR submission, due February 1, 2024, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

## Indicator 1: Graduation

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

#### Data Source

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

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target. Provide the actual numbers used in the calculation.

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

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

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

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	76.12%

FFY	2016	2017	2018	2019	2020
Target >=	89.00%	89.00%	89.00%	89.00%	76.12%
Data	67.88%	66.34%	68.60%	73.36%	76.12%

### Targets

FFY	2021	2022	2023	2024	2025
Target >=	76.12%	76.32%	76.53%	76.93%	77.74%

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

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An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career &

Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

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#### Prepopulated Data

Source	Date	Description	Data
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	555
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	23
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	148

#### FFY 2021 SPP/APR Data

Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
555	726	76.12%	76.12%	76.45%	Met target	No Slippage

#### Graduation Conditions



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

The 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 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 22 units of high school course work from the minimum curriculum offerings established by North Dakota School Century Code 15.1-21-02". For students who may have a difficult time completing the required 22 credits for graduation, ND offers an optional high school curriculum for any high school student who has completed at least two years of high school and has failed to pass at least one-half unit from three subsections in section 15.1-21-02.1 or has a grade point average at or below the twenty-fifth percentile of others students in the district who are enrolled in the same grade. The student, along with their parents and the student's career advisor, guidance counselor, or principal, will meet to determine whether the student will be allowed to pursue an optional high school curriculum to obtain 21 credits to meet graduation requirements as outlined in North Dakota Century Code 15.1-21-02.3.

**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)**

To further increase chances for students to graduate in ND, the 2021 legislative session amended North Dakota Century Code 15.1-21-02.2 and 15.1-21-02.3 to include the ability for local school boards to approve the use of GED scores to translate to high school credit. Passing scores on portions of the GED can translate to credits toward a regular high school diploma given in subdivisions of the graduation requirements outlined in those same sections of Century Code. School districts were able to implement this policy for the 2022-2023 school year.

**1 - Prior FFY Required Actions**

None

**1 - OSEP Response**

**1 - Required Actions**

## Indicator 2: Drop Out

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with IEPs who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

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

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

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

Data for this indicator are "lag" data. Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.

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

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

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

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

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	18.38%

FFY	2016	2017	2018	2019	2020
Target <=	18.75%	18.00%	17.00%	17.00%	18.38%
Data	17.65%	16.53%	19.40%	16.48%	18.38%

### Targets

FFY	2021	2022	2023	2024	2025
Target <=	18.38%	18.23%	18.09%	17.80%	17.21%

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

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#### FFY 2021 SPP/APR Data

Number of youth with IEPs (ages 14-21) who exited special education due to dropping out	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
148	726	18.38%	18.38%	20.39%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

The FFY 2021 dropout rate increased by 2.01 percentage points. While the dropout rate for students with disabilities increased, the graduation rate improved. Some students in the state are dropping out of school to obtain their GED and enter the workforce. ND's ESSA Accountability System includes credit in building/district accountability reports for Completer Rates. Completers are students who drop out of school yet earn their GED. As a result, school districts can focus on actual graduation and/or GED completion. In contrast, GED completion for APR purposes is not counted. During FFY 2021, 12 of the students with disabilities who were counted as a dropout went on to obtain their GED. An additional 5 students with disabilities took one or more tests toward their GED. As teachers continue to improve their transition planning efforts for students with disabilities and spend more concerted effort in transition planning, students graduate later as they reach the age of limitation. These students count against the state dropout percentages. When this data was shared stakeholders felt that virtual instruction during Covid-19 was less rigorous and transitioning back to the classroom with higher rigor may have been hard for some students. During virtual learning, priority was given to academic coursework. Some students may not have received the quantity or quality of social-emotional learning they may have in the classroom, which increased anxiety levels when they were expected to transition back to the classroom. ND addresses graduation and dropout rates as part of the Focused Monitoring process. North Dakota also addresses graduation and dropout rates through the State Systemic Improvement Plan (SSIP). This work includes building and developing strategic partnerships with expert technical assistance centers like the National Technical Assistance Center on Transition-the Collaborative (NTACT:C), the National Center for Systemic Improvement (NCSI), and the National Dropout Prevention Center (NDPC), the American Institute for Research (AIR), The Council for State Chief School Officers: Career Readiness Collaborative (CCSSO-CRC) and Attendance Works. North Dakota high schools continue to work to keep students in school and to re-enter students who have left school.

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

The NDDPI defines dropouts as students who leave high school before graduation for reasons other than transferring to another school. Students receiving special education services who exit by reaching maximum age for services without achieving a standard diploma are considered dropouts. Also, students choosing to exit high school to attend an alternative form of education or employment training program are factored into the dropout 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.**

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

The NDDPI and outside stakeholders believe Covid-19 and virtual learning likely impacted this indicator. To support students and teachers during Covid-19, the NDDPI created a Resource Center. This information can be found at: <https://www.nd.gov/dpi/familiescommunity/nddpi-updates-and-guidance-covid-19/resource-center>

Many resources for behavioral health and secondary transition were shared. These resources could be used to support students and keep them engaged. Stakeholders felt that virtual instruction was less rigorous and transitioning back to the classroom with higher rigor may have been hard for some students. During virtual learning, priority was given to academic coursework. Some students may not have received the quantity or quality of social emotional learning they may have in the classroom, which increased anxiety levels when they were expected to transition back to the classroom. Stakeholders also pointed out that many high school students started working during school closure and may have seen an income as more valuable than returning to school. In addition, some high school students were responsible for taking care of younger siblings while their parents were at work, which affected the number of credits the students could accumulate. Students either dropped out because they feared they would be unable to recover credits lost during that time, or they did not reenter high school so they could continue to help their parents with chores and younger siblings at home.

**2 - Prior FFY Required Actions**

None

**2 - OSEP Response**

**2 - Required Actions**

## Indicator 3A: Participation for Children with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

A. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### Instructions

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

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

Indicator 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, & high school. Account for ALL children with IEPs, in grades 4, 8, and high school, including children not participating in assessments and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3A - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2020	91.81%
Reading	B	Grade 8	2020	89.08%
Reading	C	Grade HS	2020	85.68%
Math	A	Grade 4	2020	92.24%
Math	B	Grade 8	2020	90.61%
Math	C	Grade HS	2020	85.17%

### Targets

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

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

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

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

### **Data Source:**

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

### **Date:**

04/05/2023

### Reading Assessment Participation Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,470	1,252	893
b. Children with IEPs in regular assessment with no accommodations	632	544	234
c. Children with IEPs in regular assessment with accommodations	674	533	464
d. Children with IEPs in alternate assessment against alternate standards	94	78	36

#### Data Source:

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

#### Date:

04/05/2023

### Math Assessment Participation Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,470	1,251	893
b. Children with IEPs in regular assessment with no accommodations	794	455	213
c. Children with IEPs in regular assessment with accommodations	521	637	506
d. Children with IEPs in alternate assessment against alternate standards	94	78	36

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

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

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	1,400	1,470	92.28%	95.00%	95.24%	Met target	No Slippage
B	Grade 8	1,155	1,252	89.67%	95.00%	92.25%	Did not meet target	No Slippage
C	Grade HS	734	893	87.80%	95.00%	82.19%	Did not meet target	Slippage

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

Reading assessment participation for the HS grades decreased by 5.61 percentage points. When taking all testing students (grades 3-high school, with and without disabilities) into consideration, North Dakota assessed 97.5% of students in reading. When looking specifically at all students assessed in high school (with and without an IEP) only 92.73% of high school students were assessed in reading.

North Dakota has a formal process for monitoring participation rates, see that process here:

[https://content.govdelivery.com/attachments/NDDPI/2023/01/05/file\\_attachments/2370972/95%25%20Participation%20Rate%20Monitoring.pdf](https://content.govdelivery.com/attachments/NDDPI/2023/01/05/file_attachments/2370972/95%25%20Participation%20Rate%20Monitoring.pdf)

North Dakota Century Code Section 15.1-21-08.1 allows parents to sign a Parental Directive to opt their student out of state assessments. During this year the number of students with IEPs who had a signed Parental Directive increased by 12 students. To assist districts in digging deeper into their own data, the state assessment participation rates were added to the ND STARS reporting site. On this site, districts/schools can pull student-level data as well as run reports for various subgroups. Information on assessment participation was shared with stakeholders.

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

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	1,409	1,470	92.58%	95.00%	95.85%	Met target	No Slippage
B	Grade 8	1,170	1,251	90.99%	95.00%	93.53%	Did not meet target	No Slippage
C	Grade HS	755	893	89.16%	95.00%	84.55%	Did not meet target	Slippage

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

Math assessment participation for the HS grades decreased by 4.61 percentage points. When taking all testing students (grades 3-high school, with and without disabilities) into consideration, North Dakota assessed 97.88% in Math. When looking specifically at all students assessed in high school only 93.61% were assessed in math. North Dakota has a formal process for monitoring participation rates, see that process here:

[https://content.govdelivery.com/attachments/NDDPI/2023/01/05/file\\_attachments/2370972/95%25%20Participation%20Rate%20Monitoring.pdf](https://content.govdelivery.com/attachments/NDDPI/2023/01/05/file_attachments/2370972/95%25%20Participation%20Rate%20Monitoring.pdf)

North Dakota Century Code Section 15.1-21-08.1 allows parents to sign a Parental Directive to opt their student out of state assessments. During this year, the number of students with IEPs who had a signed Parental Directive increased by 12 students. To assist districts in digging deeper into their own data, the state assessment participation rates were added to the ND STARS reporting site. On this site, districts/schools can pull student-level data as well as run reports for various subgroups. Information on assessment participation was shared with stakeholders.

**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 the 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 2021 (July 1, 2021-June 30, 2022) statewide Math and ELA assessment performance data are available at:

<https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>

To access state-level reports:

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

District-level reports for the FFY 2021 (July 1, 2021-June 30, 2022) are available at

<https://insights.nd.gov/Education>

To access district-level reports:

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. Scroll down to view achievement reports by student subgroups, including students with disabilities.
8. Results may be viewed by accommodation status, assessment type, subgroups, 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)**

**3A - Prior FFY Required Actions**

None

**3A - OSEP Response**



### 3A - Required Actions

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

### Data Source

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

### Measurement

B. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

### Instructions

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

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

Indicator 3B: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the regular assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 8, and high school, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3B - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2020	13.21%
Reading	B	Grade 8	2020	11.90%
Reading	C	Grade HS	2020	8.75%
Math	A	Grade 4	2020	14.87%
Math	B	Grade 8	2020	9.37%
Math	C	Grade HS	2020	4.96%

### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	13.21%	13.43%	13.90%	14.34%	15.23%
Reading	B >=	Grade 8	11.90%	12.16%	12.42%	12.94%	14.00%
Reading	C >=	Grade HS	8.75%	9.23%	9.53%	10.13%	11.30%
Math	A >=	Grade 4	14.87%	15.26%	15.65%	16.43%	18.00%
Math	B >=	Grade 8	9.37%	9.70%	10.03%	10.68%	12.00%
Math	C >=	Grade HS	4.96%	5.14%	5.32%	5.50%	6.21%

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early

Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

## FFY 2021 Data Disaggregation from EDFacts

### Data Source:

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

### Date:

04/05/2023

### Reading Assessment Proficiency Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,306	1,077	698
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	142	74	30

c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	73	27	33
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**Data Source:**

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

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,315	1,092	719
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	137	64	13
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	40	21	8

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

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	215	1,306	13.21%	13.21%	16.46%	Met target	No Slippage
B	Grade 8	101	1,077	11.90%	11.90%	9.38%	Did not meet target	Slippage
C	Grade HS	63	698	8.75%	8.75%	9.03%	Met target	No Slippage

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

Reading proficiency for students in grade 8 decreased by 2.52 percentage points. North Dakota schools saw a decrease in attendance statewide for all students in 8th grade. Average attendance for 8th-grade students was 93.71%, and for students with disabilities, attendance was 89.06%. In ND, the number of chronically absent students (more than 10% of school days) increased by 10.02%. This decrease in attendance and instruction can impact proficiency. Four of the largest school districts, which make up 18% of the student population in the state, had a quarter of their students who were chronically absent. All of these districts saw a decrease in student proficiency in reading. The NDDPI is partnering with four school districts this year on Early Warning Intervention and Monitoring Systems with the goal to increase attendance. The NDDPI conducted a deeper dive into the 8th-grade reading performance using the state's STARS Reporting dashboard. The data showed that students performed lowest in the writing and language domains. Data also showed that even though the overall proficiency rate for reading decreased students reading on grade level in 8th grade increased by 1.97% (data includes students with and without disabilities).

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

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	177	1,315	14.87%	14.87%	13.46%	Did not meet target	Slippage

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
B	Grade 8	85	1,092	9.37%	9.37%	7.78%	Did not meet target	Slippage
C	Grade HS	21	719	4.96%	4.96%	2.92%	Did not meet target	Slippage

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

Math proficiency for students in 4th grade decreased by 1.41 percentage points. North Dakota saw a decrease in school attendance during FFY 2021. For 4th grade average attendance was 95.36%. For students with disabilities, the attendance rate was 92.83%. In addition, students in 4th grade that were chronically absent (missing 10% of school days or more) increased by 3.84%. When looking at data for four of the largest districts in the state there was a pattern of a decrease in attendance rates with a decrease in proficiency. This decrease in attendance and instruction can impact proficiency. When looking at the data regarding all students, the NDDPI noticed a decrease in math proficiency across the state. The data showed that performance in math domains of the state assessment remained similar to the year before. To increase math proficiency across the state, the NDDPI has created a grant program called Greater Math in North Dakota.

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

Math proficiency for students in 8th grade decreased by 1.59 percentage points. North Dakota saw a decrease in school attendance during FFY 2021. For 8th grade average attendance was 93.71%, but students with disabilities attended 89.06%. In addition, students in 8th grade that were chronically absent (missing 10% of school days or more) increased by 10.02%. When looking at data for three of the largest districts in the state, there was a pattern of a decrease in attendance rates with a decrease in proficiency. This decrease in attendance and instruction can impact proficiency. When looking at the data regarding all students, the NDDPI noticed a decrease in math proficiency across the state. The data showed that performance in math domains of the state assessment remained similar to the year before. To increase math proficiency across the state, the NDDPI has created a grant program called Greater Math in North Dakota.

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

Math proficiency for students in high school decreased by 2.04 percentage points. North Dakota saw a decrease in school attendance during FFY 2021. For high school average attendance was 93.07%, but students with disabilities attended 88.07%. In addition, students in high school that were chronically absent (missing 10% of school days or more) increased by 7.03%. When looking at data for five of the largest districts in the state there was a pattern of a decrease in attendance rates with a decrease in proficiency. This decrease in attendance and instruction can impact proficiency. When looking at the data regarding all students, the NDDPI noticed a decrease in math proficiency across the state. The data showed that performance in math domains of the state assessment remained similar to the year before. To increase math proficiency across the state, the NDDPI has created a grant program called Greater Math in North Dakota.

## 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 the 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 2021 (July 1, 2021-June 30, 2022) statewide Math and ELA assessment performance data are available at:  
<https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>

To access state-level reports:

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

District-level reports for the FFY 2021 (July 1, 2021-June 30, 2022) are available at  
<https://insights.nd.gov/Education>

To access district-level reports:

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. Scroll down to view achievement reports by student subgroups, including students with disabilities.
8. Results may be viewed by accommodation status, assessment type, subgroups, 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)**

## 3B - Prior FFY Required Actions

None

## 3B - OSEP Response

## 3B - Required Actions

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

### Data Source

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

### Measurement

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the alternate assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

### Instructions

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

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

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the alternate assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 8, and high school, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3C - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2020	53.52%
Reading	B	Grade 8	2020	35.29%
Reading	C	Grade HS	2020	39.13%
Math	A	Grade 4	2020	31.88%
Math	B	Grade 8	2020	13.95%
Math	C	Grade HS	2020	36.96%

### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	53.52%	54.21%	54.89%	56.26%	59.00%
Reading	B >=	Grade 8	35.29%	36.01%	36.72%	38.15%	41.00%
Reading	C >=	Grade HS	39.13%	39.74%	40.35%	41.57%	44.00%
Math	A >=	Grade 4	31.88%	32.15%	32.41%	32.94%	34.00%
Math	B >=	Grade 8	13.95%	14.21%	14.47%	14.98%	16.00%
Math	C >=	Grade HS	36.96%	37.09%	37.22%	37.48%	38.00%

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

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

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A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (Indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

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

### **Data Source:**

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

### **Date:**

04/05/2023

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



Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	94	78	36
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	56	32	11

**Data Source:**

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

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	94	78	36
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	35	19	7

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

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	56	94	53.52%	53.52%	59.57%	Met target	No Slippage
B	Grade 8	32	78	35.29%	35.29%	41.03%	Met target	No Slippage
C	Grade HS	11	36	39.13%	39.13%	30.56%	Did not meet target	Slippage

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

Reading proficiency for high school students during FFY 2021 decreased by 8.57 percentage points. The NDDPI is a local control state and allows each district to decide if they will use the North Dakota State Assessment (NDSA) or the ACT for their high school accountability measure. This year 75 of the 173 school districts (including 5 of the largest districts) in the state selected to give the ACT. For districts whose accountability measure is the NDSA the North Dakota Alternate Assessment (NDAA) is given in 10th grade same as their peers. If they are an ACT district the NDAA is given in eleventh grade, the same as their peers. For students taking the NDAA this may mean that they are being assessed on the grade 11-12 standards versus the grade 9-10 standards. Data gathered from stakeholders also pointed to a need for professional development in how to truly use the assessment in an instructionally embedded way. The stakeholders also asked if more instructional resources could be shared. In response to this the Office of Special Education held a live webinar in November 2021 on this topic. The webinar was also recorded and shared with those that could not attend on Instructional Resources and how to incorporate the essential elements of the standards into everyday instruction.

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

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	35	94	31.88%	31.88%	37.23%	Met target	No Slippage

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
B	Grade 8	19	78	13.95%	13.95%	24.36%	Met target	No Slippage
C	Grade HS	7	36	36.96%	36.96%	19.44%	Did not meet target	Slippage

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

Math proficiency for high school students during FFY 2021 decreased by 17.52 percentage points. The NDDPI is a local control state and allows each district to decide if they will use the North Dakota State Assessment (NDSA) or the ACT for their high school accountability measure. This year 75 of the 173 school districts (including 5 of the largest districts) in the state selected to give the ACT. For districts whose accountability measure is the NDSA the North Dakota Alternate Assessment (NDAA) is given in 10th grade same as their peers. If they are an ACT district the NDAA is given in eleventh grade, the same as their peers. For students taking the NDAA, this may mean that they are being assessed on the grade 11-12 standards versus the grade 9-10 standards. Data gathered from stakeholders also pointed to a need for professional development in how to truly use the assessment in an instructionally embedded way. There have been less shared instructional resources for math. In response to this the Office of Special Education held a live webinar in November 2021 on this topic. The webinar was also recorded and shared with those that could not attend on Instructional Resources and how to incorporate the essential elements of the standards into everyday instruction. The NDDPI has also requested more instructional resources be developed by the assessment vendor. Due to a decrease in math proficiency statewide a grant titled Greater Math in North Dakota has been created.

**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 the 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 2021 (July 1, 2021-June 30, 2022) statewide Math and ELA assessment performance data are available at:  
<https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>

To access state-level reports:

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

District-level reports for the FFY 2021 (July 1, 2021-June 30, 2022) are available at  
<https://insights.nd.gov/Education>

To access district-level reports:

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. Scroll down to view achievement reports by student subgroups, including students with disabilities.
8. Results may be viewed by accommodation status, assessment type, subgroups, 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)**

Students with disabilities often had to be more cautious of their health and may have completed a longer period of virtual learning during COVID-19 than their peers without any or limited manipulatives or hands-on instruction provided, which likely impacted their rate of learning and proficiency.

**3C - Prior FFY Required Actions**

None

**3C - OSEP Response**

**3C - Required Actions**

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

### Data Source

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

### Measurement

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children enrolled for a full academic year and those not enrolled for a full academic year.

### Instructions

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

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

Indicator 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3D - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2020	24.25
Reading	B	Grade 8	2020	36.71
Reading	C	Grade HS	2020	31.67
Math	A	Grade 4	2020	20.49
Math	B	Grade 8	2020	27.84
Math	C	Grade HS	2020	23.06

### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A <=	Grade 4	24.25	23.97	23.69	23.12	22.00
Reading	B <=	Grade 8	36.71	36.50	36.28	35.86	35.00
Reading	C <=	Grade HS	31.67	31.46	31.25	30.84	30.00
Math	A <=	Grade 4	20.49	20.31	20.12	19.75	19.00
Math	B <=	Grade 8	27.84	27.61	27.38	26.92	26.00
Math	C <=	Grade HS	23.06	22.74	22.42	21.77	20.50

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most

respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

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

### **Data Source:**

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

### **Date:**

04/05/2023

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

<b>Group</b>	<b>Grade 4</b>	<b>Grade 8</b>	<b>Grade HS</b>
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	8,753	8,469	7,140

b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,306	1,077	698
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	3,604	3,656	3,259
d. All students in regular assessment with accommodations scored at or above proficient against grade level	76	28	75
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	142	74	30
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	73	27	33

**Data Source:**

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

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	8,784	8,505	7,203
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,315	1,092	719
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	3,196	2,832	2,164
d. All students in regular assessment with accommodations scored at or above proficient against grade level	40	21	35
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	137	64	13
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	40	21	8

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

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	16.46%	42.04%	24.25	24.25	25.58	Did not meet target	Slippage
B	Grade 8	9.38%	43.50%	36.71	36.71	34.12	Met target	No Slippage
C	Grade HS	9.03%	46.69%	33.82	31.67	37.67	Did not meet target	Slippage

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

The 4th grade performance gap increased by 1.33 percentage points. After COVID-19 in the spring of 2021, 37% of all students (AS) tested proficient in reading. During the 21-22 school year AS increased slightly to 42% proficient. In the spring of 2021, 13% of students with disabilities (SWD) tested proficient in reading. Similar to AS during the 21-22 school year there was an increase in proficiency for SWD to 16%. It was not as significant an increase as AS, thereby widening the gap from the FFY 2020 data. The NDDPI has identified the gap in proficiency for SWD as an area of need. It has been added to the NDDPI Strategic Vision Framework (<https://www.nd.gov/dpi/nd-pk-12-education-strategic-vision-framework>) as both a long-term outcome and aspirational goal.

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

The high school performance gap increased by 3.85 percentage points. In the spring of 2019, 45% of all students (AS) tested proficient in reading. After the COVID-19, high school proficiency decreased slightly to 43%. During the 21-22 school year AS saw an increase in proficiency to 47%. During this same period students with disabilities (SWD) remained consistent at 9% proficient since the 2018-1019 school year. The maintenance of 9% plus the growth of proficiency for AS is why the gap increased this year. The NDDPI has identified the gap in proficiency for SWD as an area of need. It has been added to the NDDPI Strategic Vision Framework (<https://www.nd.gov/dpi/nd-pk-12-education-strategic-vision-framework>) as both a long-term outcome and aspirational goal.

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

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	13.46%	36.84%	20.49	20.49	23.38	Did not meet target	Slippage
B	Grade 8	7.78%	33.54%	27.84	27.84	25.76	Met target	No Slippage
C	Grade HS	2.92%	30.53%	23.06	23.06	27.61	Did not meet target	Slippage

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

The performance gap increased by 2.89 percentage points. In spring 2019, all students (AS) were 43% proficient in math. After COVID-19 this decreased to 35% (2021) and then slightly increased during the 21-22 school year to 37% of AS being proficient in math. For students with disabilities (SWD), 18% were proficient in math in spring 2019. This number continued to decrease after COVID-19 and only 15% of SWD were proficient. The number continued to decline in 21-22 to 13% of SWD proficient. The continual decrease in proficiency of 4th grade SWD lead to the increase in the performance gap. As a state there is a need to increase math proficiency. A grant program has been established by the NDDPI, called "Greater Math North Dakota." The NDDPI has identified the gap in proficiency for SWD as an area of need. It has been added to the NDDPI Strategic Vision Framework (<https://www.nd.gov/dpi/nd-pk-12-education-strategic-vision-framework>) as both a long-term outcome and aspirational goal.

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

The performance gap increased by 4.55 percentage points. Math proficiency for all students (AS) in 2019, was 30%. After COVID-19 proficiency for all high school students decreased to 28% (2019) but then saw an increase to 31% in 20-21. For students with disabilities (SWD) 4% of students tested proficient in math in 2019. After COVID-19 that increased to 5% proficient and then decreased during the 21-22 school year to 3% proficient. The decrease in performance for SWD during 21-22 and the increase in proficiency for AS lead to an increase in the performance gap. As a state there is a need to increase math proficiency. A grant program has been established by the NDDPI, called "Greater Math North Dakota." The NDDPI has identified the gap in proficiency for SWD as an area of need. It has been added to the NDDPI Strategic Vision Framework (<https://www.nd.gov/dpi/nd-pk-12-education-strategic-vision-framework>) as both a long-term outcome and aspirational goal.

**Provide additional information about this indicator (optional)****3D - Prior FFY Required Actions**

None

**3D - OSEP Response****3D - Required Actions**

## Indicator 4A: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

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

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

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

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

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

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

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2016	2017	2018	2019	2020
Target <=	0.97%	0.97%	0.80%	0.00%	0.00%
Data	0.00%	0.00%	0.00%	0.00%	0.00%



## Targets

FFY	2021	2022	2023	2024	2025
Target ≤	0.00%	0.00%	0.00%	0.00%	0.00%

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

## FFY 2021 SPP/APR Data

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

YES

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

75

Number of LEAs that have a significant discrepancy	Number of LEAs that met the State's minimum n/cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	98	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 NDDPI is comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State. The FFY 2021 (based on 2020-2021 data) state rate for suspending/expelling students with disabilities for more than ten days is 0.10%. The NDDPI has set the state bar as five percentage points higher than the state rate. Thus, any district that suspends or expels 5.10% or more of its students with disabilities for more than ten days will be 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. In other words, there must be at least 30 students with disabilities enrolled at the district for its suspension rate for it to be flagged. Note that NDDPI does NOT use a rate ratio; NDDPI uses the "state bar" methodology.

Of the 173 districts, 75 were excluded because they did not meet the n-size; all of these districts had a 0% suspension rate, so while they were technically excluded for not having at least 30 SWD, it didn't matter given that they did not suspend any SWD for greater than 10 days. Ninety-eight of the districts met the n-size; of these, 9 districts had a suspension rate greater than 0% but none exceeded the state bar.

In the entire state of North Dakota, only 16 students with disabilities were suspended/expelled for greater than ten days in SY 2020-21. A total of nine districts, with at least 30 students with disabilities enrolled, had a suspension/expulsion rate greater than 0%. However, none of the nine districts had a suspension/expulsion rate greater than or equal to 5.10%; in fact, six of the eight districts had suspended only 1-4 students with disabilities for greater than 10 days; and for all but one district, their suspension rates were 2% or lower. Thus, while it may seem that NDDPI is not doing its due diligence in identifying significant discrepancy, the numbers and percentages of SWD suspended at any given district is very small.

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

**Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 data)**

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

In accordance with regulations, if district data indicates a significant discrepancy in the rate of suspensions and expulsions for children with IEPs, NDDPI 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 that are necessary 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).

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

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

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

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

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

#### 4A - Prior FFY Required Actions

None

#### **4A - OSEP Response**

The State's chosen methodology results in a threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions of children with IEPs that falls above the median of thresholds used by all States.

#### **4A - Required Actions**

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions is reasonably designed.

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

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

Include State's definition of "significant discrepancy."

#### Instructions

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

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

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

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

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

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

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

### Historical Data

Baseline Year	Baseline Data
2016	0.00%

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

#### Targets

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

#### FFY 2021 SPP/APR Data

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

YES

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

90

Number of LEAs that have a significant discrepancy, by race or ethnicity	Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements	Number of LEAs that met the State's minimum n/cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0	83	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 NDDPI is comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State. The FFY 2021 (based on 2020-2021 data) state rate for suspending/expelling students with disabilities for more than ten days is 0.10%. The NDDPI has set the state bar as five percentage points higher than the state rate. Thus, any district that suspends or expels 5.10% or more of its students with disabilities for more than ten days will be flagged for significant discrepancy. Also note that NDDPI examines significant discrepancy by race and ethnicity. Every district has a suspension rate calculated for each of the seven race/ethnicity categories (American Indian or Alaska Native, Asian, Black or African American, Hispanic/Latino, Native Hawaiian or Other Pacific Islander, Two or more races and White). Some districts don't have any students with disabilities of a given race/ethnicity, but NDDPI calculates it for every racial/ethnic category that is present at a given district. The state bar that NDDPI uses for each racial/ethnic group is the same state bar that was used for 4A (i.e., the 5.10%); in other words, NDDPI applies the same state bar to each and every racial/ethnic group. A district has significant discrepancy when its suspension/expulsion rate for children with disabilities from any racial/ethnic group is 5.10% or higher.

There must be at least 30 students with disabilities (minimum n-size) in the denominator for a suspension rate to be flagged. In other words, there must be at least 30 students with disabilities enrolled at the district for its suspension rate for it to be flagged. Note that NDDPI does NOT use a rate ratio; NDDPI uses the "state bar" methodology.

Of the 173 districts, 90 were excluded because they did not meet the n-size; of these only one had a suspension rate greater than 5.10%, and this district suspended only 1 student out of 8. Eighty-three of the districts met the n-size; of these, none had a suspension rate that exceeded the state bar. In the entire state of North Dakota, only 16 students with disabilities were suspended/expelled for greater than ten days in SY 2020-21. A total of eight districts, with at least 30 students with disabilities enrolled, had a suspension/expulsion rate greater than 0%. However, none of these eight districts had a suspension/expulsion rate greater than or equal to 5.10%; in fact, all the suspension rates by race/ethnicity were based on only 1 or 2 students; and for all but one district, their suspension rates were 2% or lower. Thus, while it may seem that NDDPI is not doing its due diligence in identifying significant discrepancy, the numbers and percentages of SWD suspended at any given district is very small.

Provide additional information about this indicator (optional)

Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 data)

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

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).

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

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

<b>Findings of Noncompliance Identified</b>	<b>Findings of Noncompliance Verified as Corrected Within One Year</b>	<b>Findings of Noncompliance Subsequently Corrected</b>	<b>Findings Not Yet Verified as Corrected</b>

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

<b>Year Findings of Noncompliance Were Identified</b>	<b>Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR</b>	<b>Findings of Noncompliance Verified as Corrected</b>	<b>Findings Not Yet Verified as Corrected</b>

#### **4B - Prior FFY Required Actions**

None

#### **4B - OSEP Response**

The State's chosen methodology results in a threshold for measuring significant discrepancy, by race or ethnicity, in the rate of long-term suspensions and expulsions of children with IEPs that falls above the median of thresholds used by all States.

#### **4B- Required Actions**

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies, by race or ethnicity, are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's threshold for measuring significant discrepancy, by race or ethnicity, in the rate of long-term suspensions and expulsions is reasonably designed.

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in kindergarten in this indicator. Five-year-old children with disabilities who are enrolled in preschool programs are included in Indicator 6. Describe the results of the calculations and compare the results to the target.

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

## 5 - Indicator Data

### Historical Data

Part	Baseline	FFY	2016	2017	2018	2019	2020
A	2020	Target >=	75.30%	76.00%	77.50%	77.50%	73.24%
A	73.24%	Data	73.25%	73.48%	73.10%	72.92%	73.24%
B	2020	Target <=	4.80%	4.80%	4.75%	4.75%	6.42%
B	6.42%	Data	5.69%	5.86%	5.99%	6.44%	6.42%
C	2020	Target <=	1.99%	1.97%	1.08%	1.08%	1.58%
C	1.58%	Data	1.63%	1.56%	1.59%	1.51%	1.58%

### Targets

FFY	2021	2022	2023	2024	2025
Target A >=	73.24%	73.45%	73.67%	74.12%	75.00%
Target B <=	6.42%	6.42%	6.42%	5.71%	5.00%
Target C <=	1.58%	1.58%	1.58%	1.41%	1.25%

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of

Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

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The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

#### Prepopulated Data

Source	Date	Description	Data
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	Total number of children with IEPs aged 5 (kindergarten) through 21	15,405
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	11,271
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	1,021
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools	117
SY 2021-22 Child Count/Educational Environment	07/06/2022	c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities	98



Source	Date	Description	Data
Data Groups (EDFacts file spec FS002; Data group 74)			
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements	39

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

NO

#### FFY 2021 SPP/APR Data

Education Environments	Number of children with IEPs aged 5 (kindergarten) through 21 served	Total number of children with IEPs aged 5 (kindergarten) through 21	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	11,271	15,405	73.24%	73.24%	73.16%	Did not meet target	No Slippage
B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	1,021	15,405	6.42%	6.42%	6.63%	Did not meet target	Slippage
C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	254	15,405	1.58%	1.58%	1.65%	Did not meet target	No Slippage
Part	Reasons for slippage, if applicable						
B	<p>The FFY 2021 data shows a slippage on 5B from the FFY 2020 data. Data on student placement settings was examined at the Special Education Unit and District levels. Special Education Units which had an increase in the number of students being served in the regular classroom less than 40% was minimal.</p> <p>The analysis of Indicator 5 data showed that two LEAs had a significantly higher 5B rate than the State average. In line with the NDDPI's increased focus on students with behavioral health needs across agencies due to the North Dakota SSIP, the NDDPI hypothesizes that this may be due to the increased use of targeted evidence-based interventions and therapies for students identified with behavioral, social/emotional, social communication and mental health needs, as well as the potential of coding errors which may have caused the districts to have a higher 5B rate.</p> <p>Data was also examined based on primary disability category, age, and race/ethnicity of students. The NDDPI discovered that the LRE of students 18-21 years of age made up a larger proportion of those students served inside the regular classroom less than 40% of the day. The NDDPI reached out to the district with the highest rate of students aged 18-21 in 5B. After visiting with the district, it was noted that this was due to a coding error. The NDDPI believes another reason for the 18-21 age group being in 5B is due to the effects of additional interventions to keep youth in school and graduating as a focus of the ND SSIP. The NDDPI will work with LEAs identified as having a higher 5B rate to ensure students are being included in the regular classroom environment to the maximum extent possible. This process will continue to be carried out through SEA focused monitoring, as well as through individual LEA contacts. The NDDPI is also creating tools and providing resource documents to ensure LEAs are coding LRE correctly on the IEP.</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:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

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

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

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

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

For Indicator 6C: States may express their targets in a range (e.g., 75-85%). Describe the results of the calculations and compare the results to the target.

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

## 6 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data – 6A, 6B

Part	FFY	2016	2017	2018	2019	2020
A	Target >=	27.70%	28.50%	29.60%	29.60%	21.22%
A	Data	24.60%	28.51%	27.53%	29.13%	21.22%
B	Target <=	28.40%	27.60%	26.50%	26.50%	40.76%
B	Data	32.85%	33.03%	33.67%	31.46%	40.76%

#### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of

Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

## Targets

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

Inclusive Targets

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

Target Range not used

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

Part	Baseline Year	Baseline Data
A	2020	21.22%
B	2020	40.76%
C	2020	1.34%

## Inclusive Targets – 6A, 6B

FFY	2021	2022	2023	2024	2025
Target A >=	21.22%	21.61%	22.10%	23.07%	25.00%

Target B <=	40.76%	40.60%	40.23%	39.49%	38.00%
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#### Inclusive Targets – 6C

FFY	2021	2022	2023	2024	2025
Target C <=	1.34%	1.31%	1.26%	1.18%	1.00%

#### Prepopulated Data

##### Data Source:

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

##### Date:

07/06/2022

Description	3	4	5	3 through 5 - Total
Total number of children with IEPs	516	710	418	1,644
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	77	178	101	356
b1. Number of children attending separate special education class	228	237	157	622
b2. Number of children attending separate school	12	10	7	29
b3. Number of children attending residential facility	0	0	0	0
c1. Number of children receiving special education and related services in the home	3	11	3	17

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

NO

#### FFY 2021 SPP/APR Data - Aged 3 through 5

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	356	1,644	21.22%	21.22%	21.65%	Met target	No Slippage
B. Separate special education class, separate school or residential facility	651	1,644	40.76%	40.76%	39.60%	Met target	No Slippage
C. Home	17	1,644	1.34%	1.34%	1.03%	Met target	No Slippage

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

The Indicator 6 denominator (number of children ages 3-5 in Early Childhood Special Education, on IEPs), has likely been impacted by COVID-19 as our referral sources strive to return to normalcy. The NDDPI convenes the Early Childhood Special Education Committee, where members are given opportunities to examine and compare unit-specific data and provide insights and solutions to improving outcomes across the state.

#### 6 - Prior FFY Required Actions

None

**6 - OSEP Response**

**6 - Required Actions**

## Indicator 7: Preschool Outcomes

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

State selected data source.

#### Measurement

Outcomes:

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

Progress categories for A, B and C:

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

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

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

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

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

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

#### Instructions

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

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

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

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

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

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

## 7 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Part	Baseline	FFY	2016	2017	2018	2019	2020
A1	2013	Target >=	84.00%	84.00%	84.50%	85.00%	86.13%
A1	84.50%	Data	85.76%	84.17%	85.06%	88.14%	86.13%

A2	2013	Target >=	63.50%	63.50%	64.00%	64.00%	59.84%
A2	63.16%	Data	61.89%	61.02%	60.30%	60.82%	59.84%
B1	2013	Target >=	84.50%	84.50%	85.00%	87.00%	89.22%
B1	86.42%	Data	87.29%	86.59%	84.59%	87.30%	89.22%
B2	2013	Target >=	55.50%	55.50%	56.00%	56.00%	48.22%
B2	55.06%	Data	52.72%	50.00%	47.69%	48.94%	48.22%
C1	2013	Target >=	81.00%	81.00%	81.50%	84.50%	85.97%
C1	84.29%	Data	85.07%	86.67%	83.53%	86.61%	85.97%
C2	2013	Target >=	72.50%	72.50%	73.00%	73.00%	65.94%
C2	72.20%	Data	68.39%	72.04%	67.71%	67.76%	65.94%

## Targets

FFY	2021	2022	2023	2024	2025
Target A1 >=	86.13%	86.36%	86.60%	87.07%	88.00%
Target A2 >=	59.84%	60.30%	60.76%	61.67%	63.50%
Target B1 >=	89.22%	89.38%	89.54%	89.86%	90.50%
Target B2 >=	48.22%	49.19%	50.17%	52.11%	56.00%
Target C1 >=	85.97%	86.22%	86.48%	86.99%	88.00%
Target C2 >=	65.95%	66.83%	67.71%	69.48%	73.00%

## Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

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the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

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#### FFY 2021 SPP/APR Data

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

839

##### 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%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	94	11.20%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	250	29.80%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	345	41.12%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	149	17.76%

Outcome A	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 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>	595	690	86.13%	86.13%	86.23%	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>	494	839	59.84%	59.84%	58.88%	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	0	0.00%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	95	11.32%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	338	40.29%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	329	39.21%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	77	9.18%

Outcome B	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	667	762	89.22%	89.22%	87.53%	Did not meet target	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>	406	839	48.22%	48.22%	48.39%	Met 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	3	0.36%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	85	10.13%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	206	24.55%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	321	38.26%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	224	26.70%

Outcome C	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	527	615	85.97%	85.97%	85.69%	Did not meet target	No Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6	545	839	65.94%	65.95%	64.96%	Did not meet target	No Slippage

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

Part	Reasons for slippage, if applicable
B1	<p>Recent data and feedback from the North Dakota early childhood community suggest lasting effects of the COVID-19 pandemic, which has significantly impacted Early Childhood Outcomes, particularly around Outcome B1, acquisition and use of knowledge and skills, including early language and communication.</p> <p>The NDDPI in partnership with the North Dakota Department of Health and Human Services (NDHHS), regularly hosts multiple committees and advisory groups as well as early childhood professional development events. Practitioners are routinely asked for input and updates of local community programs. The early childhood professionals have provided firsthand insights of children who have had limited social interactions, increased screen time, and missed educational opportunities, during and prior to, the global pandemic. Many families chose to keep their young children home for extended periods of time for health and safety reasons, limiting social interactions with adults and peers. Another contributing factor to a lack of substantial growth rate in communication was the need for face masks. The early childhood community reported that, due to the pandemic, missed milestones, such as mimicking, facial expression, and intonation, significantly impacted typical communication progressions in both expressive and receptive areas. Since the developmental domains are intertwined, language deficits often impact cognitive, social, and adaptive skills as well. Practitioners reported that they are seeing an increase of children, post-pandemic, coming into programs without prior interventions, and often demonstrating more significant behaviors, which also impacts progress toward new knowledge and skills.</p> <p>In addition to statewide early childhood and family engagement initiatives, the NDDPI and the NDHHS have worked to seek increased opportunities for the early childhood community in its application for the recent federal Preschool Development Grant, which targets inclusion and support grants for our birth through five community. Continuous improvement and ongoing technical assistance are offered to our Special Education Units to dive into their specific data and examine root cause analysis and fidelity of reporting. The NDDPI has released trainings to support the Early Childhood Outcomes Process and is committed to offering future opportunities for our Special Education Units to network, seek solutions and mentorship as we aim to improve outcomes for all children.</p>

**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 Committee, has 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 are scored on an ECOs Summary Form that is located on ND's special education case management system, known as TieNet. After a student has received a minimum of six months of special education services, an exit rating for that special education student is scored on that student's ECOs Summary Form alongside their entry score. 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)**

Based on available data and stakeholder feedback from practitioners, family advocates and referral sources, Covid-19 has created many ripple effects across the field of early childhood, often affecting the most vulnerable population, our youngest learners with disabilities. The NDDPI has responded with opportunities for, funding, professional development, and technical assistance. Additionally, a resource center was created in response to COVID-19. The information can be found at: <https://www.nd.gov/dpi/familiescommunity/nddpi-updates-and-guidance-covid-19/resource-center>

The NDDPI strives to provide both virtual and in-person convenings and has recently adopted a statewide professional development hub, where our early childhood professionals can easily access free trainings with option for credit. A timeline is in place for ongoing statewide early childhood data discussion meetings to help improve outcomes and meet the established targets.

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

## 7 - Required Actions

## Indicator 8: Parent involvement

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

#### Data Source

State selected data source.

#### Measurement

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

#### Instructions

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

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

Provide the actual numbers used in the calculation.

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

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

Report the number of parents to whom the surveys were distributed and the number of respondent parents. The survey response rate is automatically calculated using the submitted data.

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

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

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

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

## 8 - Indicator Data

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

#### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work

in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

#### Historical Data

Baseline Year	Baseline Data
2013	70.58%

FFY	2016	2017	2018	2019	2020
Target >=	71.20%	72.00%	73.10%	73.10%	67.73%
Data	67.50%	72.24%	71.20%	73.11%	67.84%

#### Targets

FFY	2021	2022	2023	2024	2025
Target >=	67.73%	68.26%	68.80%	69.87%	72.00%

#### FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
1,248	1,895	67.84%	67.73%	65.86%	Did not meet target	Slippage

#### Provide reasons for slippage, if applicable

The NDDPI has examined the number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities by special education unit to identify those units that had a decrease from 2020-21 to 2021-22. Eleven units had a decrease in their scores; the four largest units in the state had a decrease. LSEUs as well as districts are provided with detailed reports of their Indicator 8 data related to each question in the survey, and over time and are encouraged to examine their data and determine why their scores change from year to year and what they can do to make improvements. In addition, the NDDPI examined survey question results over time and noted three survey

questions that decreased the most from 2020-21 to 2021-22. The questions are as follows: "My child's general education teachers listen when I have questions or concerns", "My child's special education teachers listen when I have questions or concerns", and "My child's school informs me of my Parental Rights". The NDDPI will be providing technical assistance on these questions to the LSEUs.

During the FFY 2019, many parents reported that when schools initially shut down due to the COVID-19 pandemic and virtual learning, they communicated and collaborated at higher levels with school personnel than in the past in regard to changes, updates, and programming. This may be the reason for the data in FFY 2019 to be higher. For the current FFY 2021, although parents were still in agreement with school teams, the NDDPI received a much lower agreement rate. This could have led to the overall data for the FFY 2021.

**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.**

The same methodology and survey were used for students in all grade levels regardless if the NDDPI or the LSEUs distributed the survey.

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

14,433

**Percentage of respondent parents**

13.13%

**Response Rate**

FFY	2020	2021
Response Rate	9.05%	13.13%

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

The NDDPI continues to monitor the results of the demographics of the indicator eight surveys. Three years ago (2018-2019 school year), the NDDPI allowed the special education unit directors the option to send out the parent survey so that the information would come from a familiar source. For the 2021-2022 school year, the number of LSEUs that opted-in to distribute their own surveys increased from three LSEUs to 23. This resulted in an increase in the overall response rate from 9.05% to 13.13%. This resulted in an increase of distributed surveys from 5,634 to 14,433. The LSEUs were provided with materials that allowed the survey to be sent in multiple ways; email, text, in-person letter, or mail. To increase the response rate of groups underrepresented across the state, LSEUs who opted in were sent a spreadsheet throughout the administration window that compared their special education unit child count composition by race and ethnicity and primary disability to their survey respondent composition. LSEUs were then encouraged to target their underrepresented groups.

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

Nonresponse bias measures the differences in opinions between respondents and non-respondents in meaningful ways, such as the positivity of responses. A few things can be examined to determine nonresponse bias. One is the overall response rate. The higher the response rate, the less likely nonresponse bias will occur. Our response rate is 13.13%, which is slightly higher than last year's but is still lower than the NDDPI would like. Due to the relatively low response rate, it is possible that those parents who did not respond are different in some meaningful way in their level of positivity from those who did respond. However, it is still possible that those parents who did not respond are different in some meaningful way in their level of positivity from those who did respond. Thus, the NDDPI proceeded with the next two ways for examining nonresponse bias. Second, the representativeness of the responses can be examined. The NDDPI describes this in the next section and is stated: The State used the composition method to determine if one group was over- or under-represented based on their response rate. Although significant differences were found in response rates by grade group and race and ethnicity, the actual responses showed only small differences in the overall parent involvement percentage. Third, the NDDPI can compare the responses of parents who responded early in the process to those who responded later in the process. The idea being that perhaps those who do not immediately respond are different in some meaningful way than those who respond immediately. These results showed no statistically significant differences between parents who responded earlier and parents who responded later. Therefore, the NDDPI conclude that nonresponse bias is not present.

**Include the State's analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services. States must include race/ethnicity in their analysis. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

The State compared the representation by race and ethnicity in the population to the representation in the respondents using a +/- 4% discrepancy criteria to identify over-or under-representativeness. Using this methodology, differences were found by race and ethnicity and grade group. The SWD population consists of 13.26% of Native Americans, 7.78% of Hispanics, and 68.95% of Whites. The respondents consist of 7.58% of Native Americans, 3.73% of Hispanics, and 82.20% of Whites. There was one difference found by grade group. The SWD population consists of 24.08% of students with disabilities in grades 9-12; but the respondents consist of 20.65% of parents of students with disabilities in grades 9-12, a difference of 4.18 percentage points. Although there were a few significant differences between groups of parents by race and ethnicity and grade group, these differences have lessened over time, and the NDDPI will continue to work with the LSEUs to ensure increased representativeness.

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

NO

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

To increase the number of LSEUs opting in to distribute surveys, in September and December 2022 the NDDPI highlighted the increase of response rates for the LSEUs who opted in. Currently, there are 22 LSEUs who have opted in to distributing their own parent surveys. All LSEUs are provided with materials which will allow the survey to be sent in multiple ways; email, text, in-person letter, or mail if they opt in to distributing their own survey. In addition, the parent survey (email, text, in-person letter or mail) has been translated into ten additional languages besides English and Spanish and are available to all the LSEUs. The NDDPI will continue to send the LSEUs monthly emails (January-July) identifying the number of surveys completed

within their unit, along with the statewide completion rates based on demographics of race and ethnicity and disability category. This information will allow the LSEUs to target specific demographic areas to help increase the representative responsiveness. The NDDPI has identified that Hispanic and American Indian students are two under-represented demographic areas. The NDDPI will continue to encourage LSEUs to work with their multicultural liaisons in their districts to increase underrepresented response rates. Note that when calculating the state-level results, in order to ensure representativeness, responses are 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).

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

+/-4% discrepancy in the proportion of responders compared to target group was used. (Note: 4% was used as the cut point due to the small numbers of certain demographic groups of students in ND.)

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.**

Districts in North Dakota are divided into 31 Local Special Education Units (LSEUs). The NDDPI worked with an outside evaluator to create documents that would allow for LSEUs to send the survey out to parents, to make the survey more accessible and come from a familiar source. LSEUs have access to a letter explaining the parent survey that can be sent to parents in a paper letter, an email, a text message, or completed in-person. If LSEUs chose to send out surveys themselves, all parents of students with a disability on the LSEUs child count were sent the survey. LSEUs that chose to not send out surveys, had surveys sent out through an external evaluator using an approved (OSEP approved May 20, 2014) sampling methodology outlined below. The sampling for this collection was done at the special education unit level. A representative sample of parents was randomly selected from each special education unit that chose not to send out surveys. 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 LSEUs that had more than 100 students, and thus for which a sample was chosen, the population is stratified by district, grade, race and 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 are 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 LSEUs instead of districts, it was logical to do the parent survey sampling based on LSEUs as opposed to districts. With this sampling plan, parents from each of the eight North Dakota LSEUs are mailed a survey. When calculating the state-level results, responses are 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 has 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
If yes, provide a copy of the survey.	

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

## 8 - Prior FFY Required Actions

In the FFY 2021 SPP/APR, the State must report whether its FFY 2021 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

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

The State compared the representation by race and ethnicity in the population to the representation in the respondents using a +/- 4% discrepancy criteria to identify over-or under-representativeness. Using this methodology, differences were found by race and ethnicity and grade group. The SWD population consists of 13.26% of Native Americans, 7.78% of Hispanics, and 68.95% of Whites. The respondents consist of 7.58% of Native Americans, 3.73% of Hispanics, and 82.20% of Whites. There was one difference found by grade group. The SWD population consists of 24.08% of students with disabilities in grades 9-12; but the respondents consist of 20.65% of parents of students with disabilities in grades 9-12, a difference of 4.18 percentage points. Although there were a few significant differences between groups of parents by race and ethnicity and grade group, these differences have lessened over time, and the NDDPI will continue to work with the LSEUs to ensure increased representativeness.

The NDDPI presented the responsiveness percentage increases for the special education units that opted in for the 2021-2022 school year with the



LSEU directors in September and December of 2022 to increase the number of special education units opting in. Currently, there are 22 LSEUs that have opted in to distribute their own parent surveys. All special education units are provided with materials that will allow the survey to be sent in multiple ways; email, text, in-person letter, or mail if they opt in to distributing their own survey. In addition, the parent survey (email, text, in-person letter or mail) has been translated into ten additional languages besides English and Spanish and is available to all the LSEUs. The NDDPI will continue to send the LSEUs monthly emails (January-July), identifying the number of surveys completed within their unit, along with the statewide completion rates based on demographics of race and ethnicity and disability category. This information will allow the LSEUs to target specific demographic areas to help increase the representative responsiveness. The NDDPI has identified that Hispanic and American Indian students are two under-represented demographic areas. The NDDPI will continue to encourage LSEUs to work with their multicultural liaisons in their districts to increase underrepresented response rates.

## **8 - OSEP Response**

OSEP's response to the State's FFY 2020 SPP/APR required the State to submit a revised sampling plan for this indicator. The State submitted its revised sampling plan, and OSEP's evaluation of the sampling plan indicated that it is approvable.

## **8 - Required Actions**

In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 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.

## Indicator 9: Disproportionate Representation

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

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

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

#### Data Source

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

#### Measurement

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

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

Based on its review of the 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2020	0.00%

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

#### Targets

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

#### FFY 2021 SPP/APR Data

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

YES

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

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Number of districts with disproportionate representation of racial/ethnic groups in special education and related services	Number of districts with disproportionate representation of racial/ethnic groups in special education and related services that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0	42	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, 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 are ten or more students (minimum n-size) in the target and comparison groups. The NDDPI uses one year of data to determine the 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 171 districts were included in the analyses. Of these 171, 42 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.

If there are districts that are flagged for disproportionate representation, the following steps will be completed:

1. The NDDPI will notify the district/LSEU and provide data indicating disproportionate representation.
2. The district/LSEU will be required to complete the North Dakota Disproportionality Workbook to determine whether the disproportionality was the result of inappropriate identification of non-compliant policies, procedures or practices. The Workbook requires the district/LSEU to review policies, procedures and practices in the area of child find and referral, evaluation, eligibility and placement.
3. Once the district completes the Disproportionality Workbook and gives it to the NDDPI, the NDDPI will review the completed workbook for any policies, procedures and practices that would result in inappropriate identification. The NDDPI will also conduct 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 district's policies, practices, and procedures, the NDDPI will determine if the disproportionate representation was or was not a result of inappropriate identification.

Provide additional information about this indicator (optional)

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

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

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

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

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

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

## 9 - Required Actions

## Indicator 10: Disproportionate Representation in Specific Disability Categories

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

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

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

#### Data Source

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

#### Measurement

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

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

Based on its review of the 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

### 10 - Indicator Data

#### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2020	0.00%

FFY	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	8.33%	0.00%	0.00%	0.00%

#### Targets

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

#### FFY 2021 SPP/APR Data

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

YES

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

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Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0	17	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 171 districts were included in the analyses. Of these 171, 17 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.

If there are districts that are flagged for disproportionate representation, the following steps will be completed:

1. The NDDPI will notify the district/LSEU unit and provide data indicating disproportionate representation.

2. The district/LSEU will be required to complete the North Dakota Disproportionality Workbook to determine whether the disproportionality was the result of inappropriate identification of non-compliant policies, procedures or practices. The Workbook requires the district/LSEU to review policies, procedures and practices in the area of child find and referral, evaluation, eligibility and placement.

3. Once the district completes the Disproportionality Workbook and gives it to the NDDPI, the NDDPI will review the completed workbook for any policies, procedures and practices that would result in inappropriate identification. The NDDPI will also conduct 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 district's policies, practices, and procedures, the NDDPI will determine if the disproportionate representation was or was not a result of inappropriate identification.

Provide additional information about this indicator (optional)

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

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

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

<b>Year Findings of Noncompliance Were Identified</b>	<b>Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR</b>	<b>Findings of Noncompliance Verified as Corrected</b>	<b>Findings Not Yet Verified as Corrected</b>

**10 - Prior FFY Required Actions**

None

**10 - OSEP Response****10 - Required Actions**

## Indicator 11: Child Find

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

a. # of children for whom parental consent to evaluate was received.

b. # of children whose evaluations were completed within 60 days (or State-established timeline).

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

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

#### Instructions

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

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

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

Targets must be 100%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	88.09%

FFY	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	99.51%	99.14%	99.41%	99.61%	98.81%

### Targets

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

### FFY 2021 SPP/APR Data



(a) Number of children for whom parental consent to evaluate was received	(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
3,738	3,711	98.81%	100%	99.28%	Did not meet target	No Slippage

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

27

**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 2021-22, 3738 parental consents for evaluations were received in North Dakota schools, of which 3711 evaluations were completed within the 60-day timeline. The range in days delayed was between 1 and 338. The reasons for the delays are related to case manager error and confusion between early childhood transition (Indicator 12) and child find (Indicator 11) requirements. However, all of the 27 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 the date of the Integrated Written Assessment Report (IWAR) meeting.

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

The NDDPI has two additional allowable exceptions: extreme weather and lack of access to a qualified examiner. This is in Century Code section 67-23-01-03.

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

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
39	39		0

#### FFY 2020 Findings of Noncompliance Verified as Corrected

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

The NDDPI special education monitoring staff reviewed the FFY 2020 data collected using the statewide IEP Case management database (TieNet). All noncompliance for the FFY 2020 (the 39 evaluations) were timely corrected within the one-year timeframe. The FFY 2020 instances were corrected and verified by the NDDPI through student file review, phone and virtual interviews with local Special Education Directors before the submission of the FFY 2021 APR.

Each district with noncompliance in FFY 2020 was (1) timely corrected within the one-year timeframe of notification 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.

Each district with noncompliance identified in FFY 2020 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 and the state verified that the sources of noncompliance were correctly implemented.

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

The NDDPI Special Education Regional Coordinator reviewed the FFY 2020 data collected using the statewide IEP Case management database (TieNet). The LSEU 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 2020 individual cases were verified as corrected by the state before the submission of the FFY 2021 APR.

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

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

## 11 - Prior FFY Required Actions

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

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

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

The NDDPI Special Education Regional Coordinator reviewed the FFY 2020 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. During the new reporting period, random files have been pulled for the districts that were found out of compliance. Those districts have continued to correctly implement the regulatory requirements of this 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 2020 instances were corrected and verified before the submission of the FFY 2021 APR. All noncompliance for the FFY 2020 (the 39 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.

## 11 - OSEP Response

### 11 - Required Actions

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

## Indicator 12: Early Childhood Transition

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

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

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

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

#### Instructions

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

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

Targets must be 100%.

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2005	94.62%

FFY	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	99.73%	100.00%	99.79%	100.00%	99.75%

#### Targets

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

#### FFY 2021 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	680
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	183

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	484
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.	4
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	8
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.	

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	484	485	99.75%	100%	99.79%	Did not meet target	No Slippage

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

1

**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.**

One child who was served in Part C and referred to Part B 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 one day due to holding the meeting on the third birthday; therefore the IEP was not implemented until the day after the child's third birthday. Upon thorough review and communication with the case manager, the NDDPI staff accessed the child's file on the TieNet database and verified, at the individual student level, that all requirements were completed and the child had an IEP developed and implemented as soon as possible after the child's third birthday.

**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 LSEU's 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 LSEU designee. During the collection period (July 1-June 30), LSEU administrators contacted the NDDPI staff members to discuss questions they had based on individual cases. To assure consistent, high-quality data, the NDDPI staff members completed an indicator 12 data comparison of statewide IEP Case management database Indicator 12 data, with each LSEU's Indicator 12 spreadsheet and verified the TieNet report. The NDDPI staff members completed an Indicator 12 Data Comparison Report for the LSEU in areas needing clarification. 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 2021.

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

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

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

**FFY 2020 Findings of Noncompliance Verified as Corrected**

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

To verify the LSEU 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 and reviewed subsequent records to make sure the regulatory requirements were being implemented. The LSEU also completed a corrective action plan through Levels of Determination.

Each district with noncompliance in FFY 2020 was (1) timely corrected within the one-year timeframe of notification 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. Each LSEU with noncompliance identified in FFY 2020 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, and the state verified that the sources of noncompliance were correctly implemented.

**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 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 151 days due to case manager error. Upon thorough review and communication with the case manager, the NDDPI staff accessed the child's file on the TieNet database and verified, at the individual student level, that all requirements were completed 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 2020

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

### 12 - Prior FFY Required Actions

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

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

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

One child who was served in Part C and referred to Part B 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 151 days due to case manager error. Upon thorough review and communication with the case manager, the NDDPI staff accessed the child's file on the TieNet database and verified, at the individual student level, that all requirements were completed and the child had an IEP developed and implemented as soon as possible after the child's third birthday.

Each district with noncompliance in FFY 2020 was (1) timely corrected within the one-year timeframe of notification 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. Each LSEU with noncompliance identified in FFY 2020 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, and the state verified that the sources of noncompliance were correctly implemented.

### 12 - OSEP Response

#### 12 - Required Actions

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

## Indicator 13: Secondary Transition

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

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

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

#### Instructions

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

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

Targets must be 100%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2009	74.56%

FFY	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	98.85%	97.87%	99.52%	100.00%	72.39%

### Targets

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

### FFY 2021 SPP/APR Data

Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition	Number of youth with IEPs aged 16 and above	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
285	365	72.39%	100%	78.08%	Did not meet 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.**

The Indicator 13 monitoring was completed by the NDDPI Indicator 13 State Monitoring Team. The individuals chosen to be part of this team were selected to strengthen the capacity in ND for consistent knowledge and training throughout the state relative to the secondary transition IDEA 2004 requirements. The team consisted of university professors who work with pre-service special education teachers, state special education personnel, and local special education program coordinators. The Indicator 13 State Monitoring team had the same representation/role as those doing the monitoring in the eight years before the Covid-19 Pandemic. This provided for continued consistency in the monitoring process. The state transition coordinator, who has held the Indicator 13 portfolio for the past six years, took the lead on monitoring activities. The team continues to receive ongoing training throughout the year before the June monitoring session. The team is trained by the NDDPI to ensure continued understanding of the requirements of Indicator 13, the competence of the team in using the statewide TieNet database system for accessing the student files, and inter-rater reliability during the scoring process. During the training, the team reviewed the previous year's process and revised, as deemed necessary, the collection methods and the data report sheets given to the LEAs after the review process. The NDDPI worked with a state monitoring team to review and complete monitoring for each case manager in ND who had transition students from the age of 16-21 on their caseload. The state transition coordinator was available throughout the monitoring process to assist in reviewing questionable files and provide ongoing training if necessary.

**Valid and Reliable:** The TieNet Database provides access to every student's 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 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. When questions arise related to Indicator 13 Monitoring and/or the Transition Requirement Checklist, the NDDPI reaches out to the National Technical Assistance Center on Transition, the Collaborative (NTACT:C) for support.

**Statewide Representation:** In June 2022, the Indicator 13 State Monitoring team was given one month to complete the monitoring process. They reviewed 365 student files from across the state. The objective was to review one student file from each case manager of students aged 16-21 who were on an IEP during FFY 2021. The state representation of disability categories was calculated and used to select the appropriate disability categories to ensure statewide representation relative to each disability category was achieved.

The file review information indicated that 285 files reviewed met all components of the eight questions in the ND Transition Requirements Checklist. Therefore, the data for FFY 2021 for this indicator is 78.08% compliance for Indicator 13.

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 2020

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
111	111	0	0

## FFY 2020 Findings of Noncompliance Verified as Corrected

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

The NDDPI monitoring team reviewed current data using the statewide IEP Case management database (TIENET). The NDDPI verified that each district with noncompliance in FFY 2020 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 sent a file to each LSEU director that contained an Indicator 13 checklist document for all case managers in the LSEU, including those in compliance and out of compliance. If the file was out of compliance, special education units were given 60 days to correct the files, which put the due date for corrections on October 30, 2021. The NDDPI provided the LSEU director with reasons given for areas that needed to be corrected. The LSEU directors then contacted each case manager whose file was out of compliance and shared the Indicator 13 checklists completed by the NDDPI with each case manager. The LSEU director then provided training on how to make corrections. Each case manager who had a file out of compliance made corrections and notified LSEU directors when the corrections were made. The LSEU directors reviewed the file and notified the NDDPI that the files had been corrected. The NDDPI verified corrections through review of the IEP in the TieNet system. After the corrective action was completed and the NDDPI collected documentation, a closeout letter was sent.

The NDDPI verified that each district with noncompliance in FFY 2020 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 2020

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

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

### 13 - Prior FFY Required Actions

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

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

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

The NDDPI monitoring team reviewed current data using the statewide IEP Case management database (TIENET). The NDDPI verified that each district with noncompliance in FFY 2020 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.

### 13 - OSEP Response

#### 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.



## Indicator 14: Post-School Outcomes

### Instructions and Measurement

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

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

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

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

#### Data Source

State selected data source.

#### Measurement

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

#### Instructions

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

Collect data by September 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

#### I. Definitions

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

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment”:

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

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act of 1973, as amended by Workforce Innovation and Opportunity Act (WIOA). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

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

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

#### II. Data Reporting

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

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

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

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

“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also

happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

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

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

### III. Reporting on the Measures/Indicators

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

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

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

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

Beginning with the FFY 2021 SPP/APR, due February 1, 2023, include the State's analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in their analysis. In addition, the State's analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

### Historical Data

Measure	Baseline	FFY	2016	2017	2018	2019	2020
A	2020	Target >=	30.49%	31.39%	32.39%	32.39%	20.20%
A	20.20%	Data	29.07%	30.89%	30.00%	29.13%	20.20%
B	2020	Target >=	57.12%	58.02%	59.02%	59.02%	59.27%
B	59.27%	Data	58.72%	62.83%	65.71%	62.46%	59.27%
C	2020	Target >=	81.58%	82.38%	83.48%	83.48%	81.13%
C	81.13%	Data	83.14%	85.34%	85.00%	81.68%	81.13%

### FFY 2020 Targets

FFY	2021	2022	2023	2024	2025
Target A >=	20.20%	20.43%	20.65%	21.10%	22.00%
Target B >=	59.27%	60.05%	60.83%	62.39%	65.50%
Target C >=	81.13%	81.49%	81.85%	82.57%	84.00%

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early

Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

#### FFY 2021 SPP/APR Data

Total number of targeted youth in the sample or census	740
Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	346
Response Rate	46.76%
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	100
2. Number of respondent youth who competitively employed within one year of leaving high school	137
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)	11
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).	41

Measure	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. Enrolled in higher education (1)	100	346	20.20%	20.20%	28.90%	Met target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	237	346	59.27%	59.27%	68.50%	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)	289	346	81.13%	81.13%	83.53%	Met target	No Slippage

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

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

**Response Rate**

FFY	2020	2021
Response Rate	42.24%	46.76%

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

Four years ago, the NDDPI contracted with an outside survey company to complete the Post School Outcomes Survey. At that time, the response rate for Indicator 14 was 27.27%, and the state realized that to use the data, the response rate had to increase. The following year, in 2019, a state team was created that is made up of transition coordinators and teachers who understand the transition process. The LSEUs were given the option of completing post-school outcome survey calls at the local level. The state team was responsible for reaching out to all students that were not included in the call lists provided to the LSEUs that chose to conduct the calls at the local level. The overall response rate rose to 44.58%. Data showed response rates were highest when LSEUs completed the Post School Outcomes surveys with students who exited schools within local districts. Since then, ND has continued to complete the Post School Outcomes Survey with the state team and LSEUs that choose to complete their own calls. Response rates have been consistently in the 40 percent range, with higher rates for LSEUs that complete the Post School Outcomes Survey at the local level. This year's response rate of 46.76% is very high and similar to last year's response rate of 42.24%.

Over the past three years, the number of LSEUs that have opted in has increased or stayed the same. In 2019, 6 LSEUs completed the Post School Outcomes Survey, in 2022, 10 LSEUs chose to complete their own surveys. This number represents about a third of the total LSEUs in ND. The NDDPI will continue to share the message of increased response rates when conducted at the local level and will attempt to increase the number of LSEUs who choose to complete the Post School Outcome survey at the unit level. Before attempting to reach exiters by telephone, emails are sent out with the Post School Outcomes survey link to all students who have provided an email when exiting high school. This next year, the NDDPI will continue to send emails and will also send out text messages with the Post School Outcomes survey link to students who provide cell phone numbers. Afterward, telephone calls will be made to exiters who did not respond to the email or text message. The NDDPI believes this will help increase the response rate for this indicator. The NDDPI will translate the survey into multiple languages.

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

Nonresponse bias measures the differences in opinions between respondents and non-respondents in meaningful ways, such as the positivity of responses. A few things can be examined to determine nonresponse bias. One is the overall response rate. The higher the response rate, the less likely

non-response bias will occur. Our response rate is 47%, which is a high response rate for this type of survey. Second, the representativeness of the responses can be examined. The NDDPI describes this in the next section where it states: The State used the composition method to determine if one group was over- or under-represented based on their response rate. Although significant differences were found in grade group and race/ethnicity response rates, the actual responses showed only small differences in various Indicator 14 rates. In addition, we received responses from all disability categories and from a broad geographic range of students from across the state from multiple districts, which makes nonresponse bias less likely. Third, we can compare the responses of exiters who responded early in the process to those who responded later. The idea being that perhaps those who do not immediately respond and need multiple prompts to respond are different in some meaningful way than those who respond immediately. These results showed no statistically significant differences between exiters who responded earlier and exiters who responded later. Therefore, we conclude that nonresponse bias is not present.

**Include the State's analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in its analysis. In addition, the State's analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

The State compared the representation by race/ethnicity in the population to the representation in the respondents using a +/- 4% discrepancy criteria to identify over- or under-representativeness. Using this methodology, differences were found by race/ethnicity and by exit type. The SWD population consists of 13.65% of Native Americans, 7.16% of Hispanics, and 70.41% of Whites. The respondents consist of 12.43% of Native Americans, 5.78% of Hispanics, and 74.86% of Whites. Therefore, there was a slightly higher percentage of white respondents in the respondent group than in the population. For exit type, the SWD population consists of 21.49% of students with disabilities who dropped out and 78.11% of students with disabilities who graduated. The respondents consist of 15.61% of students with disabilities who dropped out and 84.10% of students with disabilities who graduated, a difference of 5.88% and 6.00%, respectively. Thus, there was a slightly higher percentage of graduates and a slightly lower percentage of drop-outs in the respondent group than in the population. Although there were some differences by race/ethnicity and by exit type, the NDDPI is pleased with the overall response rate which has increased over time. Further, exiters from all disability categories and from a wide range of districts from across the state responded to the survey. The NDDPI will provide multiple avenues for students to respond to the Post School Outcomes Survey. These will include sending text messages, sending email messages, and making telephone calls at different times throughout the day. The NDDPI will continue to monitor response rates by exit status and by race/ethnicity and will make multiple attempts to increase response rates for exit codes and race/ethnicity that are not representative of the entire population.

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

NO

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

The NDDPI will continue to share the message of increased response rates when conducted at the local level and will attempt to increase the number of LSEUs who choose to complete the Post School Outcome survey at the unit level. The NDDPI will encourage LSEUs that have more significant numbers of students that drop out or that are underrepresented to conduct the survey at the local level. Before attempting to reach exiters by telephone, emails are sent out with the Post School Outcomes survey link to all students who have provided an email when exiting high school. This next year, the NDDPI will continue to send emails and send out text messages with the Post School Outcomes survey link to students who provide cell phone numbers. Students may respond at higher rates when they receive a text message on their phones. Afterward, telephone calls will be made to exiters who did not respond to the email or text message. The NDDPI will also work with Multicultural Coordinators to assist with increasing response rates.

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

+/-4% discrepancy in the proportion of responders compared to target group

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

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

## 14 - Prior FFY Required Actions

OSEP notes that the State submitted verification that the attachment(s) complies with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508). However, one or more of the Indicator 14 attachment(s) included in the State's FFY 2020 SPP/APR submission are not in compliance with 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 2020 SPP/APR

The NDDPI re-posted the survey to the website on July 27, 2022.

<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/2021%20Revised%20Survey2.pdf>

## 14 - OSEP Response

## **14 - Required Actions**

In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

## 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 and targets and report on them in the corresponding SPP/APR.

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

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

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

### 15 - Indicator Data

Select yes to use target ranges

Target Range not used

#### Prepopulated Data

Source	Date	Description	Data
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/02/2022	3.1 Number of resolution sessions	0
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/02/2022	3.1(a) Number resolution sessions resolved through settlement agreements	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

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

#### Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2016	2017	2018	2019	2020
Target >=					
Data	0.00%				

#### Targets

FFY	2021	2022	2023	2024	2025
Target >=					

#### FFY 2021 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0				N/A	N/A

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

There were fewer than ten resolution sessions held in FFY 2021. The state is not required to provide targets until ten or more resolution sessions are held in a fiscal year.



## **15 - Prior FFY Required Actions**

None

## **15 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2021. 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 EDFacts Metadata and Process System (EMAPS)).

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

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

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

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

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

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

## 16 - Indicator Data

### Select yes to use target ranges

Target Range not used

### Prepopulated Data

Source	Date	Description	Data
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1 Mediations held	3
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1.a.i Mediations agreements related to due process complaints	0
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1.b.i Mediations agreements not related to due process complaints	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

### Targets: Description of Stakeholder Input

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work

in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

#### Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2016	2017	2018	2019	2020
Target >=					
Data	0.00%	0.00%	100.00%	0.00%	66.67%

#### Targets

FFY	2021	2022	2023	2024	2025
Target >=					

#### FFY 2021 SPP/APR Data

2.1.a.i Mediation agreements related to due process complaints	2.1.b.i Mediation agreements not related to due process complaints	2.1 Number of mediations held	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	1	3	66.67%		33.33%	N/A	N/A

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

There were fewer than ten mediations held in FFY 2021. The state is not required to provide targets until ten or more resolution sessions are held in a fiscal year.

## **16 - Prior FFY Required Actions**

None

## **16 - OSEP Response**

The State reported fewer than ten mediations held in FFY 2021. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

## **16 - Required Actions**

## Indicator 17: State Systemic Improvement Plan

### Instructions and Measurement

**Monitoring Priority:** General Supervision

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

#### Measurement

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

#### Instructions

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

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

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

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

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

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

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

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

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

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

- Results of Ongoing Evaluation and Revisions to the SSIP.

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

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

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

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

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

##### **A. Data Analysis**

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

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

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

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023; for the FFY 2022 APR, report on anticipated outcomes to be obtained during FFY 2023, i.e., July 1, 2023-June 30, 2024).

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

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

#### C. Stakeholder Engagement

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

#### Additional Implementation Activities

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

## 17 - Indicator Data

### Section A: Data Analysis

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

North Dakota's State Systemic Improvement Plan (SSIP) State identified Measurable Result (SiMR) is focused on improving the extended six-year graduation rate for students identified as having an emotional disturbance (ED).

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

NO

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

YES

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

The population is students within a six-year graduation cohort. The SiMR focuses on a subset of students within this cohort; specifically, students who have been identified with a disability of ED. This focus allows students that need an extended period of time to do so in order to finish high school before they age out at 21 years old.

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

NO

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

<https://www.nd.gov/dpi/sites/www/files/documents/SpecEd/SSIP%20Theory%20of%20Action.pdf>

### Progress toward the SiMR

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

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

NO

#### Historical Data

Baseline Year	Baseline Data
2013	60.22%

#### Targets

FFY	2021	2022	2023	2024	2025
Target> =	62.04%	62.74%	63.44%	64.84%	67.63%

#### FFY 2021 SPP/APR Data

Number of ED students who graduated with a high school diploma (based on 6-year cohort)	Number of ED students in the 6-year graduation cohort	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
68	117	62.04%	62.04%	58.12%	Did not meet target	Slippage

#### Provide reasons for slippage, if applicable

To meet the target, five more students would have needed to graduate. The NDDPI examined results by LSEU to determine which units experienced a decrease in their 6-year graduation rates for students identified with ED. Of the eight LSEUs that had at least six students with ED in the graduation cohort, five of them experienced a decrease in their graduation rates from 2020-21 to 2021-22. As mentioned below, LSEUs and districts are provided with disaggregated reports of their 6-year graduation rates for students with ED (as well as all students with disabilities). They are requested to examine

their data to determine how they can improve their graduation rates and to report out on this examination on the PIER Tool.

The NDDPI and outside stakeholders believe Covid-19 and virtual learning likely impacted this indicator. Stakeholders felt that virtual instruction was less rigorous, and transitioning back to the classroom with higher rigor may have been hard for some students, especially those with ED. During virtual learning, priority was given to academic coursework. Some students may not have received the quantity or quality of social-emotional learning they may have in the classroom, which increased anxiety levels when they were expected to transition back to the classroom. Stakeholders also pointed out that many high school students started working during school closure and might have seen an income as more valuable than returning to school. In addition, some high school students were responsible for taking care of younger siblings while their parents were at work, which affected the number of credits the students could accumulate. Students either dropped out because they feared they would be unable to recover credits lost during that time, or they did not reenter high school so they could continue to help their parents with chores and younger siblings at home.

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

The 4-year adjusted cohort graduation data is used, with a focus on the 6-year extended graduation data.

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

Data for this indicator is collected through the official adjusted cohort graduation data files from the NDDPI.

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

YES

**Describe any additional data collected by the State to assess progress toward the SiMR.**

In addition to the overall 6-year graduation data for students with ED, the NDDPI also examined the 4-year rate for students with ED, as well as the 4- and 6-year rates for students with disabilities (SWD), and for students without disabilities (SWOD). Specifically, the NDDPI provides each LSEU with six data points comprised of four years of trend data. These data points are state graduation rates for (a) all students (b) students with disabilities (c) students with ED and local Special Education Units (LSEU) specific graduation rates for each (d) local high school (e) local students with disabilities and (f) LSEU students with ED. Additionally, LSEU data specific elements are being disaggregated/aggregated to provide more detail to each LSEU around subgroups (ex. ethnicity, gender, attendance, discipline) and IDEA related categories (e.g., LRE and disability category) as they correlate with local graduation rates. LSEUs are provided with an activity guide that helps walk them through these reports.

This data is also posted on the ND Insights Dashboard. The information is provided by partner agencies through the Statewide Longitudinal Data System and is brought about through the collaborative work efforts of the following North Dakota agencies: the NDDPI, ND Career and Technical Education, ND University System, Job Service ND, Department of Commerce, school districts and workforce development programs. The ND Insights Dashboard is intended to inform policymakers, agencies, researchers, and communities on ND public schools and workforce development on many topics, including public education. <https://insights.nd.gov/Education/State/SPED>

Additional data the NDDPI examines is the results from a regression analysis to determine what the best predictors of graduation in six years are. Similar to data from national studies, attendance and behavior are significant important predictors for both all students and SWD. This analysis showed that:

- SWD are significantly less likely to graduate than SWOD.
- SWD take significantly longer than SWOD to graduate, i.e., they are more likely than SWOD to take 5-6 years.
- Within the SWD group, students with ED are less likely to graduate and more likely to drop out than other SWD.

In the all-students model, the best predictors of graduating within 6 years are attendance, math and reading proficiency, suspension for one day or more, whether a student is an ED student or not, national school lunch program status, and gender. The strongest predictor is attendance. The weakest predictor is gender.

In the SWD model, the best predictors of graduating within 6 years are attendance, suspension for one day or more, educational environment, primary disability, race/ethnicity, and gender. The strongest predictors are attendance and environment. The weakest predictors are gender, suspension for one day or more, and race/ethnicity.

The expected graduation rate for all students and for SWD within a given LSEU are calculated and then compared to the actual graduation rates for all students and for SWD to identify those units that are performing higher than expected and those units performing lower than expected. The NDDPI then follows-up with these units to try to determine what it is about the units (e.g., practices, policies, instruction, curriculum, staff, etc.) that created the above/below expectations. Note: This regression analysis is updated each year to determine how stable the predictors are with different cohorts of students. After running the model for two years, the model appears to be quite stable.

In addition, separate from the regression model, the NDDPI examines the actual graduation rates for SWOD, SWD, and ED students by each unit for a period of four years to identify the units that consistently have had the highest graduation rates and those units that consistently have had the lowest graduation rates. The purpose of this analysis, similar to that of the regression analysis, is to follow-up with these units to try to determine what it is about the units (e.g., practices, policies, instruction, curriculum, staff, etc.) that created the high/low graduation rates.

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

NO

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

NO

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

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

Evaluation Plan Narrative: <https://www.nd.gov/dpi/sites/www/files/documents/SpecEd/SSIP/Evaluation%20Plan%20Narrative%20FINAL.pdf>

Evaluation Plan for 2022-2023: <https://www.nd.gov/dpi/sites/www/files/documents/SpecEd/SSIP/NDSSIP%20Evaluation%20Plan23.pdf>

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

NO

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

During the 2021-2022 school year, discussions increased around aligning general education and special education continuous improvement efforts. During this time, too, a renewed emphasis was placed on identifying and implementing evidence-based and promising practices that have proven to make a difference in supporting students on the pathway toward graduation.

The NDDPI Office of Special Education has continued to engage the SSIP stakeholder group (IDEA Advisory Council), the internal SEA SSIP leadership team, the ND Transition Community of Practice, and the Community of Practice for Social-Emotional-Behavioral Disorders to focus SSIP efforts across the state. During this reporting period, the NDDPI concentrated on the following:

1) Expand the message. The main message is: While dropping out is a process and not a single event, we must also recognize that all students have hopes and dreams. As a result, we must engage with the student, and all involved with the student, to consider how these hopes and dreams might be leveraged to improve learning and outcomes for each individual student in the SiMR cohort. The message of all students have hopes and dreams has been aligned by using age-appropriate transition assessments to identify a student's strengths and preferences and to write measurable postsecondary goals aligned to the student's hopes, dreams, strengths, and preferences. Technical assistance is provided for writing compliant IEPs based on the aforementioned and how to use hopes and dreams to create an engaging environment that students will want to partake in until they graduate. Technical assistance continues as constituents reach out via email, telephone calls, verbal conversations, and during technical assistance calls with the LSEU directors.

Training sessions related to this topic were given at different conferences throughout the year. They included:

- October 21, 2021, at the ND Council of Educational Leaders a presentation on Leveraging Hopes and Dreams to Improve Graduation Rates was given. Practices from national technical assistance centers were shared with the goal of changing practices in order to help more students with emotional disturbance graduate.
- On January 24, 2022, at the ND Association of School Administrators a presentation on Leveraging Hopes and Dreams to Improve Graduation Rates was given. Practices from national technical assistance centers were shared with the goal of changing practices in order to help more students with emotional disturbance graduate.
- On March 25, 2022, the presentation on Leveraging Hopes and Dreams was repeated for the ND Association of Secondary School Principals. Practices from national technical assistance centers were shared with the goal of changing practices in order to help more students with emotional disturbance graduate.
- On June 6th, 2022, the NDDPI Leadership Institute was held. There were 48 attendees that included LSEU directors and coordinators, university staff, and family support agency personnel. During this event, information was shared about connecting student's hopes and dreams and evidence-based practices to improve graduation rates for students with emotional disturbance. In addition, updates to the PIER tool used to record progress toward this goal were shared. This information supports indicators 1 and 17.
- On July 8th, 2022, a presentation on Leveraging Hopes and Dreams to Improve Graduation Rates was given at the North Dakota Indian Education Summit. This session was attended by approximately 35 educators and administrators. Practices from national technical assistance centers were shared with the goal of changing practices to help more students with emotional disturbance graduate.
- The Office of Special Education hosted a professional development webinar series through the 21-22 school year. There were 332 registered participants in this series. One-hour live webinar sessions were hosted on the following topics: ND Family Support Agencies, Difference vs. Disability & Dynamic Assessment, Collaboration with General Education, Interdisciplinary Behavior Planning and Supports, and Progress Monitoring. All these topics will have an impact on graduation and support for students with ED. Recordings of these presentations were available to participants all year as well as a copy of slides and resources.

2) Early Warning Intervention and Monitoring Systems (EWIMS): Districts that have completed the first year or second year in the EWIMS pilot program have reported promising results. The NDDPI has continued to expand the number of districts interested and willing to invest time and effort into serving students through this project by starting Cohort 3 with two larger districts: Grand Forks and West Fargo. The NDDPI will continue working with the American Institutes for Research (AIR) to train more districts in developing an early warning intervention and monitoring system and how to use the data to determine needed interventions for specific students to improve graduation rates. To sustain the work at the state level, AIR has assisted and will continue to assist the NDDPI in developing an EWIMS Coaching Cadre made up of university and Regional Education Association (REA) personnel who can continue to provide support to districts already implementing EWIMS and to train new districts interested in creating an early warning system.

3) Technical assistance has been invested in the PIER Tool to further support intentional planning, implementing, evaluating, and reporting of local SSIP efforts. The Office of Special Education staff has joined other offices within the NDDPI and Cognia to determine how the PIER Tool can be used to measure school improvement and reporting at the local level and will continue to investigate how to drill down into individual student level data. This has and will continue to support and promote leadership and vision that promotes aligned continuous improvement efforts, family and community engagement, and graduating every student in ND Choice Ready.

4) The pool of effective middle and high school practices to support students on the path toward graduation will continue to be expanded, scaled up, and discussed in ways that are sustainable and meaningful for improving graduation and transition outcomes for students. Middle/High School efforts at the SEA level will continue promoting practices that correlate highly with the likelihood of graduation. NTAECT's 23 Evidence-Based Practices and Predictors will continue to be shared as options schools might decide to investigate further when they identify students at risk through their Early Warning Systems. The EBP's and Predictors include Goal Setting, Psychological Empowerment, Self-Advocacy, Self-Care, Self-Realization, Youth Autonomy, Parent Expectations, Parental Involvement, Career Awareness, CTE, Community Experiences, Paid Employment, Occupational Courses, Transition Program, and Work-Study.

5) ESSER funds have been used to provide two of the larger LSEUs across the state an opportunity to work with the NDDPI to develop and implement a Graduation Improvement Project within their districts to improve graduation rates for students included in the SiMR cohorts. These two units are part of the "Big Five" units that have more than 50% of students with ED across the state. Concentrating efforts with these two units and gradually increasing the efforts to include the "Big Five" units should increase ND's graduation rates. These efforts will also be shared with the smaller LSEUs.



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

Short-term and intermediate outcome data was collected on the above five strategies. These are described below.

(1) Messaging: More than 500 participants heard this messaging through formal presentations. Trainings were provided in person at conferences and online via webinars. A post-survey was given to participants, and of those that attended training in person, 16 of 18 respondents said they “agree” or “strongly agree” that the information shared would be useful in their practice. In addition, 17/18 stated that materials and handouts would be useful to them in their practice. Participants commented that the trainings were “very informative.” When asked if there is anything that the NDDPI could do to support districts going forward the following comments were mentioned: “the state should create a universal tool to use across the state. Get school districts to understand purpose of the SSIP and partner with SPED for improvement of students.” “The state needs to either mandate this process and provide adequate training for districts or allow for local decision making regarding a teaming structures and data analysis.” Virtual webinars were provided to 245 participants in the areas of behavioral support and progress monitoring. Of these participants 180 completed a post training survey. The results of this survey stated that 90% of respondents “agree” or “strongly agree” that the training will be useful in their work. After the webinar on behavioral supports for students, 25% of participants noted a need to build a team mindset to support students.

(2) EWIMS: The EWIMS teams are focusing on student data on the three indicators of dropping out: attendance, course performance, and behavior. The teams report that they have identified thresholds in a tiered model, along with available interventions in their schools, and have applied those interventions at each level. Schools that are using EWIMS increased their awareness of the using data from the EWIMS to monitor student's progress toward graduation. Schools also reported that they began to use data for the EWIMS to monitor student progress and identify and intervene with students at risk of not graduating. The AIR assisted in providing training to 11 school team members in charge of leading the EWIMS work in their school. According to the evaluation results, all 11 of the participants “agree” or “strongly agree” that the materials provided were helpful, that the training helped them prepare to implement the EWIMS process, and that they felt confident as a member of their schools EWIMS team at their school. The participants were asked how prepared they were to complete EWIMS tasks that include: plan and hold an EWIMS team meeting, access and identify data included in the EWIMS process, identify individuals and groups of students displaying red flags, identify patterns of risk and trends at the school level, interpret why students might be at risk of failing to achieve key indicators, Assign and provide interventions to students, Monitor interventions and whether they are being successful, monitor student progress after being assigned an intervention and review and revise EWIMS activities as part of a cycle of graduation improvement. All participants indicated that they “agree” or “strongly agree” with the statements. After the initial Cohort 2 training in August 2021, participants were asked if they thought the training helped their district/school to prepare for implementing the EWIMS process and whether they were prepared to participate as a member of the EWIMS team at their school. One hundred percent of the participants stated that they “agree” or “strongly agree” with both statements. After the same participants attended the Cohort 2 Training in September 2022, 100% of the participants agreed with the same two questions that were posed at the initial training.

(3) PIER Tool. Data from the PIER Tool indicate that units are implementing various EBPs and that these EBPs are positively impacting the graduation rate of students with disabilities. Units indicate that they have generally seen improvement in their 6-year graduation rates over time.

Through a review of the data on the PIER Tool and conversations with the LSEU directors, who stated the PIER Tool was not user-friendly, additional changes have been made and will be implemented beginning with the 2022-2023 school year.

(4) Middle and High School Implementation Strategies. ND is working with resources from national technical assistance centers (e.g., IDC, NTACT:C, CCSO, NCSI Evidence-Based Practice workgroup) to continue to think through ways to evaluate the implementation and effectiveness of individual improvement strategies. The NDDPI's IDEA-focused monitoring efforts examine selected LSEU's outcomes for students with disabilities including SSIP results. While in the trial year, this effort is structuring processes to evaluate local implementation and effectiveness of strategies at the individual and systemic levels. Results of each of the strategies (e.g., Evidence-Based Practices, FBA/BIP professional development) are reported and reviewed each year, and decisions are made regarding next steps.

(5) ESSER Funds – Two projects are being completed with ESSER funds. The first is the EWIMS work that was just described above in (2). The second is the Graduation Improvement Project. Two school districts that will be the focus of the SSIP work next year have been allotted funds to help with a project that will increase the graduation rate for students with disabilities, especially those with ED. One district used the funds to purchase two Practical Assessment Exploration System (PAES) labs. This will better prepare students for community work experiences, competitive integrated employment and independent life which aligns with the ND Choice Ready Framework. The other district used the funds to create a new class for summer school titled “Workforce Readiness.” The focus of this class is on building positive peer relations, managing transitions successfully, learning effective study skills, and organizing oneself to be successful in high school. Upon successful completion of this class 0.5 credits will be earned.

(6) Big Five Special Education Unit Focus. The SSIP Team planned on getting buy-in from the Big Five Special Education Units to participate in this targeted initiative so that the graduation rate of ED students would increase. After several discussions and an assessment of resources, the SSIP Team determined that it would be best to focus on only two of the five large units. These two units were contacted and agreed to join this initiative as pilot units. Data regarding practices and procedures, EBPs, graduation rates, and fidelity of their Early Warning Systems (EWS) from these two pilot units have been collected and will be analyzed in February/March 2023. The NDDPI will then meet with the units to go over this “big picture” review of their data to determine what is working well and what needs to change for the 2023-24 school year.

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

NO

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

During the 2021-22 school year, discussions increased around aligning general education and special education continuous improvement efforts. During this time, a renewed emphasis was placed on identifying and implementing strategies and practices that have proven to make a difference in supporting students on the pathway toward graduation.

The NDDPI Office of Special Education is engaging the SSIP stakeholder group (IDEA Advisory Council) and the internal SEA SSIP leadership team to focus SSIP efforts across the state. During the next reporting period, the NDDPI will concentrate on the following:

1) Evidence-Based Practices (EBPs)/Promising Practices: This year, the NDDPI office shared research and asked districts to consider using EBPs that

included students with emotional disturbance in the research samples. In addition, the Office of Special Education selected three strategies and one program to highlight and provide additional training and support on. These strategies are: Check In, Check Out; Opportunities to Respond (teacher directed); and Behavior Specific Praise. The program selected was Check and Connect. The NDDPI will provide training to administrators and teachers throughout the state during the 2023-24 and 2024-25 school years. Data will be collected on the impact of training sessions as well as on the fidelity of implementation of these EBPs.

2) EWIMS: Five districts in the state have completed either one or two years of the NDDPI EWIMS program. In year one, AIR provides guidance and support to create a data collection system, complete a gap analysis for student interventions and begin regular work on data analysis and intervention. In year two, the districts get to set their own goal, and their Cadre coach and AIR staff provide support. As in previous years, data from participants will be collected on their attitudes surrounding whether the training helped their district/school to prepare for implementing the EWIMS process and whether they are prepared to participate as a member of the EWIMS team at their school.

To sustain the work at the state level, AIR worked with the NDDPI in developing an Early Warning Systems Cadre made up of six universities and REA personnel who can continue to provide support to districts already implementing an early warning system and to train new districts interested in EWIMS. Two additional districts will join this work for the 2022-23 school year. Data is being collected on the fidelity of implementation.

3) Technical assistance will continue to be invested in the PIER Tool to further support intentional planning, implementing, evaluation, and reporting of local SSIP efforts. Office of Special Education staff will join other offices within the NDDPI and Cognia to determine how the PIER tool can be used to measure school improvement and reporting at the local level and will look at how to drill down into individual student-level data. This will continue to support and promote leadership and vision that promotes aligned continuous improvement efforts, family and community engagement, and discretionary fund opportunities to support new, expanding SSIP efforts designed to improve outcomes moving forward.

4) The pool of effective middle and high school practices to support students on the path toward graduation will continue to be expanded, scaled up, and discussed in ways that are sustainable and meaningful for improving graduation and transition outcomes for students. Middle/High School efforts at the SEA level will continue promoting practices that correlate highly with the likelihood of graduation. NTACT:C's 23 Evidence-Based Practices and Predictors will continue to be shared as options schools might decide to investigate further when they identify students at risk through their Early Warning Systems. The EBPs and Predictors include Goal Setting, Psychological Empowerment, Self-Advocacy, Self-Care, Self-Realization, Youth Autonomy, Parent Expectations, Parental Involvement, Career Awareness, CTE, Community Experiences, Paid Employment, Occupational Courses, Transition Program, and Work-Study. Data on what EBPs schools are using will be collected and examined for its impact on student outcomes.

5) ESSER funds have been used to provide two of the larger LSEUs across the state an opportunity to work with the NDDPI in order to develop and implement a Graduation Improvement Project within their districts to improve graduation rates for students included in ND SSIP SiMR cohorts. This project offers meaningful discretionary funds to an LEA interested in, and approved by the SEA, to participate in the project. These two units are part of the "Big Five" units that have more than 50% of students with ED across the state. Concentrating efforts with these two units and gradually increasing the efforts to include the "Big Five" units should increase SSIP SiMR data. These efforts will also be shared with the smaller special ed units. A multitude of evaluation measures is being collected on these two pilot units.

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

ND is continuing to strengthen and revitalize the SSIP work in ND. While ND is a strong local control state, ND requires an annual SSIP summary from each local LSEU in the state. This annual report provides a framework through which LSEUs evaluate and report their annual SSIP efforts. The SEA, upon receiving these annual summaries, consolidates the information and worked with SEA and TA/EE/DDE to evaluate SSIP efforts. Each LSEU can select EBPs they think would benefit their own system. For this reason, there is a vast difference in the EBPs implemented and how they are measured across the state.

The results of this analysis in 2021-22 showed the following. The 29 LSEUs that completed the PIER Tool utilized many EBPs and fidelity tools. Several units mentioned Second Step, Functional Behavior Assessments (FBAs) and Behavior Intervention Plans (BIPs), Technical Adequacy Tool of Evaluation (TATE), Early Warning Signs, trauma and resiliency practices, and Multi-tiered Systems of Support-Behavior (MTSS-B) as practices and tools. Other interventions that were implemented were Crisis Prevention Intervention (CPI), Zones of Regulation, Check and Connect, Check-In and Check-Out, Why Try,. In addition, some of the activities in which the units engaged for improving graduation rates included professional development in social/emotional learning, mentor training, and absenteeism/truancy training. Several schools within units are forming community partnerships for mental health supports or hiring more guidance counselors and school psychologists. Units plan on continuing to use evidence-based tools and practices such as those already mentioned as well as offer things such as dual credit, online schooling, summer school, and credit recovery. Units also recognize the importance of family engagement in the educational process. The results on the 2021-22 PIER Tool are mostly similar to those of the 2020-21 PIER Tool. Some differences include COVID-19 and funding were not mentioned as frequently as barriers in 2021-22 as in 2020-21. It also appears that the units did not mention as many different practices (some of which are evidenced-based and some not) in 2021-22 as they did in 2020-21. The NDDPI is hoping this is a result of the NDDPI's effort to focus on a key set of EBPs that are specifically related to students identified with ED which has resulted in units being more selective in their strategies.

Public summary reports of the 2021-22 PIER Tool can be found here.  
<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/PIER%20Summary%20Report%20Public.pdf>

An Infographic of the 2021-22 PIER Tool can be found here.  
<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/NDSSIP%20PIER%20Tool%202021-22.pdf>

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

During the 2021-22 school year, the Office of Special Education shared research on several evidence-based and promising practices specifically directed at students with emotional disturbance. These EBPs were used by at least one LSEU as reported on the PIER Tool. Some of these practices and programs include Check In, Check Out (CICO), a Tier 2 evidence-based practice for students with an emotional disturbance. CICO is an opportunity for a student and a mentor to work together to improve behavior. Opportunities to Respond (OTR, teacher directed) should occur any time the teacher asks students an academic question (e.g., "What is 4+4? "). OTRs are essential for increasing overall learning, eliciting important academic feedback from students, and increasing on-task behavior. Behavior Specific Praise is a positive statement directed toward a student or group of students that acknowledges a desired behavior in specific, observable, and measurable terms. By acknowledging the behavior, students are more likely to repeat it. Check & Connect is an intervention used with K-12 students who show warning signs of disengagement with school and are at risk of dropping out. At the core of Check & Connect is a trusting relationship between the student and a caring, trained mentor who advocates for and challenges the student to

keep education salient.

Second Step programs are research-based, teacher-informed, and classroom-tested to promote the social-emotional development, safety, and well-being of children from Early Learning through Grade 8. Functional Behavior Assessments (FBA) are used to understand the function or purpose of a specific interfering behavior. Behavior Intervention Plans (BIP) are used to target and select behaviors to monitor and select interventions designed to help improve prosocial behaviors and motivation levels and reduce problem behaviors. Technical Adequacy Tool of Evaluation (TATE) is a scoring rubric used to assess the quality of FBA and BIP documents. Early Warning Systems is a system based on student data to identify students who exhibit behavior or academic performance that puts them at risk of dropping out of school. Trauma and resiliency practices provide expertise and resources to help overcome trauma and its effects and encourage environments designed for safe, healthy, and engaged learning. Multi-tiered Systems of Support-Behavior (MTSS-B) support a whole child approach to education that recognizes the intersections between physical, social/emotional, and behavioral health, and how they impact student academic attainment. Crisis Prevention Intervention (CPI) is an international training organization that specializes in the safe management of disruptive and assaultive behavior. Zones of Regulation is a metacognitive framework for regulation and treatment approach that is based on immense evidence in the fields of autism, attention deficit disorders (ADD/HD), and social-emotional theories. Check and Connect is an intervention used with K-12 students who show warning signs of disengagement with school and who are at risk of dropping out. Why Try delivers programs, tools, and training to help change students from unmotivated to engaged, failing to graduates, and from hopeless to resilient. Conscious Discipline is to provide every adult with the inspiration, knowledge, and skills to implement Conscious Discipline, improving children's lives. Safe and Civil Schools offers a series of materials and services that schools and districts can use to implement Positive Behavior Support solutions. Prevent Teach Reinforce (PTR) is a functional behavioral assessment-based intervention for students with behavior problems. Skill Streaming for Adolescence is an evidence-based strategy designed to systematically teach social skills to address the needs of children and youth who display aggression, immaturity, withdrawal, and other problem behavior.

Each unit described its strategies surrounding a given EBP. The NDDPI has reviewed the strategies for each unit and questions whether units truly understand how to find and implement EBPs that lead to higher graduation rates. The NDDPI collaborates with units to increase their understanding of using data to determine the effectiveness of EBPs at the local level. Here are two example responses that two units wrote in response to the prompt asking for a description of the LSEU's efforts to improve graduation rates:

"Our unit provides evidence-based practices for MTSS-B utilizing the Second Step curriculum at the elementary level and Resiliency and Youth at the secondary level along with the Why Try curriculum. For MTSS-A evidence-based practices are utilized for math and reading instruction. Student data is reviewed at the building level on a monthly basis by grade level teachers and specialists. This data is used to provide increasing and decreasing supports to students on an individual level. It is this individualization that promotes improved graduation rates. Fidelity to these practices/curriculums is documented through the "One Stop Shop" a model-based data collection tool. The "One Stop Shop" tracks 1) what activities/practices/curriculums a school engages in, 2) what the fidelity to those activities is, and 3) what are the student outcomes to the activities. Outcome data for the "One Stop Shop" is collected from students engaging in electronic pre and post testing for each lesson. Overarching system data is also collected by monitoring the number of students receiving supports at each tier for both MTSS-B and MTSS-A."

"For middle school and high school, we have a continuum of supports. Our middle school teachers have been trained to implement AIM. Our elementary, middle, and high school teachers have been training in Collaborative and Proactive Solutions with Dr. Ross Greene. Skills Streaming for Adolescence curriculum has been purchased, and specific classes on how to better utilize the curriculum are scheduled throughout this school year which will increase implementation rates. An interventions program is in place at both high schools, with a teacher hired to provide skills coaching to students. A "school within a school" concept has been created and will be implemented for the 2022-2023 school year. For students who need more than the support at their neighborhood school, we have the SAIL program. This program operates at 2 locations and supports students individually. All of these supports help keep students in school, reducing drop out numbers. At one middle and one high school, an "alternate to suspension" program will be piloted. Data surrounding in-school and out-of-school suspensions for students with disabilities will be monitored as evidence."

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

Ideally, the NDDPI would know the impact of any given EBP on teacher practices, policies and procedures, and student outcomes. However, this is difficult to discern with the current PIER Tool (which is where the NDDPI would get this information). The new PIER Tool (which is being implemented in 2022-23) specifically asks units if they are implementing a given EBP, and if so, its impact on teacher and student outcomes.

However, the NDDPI has already begun to collect important information on the two pilot units and will be able to determine how the fidelity of their EWS, their EBPs, and their graduation data relate. Preliminary data indicates that most of the pilot schools are using data in their EWS "somewhat effectively" and roughly half of the schools indicate that their EBPs are making "somewhat" of a positive impact on students. This preliminary indicates that these schools need additional support and technical assistance. And in fact, the two pilot units, as of 2021-22, do have access to targeted technical assistance from the NDDPI which will increase their capacity to provide EBPs and intensive interventions to students in need which will increase student outcomes.

Training on the targeted EBPs is now being offered on the North Dakota Educational Hub as well as in various seminars. Participants in these trainings will acquire skills and knowledge surrounding the EBPs and will in turn use these EBPs with their students who will then demonstrate improved outcomes.

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

The LSEUs mentioned using student data (e.g., graduation rates, family surveys, intervention documentation, IEP goal growth) and assessment tools (e.g., Aimsweb, TATE) to measure their progress towards meeting their critical initiative goals. For those units that have related professional development opportunities for staff already in place, they indicated that to track their progress they document training opportunities, attendance, and staffs' application of new skills in a classroom setting. Comprehensively, LSEUs also used family engagement attendance and surveys to measure progress on their Critical Initiatives. The units also described the information they collected on the fidelity of implementation. Over half of the units are using FBAs and BIPs to assess changes in practices. The NDDPI has reviewed each unit's fidelity of implementation process and has identified a need for a more streamlined approach to measure and report fidelity of implementation at the local level. The NDDPI has created a fidelity of implementation tool and provided one training. Additional training will be provided along with assistance on how to use the tool to measure fidelity more clearly at the local level. The tool, which is being implemented in 2022-23, will be used to increase the NDDPI's ability to report fidelity of implementation across the state and to provide technical assistance based on the results from the tool.

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

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

The NDDPI will reach out to LSEUs through monthly technical assistance calls to provide any support needed to implement EBPs and measure the fidelity of implementation. Presentations will be provided to many different audiences across the State relating to the evidence-based practices that will support students with emotional disturbance and the five Prongs discussed earlier. This will ensure there is a consistent message being shared to increase SSIP efforts. A variety of stakeholder groups will assist in deciding the next steps for the SSIP and increasing messaging statewide. The stakeholder groups will include the LSEU directors, the IDEA Advisory Council, the Transition Community of Practice, the Community of Practice for Social-Emotional-Behavioral Disorders, and the internal SSIP State Team.

The NDDPI will continue to monitor the PIER Tool and hold individual discussions with LSEU directors about technical assistance needs that units and other professionals may have related to EBPs. The NDDPI will continue to share resources from National Technical Assistance Centers related to EBPs and data-based decision making to increase outcomes for students with ED.

ND is a local control state, allowing units to choose EBPs for each district. It is difficult to report implementation and fidelity when so many EBPs are being implemented across the State. The NDDPI will continue to work with an external evaluator to review EBPs within PIER Tool data to determine better ways to report fidelity. As part of this work, the NDDPI has selected four EBPs and will continue to provide professional development and fidelity measures for these practices. Each unit can select one of the four EBPs or continue selecting its own practices.

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

YES

**If yes, describe how evaluation data support the decision to implement without any modifications to the SSIP.**

The NDDPI utilized data and feedback from various trainings and stakeholder group to determine plans for continued implementation. The training evaluation data show that participants are benefitting from the trainings. The newly implemented fidelity tool surrounding EWS indicates that a lot of technical assistance surrounding the components of an effective EWS is needed. The information from the Data/EBP Inventory indicates that units need help in effectively implementing their EBPs. As such, a lot of work remains in getting the units to be fully implementing the various pieces of an effective EWS.

## **Section C: Stakeholder Engagement**

### **Description of Stakeholder Input**

During FFY 2021, the NDDPI worked with a variety of groups, such as the Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. The NDDPI also held interactive meetings with parents, school administrators, and parent support and advocacy groups. The purpose of the interactive meetings was to set baselines and targets for the SPP/APR indicators. Once potential targets were identified, the NDDPI posted Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17, along with a survey on the NDDPI website. The survey allowed additional stakeholders from across the state to review the data and provide input on the set targets. Two hundred forty-three individuals from various communities across the state completed the online survey. Of the survey respondents, 56-94% agreed with the proposed targets set for FFY 2020 through FFY 2025. Because most respondents agreed with the targets, The NDDPI determined these would be the set targets.

The NDDPI has continued to solicit broad stakeholder input on the state targets by presenting to various groups. Because some of the targets changed slightly from setting targets with stakeholders to submitting the SPP/APR, presentations were given to the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, and the Special Education Directors to share the changes. After the presentation, group members were encouraged to ask questions and provide input on the changes. No concerns were raised by any of the groups.

Data for the FFY 2021 APR submission has been shared with various groups such as the Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the ND Transition Community of Practice (CoP) members, and the Community of Practice for Social-Emotional-Behavioral Disorders members. Conversations concerned possible reasons for slippage related to the data with individual indicators. None of the group members recommended strategies for improving the set targets.

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the State Systemic Improvement Plan (SSIP) work in ND. Over the past year, the IDEA Advisory Council met virtually and supports ND by focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group recommended a continued focus on six-year extended graduation rates for students with an emotional disturbance (ED). Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduating choice ready for students with emotional disturbance. At the NDDPI an internal SSIP Leadership Team was reimagined. It is comprised of 14 key members from different offices across NDDPI and Career & Technical Education who work in areas that will impact graduating Choice Ready for students with ED. Choice Ready means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI continues to facilitate quarterly ND Transition Community of Practice meetings. This Community of Practice is comprised of more than 50 members which include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition-related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the ND Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide

intentional opportunities for discussion, SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth. Further sharing of SSIP information occurs through newsletters posted on the NDDPI webpage. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). Whereas, the Educator's Edge goes out monthly to all educators, outside agency personnel, parents, and other community members.

The NDDPI worked with Regional Education Associations, State Longitudinal Data Systems, and National Technical Assistance Centers to further ND's SSIP work. The goal being to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance.

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context. The North Dakota Parent Training and Information center (PTI) has resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (indicator 13), early childhood transition and the special education evaluation process (indicators 11 and 12). Continued collaboration is planned between the SEA and PTI to create more resources for parents. Topics that may be covered will include the State Systemic Improvement Plan (Indicator 17), Evidence Based Practices for Students with Emotional Disturbances, Dispute Resolution (indicators 15 and 16) and the Parent Survey (Indicator 8).

#### **Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the SSIP work in ND. Over the past year, the IDEA Advisory Council met virtually on June 6, 2021, September 15, 2021, December 15, 2021, and March 21, 2022. This diverse group of stakeholders supports ND, focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group continued to recommend focusing on six-year extended graduation rates for students identified as having an IDEA emotional disturbance. Information on the SSIP is shared throughout the year, including the Action Plan, evaluation efforts, ESSER projects, and additional data provided by the outside evaluator. Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal NDDPI SSIP Leadership Team comprises 14 key members across the NDDPI and Career & Technical Education that work in areas that will impact graduation or students with emotional disturbance. In ND, graduating Choice Ready means graduating from high school ready for post-secondary education, ready for the workforce, and/or ready for the military. This internal NDDPI SSIP Leadership Team has met bi-monthly to leverage collective efforts to further systemic, sustainable change. Information shared includes the Action Plan, evaluation efforts, ESSER projects, regression data, and additional data provided by the outside evaluator.

The NDDPI continues to facilitate a quarterly Transition Community of Practice. Over 50 members of this Community of Practice include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition related departments (e.g., Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met twice (fall and spring) during 2021-22. More than 20 people attended each session, and the Community of Practice for SEBD continues to scale up and sustain activities and practices that will positively impact students identified as having SEBD needs (including students identified with an emotional disturbance). Members include teachers, administrators, human service agencies, juvenile justice, and family support agencies.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across ND. SSIP information was regularly and intentionally shared during these calls. Information shared includes the Action Plan, evaluation efforts, ESSER projects, regression data, and additional data provided by the outside evaluator. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, Stakeholder engagement was also promoted and productive by agreeing to and sharing information with a wide range of stakeholder groups. SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth.

ND engaged with local special education leadership to receive feedback and discuss ways to make the PIER tool more user-friendly and effective in improving ND SSIP outcomes. ND worked with REAs, State Longitudinal Data Systems, and National Technical Assistance Centers to continue to develop further ND's SSIP work to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. ND's SSIP focus during 2021-22 has been Leveraging Student's Hopes and Dreams to Improve Graduation Rates. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance. The groups have regularly supported keeping the same SSIP SiMR.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

NO

#### **Additional Implementation Activities**

**List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

The NDDPI already has taken steps to support districts work around the SSIP during the 2022-23 school year. New supports in place are:

- 1) STARS Reporting Private Dashboard – The NDDPI reports all of the state's special education data on the public Insights Dashboard. The STARS Reporting dashboard allows the district staff to dig down to a student level. They can also run reports by subgroup. This will allow them to dig deeper into each indicator and make data based decisions.
- 2) ND Educational Hub – a state-wide learning management system has been purchased by the NDDPI. Trainings posted there are free to all school staff across the state. This platform will be used to share trainings about EBPs for students with ED as well as other topics that will support students with ED. <https://my.ndeducationalhub.org>
- 3) Parent Engagement – The Office of Special Education has met with stakeholders about some ways to increase parent engagement in the next year, which in turn will have an impact on keeping students engaged in school.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

The NDDPI SSIP team has finalized the action plan for the SSIP for the remainder of this school year and into next. The action plan consists of 9 key strategies (as mentioned above – the five pillars and the four strategies that were implemented in 2021-22). The action plan can be found here: <https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/NDSSIP%20Action%20Plan23.pdf>

The expected outcomes are (1) improved implementation of the eight EWS components; (2) improved implementation of the targeted EBPs; (3) increased offerings of EBP-related trainings and in turn increased knowledge level of these EBPS on the part of school staff, and (4) ultimately, an improved graduation rate for students with ED.

**Describe any newly identified barriers and include steps to address these barriers.**

One of the barriers identified during this reporting period has occurred using the PIER Tool. ND is a local control state, so each unit has had the opportunity to choose which EBPs they will implement within the LEA. Because of this, it has not been easy to measure fidelity across the various practices used to report SSIP outcomes. The NDDPI will continue to work with two of the larger LSEUs across the state (see the previous section for details). Furthermore, the NDDPI has realized that much of the data being collected is qualitative in nature which makes determining what is working very difficult. As a result, the NDDPI has worked with an outside evaluator to develop a strong evaluation system for collecting quantitative data on EBPs, fidelity measures, progress measures, and outcomes. This data will be analyzed to determine if EBPs are implemented with fidelity and making a difference in outcomes for students in the SiMR cohort. The PIER Tool will continue to be upgraded so that reporting tool is more user-friendly for LSEUs, and the data is easier to analyze and understand at the state level. The NDDPI will continue to work with Cognia to develop the PIER Tool so it can perform in the way requested. An additional barrier is parent engagement. The IDEA Advisory Council has discussed some more targeted strategies to recruit additional parents to serve on the Council. In addition, contact with family support agencies across the state has already taken place and trainings are scheduled to support families with students with disabilities working toward graduation.

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

**17 - Prior FFY Required Actions**

None

**17 - OSEP Response**

**17 - Required Actions**

## **Certification**

### **Instructions**

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

#### **Certify**

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

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

Designated by the Chief State School Officer to certify

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

#### **Name:**

Mary McCarvel-O'Connor

#### **Title:**

Special Education Director

#### **Email:**

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#### **Submitted on:**

04/25/23 3:05:08 PM

