

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

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

**For reporting on  
FFY 2022**

**North Dakota**



**PART B DUE February 1, 2024**

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

## Introduction

### Instructions

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

### Intro - Indicator Data

#### Executive Summary

The North Dakota Department of Public Instruction's (NDDPI) strategic vision is that all students will graduate choice-ready with knowledge, skills, and disposition to be successful.

In FFY 2022, North Dakota met 25 of 52 targets of the applicable Part B State Performance Plan/Annual Performance Report (SPP/APR) indicators. These included indicators measuring assessments, suspension/expulsion, disproportionate representation, educational environments, preschool outcomes, early childhood transition, post-school outcomes, and resolution sessions.

The APR assists the NDDPI Office of Specially Designed Services in refocusing its primary task of improving the outcomes of students with disabilities and preparing them to go into the world as individuals ready to contribute their unique abilities and talents in communities. This report will present the technical assistance, professional development, and activities conducted during the 22-23 school year to help reach the NDDPI's vision.

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

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

174

#### General Supervision System:

**The systems that are in place to ensure that the IDEA Part B requirements are met (e.g., integrated monitoring activities; data on processes and results; the SPP/APR; fiscal management; policies, procedures, and practices resulting in effective implementation; and improvement, correction, incentives, and sanctions).**

Explanation of the NDDPI Office of Specially Designed Services: 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 Specially Designed Services: Office of Specially Designed Services Director, who oversees the implementation of IDEA regulations statewide and provides oversight of state legislative responsibilities and supervision of the NDDPI special education personnel; the NDDPI Office of Specially Designed Services Assistant Director, who assists the Office of Specially Designed Services Director, the NDDPI Office of Specially Designed Services Staff, who hold individual portfolios specific to disability categories, training, monitoring, and special education program responsibilities, and the IDEA Grant Manager who oversees the IDEA Part B and state special education budgets.

Local Education Agencies (LEA) and Local Special Education Units (LSEUs): North Dakota has 174 LEAs. 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 by following the IDEA. Each LSEU may include the following positions: Special Education Unit Director, Assistant Special Education Unit Director, and Special Education Coordinator(s).

#### 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. TIENET database is a web-based student file database available via a secure site. TIENET contains all the components of the IEP and other forms required for students receiving special education services. TIENET 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 is responsible for ensuring that the requirements of IDEA 2004 are carried out within the state. 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 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 staff uses student outcome data to identify special education units in need of improvement in the State Performance Plan (SPP) priority areas. Using these data, the NDDPI staff ranks local special education units based on the previous three years in each priority area. In addition to selecting local special education units for focused monitoring based on student outcome data, district level onsite visits within the unit may also occur due to a pattern of issues identified through the IDEA complaint process or through a random selection process.

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 team approach for reviewing documentation outlined in the self-assessment, individual student file reviews, and an on-site visit. When the residential school has findings, the corrective action plan is due 90 days following the final report, and technical assistance is provided. Corrections are made as soon as possible, or within one calendar year, and verified by the NDDPI.

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 offers formal facilitated IEP meetings to support teams in resolving disputes. More information about North Dakota'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 of noncompliance as a written description that includes the description of the identified noncompliance, a citation of the regulation/requirement, a description of the quantitative and/or qualitative data supporting a decision of compliance or non-compliance, a statement that the correction must be made as soon as possible. Findings are given to the superintendent, board president, and the Special Education Director. With Indicators 11, 12, and 13, the State has chosen not to issue a written finding if the LSEU immediately corrected the noncompliance.

#### Corrections of Noncompliance:

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

- a. The NDDPI staff reviews 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. When further action is required, the NDDPI staff members conduct on-site and/or off-site activities to verify the correction of non-compliance and
- d. The NDDPI staff randomly verify compliance through district and student-level data (when necessary) using TIENET and tracking on an Excel spreadsheet. Most of the student forms are available in the TIENET. 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 occurred 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 logs into the system and verifies that 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 completion date.

#### Technical Assistance System:

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

The NDDPI Office of Specially Designed Services partners with stakeholders to provide quality technical assistance that supports compliance and improves student outcomes. The NDDPI Specially Designed Services staff provides technical assistance to each of the 31 LSEUs throughout the state. Each regional coordinator holds portfolios with specific statewide responsibilities related to disability categories, training, monitoring, and special education program responsibilities.

The NDDPI Office of Specially Designed Services and Office of Assessment collaboration: The Office of Specially Designed Services and Office of Assessment collaborate to provide quality technical assistance for the North Dakota State Assessment (NDSA) and North Dakota 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 Specially Designed Services manages the NDAA and provides technical assistance to special education teachers and LSEUs on changes and updates concerning the NDAA and consults with the Office of Assessment staff on the NDSA.

State Longitudinal Data System (SLDS): The North Dakota SLDS updates data daily from North Dakota 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. North Dakota has a trained state data steward who helps school personnel understand and use information aggregated and stored within the SLDS database. The Regional Education Associations (REAs), along with the NDDPI, support SLDS technical assistance efforts. Part of the North Dakota's SLDS includes guidance, assistance, and information related to North Dakota'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, and 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 stakeholders the link for North Dakota's SPP/APR, which is posted for public viewing under Compliance Data and Reports and the North Dakota SPP/APR and OSEP Determinations tab on the NDDPI. In addition, North Dakota Special Education Guidelines are available on the NDDPI Special Education website under the Special Education State Guidelines. The NDDPI Special Education website can be found 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 and state-level, LSEU-level, and district-level reports on SPP/APR Indicators 1-14, and 17. 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: To communicate new guidance and address concerns, the NDDPI holds monthly Microsoft TEAMS calls and twice-year face-to-face meetings with LSEU directors and coordinators across the state. Additionally, technical assistance is provided to special education units whenever LSEU staff reach out to the NDDPI.

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: <https://www.nd.gov/dpi/familiescommunity/resource-center>.

#### 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" (GYO) approach to fill the shortage areas and retain special education and related services staff. Professional development programs within the Office of Specially Designed Services include:

**Resident Teacher Program (RTP):** The RTP seeks to attract and keep teachers in rural schools with challenges recruiting and retaining teachers in North Dakota. 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 (up to two years) they contract with an North Dakota public LEA.

**Speech-Language Pathology Paraprofessionals (SLPP) Scholarship:** To address the critical shortage of Speech-Language Pathologists in the State, North Dakota has created a certificate for SLPP. Annually the NDDPI issues ten scholarships given by Lake Region State College in North Dakota to cover tuition and fees for recommended students working toward an Associate degree in Applied Science in Speech-Language Pathology Paraprofessional.

**Traineeship Scholarship:** Each year, the NDDPI awards Traineeship Scholarships in priority disability areas to North Dakota teachers who wish to pursue graduate-level retraining in special education. Traineeship Scholarship recipients may be funded for up to three years. Between the Fall of 2022 and the Summer of 2023, 50 scholarships were given 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. To date, 5 Special Education Technician certificates have been issued and 30 Special Education Technician scholarships were given by the Office of Specially Designed Services.

**Educator Pathway:** During the 2021-2022 school year, the Educator Pathway Program created course codes for five courses that enabled 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. During the 2022-2023 school year, four North Dakota Universities offered dual credit courses at no cost to the students. Through this program in 2022-2023 approximately 121 dual courses in education were taken and paid for with ESSER.

**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.

**Educational Employment Site:** The North Dakota Educational Employment System website is a one-stop recruitment resource with a variety of features and information. The main feature of the website is the Educational Employment System. This system is free to North Dakota educational entities. The system includes educational job openings for those looking for help and a job seekers section for those looking for work across North Dakota. The website has a variety of information about the field of education such as North Dakota's certificates, credentials, teacher licensure, funding, and professional development opportunities for teachers. It also has information about a GYO project to address teacher shortages by increasing the pipeline.

**North Dakota Educational Hub Professional Development:** The North Dakota Educational Hub is a Learning Management System platform the NDDPI uses to provide professional development to educators. December 2022, the NDDPI provided the first of many courses for educators to take towards a credit. More than 100 teachers, administrators, paraprofessionals, and related service providers registered. Prerecorded and live courses were offered. Topics covered included transition assessment, progress monitoring, Universal Design for Learning, evidence-based practices, and more. Educators can complete sessions on the North Dakota Educational Hub in order to earn professional development credits.

**Law Conference on Students with Disabilities:** The NDDPI collaborated with the state special education office 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 2022 Law Conference was held in Bismarck, ND and had attendees from all three states.

#### **Stakeholder Engagement:**

**The mechanisms for broad stakeholder engagement, including activities carried out to obtain input from, and build the capacity of, a diverse group of parents to support the implementation activities designed to improve outcomes, including target setting and any subsequent revisions to targets, analyzing data, developing improvement strategies, and evaluating progress.**

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of

Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

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

YES

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

125

#### **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.**

Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies and evaluated progress to determine if there was a need to revise targets.

To set the methodology for Indicator 4, The NDDPI created a workgroup. The NDDPI staff shared this workgroup opportunity with IDEA Advisory Council Members as well as LSEU Directors. This group was composed of family support agency staff, an LSEU Director, and parents. This group had representation for larger cities and rural areas as well as provided subgroup representation. The history of how North Dakota implemented and measured Indicator 4 was shared. Then possible changes to the methodology were shared. The group discussed the options and then completed a post-survey to share their feedback. Being this group was small, the NDDPI went on to share this information and feedback from the workgroup with all LSEU directors. The participants were also asked to complete a post-survey to provide their feedback. To try and ensure parent representation, a video recording of the proposal presentation was shared with parents across the state by the family support agencies. Families were asked to view the presentation and complete the post-survey. The feedback collected from all surveys supported the change to move the state bar to three times the state rate.

At the joint meeting with IDEA and the Interagency Coordinating Council (ICC) held in September 2023, the NDDPI shared the North Dakota Part B determination. This presentation included areas in which North Dakota lost points in the North Dakota Determination Matrix, the areas the NDDPI wanted to focus on over the next year, the participation rates of students on the North Dakota State Assessment (NDSA), and the dropout and graduation rates of students with disabilities. After the presentation, the IDEA Advisory Council and ICC members were asked the following questions: What might be some reasons students with disabilities are not participating in the (NDSA)? What are the reasons students might be dropping out or not graduating? What are some possible solutions to get students to participate in the NDSA? What are possible solutions that could lead to more students to graduation? What can be done to lower dropout rates? This information was then analyzed by staff from the Office of Specially Designed Services to align initiatives, technical assistance, and professional development provided throughout the school year.

#### **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.**

A NDDPI team member presented two sessions at the 2023 Pathway to Partnership Conference held by the North Dakota Parent Training and Information Center (PTI). These sessions were on understanding behavior and evidence-based practices. Both taught parents how some strategies used in the school setting could also be used at home. On average, there were 11 attendees in each session. In addition, these sessions were shared through two webinars hosted by Family Voices of North Dakota. These webinars had an average of 15 in-person attendees. The recordings were sent to an additional 35 registrants for viewing later. Feedback on these presentations was collected in a post-survey for analysis and future improvements. During each session, state-level data for students with disabilities was shared. Parents were given time to ask questions and provide feedback.

Through a contract with the Technical Assistance for Excellence in Special Education (TAESE) Center, the NDDPI provided dispute resolution training to all Office of Specially Designed Services staff members, Protection and Advocacy staff members, and Pathfinders (State PTI) staff. Training centered on the four dispute resolution options parents and school districts may use in North Dakota to assist in reconciling parties' differences. The four options available include facilitated IEP, mediation, state complaint, and due process complaint. The training was led by an attorney with professional experience in education (school) and employment law and knowledge of advising school districts in special education. Training was provided to staff members who fielded many calls from parents of students in special education. Involving different staff members from different agencies should ensure that a common language is shared with parents when advice is given, and when suggestions are provided to ensure students receive what is allowed under the IDEA.

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: <https://www.nd.gov/dpi/familiescommunity/resource-center>.

**Soliciting Public Input:**

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

The NDDPI did not set targets over the past year, but the NDDPI shared the results of the FFY 2022 APR in a variety of ways and with various groups such as the Local Special Education Unit Directors, the IDEA Advisory Committee members (9/13/22, 12/13/22, 4/4/23), the Early Childhood Special Education Advisory Committee, the Behavioral Health Collaboration Team (2/7/23, 4/11/23, 5/25/23), the North Dakota Transition Community of Practice members (9/7/22, 12/21/22, 3/15/23), and the Community of Practice for Social-Emotional-Behavioral Disorder members (10/27/22, 2/24/23, 4/27/23). During FFY 2022, APR data and activities were discussed with each group in the spring and in the fall. Possible solutions for increasing APR rates were provided by stakeholders, which included using incentives for students who tested proficient on the state assessment, offering more virtual options for schooling, offering more options for obtaining credit towards graduation, and translating work experience for credit. Group members also provided information on why slippage might have occurred, which included students being disengaged learners, students being absent, students exhibiting significant behaviors, and a lack of parent awareness of options available. In addition, the groups celebrated successes and discussed ways to generalize strategies that worked.

**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.**

As stated above, data for the FFY 2022 APR submission has been shared with various groups, such as the Local Special Education Unit Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Advisory Committee, the North Dakota Transition Community of Practice members, the Community of Practice for Social-Emotional-Behavioral Disorder members, and the Behavioral Health Collaboration. During FFY 2022, 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. In addition, these groups provided input around changes to indicator 4 methodology. Information was shared with these groups about the final methodology adopted.

The North Dakota's SPP/APR is posted for public viewing under Compliance Data and Reports and the North Dakota SPP/APR and OSEP Determinations tab on the NDDPI found at <https://www.nd.gov/dpi/education-programs/special-education>.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2021 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 2021 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 revisions if the State has revised the targets that it submitted with its FFY 2021 APR in 2023, is available.**

The North Dakota Department of Public Instruction reported to the public on the FFY 2021 (July 1, 2021-June 30, 2022) 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 2021 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**

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.

### **Response to actions required in FFY 2021 SPP/APR**

To improve early childhood, secondary transition, dropout, graduation, participation and proficiency on the state assessment, and to address the state's determination of Needs Assistance, the NDDPI works with the following technical assistance centers: Early Childhood Technical Assistance (ECTA), Early Childhood Personnel Center (ECPC), American Institute for Research (AIR), Council of Chief State School Officers (CCSSO), National Governor's Association (NGA), National Center for Systemic Improvement (NCSI), National Center on Educational Outcomes (NCSEO), National Technical Assistance Center on Transition; the Collaborative (NTACT:C), the Progress Center, and the Technical Assistance for Excellence in Special Education (TAESE).

ECTA provided guidance and developed a strategic plan on C to B Transition. ECPC included the 619 Coordinator in a Leadership Cohort to help examine state policies and implementation of early childhood transition processes. NTACT:C shared materials to assist in developing training on how to implement requirements to correctly write secondary transition IEPs, the Progress Center helped develop a guidance document and training for Specially Designed Instruction (SDI), CCSSO and NGA state teams are determining activities and policies that may increase graduation rates, decrease dropout rates and assist students in transitioning from high school into employment. AIR worked with the NDDPI to increase outcomes related to the SSIP. The collaborative efforts with technical assistance centers will be shared throughout the SPP/APR.

### **Intro - OSEP Response**

The State's determinations for both 2022 and 2023 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 23, 2023 determination letter informed the State that it 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. The State provided the required information.

### **Intro - Required Actions**

The State's IDEA Part B determination for both 2023 and 2024 is Needs Assistance. In the State's 2024 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 2023 SPP/APR submission, due February 1, 2025, 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 ED*Facts* 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 2022 SPP/APR, use data from 2021-2022), 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.

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	2017	2018	2019	2020	2021
Target >=	89.00%	89.00%	89.00%	76.12%	76.12%
Data	66.34%	68.60%	73.36%	76.12%	76.45%

### Targets

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

### Targets: Description of Stakeholder Input

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances’ ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota’s SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.



A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota’s SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**Prepopulated Data**

Source	Date	Description	Data
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	565
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	28
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	204

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
565	797	76.45%	76.32%	70.89%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

The FFY 2022 graduation rate decreased by 5.56 percentage points. In North Dakota, the six largest school districts educate 49.5% of students in the state. All six of these districts have a graduation rate for students with disabilities of less than 70%. Five of these six districts have seen a three-year low in graduation rates in FFY 2022 for all students. Students with disabilities have a significantly lower graduation rate than their peers in these districts.

This data was shared with stakeholders and various reasons for slippage were given. Some feedback from the Superintendent's Family Engagement Cabinet was that by the time there is educational impact, and the child is eligible for an IEP, the child will already have gaps in learning. Some parents spoke to the lack of community services and having to pull a student out of school to travel to medical appointments. Members of the Student Engagement Cabinet talked about an increase in mental health needs and the limited support available. The students talked about how relationships built with teachers are a key factor in engagement and success at school. The students also talked about having many responsibilities outside of school and the struggle to complete homework. In meeting with teachers, administrators, and community agencies in several Communities of Practice the lack of mental health support was again discussed. In addition, the ability for students without a high school diploma to find full-time work for reasonable wages was discussed as a factor in students leaving. Some stated that students mentioned the GED path looked easier.

#### **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 North Dakota 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, North Dakota 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. This section of the North Dakota Century Code also allows students if at-risk or on track to be at risk of credit deficiency (if school board approved) to complete portions of the GED assessment for course credit recovery.

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

NO

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

The NDDPI is currently working with two of the six largest districts as part of the State Systemic Improvement Plan (SSIP) work. These two districts have seen growth in graduation rates for students within the selected SSIP cohort. The districts will now work to generalize strategies used for all students with disabilities. The NDDPI office intends to recruit an additional two districts from this group for the next cohort of SSIP work.

The NDDPI will work with the six largest districts to analyze their data. Areas to be analyzed include subgroups, chronic absenteeism, course completion, credit recovery options, and behavioral supports. Based on areas of need professional development will be offered.

#### **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 ED Facts 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 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 section 618 exiting data for the year before the reporting year (e.g., for the FFY 2022 SPP/APR, use data from 2021-2022), 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.

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	2017	2018	2019	2020	2021
Target <=	18.00%	17.00%	17.00%	18.38%	18.38%
Data	16.53%	19.40%	16.48%	18.38%	20.39%

**Targets**

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

**Targets: Description of Stakeholder Input**

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

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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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A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**Prepopulated Data**

Source	Date	Description	Data
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	565
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SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	28
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	204

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
204	797	20.39%	18.23%	25.60%	Did not meet target	Slippage

**Provide reasons for slippage, if applicable**

The FFY 2022 dropout rate increased by 5.21 percentage points. Data and discussion around the dropout rate in North Dakota were shared with various stakeholder groups. These discussions allowed stakeholders to offer information around factors that may have led to an increase in the dropout rate. The Superintendent’s Student Cabinet spoke of the need for students to have relationships with their teachers. They stated that with teacher shortages and teachers feeling more pressure, they feel it has been harder to build relationships. The students talked about how the shortages also lead to a large number of substitute teachers in middle or high school who do not have relationships with students. This, in addition to a large number of jobs in the community that are available and do not require a diploma, may have resulted in several dropouts. Some did speak to students thinking that completing

a GED may be easier than completing coursework or making up missed credits. In the NDDPI Communities of Practice teachers and community members also spoke to students leaving for jobs within the community. Some mentioned that during COVID-19 some students started working on family farms or ranches and dropped out to continue that work.

The NDDPI analyzed stakeholder feedback and data. Of the students that are counted as dropouts for this indicator, 15 went on to get the GED and 15 additional students completed a portion(s) of the GED. Students who were identified as having an emotional disturbance or other health impairment were more likely to get a GED, and those identified with a specific learning disability were less likely to get a GED.

During FFY 2022 the NDDPI reported a shortage of 167 full-time employees, an increase from 149 full-time employees in FFY 2021. This data validates an increase in the number of substitute teachers and an increase in teacher workload, which supports what the students in the stakeholder group reported. This shortage of teachers has continued to increase. The Governor has formed a Teacher Shortages Taskforce to further dig into the issue and look for solutions.

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

The NDDPI defines dropping out 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 the 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 has completed and shared work around increasing graduation rates for the State Systemic Improvement Plan (SSIP) information on early warning systems. This is an evidence-based practice that can help prevent dropping out. In doing this work, the NDDPI has learned that districts across the state do not all have a system to collect this data, and teams are not trained in how to analyze and act on this data. As part of the SSIP work, two of the largest districts in North Dakota have been trained and received monthly coaching in early warning systems. The early warning systems are only implemented at a few schools in each district. The districts have been doing work in this area for the last two years, and each year, and have continued to increase graduation rates and decrease dropouts. The districts will continue to expand this work to include more schools in their district, and the NDDPI will expand the number of districts receiving coaching and support.

**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 ED Facts 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	2022	2023	2024	2025
Reading	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%
Reading	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%
Reading	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%
Math	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%
Math	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%
Math	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%

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

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

## **FFY 2022 Data Disaggregation from EDFacts**

### **Data Source:**

SY 2022-23 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

### **Date:**

01/10/2024

### **Reading Assessment Participation Data by Grade (1)**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs (2)	1,643	1,317	992
b. Children with IEPs in regular assessment with no accommodations (3)	766	537	207
c. Children with IEPs in regular assessment with accommodations (3)	692	603	514
d. Children with IEPs in alternate assessment against alternate standards	106	75	54

**Data Source:**

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

01/10/2024

**Math Assessment Participation Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs (2)	1,643	1,317	993
b. Children with IEPs in regular assessment with no accommodations (3)	890	479	176
c. Children with IEPs in regular assessment with accommodations (3)	578	667	585
d. Children with IEPs in alternate assessment against alternate standards	106	74	54

(1) The children with IEPs who are English learners and took the ELP in lieu of the regular reading/language arts assessment are not included in the prefilled data in this indicator.

(2) 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.

(3) The term "regular assessment" is an aggregation of the following types of assessments, as applicable for each grade/ grade group: regular assessment based on grade-level achievement standards, advanced assessment, Innovative Assessment Demonstration Authority (IADA) pilot assessment, high school regular assessment I, high school regular assessment II, high school regular assessment III and locally-selected nationally recognized high school assessment in the prefilled data in this indicator.

**FFY 2022 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	1,564	1,643	95.24%	95.00%	95.19%	Met target	No Slippage
B	Grade 8	1,215	1,317	92.25%	95.00%	92.26%	Did not meet target	No Slippage
C	Grade HS	775	992	82.19%	95.00%	78.13%	Did not meet target	Slippage

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

During FFY 2022, the participation rate in state reading assessment decreased by 4.06 percentage points for high school. North Dakota Century Code 15.1-21-08 allows parents to direct the school district not to administer the state assessment to their student. When parents have the choice to opt out of having their student(s) take state assessments, participation rates are impacted.

During FFY 2022, a decrease in participation rates for all students was seen statewide. Participation rates decreased by 1.57% for students with disabilities and by 1.43% for students without disabilities.

In FFY 2022, the NDDPI saw a slight decrease statewide in high school chronic absenteeism. Chronically absent students include those who missed 10 percent or more of their enrolled days within a school year. During FFY 2022, 42.39% of students with disabilities in high school were chronically absent. This may impact their participation in state assessments.

Professional development was provided to Local Special Education Unit (LSEU) Directors and District Testing Coordinators around parental directives. This training was provided in person at a Leadership Institute for LSEU Directors and on two webinars held with the District Testing Coordinators. It was clarified that the IEP team's obligation is to select the appropriate assessment for the student meaning that the only two choices an IEP team has is to



decide whether the student will complete the North Dakota State Assessment or the North Dakota Alternate Assessment. The choice of not having the student take the state assessment must be initiated by the parent(s) and is not an IEP team decision.

**FFY 2022 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	1,574	1,643	95.85%	95.00%	95.80%	Met target	No Slippage
B	Grade 8	1,220	1,317	93.53%	95.00%	92.63%	Did not meet target	No Slippage
C	Grade HS	815	993	84.55%	95.00%	82.07%	Did not meet target	Slippage

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

During FFY 2022, the participation rate in state assessments decreased by 2.48 percentage points for high school. North Dakota Century Code 15.1-21-08 allows parents to direct the school district not to administer the state assessment to their student. This impacts participation rates in North Dakota.

During FFY 2022, a decrease in participation rates for all students was seen statewide. Participation rates decreased by 1.76% for students with disabilities and by 1.54% for students without disabilities.

In FFY 2022, the NDDPI saw a slight decrease statewide in high school chronic absenteeism. Chronically absent students include those who missed 10 percent or more of their enrolled days within a school year. During FFY 2022, 42.39% of students with disabilities in high school were chronically absent. This may impact their participation in state assessments.

Professional development was provided to Local Special Education Unit (LSEU) Directors and District Testing Coordinators around parental directives. This training was provided in person at a Leadership Institute for LSEU Directors and on two webinars held with the District Testing Coordinators. It was clarified that the IEP team’s obligation is to select the appropriate assessment for the student meaning that the only two choices an IEP team has is to decide whether the student will complete the North Dakota State Assessment or the North Dakota Alternate Assessment. The choice of not having the student take the state assessment must be initiated by the parent(s) and is not an IEP team decision.

**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 2022 (July 1, 2022-June 30, 2023) 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 2022 (July 1, 2022-June 30, 2023) 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:

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

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

### Data Source

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

### Measurement

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

### Instructions

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

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

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

## 3B - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2020	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	2022	2023	2024	2025
Reading	A >=	Grade 4	13.43%	13.90%	14.34%	15.23%
Reading	B >=	Grade 8	12.16%	12.42%	12.94%	14.00%
Reading	C >=	Grade HS	9.23%	9.53%	10.13%	11.30%
Math	A >=	Grade 4	15.26%	15.65%	16.43%	18.00%
Math	B >=	Grade 8	9.70%	10.03%	10.68%	12.00%
Math	C >=	Grade HS	5.14%	5.32%	5.50%	6.21%

### Targets: Description of Stakeholder Input

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with

disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

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The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

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A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

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The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

## FFY 2022 Data Disaggregation from EDFacts

### Data Source:

SY 2022-23 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### Date:

01/10/2024

### Reading Assessment Proficiency Data by Grade (1)

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	1,458	1,140	721
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	139	98	35
c. Children with IEPs in regular assessment with accommodations scored at or	49	41	41

above proficient against grade level			
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**Data Source:**

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

01/10/2024

**Math Assessment Proficiency Data by Grade (1)**

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	1,468	1,146	761
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	188	63	21
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	32	29	24

(1)The term “regular assessment” is an aggregation of the following types of assessments as applicable for each grade/ grade group: regular assessment based on grade-level achievement standards, advanced assessment, Innovative Assessment Demonstration Authority (IADA) pilot assessment, high school regular assessment I, high school regular assessment II, high school regular assessment III and locally-selected nationally recognized high school assessment in the prefilled data in this indicator.

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	188	1,458	16.46%	13.43%	12.89%	Did not meet target	Slippage
B	Grade 8	139	1,140	9.38%	12.16%	12.19%	Met target	No Slippage
C	Grade HS	76	721	9.03%	9.23%	10.54%	Met target	No Slippage

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

The FFY 2022 proficiency rate for students in fourth grade decreased by 3.57 percentage points. Across the state, there was a decrease in proficiency in ELA for students in 4th grade. Students with disabilities decreased 1.09% more than their peers without disabilities.

This grade level of students was in kindergarten as the Covid-19 pandemic hit. Their first-grade year may have also been a mix of hybrid and in-person learning. For beginning readers, this decrease in in-person explicit instruction may have led to a decrease in proficiency.

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	220	1,468	13.46%	15.26%	14.99%	Did not meet target	No Slippage
B	Grade 8	92	1,146	7.78%	9.70%	8.03%	Did not meet target	No Slippage

<b>Group</b>	<b>Group Name</b>	<b>Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards</b>	<b>Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment</b>	<b>FFY 2021 Data</b>	<b>FFY 2022 Target</b>	<b>FFY 2022 Data</b>	<b>Status</b>	<b>Slippage</b>
<b>C</b>	Grade HS	45	761	2.92%	5.14%	5.91%	Met target	No Slippage

## Regulatory Information

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

## Public Reporting Information

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

The 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 2022 (July 1, 2022-June 30, 2023) 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 2022 (July 1, 2022-June 30, 2023) 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 ED*Facts* 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	2022	2023	2024	2025
Reading	A >=	Grade 4	54.21%	54.89%	56.26%	59.00%
Reading	B >=	Grade 8	36.01%	36.72%	38.15%	41.00%
Reading	C >=	Grade HS	39.74%	40.35%	41.57%	44.00%
Math	A >=	Grade 4	32.15%	32.41%	32.94%	34.00%
Math	B >=	Grade 8	14.21%	14.47%	14.98%	16.00%
Math	C >=	Grade HS	37.09%	37.22%	37.48%	38.00%



**Targets: Description of Stakeholder Input**

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

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**FFY 2022 Data Disaggregation from ED Facts**

**Data Source:**

SY 2022-23 Assessment Data Groups - Reading (ED Facts file spec FS178; Data Group: 584)

**Date:**

01/10/2024

**Reading Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
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a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	106	75	54
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	59	15	10

**Data Source:**

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

01/10/2024

**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	106	74	54
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	24	10	8

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	59	106	59.57%	54.21%	55.66%	Met target	No Slippage
B	Grade 8	15	75	41.03%	36.01%	20.00%	Did not meet target	Slippage
C	Grade HS	10	54	30.56%	39.74%	18.52%	Did not meet target	Slippage

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

For FFY 2022, there was a decrease of 21.03 percentage points. North Dakota follows an instructionally embedded model for the North Dakota Alternate Assessment (NDAA). During FFY, some Local Special Education Units (LSEUs) asked if they could exercise local control and follow a year-end testing model similar to peers on the North Dakota State Assessment (NDSA) versus the instructionally embedded model. The North Dakota Department of Public Instruction (NDDPI) agreed to local control. Each district informed the NDDPI as to which model they would follow.

Of the 31 LSEUs in the state, 19 continued to use the Instructionally Embedded Model and test in both the fall and the spring. The remaining 12 LSEUs followed the Year End Model and only assessed in the spring. In North Dakota, the six largest school districts educate 49.5% of students in the state. These districts were part of the 12 LSEUs that selected only to assess in the spring.

After data review, the NDDPI hypothesized that the decrease from assessing throughout the year to only assessing in the spring caused this decrease in student proficiency. For students taking the North Dakota Alternate Assessment learning happens over time with explicit repeated instruction. Using both assessment windows ensures the focus on these essential elements is maintained throughout the year allowing the student time and repetition to create growth.

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

For FFY 2022, there was a decrease of 12.04 percentage points. North Dakota follows an instructionally embedded model for the North Dakota Alternate Assessment (NDAA). During FFY, some Local Special Education Units (LSEUs) asked if they could exercise local control and follow a year-end testing model similar to peers on the North Dakota State Assessment (NDSA) versus the instructionally embedded model. The North Dakota Department of Public Instruction (NDDPI) agreed to local control. Each district informed the NDDPI as to which model they would follow.

Of the 31 LSEUs in the state, 19 continued to use the Instructionally Embedded Model and test in both the fall and the spring. The remaining 12 LSEUs followed the Year End Model and only assessed in the spring. In North Dakota, the six largest school districts educate 49.5% of students in the state. These districts were part of the 12 LSEUs that selected only to assess in the spring.

After data review, the NDDPI hypothesized that the decrease from assessing throughout the year to only assessing in the spring caused this decrease in student proficiency. For students taking the North Dakota Alternate Assessment learning happens over time with explicit repeated instruction. Using both

assessment windows ensures the focus on these essential elements is maintained throughout the year allowing the student time and repetition to create growth.

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	24	106	37.23%	32.15%	22.64%	Did not meet target	Slippage
B	Grade 8	10	74	24.36%	14.21%	13.51%	Did not meet target	Slippage
C	Grade HS	8	54	19.44%	37.09%	14.81%	Did not meet target	Slippage

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

For FFY 2022, there was a decrease of 10.85 percentage points. North Dakota follows an instructionally embedded model for the North Dakota Alternate Assessment (NDAA). During FFY, some Local Special Education Units (LSEUs) asked if they could exercise local control and follow a year-end testing model similar to peers on the North Dakota State Assessment (NDSA) versus the instructionally embedded model. The North Dakota Department of Public Instruction (NDDPI) agreed to local control. Each district informed the NDDPI as to which model they would follow.

Of the 31 LSEUs in the state, 19 continued to use the Instructionally Embedded Model and test in both the fall and the spring. The remaining 12 LSEUs followed the Year End Model and only assessed in the spring. In North Dakota, the six largest school districts educate 49.5% of students in the state. These districts were part of the 12 LSEUs that selected only to assess in the spring.

After data review, the NDDPI hypothesized that the decrease from assessing throughout the year to only assessing in the spring caused this decrease in student proficiency. For students taking the North Dakota Alternate Assessment learning happens over time with explicit repeated instruction. Using both assessment windows ensures the focus on these essential elements is maintained throughout the year allowing the student time and repetition to create growth.

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

For FFY 2022, there was a decrease of 4.63 percentage points. North Dakota follows an instructionally embedded model for the North Dakota Alternate Assessment (NDAA). During FFY, some Local Special Education Units (LSEUs) asked if they could exercise local control and follow a year-end testing model similar to peers on the North Dakota State Assessment (NDSA) versus the instructionally embedded model. The North Dakota Department of Public Instruction (NDDPI) agreed to local control. Each district informed the NDDPI as to which model they would follow.

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**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 2022 (July 1, 2022-June 30, 2023) 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 2022 (July 1, 2022-June 30, 2023) 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)**

### **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 ED*Facts* 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 2022-2023 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2022-2023 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 2022-2023 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2022-2023 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	2022	2023	2024	2025
Reading	A <=	Grade 4	23.97	23.69	23.12	22.00
Reading	B <=	Grade 8	36.50	36.28	35.86	35.00
Reading	C <=	Grade HS	31.46	31.25	30.84	30.00
Math	A <=	Grade 4	20.31	20.12	19.75	19.00
Math	B <=	Grade 8	27.61	27.38	26.92	26.00
Math	C <=	Grade HS	22.74	22.42	21.77	20.50

#### Targets: Description of Stakeholder Input

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## FFY 2022 Data Disaggregation from EDFacts

### Data Source:

SY 2022-23 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### Date:

01/10/2024

### Reading Assessment Proficiency Data by Grade (1)

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	8,682	8,367	7,438
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,458	1,140	721

c. All students in regular assessment with no accommodations scored at or above proficient against grade level	3,320	3,869	3,471
d. All students in regular assessment with accommodations scored at or above proficient against grade level	52	46	108
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	139	98	35
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	49	41	41

**Data Source:**

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

01/10/2024

**Math Assessment Proficiency Data by Grade (1)**

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	8,731	8,399	7,528
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,468	1,146	761
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	3,271	2,864	2,215
d. All students in regular assessment with accommodations scored at or above proficient against grade level	33	29	63
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	188	63	21
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	32	29	24

(1)The term “regular assessment” is an aggregation of the following types of assessments as applicable for each grade/ grade group: regular assessment based on grade-level achievement standards, advanced assessment, Innovative Assessment Demonstration Authority (IADA) pilot assessment, high school regular assessment I, high school regular assessment II, high school regular assessment III and locally-selected nationally recognized high school assessment in the prefilled data in this indicator.

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	12.89%	38.84%	25.58	23.97	25.94	Did not meet target	No Slippage
B	Grade 8	12.19%	46.79%	34.12	36.50	34.60	Met target	No Slippage
C	Grade HS	10.54%	48.12%	37.67	31.46	37.58	Did not meet target	No Slippage

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	14.99%	37.84%	23.38	20.31	22.86	Did not meet target	No Slippage
B	Grade 8	8.03%	34.44%	25.76	27.61	26.42	Met target	No Slippage
C	Grade HS	5.91%	30.26%	27.61	22.74	24.35	Did not meet target	No Slippage

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 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 2022 SPP/APR, use data from 2021-2022), 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 rates of suspensions and expulsions for 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 section 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 2021-2022 school year, those 100 LEAs would have reported section 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2022-2023, suspension/expulsion data from those 15 new LEAs would not be in the 2021-2022 section 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 2022 SPP/APR submission, States must use the number of LEAs reported in 2021-2022 (which can be found in the FFY 2021 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon LEAs 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 child-specific and regulatory/systemic 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 QA 23-01, dated July 24, 2023.

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) 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 2022 SPP/APR, the data for FFY 2021), 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
2022	7.00%

FFY	2017	2018	2019	2020	2021
Target <=	0.97%	0.80%	0.00%	0.00%	0.00%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

## Targets

FFY	2022	2023	2024	2025
Target <=	7.00%	7.00%	6.95%	6.85%

### Targets: Description of Stakeholder Input

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

## FFY 2022 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.

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Number of LEAs that have a significant discrepancy	Number of LEAs that met the State's minimum n/cell-size	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
7	100	0.00%	7.00%	7.00%	N/A	N/A

**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 compares 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 2022 state rate for suspending/expelling students with disabilities for more than ten days is 0.33%. The NDDPI has set the state bar three times the state rate. Thus, any district that suspends or expels 0.99% 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 to be flagged.

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

Upon receiving the FFY 2021 feedback, the NDDPI created a workgroup to determine if the current methodology was reasonably designed to determine significant discrepancy. The NDDPI staff shared this workgroup opportunity with IDEA Advisory Council Members as well as LSEU Directors. This group was composed of family support agency staff, an LSEU Director, and parents. This group had representation for larger cities and rural areas as well as provided subgroup representation. The history of how North Dakota implemented and measured Indicator 4 was shared. Then possible changes to the methodology were shared. The group discussed the options and then completed a post-survey to share their feedback. Being this group was small, the NDDPI went on to share this information and feedback from the workgroup with all LSEU directors. They were also asked to complete a post-survey to provide their feedback. To try and ensure parent representation, a video recording of the proposal presentation was shared with parents across the state by the family support agencies. Families were asked to view the presentation and complete the post-survey. The feedback collected from all surveys supported the change to move the state bar to three times the state rate.

To set a new baseline and targets the NDDPI wanted to review data before engaging additional stakeholders. For FFY 2022, of the 171 districts, 71 were excluded because they did not meet the n-size; of these 71 districts, all but two of them had a 0% suspension rate, so while they were technically excluded for not having at least 30 students with disabilities, it did not pertain to 69 districts given that they did not suspend any students with disabilities for greater than 10 days. One hundred of the districts met the n-size; of these, seven districts had a suspension rate that exceeded the state bar. Of these seven districts, five of them suspended only one to three students with disabilities; the other two districts suspended six or seven students with disabilities. Given this new methodology, the NDDPI re-established the baseline and set new targets. The NDDPI has collected initial stakeholder input on the new targets but will proceed with engaging stakeholders to review and set finalized targets prior to the April clarification period.

**Review of Policies, Procedures, and Practices (completed in FFY 2022 using 2021-2022 data)**

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

For the seven districts that were flagged for significant discrepancy, the following steps were completed:

1. The NDDPI notified the district/LSEU and provided data indicating significant discrepancy.
2. The district/LSEU was required to complete the North Dakota Disproportionality Workbook to determine whether the discrepancy was the result of non-compliant policies, procedures, or practices. The North Dakota Disproportionality Workbook required the district/LSEU to review policies, procedures, or practices in the areas of behavioral supports, procedural safeguards, IEP development and implementation, and equitable school discipline policies.
3. Once the district completed the North Dakota Disproportionality Workbook and gave it to the NDDPI, the NDDPI reviewed the completed North Dakota Disproportionality Workbook for any policies, procedures, or practices that could contribute to significant discrepancy. The NDDPI conducted follow-up reviews to verify the information provided in the North Dakota Disproportionality Workbook as needed. Upon review of the district's policies, procedures, or practices, the NDDPI determined if the district is in compliance with Indicator 4.

The NDDPI concluded that these seven districts did not have policies, procedures, or practices that contributed to significant discrepancy.

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 2021**

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 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4A - Prior FFY 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.

**Response to actions required in FFY 2021 SPP/APR**

As mentioned previously, in the fall of 2023, the NDDPI and a group of stakeholders met to discuss the methodology for Indicator 4. The decision was made to lower the cut score from the state rate plus five percentage points to the state rate times 3. This resulted in seven districts being flagged (compared to last year when no district was flagged). Thus, the NDDPI believes its methodology and threshold are reasonably designed.

**4A - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2022, and OSEP accepts that revision.

**4A - Required Actions**

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

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

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 2022 SPP/APR, use data from 2021-2022), 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 the rates of suspensions and expulsions for 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 section 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 2021-2022 school year, those 100 LEAs would have reported section 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2022-2023, suspension/expulsion data from those 15 new LEAs would not be in the 2021-2022 section 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 2022 SPP/APR submission, States must use the number of LEAs reported in 2021-2022 (which can be found in the FFY 2021 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, 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.

Provide detailed information about the timely correction of child-specific and regulatory/systemic 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 QA 23-01, dated July 24, 2023.

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) 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 2022 SPP/APR, the data for FFY 2021), 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
2022	0.00%

FFY	2017	2018	2019	2020	2021
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

**Targets**

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

**FFY 2022 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.

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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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
12	0	75	0.00%	0%	0.00%	N/A	N/A

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

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 compares 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 2022 state rate for suspending/expelling students with disabilities for more than ten days is 0.33%. The NDDPI has set the state bar three times the state rate. Thus, any district that suspends or expels 0.99% or more of its students with disabilities for more than ten days will be flagged for significant discrepancy.

Also, note that the 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 do not have any students with disabilities of a given race/ethnicity, but the NDDPI calculates it for every racial/ethnic category that is present in a given district. The state bar that the NDDPI uses for each racial/ethnic group is the same state bar that was used for 4A (i.e., the .99%); in other words, the 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 0.99% or higher.

There must be at least 30 students with disabilities (minimum n-size) of a particular racial/ethnic group in the denominator for a suspension rate to be flagged. In other words, there must be at least 30 students with disabilities of a given race/ethnicity enrolled at the district for their suspension rate to be flagged.

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

Upon receiving the FFY 2021 feedback, the NDDPI created a workgroup to determine if the current methodology was reasonably designed to determine significant discrepancy. The NDDPI staff shared this workgroup opportunity with IDEA Advisory Council Members as well as LSEU Directors. This group was composed of family support agency staff, an LSEU Director, and parents. This group had representation for larger cities and rural areas as well as provided subgroup representation. The history of how North Dakota implemented and measured Indicator 4 was shared. Then possible changes to the methodology were shared. The group discussed the options and then completed a post-survey to share their feedback. Being this group was small, the NDDPI went on to share this information and feedback from the workgroup with all LSEU directors. They were also asked to complete a post-survey to provide their feedback. To try and ensure parent representation, a video recording of the proposal presentation was shared with parents across the state by the family support agencies. Families were asked to view the presentation and complete the post-survey. The feedback collected from all surveys supported the change to move the state bar to three times the state rate.

Of the 171 districts, 96 were excluded because they did not meet the n-size; of these 96 districts, all but four of them had a 0% suspension rate, so while they were technically excluded for not having at least 30 students with disabilities, it did not pertain to 92 of them given that they did not suspend any students with disabilities for greater than 10 days. Seventy-five of the districts met the n-size; of these, 12 districts had a suspension rate that exceeded the state bar. Of these 12 districts, nine of them suspended only one to three students with disabilities; the other two districts suspended four to seven students with disabilities.

**Review of Policies, Procedures, and Practices (completed in FFY 2022 using 2021-2022 data)**

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

For the 12 districts that were flagged for significant discrepancy, the following steps were completed:

1. The NDDPI notified the district/LSEU and provided data indicating significant discrepancy.
2. The district/LSEU was required to complete the North Dakota Disproportionality Workbook to determine whether the discrepancy was the result of non-compliant policies, procedures, or practices. The North Dakota Disproportionality Workbook required the district/LSEU to review policies, procedures, or practices in the areas of behavioral supports, procedural safeguards, IEP development and implementation, and equitable school discipline policies.
3. Once the district completed the North Dakota Disproportionality Workbook and gave it to the NDDPI, the NDDPI reviewed the completed North Dakota Disproportionality Workbook for any policies, procedures, or practices that could contribute to significant discrepancy. The NDDPI conducted follow-up reviews to verify the information provided in the North Dakota Disproportionality Workbook as needed. Upon review of the district's policies, procedures, or practices, the NDDPI determined if the district is in compliance with Indicator 4.

The NDDPI concluded that these 12 districts did not have policies, procedures, or practices that contributed to significant discrepancy.

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 2021**

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 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4B - Prior FFY 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.

**Response to actions required in FFY 2021 SPP/APR**

As mentioned previously, in the fall of 2023, the NDDPI and a group of stakeholders met to discuss the methodology for Indicator 4. The decision was made to lower the cut score from the state rate plus five percentage points to the state rate times 3. This resulted in twelve districts being flagged (compared to last year when no district was flagged). Thus, the NDDPI believes its methodology and threshold are reasonably designed.

**4B - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2022, and OSEP accepts that revision.

**4B- Required Actions**

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in ED Facts 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	2017	2018	2019	2020	2021
A	2020	Target >=	76.00%	77.50%	77.50%	73.24%	73.24%
A	73.24%	Data	73.48%	73.10%	72.92%	73.24%	73.16%
B	2020	Target <=	4.80%	4.75%	4.75%	6.42%	6.42%
B	6.42%	Data	5.86%	5.99%	6.44%	6.42%	6.63%
C	2020	Target <=	1.97%	1.08%	1.08%	1.58%	1.58%
C	1.58%	Data	1.56%	1.59%	1.51%	1.58%	1.65%

### Targets

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

### Targets: Description of Stakeholder Input

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

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The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and



North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**Prepopulated Data**

Source	Date	Description	Data
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	Total number of children with IEPs aged 5 (kindergarten) through 21	15,900
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	11,676
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	1,114
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools	79
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities	83

Source	Date	Description	Data
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements	22

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 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	11,676	15,900	73.16%	73.45%	73.43%	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	1,114	15,900	6.63%	6.42%	7.01%	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]	184	15,900	1.65%	1.58%	1.16%	Met target	No Slippage

Part	Reasons for slippage, if applicable
B	<p>The FFY 2022 data shows an increase of 0.38 percentage points for students in 5B. Data analysis was conducted to see what may have led to this increase.</p> <p>Data was analyzed by LSEUs, there was no significant change from the prior year for most. When data from the six largest districts in the state was reviewed, only one was significantly above the state average. When looking at district-level results, 55 districts had an increase in their 5B rates, so this increase occurred in about ? of districts. Digging deeper, of the 18 districts with at least 100 SWD, 10 of them had an increase in their 5B rate. In the 7 largest districts in the state, 5 of them had an increase in their 5B rate. So, while the increase occurred in both small and large districts, this is partially a function of the large districts having an increase in their 5B rates. Had these districts maintained their rate, the state rate would have increased by .13 percentage points instead of .38 percentage points.</p> <p>When examining differences by disability category, the 5B rates increased from FFY2021 to FFY2022 for students with ED and students with OHI.</p> <p>Lastly, when examining the 5B rate by grade group, the majority of the increase increased from FFY2021 to FFY2022 occurred for students with disabilities in grades 6-8.</p> <p>Before Covid-19 North Dakota's Multi-Tiered System of Support (NDMTSS) had just started rolling out MTSS-Behavior (MTSS-B). Many districts had been trained and began implementation of MTSS-B. When Covid-19 occurred they were implementing, but not yet to fidelity. As schools returned to in-person learning after COVID-19, many stated that their MTSS-B support was not started immediately. Some districts worked with the Regional Education Association to refresh their staff in MTSS-B implementation.</p> <p>Stakeholder groups spoke of a need for training on how to support students with behavior. The NDDPI staff have completed training for administrators, teachers, and families around Understanding Behavior, Writing FBA/BIPs, and Evidence-Based Practices for students with behavior.</p> <p>In addition, during focused monitoring in 2019 and 2020, two of the larger districts in the state were found to have a weak Tier 2. This created a trend to move students from Tier 1 to Tier 3 for services (which would move their LRE from 5a to 5b). Training and support have been given to these districts. This correction requires systems change, which will take time to show up in the data.</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 ED Facts file specification FS089.

#### Measurement

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

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in 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 (Inclusive) – 6A, 6B, 6C

Part	FFY	2017	2018	2019	2020	2021
A	Target >=	28.50%	29.60%	29.60%	21.22%	21.22%
A	Data	28.51%	27.53%	29.13%	21.22%	21.65%
B	Target <=	27.60%	26.50%	26.50%	40.76%	40.76%
B	Data	33.03%	33.67%	31.46%	40.76%	39.60%
C	Target <=				1.34%	1.34%
C	Data				1.34%	1.03%

### Targets: Description of Stakeholder Input

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**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	2022	2023	2024	2025
Target A >=	21.61%	22.10%	23.07%	25.00%
Target B <=	40.60%	40.23%	39.49%	38.00%

**Inclusive Targets – 6C**

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

**Prepopulated Data**

**Data Source:**

SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

08/30/2023

Description	3	4	5	3 through 5 - Total
Total number of children with IEPs	582	794	378	1,754
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	83	125	93	301
b1. Number of children attending separate special education class	248	303	113	664
b2. Number of children attending separate school	11	16	7	34
b3. Number of children attending residential facility	0	0	0	0
c1. Number of children receiving special education and related services in the home	6	7	4	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 2022 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 2021 Data	FFY 2022 Target	FFY 2022 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	301	1,754	21.65%	21.61%	17.16%	Did not meet target	Slippage
B. Separate special education class, separate school or residential facility	698	1,754	39.60%	40.60%	39.79%	Met target	No Slippage
C. Home	17	1,754	1.03%	1.31%	0.97%	Met target	No Slippage

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

The FFY 2022 rate for 6A decreased by 4.45 percentage points. To determine why the slippage occurred, The NDDPI first looked at slippage by LSEU. Of the 32 LSEUs, 16 of them had a decrease from FFY2021 to FFY2022. Of the 9 LSEUs with at least 30 pre-k SWD, all 9 of them had a decrease. In terms of disability category, both students with autism and students with a non-categorical delay had a decrease in their 6A rate. Students with speech-language impairment had a much smaller decrease in their 6A rate.

School-based programs do not have the option to serve three-year-old children who are not on an IEP without adhering to rigid North Dakota Department of Health and Human Services (NDHHS) childcare licensing requirements. Previous attempts at policy change have failed legislatively. Due

to its remoteness and limited population, North Dakota currently has five counties identified as childcare deserts. Additionally, nine counties are identified as being potentially constrained in their ability to provide childcare. Finding highly qualified early care and education staff has been a struggle post-pandemic, especially in rural areas. The NDDPI completed an analysis of unfilled preschool through grade 12 positions for 2020-2021 and found 149.2 unfilled positions, for 2021-2022, there were 167.0 unfilled positions and for 2022-2023 were 212.4 unfilled positions. The birth through five workforce has been affected by high turnover of staff often due to such issues as lower wages, fewer benefits, less recognition, and competition from other employment sectors.

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

North Dakota has made significant investments in the state-funded Best In Class Grant, offering more inclusive opportunities for four-year-old children, and is seeing positive results. Families are excited about these new program options for high-quality early care and education environments. Efforts are underway to provide education to local communities about the importance of inclusion in early childhood in addition to the continued and increased funding of the State Inclusion Support Grant, which provides incentives and coaching to childcare providers on serving children with disabilities. The North Dakota 619 Coordinator is involved in the Preschool Development Grant planning and implementation stages of the Pyramid Model, which is rooted in evidence-based practices to support the needs of all children. North Dakota is hopeful that when foundational supports are put in place, more children can thrive and receive their special education services in a regular early childhood setting.

The North Dakota Office of Specially Designed Services, recognizes and promotes the importance of providing high-quality inclusive early childhood services for all children. Our special education units strive to work with community partners to seek more opportunities to provide special education services in regular early childhood programs. There are existing barriers to providing services in the most ideal settings. Universal, state-funded preschool is currently not available in the state.

Recruitment and retention efforts are underway in North Dakota. More technical assistance and training are being planned to think creatively about service delivery models and expand the continuum of LRE options. Increased collaboration with community partners and Head Start is also on the horizon.

**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 3 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	2017	2018	2019	2020	2021
A1	2013	Target >=	84.00%	84.50%	85.00%	86.13%	86.13%
A1	84.50%	Data	84.17%	85.06%	88.14%	86.13%	86.23%



A2	2013	Target >=	63.50%	64.00%	64.00%	59.84%	59.84%
A2	63.16%	Data	61.02%	60.30%	60.82%	59.84%	58.88%
B1	2013	Target >=	84.50%	85.00%	87.00%	89.22%	89.22%
B1	86.42%	Data	86.59%	84.59%	87.30%	89.22%	87.53%
B2	2013	Target >=	55.50%	56.00%	56.00%	48.22%	48.22%
B2	55.06%	Data	50.00%	47.69%	48.94%	48.22%	48.39%
C1	2013	Target >=	81.00%	81.50%	84.50%	85.97%	85.97%
C1	84.29%	Data	86.67%	83.53%	86.61%	85.97%	85.69%
C2	2013	Target >=	72.50%	73.00%	73.00%	65.94%	65.95%
C2	72.20%	Data	72.04%	67.71%	67.76%	65.94%	64.96%

**Targets**

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

**Targets: Description of Stakeholder Input**

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

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The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**FFY 2022 SPP/APR Data**

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

811

**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	89	10.97%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	260	32.06%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	308	37.98%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	153	18.87%

Outcome A	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 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>	568	658	86.23%	86.36%	86.32%	Did not meet 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>	461	811	58.88%	60.30%	56.84%	Did not meet target	Slippage

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

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	3	0.37%

Outcome B Progress Category	Number of Children	Percentage of Children
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	71	8.75%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	335	41.31%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	305	37.61%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	97	11.96%

Outcome B	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 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>	640	714	87.53%	89.38%	89.64%	Met target	No Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	402	811	48.39%	49.19%	49.57%	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	2	0.25%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	76	9.37%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	212	26.14%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	306	37.73%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	215	26.51%

Outcome C	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 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>	518	596	85.69%	86.22%	86.91%	Met target	No Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program.	521	811	64.96%	66.83%	64.24%	Did not meet target	No Slippage

Outcome C	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
<i>Calculation:</i> $(d+e)/(a+b+c+d+e)$							

Part	Reasons for slippage, if applicable
A2	<p>To determine why there is slippage in A2, the NDDPI examined results by the 30 LSEUs with preschoolers to determine if this slippage was present in all LSEUs or if it was particular to just certain LSEUs. Data indicated that 19 of the 30 LSEUs saw a decrease in their A2 score. In looking at the six LSEUs with the highest number of preschool students with disabilities (which represents over 50% of all preschool students with disabilities), only one of the six met the target for A2, and four of the six showed a decrease in their A2 score.</p> <p>Because the decrease was not specific to a few LSEUs, the State implemented a process to determine a cause for slippage. At the state level, significance testing was done to determine which groups were least likely to exit at age level. The purpose of this was to determine if any changes in instructional practices needed to occur for certain groups of students so that slippage will not occur in the future. This analysis showed that students with a disability of speech-language impairment were more likely to exit at age level than students with other disabilities. Students with the disability of autism were least likely to exit at age level, followed by students with a non-categorical delay. In addition, females are more likely than males to exit at age level; white students are more likely than other students to exit at age level; and students served in regular early childhood environments are more likely than students being served in separate environments to exit at age level. Each LSEU is provided with detailed reports of their Indicator 7 data which includes disaggregation of the scores over time and by gender, race/ethnicity, disability, months in the program, etc. so that they can begin to determine which students exit at age level and which do not.</p> <p>Note that while the NDDPI would like to be able to pinpoint the reasons for slippage, the slippage is so small that it is virtually impossible to do so. If only 15 more students had exited at age level, there would have been no slippage. It is hard to determine where these 15 students should have come from. As such, this is the reason the NDDPI encourages each LSEU to look at their trends over time as well as the reason the NDDPI examines statewide data to determine what subgroups have the lowest/highest rates. By LSEUs and the NDDPI examining data for patterns, and then targeting select subgroups for increased performance, the exiting-at-age-level rates should increase.</p> <p>The NDDPI, Office of Specially Designed Services, routinely engages in various activities to capture stakeholder feedback throughout the year to examine impacts on early childhood outcomes. The NDDPI Family Engagement Cabinet, Interagency Coordination Council, Head Start and Governor's appointed Early Childhood Council and IDEA Advisory Committee includes families of children with disabilities. Families reported an increase in stressors such as economic pressures, increased trauma, and the lingering impacts of COVID-19 on the youngest learners. North Dakota's Early Childhood Professionals are faced with an increase in the number of referrals and report that more children are entering services without prior interventions, causing more severe developmental delays. The Special Education Unit Directors have reported that there have been increases in the medical diagnosis of autism. Social-emotional needs are often correlated to speech and communication needs and increased amounts of screen time are posing adverse effects across developmental domains. North Dakota recognizes the importance of more opportunities for inclusive early childhood programs as well as the possible correlation of Indicator 6 to Indicator 7.</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 (COS) process? (yes/no)**

YES

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

The NDDPI Office of Specially Designed Services, with support and information from the North Dakota 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 children who have been found eligible for special education services are scored on an ECO Summary Form that is located on North Dakota'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. Each Unit Director must review their annual report and sign to verify its accuracy before submission to the NDDPI by July 1st of each year and State staff painstakingly clean the data to ensure validity. North Dakota'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 had lingering effects across the field of early childhood, often affecting the most vulnerable population, our youngest learners with disabilities. The NDDPI has responded by partnering with the Early Childhood Technical Assistance Center (ECTA) to import ECO training modules into our State's professional learning hub so professionals can receive training credit as well as take a deep dive into the Outcomes process. Additionally, all Early Childhood Special Education (ECSE) coordinators were invited to attend an in-person data discussion, focusing on early childhood indicators and ways to improve outcomes. Attendees expressed appreciation to learn from other special education units and problem-solve together as well as addressing data accuracy, fidelity, and validity.

## 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 3 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 2022 SPP/APR, compare the FFY 2022 response rate to the FFY 2021 response rate) and describe strategies that will be implemented which are expected to increase the response rate, 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 parents of children with disabilities.

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 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

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#### Historical Data

Baseline Year	Baseline Data
2013	70.58%

FFY	2017	2018	2019	2020	2021
Target >=	72.00%	73.10%	73.10%	67.73%	67.73%
Data	72.24%	71.20%	73.11%	67.84%	65.86%

#### Targets

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

#### FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
1,164	1,731	65.86%	68.26%	67.24%	Did not meet target	No Slippage

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.**

13,813

**Percentage of respondent parents**

12.53%

**Response Rate**

FFY	2021	2022
Response Rate	13.13%	12.53%

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

+/- 3% discrepancy in the proportion of responders compared to target group

**Include the State’s analyses of 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 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/ethnicity and grade group in the population to the representation in the respondents using a +/- 3% discrepancy criteria to identify over or under-representativeness.

Using this methodology, differences were found by race/ethnicity and grade group. The SWD population consists of 67.91% of Whites, 8.10% of Hispanics, and 6.43% of African Americans. The respondents consist of 73.56% of whites, 4.63% of Hispanics, and 3.24% of African Americans. All other races/ethnicities were within 3% of the targeted population. Lastly, the SWD population consists of 21.70% of students in grades K-2 and 23.78% of students in grades 9-12, whereas the respondents consist of 24.95% of parents of students in grades K-2 and 17.71% of parents of students in grades 9-12. All other grade groups were within 3% of the targeted population.

Although there are a few significant differences in response rates between groups of parents by race/ethnicity and grade group, there were very few or no significant differences in the parent involvement percentage itself between these groups of parents. For example, there were no significant differences in the parent involvement rates between parents of African Americans, parents of Hispanics, and parents of whites. There were differences in the parent involvement rate between parents of students in grades K-2 and parents of students in grades 9-12. However, parents from a wide range of districts from across the state responded to the survey which increases the support for representativeness. Despite this, the overall results are not representative of the State due to the differences in the racial/ethnic and grade representations between the population and respondents.

**The demographics of the children for whom parents are 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 2023 the NDDPI highlighted the increase in response rates for the LSEUs who opted in. In 2023-24, 21 LSEUs opted in to distribute their own parent surveys. This should help increase the representativeness of the data because these LSEUs will be monitoring their response rate throughout the 2023-24 administrative window. All LSEUs 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 (February-June) 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. This year, the NDDPI has added a grade group to the monthly completion rate tracking sheet to encourage LSEUs to follow up with parents of high school students to complete the survey.

The NDDPI has identified that Hispanic and African American 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.

**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 8 surveys. Four years ago (2018-2019 school year), the NDDPI began allowing 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 2022-2023 school year, 21 LSEUs opted in to distribute their own surveys. This resulted in an overall state response rate of 12.53%, which is similar to last year’s response rate of 13.13%. (Note that those LSEUs that administered their own surveys had a response rate over 19%.) 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 report 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. The surveys are available in English, Spanish, and ten additional languages. These languages were chosen based on data showing languages spoken by families in North Dakota.

The NDDPI has received input that response rates are low in the Native American population due to the lack of trust in the public educational system. To increase positive relationships, the NDDPI contacted multicultural liaisons looking for support in distributing surveys to families but received zero responses from them. See the response to the above question for how this strategy will improve the response rate for under-represented groups (i.e., LSEUs who opt-in to the survey administration process will be monitoring their response rates by race/ethnicity and grade group and then targeting those groups with low response rates.). During this survey administration year, we have reached out to special ed units and told them the importance of



encouraging their parents of students in high school to respond. We have also provided monthly tracking reports which shows the demographics of their respondents by race/ethnicity and by grade group and highlights any group that is under-represented so that the units can act on this info.

**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.

The first is the overall response rate. The higher the response rate, the less likely nonresponse bias will occur. The response rate is 12.53%, which is lower than the NDDPI would like. 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. Thus, the NDDPI proceeded with the next two ways for examining nonresponse bias.

Second, the representativeness of the responses can be examined. Although significant differences were found in response rates by race/ethnicity and grade group, the actual responses of these different groups of parents showed very few or no significant differences in the overall parent involvement percentage. For example, there were no significant differences in the parent involvement rates between parents of African Americans, parents of Hispanics, and parents of whites. There were differences in the parent involvement rate between parents of students in grades K-2 and parents of students in grades 9-12 which suggests non-response bias might be present. However, the NDDPI received responses from all racial/ethnic groups, grade groups, and disability categories as well as from a broad geographic range of students from across the state from multiple districts which makes nonresponse bias less likely.

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 is 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 concludes that nonresponse bias is less likely to be present and if present had minimal impact on the data overall. However, the NDDPI will make a concerted effort to increase the response rate of parents of Hispanic students, parents of African American students, and parents of students in grades 9-12 to not only increase representativeness but also decrease the likelihood of nonresponse bias.

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 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.

### **Response to actions required in FFY 2021 SPP/APR**

As indicated above, the demographics of parents responding are generally representative of the demographics of the children receiving special education services except for parents of African American students, parents of Hispanic students, and parents of students in grades 9-12. To address this, the NDDPI is taking steps to encourage more LSEUs to administer their own surveys and target these groups in particular. The NDDPI will also use text and email blasts to target these students as well.

## **8 - OSEP Response**

### **8 - Required Actions**

In the FFY 2023 SPP/APR, the State must report whether the FFY 2023 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 response data 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. 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 2022 reporting period (i.e., after June 30, 2023).

#### 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. Provide the actual numbers used in the calculation.

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2017	2018	2019	2020	2021
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

### Targets

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

### FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
0	0	40	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 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 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 174 districts were included in the analyses. Of these 174, 40 met the minimum n requirements in at least one racial/ethnic group 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 zero and two 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 to determine if there is inappropriate identification: (Note, no districts were flagged; these are the steps if a district is flagged.)

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 North Dakota Disproportionality Workbook requires the district/LSEU to review policies, procedures, and practices in the area of child find, referral, evaluation, eligibility, and placement.
3. Once the district completes the North Dakota 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 North Dakota 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.

Provide additional information about this indicator (optional)

**Correction of Findings of Noncompliance Identified in FFY 2021**

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 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 section 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). 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 2022 reporting period (i.e., after June 30, 2023).

#### 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. Provide the actual numbers used in the calculation.

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2017	2018	2019	2020	2021
Target	0%	0%	0%	0%	0%
Data	8.33%	0.00%	0.00%	0.00%	0.00%

#### Targets

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

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
2	0	15	0.00%	0%	0.00%	Met target	No Slippage

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

YES

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

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

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

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

A total of 174 districts were included in the analyses. Of these 174, 15 met the minimum n-size requirements in at least one racial/ethnic group for a final risk ratio to be calculated (for each district, seven risk ratios could be calculated, one for each racial/ethnic group). Of these 15 districts that met the minimum n requirement, two were flagged for disproportionate representation. Please note that many districts in North Dakota have between zero and two 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.

For the two districts that were flagged for disproportionate representation, the following steps were completed to determine if there was inappropriate identification:

1. The NDDPI notified the districts/LSEUs and provided data indicating disproportionate representation.
2. The districts/LSEUs were 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 North Dakota Disproportionality Workbook requires the districts/LSEUs to review policies, procedures, and practices in the areas of child find, referral, evaluation, eligibility, and placement.
3. Once the districts completed the North Dakota Disproportionality Workbook and gave it to the NDDPI, the NDDPI reviewed the completed workbooks for any policies, procedures, and practices that would result in inappropriate identification. The NDDPI also conducted follow-up reviews to verify the information provided in the North Dakota Disproportionality Workbook as needed. A given 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. However, in both cases, disproportionate representation was not found to be the result of inappropriate identification.

Upon a review of the two districts' policies, practices, and procedures, the NDDPI made a determination that the disproportionate representation in each of these two districts was not a result of inappropriate identification.

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

**Correction of Findings of Noncompliance Identified in FFY 2021**

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 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**10 - Prior FFY Required Actions**

None

**10 - OSEP Response**

**10 - Required Actions**



## Indicator 11: Child Find

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

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

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

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

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

#### Instructions

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

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

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

Targets must be 100%.

Provide detailed information about the timely correction of child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2017	2018	2019	2020	2021
Target	100%	100%	100%	100%	100%
Data	99.14%	99.41%	99.61%	98.81%	99.28%

### Targets

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

### FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
3,647	3,601	99.28%	100%	98.74%	Did not meet target	No Slippage

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

46

**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 FFY 2022, 3647 parental consents for evaluations were received in North Dakota schools; of those, 3601 evaluations were completed within the 60 calendar day timeline. The range in days delayed was between 1 and 86. 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.

**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). Through TIENET, the NDDPI generates the Indicator 11 report for all students in North Dakota with an initial evaluation between July 1 and June 30. The report generated from TIENET is used to compare the date of the parent consent for initial evaluation and the date of the Integrated Written Assessment Report (IWAR) meeting and captures the reason for the delay of more than 60 calendar days.

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

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

**Correction of Findings of Noncompliance Identified in FFY 2021**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
27	27		0

**FFY 2021 Findings of Noncompliance Verified as Corrected**

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

Regarding the 27 initial evaluations that were not completed within 60 calendar days, the NDDPI required specific corrective action from any district/LSEU exhibiting a rate below 100% compliance with the 60 calendar day requirement. First, the Department contacted each LEA with the student identification numbers of students whose initial evaluations were reported to be completed after 60 calendar days from receipt of consent. In each instance, the district/LSEU was required to provide a detailed explanation for the delay. The only acceptable reasons are those found in 34 C.F.R. §300.301(c)(1). In addition, the district/LSEU reviewed the districts' evaluation policies and procedures and also required an assurance that the district's policies and procedures concerning initial evaluations have been reviewed with district staff members during the 2021-22 school year and would be adhered to. Then, in order to ensure systemic correction for all students, the NDDPI reviewed a sample of initial evaluations conducted during the current fiscal year to evidence 100% compliance for students other than those whose initial evaluations were completed late during the previous fiscal year. The Department verified the districts/LSEUs with noncompliance were correctly implementing the regulatory requirements with 100% compliance. This was completed within one year and is consistent with the OSEP Memorandum 23-01.

Depending upon the content of their corrective action plan (CAP) or compliance agreement (CA), districts/LSEUs were provided specially designed TA from the NDDPI staff. Staffing levels were reviewed through various fiscal reports to identify potential personnel shortages that may be affecting a district's/LSEU's ability to complete initial evaluations in a timely manner.

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

The NDDPI identified 27 initial evaluations that were not completed within 60 calendar days.

The NDDPI was able to verify, prior to issuing a finding, that 26 LEAs had:

1. correctly implemented the specific regulatory requirements based on the review of updated data, and
2. corrected each individual case of child-specific noncompliance as consistent with OSEP Memorandum 23-01.

One initial evaluation was not verified as being correct, so a written finding of noncompliance was issued, and a corrective action plan was created. The NDDPI provided technical assistance to the LSEU director and met at least once a month to review any initial evaluations and associated timelines. This continued until the NDDPI was able to verify that the LSEU was 100% compliant by correctly implementing the specific regulatory requirement correcting the individual case of child-specific noncompliance. This district was required to provide evidence that the student's evaluation was completed, although late, and eligibility determined. The State verified that this record with noncompliance was corrected, with evaluations completed and eligibility determined. This was completed and is consistent with the OSEP Memorandum 23-01.

**Correction of Findings of Noncompliance Identified Prior to FFY 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 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.

**Response to actions required in FFY 2021 SPP/APR**

The NDDPI identified 27 initial evaluations that were not completed within 60 calendar days.

The NDDPI was able to verify, prior to issuing a finding, that 26 LEAs had:

1. correctly implemented the specific regulatory requirements based on the review of updated data, and
2. corrected each individual case of child-specific noncompliance as consistent with OSEP Memorandum 23-01.

One initial evaluation was not verified as being correct, so a written finding of noncompliance was issued, and a corrective action plan was created. The NDDPI provided technical assistance to the LSEU director and met at least once a month to review any initial evaluations and associated timelines. This continued until the NDDPI was able to verify that the LSEU was 100% compliant by correctly implementing the specific regulatory requirement correcting the individual case of child-specific noncompliance. This district was required to provide evidence that the student's evaluation was completed, although late, and eligibility determined. The State verified that this record with noncompliance was corrected, with evaluations completed and eligibility determined. This was completed and is consistent with the OSEP Memorandum 23-01.

**11 - OSEP Response**

**11 - Required Actions**

Because the State reported less than 100% compliance for FFY 2022, the State must report on the status of correction of noncompliance identified in FFY 2022 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2023 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2022 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 QA 23-01. In the FFY 2023 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 2022, although its FFY 2022 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2022.

## 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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2017	2018	2019	2020	2021
Target	100%	100%	100%	100%	100%
Data	100.00%	99.79%	100.00%	99.75%	99.79%

#### Targets

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

#### FFY 2022 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	666
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	193

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	453
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.	7
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	13
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 2021 Data	FFY 2022 Target	FFY 2022 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.	453	453	99.79%	100%	100.00%	Met target	No Slippage

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

0

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

**Attach PDF table (optional)**

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

State database that includes data for the entire reporting year

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

North Dakota has a statewide case management system (TIENET). Through TIENET, the NDDPI generates the Indicator 12 report for all students in North Dakota who have been referred from Part C to Part B and have an IEP in place by the child's third birthday. In May, the NDDPI sends an annual notice with specific steps and directions to all LSEU Directors to verify Indicator 12 data. The LSEU designee submits verified reports to the NDDPI for the July 1 through June 30 time period. To assure consistent, high-quality data, the NDDPI staff members completed an Indicator 12 data comparison of TIENET Indicator 12 data, with each LSEUs' Indicator 12 reports and verified the TIENET report.

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

#### Correction of Findings of Noncompliance Identified in FFY 2021

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

#### FFY 2021 Findings of Noncompliance Verified as Corrected

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

The NDDPI identified one IEP that was not completed before the child's third birthday.

The NDDPI was able to verify prior to issuing a finding that one LEA had:

- 1) correctly implemented the specific regulatory requirements based on the review of updated data, and
- 2) corrected each individual case of child-specific noncompliance as consistent with OSEP Memorandum 23-01.

In conducting its verification process, the NDDPI determined that the LEA is correctly implementing the specific regulatory requirement with 100% compliance—in this case, 34 C.F.R. §300.124(b). This was achieved by reviewing new documentation on a sample of children records not previously reviewed from the LEA's online special education database showing that IEPs were developed and implemented by the child's third birthday (for those referred by Part C and found eligible for Part B). This was (1) timely corrected within the one-year time-frame of notification and (2) is currently implementing the regulatory requirements of this Indicator based on a review of updated data consistent with OSEP Memorandum 23-01. Therefore, there was no finding of noncompliance.

**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 child's IEP was late by one day due to holding the meeting on the third birthday; therefore, the IEP was not implemented until after the child's third birthday. The NDDPI communicated with the case manager, accessed the child's file in TIENET, and verified that all requirements were completed at the individual student level. The child had an IEP developed and implemented as soon as possible after the child's third birthday. The LEA was required to provide evidence that the child's transition was completed, although late, and an IEP was in place. The NDDPI reviewed the individual noncompliant record and verified that each case of noncompliance was corrected. All noncompliance for the FFY2021 (the 1 evaluation) was timely corrected within 60 days, consistent with OSEP Memorandum 23-01.

**Correction of Findings of Noncompliance Identified Prior to FFY 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 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.

**Response to actions required in FFY 2021 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 child's IEP was late by one day due to holding the meeting on the third birthday; therefore, the IEP was not implemented until after the child's third birthday. The NDDPI communicated with the case manager, accessed the child's file in TIENET, and verified that all requirements were completed at the individual student level.

The child had an IEP developed and implemented as soon as possible after the child's third birthday; thus, meeting the 100% compliance standard and following the guidance outlined in the Department of Education's State General Supervision Responsibilities under Parts B and C of the IDEA.

For the LSEU with noncompliance identified in FFY 2021, random samples of student files were pulled from TIENET and reviewed for ongoing regulatory compliance. 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**

## 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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2017	2018	2019	2020	2021
Target	100%	100%	100%	100%	100%
Data	97.87%	99.52%	100.00%	72.39%	78.08%

### Targets

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

### FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
330	404	78.08%	100%	81.68%	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, consisting of university professors who worked with pre-service special education teachers, state special education personnel, and local special education program coordinators. The Indicator 13 State Monitoring team gathered on-site to review one file from each case manager in the state working with transition students from ages 16-21 on their caseload. Before conducting the monitoring, the Indicator 13 State Monitoring Team was provided training related to the Indicator 13 checklist and how to use it to determine whether the IEP is compliant. The same training is conducted each year, with both returning and new members, to ensure an 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. The state transition coordinator, who has held the Indicator 13 portfolio for the past eight years, took the lead on monitoring activities. 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, adapted from the Transition Requirement Checklist developed by the National Secondary Transition Technical Assistance Center, 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 in TIENET to review files and to track compliance data related to the findings of Indicator 13 monitoring. The Indicator 13 State Monitoring team was given one month to complete the monitoring process. The team reviewed 404 student files from across the state. The state representation of disability categories was calculated and used to select the appropriate disability categories to ensure statewide representation was achieved. The file review information indicated that the 330 files reviewed met all of the components of the eight questions in the North Dakota Transition Requirements Checklist; therefore, the data for FFY 2022 for this indicator is 81.68%.

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 2021**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
80	80	0	0

**FFY 2021 Findings of Noncompliance Verified as Corrected**

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

The NDDPI special education transition monitoring team reviewed the FFY 2021 data using TIENET. All noncompliance for FFY 2021 was corrected and verified by reviewing each individual student file. The NDDPI verified that LSEUs identified with noncompliance in FFY 2021 had corrected each individual case of child-specific noncompliance. In addition, the NDDPI maintains documentation and evidence that each of the previously identified individual cases of noncompliance were corrected following the guidance outlined in the Department of Education's State General Supervision Responsibilities under Parts B and C of the IDEA. The LSEUs were notified through a close-out letter once corrections were verified. In order to address system issues, the NDDPI requires the special education unit to monitor files internally throughout the year. The special education unit reviews and subsequently shares the files with the NDDPI. The NDDPI verifies compliance of these files at the system level. In order to ensure 100% compliance, the NDDPI pulled subsequent files throughout the year. For files that were not compliant during the mid-year check, the NDDPI notified the LEA if corrections were required based on the Indicator 13 Checklist. Once corrections were completed, the LEA notified the NDDPI, who verified corrections and 100% compliance and sent a written notice of completion back to the LEA via email.

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

Upon completion of the monitoring, the NDDPI sent an email that included a list of monitored files along with the case manager's name, their compliance rating, whether compliant or not, each case manager's Indicator 13 Checklist, and the timeline for making corrections to the respective special education unit director. If the file was out of compliance, there were reasons on each Indicator 13 Checklist for areas needing correction. The special education unit directors then contacted each case manager whose file was out of compliance and shared with them the Indicator 13 Checklist completed by the NDDPI. The special education unit director then provided training on making corrections. Each case manager who had a file out of compliance made the corrections and notified their special education unit director when the corrections were made. The local special education unit directors reviewed the file and notified the NDDPI that the files had been corrected. The NDDPI then verified each student level correction by reviewing the IEP in the TIENET system and tracking the changes on each case manager's Indicator 13 compliance checklist sheet by indicating the date changes were made, what the changes were, and the date when compliance was verified. When each individual case of noncompliance was corrected and verified by the NDDPI. The NDDPI sent a written verification of correction of the noncompliance to the respective special education unit director, following the guidance outlined in the Department of Education's State General Supervision Responsibilities under Parts B and C of the IDEA. Through these activities, NDDPI was able to verify that each (100%) of the individual cases of noncompliance were corrected within one year. . In order to ensure 100% compliance, the NDDPI pulled subsequent files throughout the year. For files that were not compliant during the mid-year check, the NDDPI notified the LEA if corrections were required based on the Indicator 13 Checklist. Once corrections were completed and 100% compliance was achieved, the LEA notified the NDDPI, who verified corrections and sent a written notice of completion back to the LEA via email.

**Correction of Findings of Noncompliance Identified Prior to FFY 2021**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 2021 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 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.

#### Response to actions required in FFY 2021 SPP/APR

The NDDPI Indicator 13 State Monitoring team reviewed current data using the statewide IEP case management database (TIENET). Upon completion of the monitoring, the NDDPI sent an email that included a list of monitored files along with the case manager's name, their compliance rating, whether compliant or not, each case manager's Indicator 13 Checklist, and the timeline for making corrections to the respective special education unit director. If the file was out of compliance, reasons were included on each individual Indicator 13 Checklist for areas needing correction. The special education unit directors then contacted each case manager whose file was out of compliance and shared with them the Indicator 13 Checklist completed by the NDDPI. The special education unit director then provided training on making corrections. Each case manager who had a file out of compliance made the corrections and notified their special education unit director when the corrections were made. The local special education unit directors reviewed the file and notified the NDDPI that the files had been corrected. The NDDPI verified corrections by reviewing the IEP in the TIENET system. Corrections were expected to be made within 60 days after receiving non-compliance notification. If units did not meet the 60-day timeline, they were directed to submit a corrective action plan to the NDDPI. Corrective action plans included more in-depth internal monitoring, technical assistance, and tracking at the unit level. As the unit moved through its corrective action plan, they were required to share progress with the NDDPI, and the NDDPI reviewed the progress through documents submitted by the unit and through the TIENET system. In FFY 2021, one unit was required to submit a corrective action plan. Through the corrective action plan, the NDDPI required the special education unit to monitor files internally throughout the year. The special education unit reviewed and subsequently shared the files with the NDDPI. The NDDPI verified compliance of these files at the system level. The other units completed their corrections within the allotted 60-day timeframe, and all corrections required for the FFY 2021 files were completed within one year. Once the individual corrections were made within a special education unit and verified by the NDDPI, the NDDPI sent verification of correction of the noncompliance to the respective special education unit director, following the guidance outlined in the Department of Education's State General Supervision Responsibilities under Parts B and C of the IDEA.

### 13 - OSEP Response

#### 13 - Required Actions

Because the State reported less than 100% compliance for FFY 2022, the State must report on the status of correction of noncompliance identified in FFY 2022 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2023 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2022 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 QA 23-01. In the FFY 2023 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 2022, although its FFY 2022 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2022.

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

#### Instructions

*Sampling of youth who had IEPs and are no longer in secondary school is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See [General Instructions](#) on page 3 for additional instructions on sampling.)*

Collect data by September 2023 on students who left school during 2021-2022, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2021-2022 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).

#### 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 2022 SPP/APR, compare the FFY 2022 response rate to the FFY 2021 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.

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	2017	2018	2019	2020	2021
A	2020	Target >=	31.39%	32.39%	32.39%	20.20%	20.20%
A	20.20%	Data	30.89%	30.00%	29.13%	20.20%	28.90%
B	2020	Target >=	58.02%	59.02%	59.02%	59.27%	59.27%
B	59.27%	Data	62.83%	65.71%	62.46%	59.27%	68.50%
C	2020	Target >=	82.38%	83.48%	83.48%	81.13%	81.13%
C	81.13%	Data	85.34%	85.00%	81.68%	81.13%	83.53%

### FFY 2021 Targets

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

### Targets: Description of Stakeholder Input

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council

supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**FFY 2022 SPP/APR Data**

Total number of targeted youth in the sample or census	778
Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	393
Response Rate	50.51%
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	84
2. Number of respondent youth who competitively employed within one year of leaving high school	172
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)	18
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).	51

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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A. Enrolled in higher education (1)	84	393	28.90%	20.43%	21.37%	Met target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	256	393	68.50%	60.05%	65.14%	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)	325	393	83.53%	81.49%	82.70%	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	2021	2022
Response Rate	46.76%	50.51%

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

+/-3% discrepancy in the proportion of responders compared to target group

**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, disability, and exit type in the population to the representation in the respondents using a +/- 3% criteria to identify over-or under-representativeness.

Using this methodology, no differences were found by disability; however, differences were found by race/ethnicity and exit type. The SWD population consists of 11.44% of American Indian students and 67.35% of White students. The respondents consist of 7.12% of American Indian students and 71.50% of White students. All other races/ethnicities were within 3% of their population. Regarding exit type, the SWD population consists of 24.42% of students with disabilities who dropped out and 71.98% of students with disabilities who graduated. The respondents consist of 20.87% of students with disabilities who dropped out and 75.83% of students with disabilities who graduated. All other exit types were within 3% of their population. Although there were some differences by race/ethnicity and exit type, the NDDPI is pleased with the overall response rate which has increased over time. Further, exiters from all disability categories and a wide range of districts from across the state responded to the survey. Despite this, the overall results are not representative of the State due to the differences in the race/ethnicity and exit type representation between the population and respondents.

**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 demographics of exiting students responding are generally representative of the demographics of the exiting students in the population except for exiting students who dropped out and exiting students who are American Indian. To address this, the NDDPI is taking steps to encourage more youth who dropped out to respond and more youth who are American Indian to respond. The NDDPI will be encouraging special education units to make additional personal attempts to reach these exiting students in the spring/summer of 2024. We will also use text and email blasts to target these students. The NDDPI partnered with the Indian/Multicultural Education liaison, who provided contacts within the state to assist us with increasing connections and relationships with the Indian/Multicultural Education liaison, and hopefully, then increasing the response rate of the American Indian student population. The NDDPI will partner with Culturally Responsive Coaches within districts or Native American nonprofit organizations, who have connections and relationships with the underrepresented groups. Through these partnerships, these individuals will assist in increasing the response rates of the underrepresented group. 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 race/ethnicity and exit status and will make multiple attempts to increase response rates for students of the races/ethnicities and exit codes that are not representative of the entire population. In addition, the NDDPI will work with a contractor to have the Post School Outcomes survey translated into multiple languages.

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

This year's overall response rate of 51% is very high and is higher than last year's response rate of 47%.

Five 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 comprising 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 who 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, North Dakota has continued to encourage LSEUs to complete the Post School Outcomes Survey at the local level. For those not wishing to do so, the North Dakota State team completes their calls. Response rates have been consistently increasing, and this year's response rate is higher than the previous years, with a 50.51% response rate.

Over the past three years, the number of LSEUs that have opted in has increased or stayed the same. In 2019, six LSEUs completed the Post School Outcomes Survey; in 2021, 10 LSEUs completed their own surveys, and in 2022, 11 LSEUs chose to complete their own surveys. This number represents about a third of the total LSEUs in North Dakota. 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 (Note that LSEUs who opted in had a response rate of 62% compared to 42% for LSEUs who opted out.). Before making the telephone calls, the NDDPI sent emails along with text messages with the Post School Outcomes Survey link to students who provided their emails and/or cell phone numbers. Afterward, telephone calls were made to exiters who did not respond to the email or text message. The NDDPI believes that sending the survey in different ways increased the response rate for this indicator. The NDDPI will continue the above-stated measures along with partnering with Culturally Responsive Coaches within districts or nonprofit organizations with connections and relationships to our underrepresented groups to assist in increasing response rates of the underrepresented group. The NDDPI will make a concerted effort to get the special education units that serve a large number of American Indian students to make their own calls to try to achieve a higher response rate from this group of exiters. In addition, the NDDPI will make a concerted effort to get the special education units to do multiple follow-ups with their exiters who dropped out.

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 race/ethnicity and exit status and will make multiple attempts to increase response rates for students of races/ethnicities and exit codes that are not representative of the entire population. In addition, the NDDPI will work with a contractor to have the Post School Outcomes survey translated 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.

The first thing is the overall response rate. The higher the response rate, the less likely non-response bias will occur. Our response rate is 50.51%, which is a high response rate for this type of survey. However, it is possible that those exiters who did not respond are different in some meaningful way in their post-school outcomes 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. As mentioned previously, differences were found in response rates by exit type and race/ethnicity; when looking at Indicator 14 rates themselves (Measurements A, B, and C), the NDDPI did note some differences in these rates between exiters who dropped out and exiters who graduated; as well as between American Indian exiters and White exiters which suggests non-response bias might be present. However, the NDDPI received responses from all exit types, racial/ethnic groups, and disability categories, as well as from a broad geographic range of students from across the state from multiple districts, which makes nonresponse bias less likely.

Third, the NDDPI can compare the responses of exiters 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 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 likely and if present, had minimal impact on the overall results. However, the NDDPI will make a concerted effort to increase the response rate of exiters who dropped out and exiters who are American Indian to not only increase representativeness but also to decrease the likelihood of nonresponse bias.

Sampling Question	Yes / No
Was sampling used?	NO
Survey Question	Yes / No

Sampling 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**

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.

##### **Response to actions required in FFY 2021 SPP/APR**

As indicated above, the demographics of exiting students responding are representative of the demographics of the exiting students in the population, except for exiting students who dropped out and exiting students who are American Indian. To address this, the NDDPI is taking steps to encourage more youth who dropped out to respond and more youth who are American Indian to respond. As mentioned above, the NDDPI will encourage special education units to make additional personal attempts to reach these exiting students in the spring/summer of 2024. The NDDPI will send the Post School Outcomes Survey in various ways, which will include sending text and email blasts to target these students.

#### **14 - OSEP Response**

##### **14 - Required Actions**

In the FFY 2023 SPP/APR, the State must report whether the FFY 2023 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 ED Facts Metadata and Process System (EMAPS)).

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

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

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

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

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

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

### 15 - Indicator Data

Select yes to use target ranges

Target Range not used

#### Prepopulated Data

Source	Date	Description	Data
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/15/2023	3.1 Number of resolution sessions	1
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/15/2023	3.1(a) Number resolution sessions resolved through settlement agreements	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 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

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The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.



A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota’s SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**Historical Data**

Baseline Year	Baseline Data
2005	0.00%

FFY	2017	2018	2019	2020	2021
Target >=					
Data					

**Targets**

FFY	2022	2023	2024	2025
Target >=				

**FFY 2022 SPP/APR Data**

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
1	1			100.00%	N/A	N/A

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

There were fewer than ten resolution sessions held in FFY 2022. 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 2022. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

## **15 - Required Actions**

## Indicator 16: Mediation

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

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

States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of 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 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/15/2023	2.1 Mediations held	3
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/15/2023	2.1.a.i Mediations agreements related to due process complaints	0
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/15/2023	2.1.b.i Mediations agreements not related to due process complaints	3

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 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota’s SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

**Historical Data**

Baseline Year	Baseline Data
2005	0.00%

FFY	2017	2018	2019	2020	2021
Target >=					
Data	0.00%	100.00%	0.00%	66.67%	33.33%

**Targets**

FFY	2022	2023	2024	2025
Target >=				

**FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
0	3	3	33.33%		100.00%	N/A	N/A

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

There were fewer than ten mediations held in FFY 2022. 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 2022. 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) (SiMR) for Children with Disabilities.

**Targets:** In its FFY 2020 SPP/APR, due February 1, 2022, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2020 through FFY 2025. The State's FFY 2025 target must demonstrate improvement over the State's baseline data.

**Updated Data:** In its FFYs 2020 through FFY 2025 SPPs/APRs, due February 2022 through February 2027, 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) Children with Disabilities. In its FFYs 2020 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 2020 through 2025 SPPs/APRs, 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., February 1, 2023). 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 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 (e.g., behaviors), parent/caregiver outcomes,

and/or child outcomes. Describe any additional data (e.g., 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 2022 APR, report on activities it intends to implement in FFY 2023, i.e., July 1, 2023-June 30, 2024) 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, all students who have been identified with a disability of ED. This focus allows students who 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	Current Relationship	2022	2023	2024	2025
Target	Data must be greater than or equal to the target	62.74%	63.44%	64.84%	67.63%

**FFY 2022 SPP/APR Data**

# of ED students who graduated with a high school diploma (based on the 6-year cohort)	# of ED students in the 6-year graduation cohort	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
82	122	58.12%	62.74%	67.21%	Met target	No Slippage

**Provide the data source for the FFY 2022 data.**

The 4-year adjusted cohort graduation data is used, with a focus on the 6-year extended graduation data. This data comes from the EDFacts File FS151 as required under the Elementary and Secondary Education Act (ESEA). Note that this data is different from Indicator 1 and 2 data which does not follow a cohort of students over time.

**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 Local Special Education Unit (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 LSEU specific graduation rates for each (d) high school within the district(s) (e) the students with disabilities within the district(s) 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 North Dakota 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, North Dakota University System, Job Service ND, Department of Commerce, school districts and workforce development programs. The North Dakota Insights Dashboard is intended to inform policymakers, agencies, researchers, and communities on North Dakota public schools and workforce development on many topics, including public education. <https://insights.nd.gov/Education/State/SPED>. The NDDPI created a private dashboard for the LSEUs. This is called STARS Reporting and was available to LSEUs during the last school year. The STARS Reporting dashboard allows the district administrators and LSEU directors to evaluate student-level data for each Indicator and run reports by subgroup. This allows district administrators and LSEU directors to understand their graduation (cohort 4, 5, and 6) and dropout numbers as well as follow specific students through their time in school up to the end of the six-year cohort.

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 students with disabilities (SWD). This analysis showed that:

- SWD are significantly less likely to graduate than students without disabilities (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, Choice Ready data, math proficiency, suspension for three days or more, primary disability of SWD, educational environment of SWD, and free and reduced lunch (FRL) status. The strongest predictors are attendance and Choice Ready data. The North Dakota Choice Ready framework is a tool to assist educators to ensure all students successfully depart high school possessing the essential skills necessary to be ready for life. In order to be "choice ready" a student must earn the Essential Skills component of the framework and then earn at least two of three choice-ready components: Post-Secondary Ready, Workforce Ready, and Military Ready. The weakest predictors are FRL status and math proficiency.

In the SWD model, the best predictors of graduating within 6 years are attendance, Choice Ready data, educational environment, reading proficiency, and gender. Out of those best predictors, the strongest predictors are attendance, Choice Ready data, and reading proficiency. The weakest predictors are gender and educational environment.

The expected graduation rate for all students and 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 three years, the model appears to be quite stable in terms of attendance rate being the consistently strongest predictor. Other variables such as disability status, proficiency, and FRL status are also generally consistent year-to-year. One change with the model this year is the addition of Choice Ready data being a strong predictor, as this is the first year enough of the students in the graduation cohort had Choice Ready data to be able to include it in the model.

In addition, separate from the regression model, the NDDPI examines the actual graduation rates for SWOD, SWD, and students with ED by 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.

As part of this analysis of graduation rates, we have examined data from the 2022-23 graduation cohort. This is the cohort that started high school in 2019-20 and whose on-time graduation is in the year 2022-23 and whose 6-year graduation will be in 2024-25. This report shows the four-year graduation rate for students with ED in this cohort is 42% which is lower than the previous 4-year cohort rate of 49%. Further, the 2022-23 cohort is one of the largest cohorts of students with ED (n=151). In this cohort, 88 students with ED did not graduate on time. LSEUs will be notified which of these 88 students belonged to them and will be encouraged to follow up with these students to determine if they have dropped out and what can be done to re-enroll them.

**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.

[https://www.nd.gov/dpi/sites/www/files/documents/SpecEd/NDSSIP%20Evaluation%20Plan\\_2023-24.pdf](https://www.nd.gov/dpi/sites/www/files/documents/SpecEd/NDSSIP%20Evaluation%20Plan_2023-24.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:

The NDDPI Office of Specially Designed Services has continued to engage the IDEA Advisory Council, the internal SEA SSIP leadership team, the North Dakota 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:

**Technical Assistance:** Expand the message: The main message was about using Evidence-Based Practices (EBPs) specifically researched to support students with Emotional Disturbance. This should lead to an increase in student engagement and ultimately graduation. While sharing information on how to identify and implement EBPs, presenters also discussed ensuring that strategies and replacement behaviors match the function of behavior for the child. After several sessions, feedback was given by session attendees that they had not been taught functions of behavior or how to select an appropriate replacement behavior. The SEA then added training this year titled "Understanding Behavior." This session focused on how to operationally define a behavior, collect data to determine a function of behavior and what the functions of behavior are, as well as how to select an appropriate replacement behavior. During both trainings, implementation fidelity and progress monitoring were discussed. Technical assistance was provided for completing functional behavioral assessments (FBAs), Behavior Intervention Plans (BIPs), and writing IEPs to support students with behavioral needs. 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 these topics were given at different conferences throughout the year.

- Seven trainings were held at various conferences on the topic of EBPs for students with ED. These conferences included the North Dakota Association of Elementary and Secondary Principals, Family Voices webinars, Pathfinders Services of North Dakota Family conference, Indian Education Summit, Back to School Drill Down for Administrators, and the North Dakota Early Childhood Special Education Committee meeting.
- Five trainings were held on the topic of Understanding Behavior. This training included how to operationally define a behavior, form versus function of behavior as well as how to complete a functional behavioral analysis and write a behavior intervention plan. Understanding Behavior training was provided at the following: Family Voices webinars, Pathfinders Services of North Dakota Family conference, Indian Education Summit, Back to School Drill Down for Administrators, and the North Dakota Early Childhood Special Education Committee meeting.
- This year the SEA purchased a Learning Management System (LMS) where recorded trainings can be housed and provided free to all school staff and interested community members. A training on EBPs for students with ED was posted. This LMS launched mid-year. During the year the recording had 13 views.

**Early Warning Intervention and Monitoring Systems (EWIMS):** The EWIMS is an evidence-based, data-driven decision-making process that can be leveraged as part of a district's secondary Multi-Tiered System of Supports framework. Each year the NDDPI selects two to three districts to join a two-year cohort. School staff receive a day and a half of training. This training is provided by a Cadre of coaches in North Dakota who were trained and are supported by the American Institute for Research (AIR). In addition to the training, the district teams receive monthly coaching support from their assigned Coach. In year two the districts again receive a full day of training as well as monthly coaching sessions. Year one work is driven by the coach and in year two the goal and work is driven by the district.

The NDDPI has continued to expand the number of districts interested and willing to invest time and effort into serving students through this project. Last year, Cohort 3 included two larger districts: Grand Forks and West Fargo. Grand Forks chose to train district-level staff on using EWIMS, and by mid-year, they started implementing at the middle school. West Fargo focused on implementing EWIMS at a high school. Because Grand Forks and West Fargo are larger districts in North Dakota, it was decided to continue expanding the work within the same districts during the 2023-24 school year (Cohort 4). Grand Forks will expand its work to include two additional middle schools and three elementary schools. West Fargo is expanding their work to include a middle school.

To sustain the work at the state level, the 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. This year, AIR will also ensure the NDDPI staff are ready to take over full implementation by fall 2024.

Technical assistance has been invested in the Planning, Implementing, Evaluating, and Reporting (PIER) Tool to further support intentional planning, implementing, evaluating, and reporting of local SSIP efforts. The NDDPI and Cognia collaborate 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 aligned continuous improvement efforts, family and community engagement, and graduating every student in North Dakota Choice Ready. Training on the PIER tool was shared with LSEU Directors during a monthly Director webinar in addition to an in-person Leadership Institute.

**Resource Allocation:** 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. West Fargo has used their funds to purchase two Practical Assessment and Exploration System (PAES) labs and an Early Warning System data program. This has helped engage students and increase class participation and student attendance. Grand Forks used funds to create a summer workforce readiness class. The focus of the class was to build positive peer relations, manage successful transitions, learn study skills, and teach students organizational skills needed for high school. Now that staff have been trained and instructional materials purchased, this summer program will be able to be maintained in the future.

**Relationship Building:** A behavioral health collaboration team was formed. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. Members from North Dakota Health and Human Services (NDHHS) include early childhood, behavioral health & education, and System of Care coordinators. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team also meets as needed to problem-solve or find supports and services for students in need.

An additional way to share messaging around EBPs was to publish newsletter articles. Articles were published in the Weekly Blast (aimed at administrators across the state) and the Educator's Edge (monthly for teachers).

**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 six strategies. These are described below.

Areas of a Systems Framework: Professional Development / Technical Assistance

Messaging: After all professional development presentations, a post-survey is given to each participant. Thirteen trainings relating to the SSIP (e.g., on EBPs, social-emotional support, progress monitoring) were provided during the 2022-23 school year. Across these trainings, 278 participants completed an evaluation. On average, 75-87% of participants said their knowledge, skills, motivation, and behaviors increased “Some” or “Quite a Bit” as a result of the training. These short-term outcomes are related to both the data and the professional development of the systems framework of the North Dakota SSIP. Providing professional development on the core messages of the SSIP supports system change by fostering a common mindset.

EWIMS: An Early Warning Systems (EWS) checklist was completed by six school teams within the EWIMS Cohort 3 (West Fargo and Grand Forks) in the fall (prior to EWIMS training) and the spring (after beginning implementation). This checklist looks at the implementation of 43 items related to EWS work. All schools have implemented 15 items. Two items were implemented by all schools and six items were fully implemented by 83-84% of schools. The items that most schools have not started to implement include: providing professional development to staff on EWS, sharing information about EWS with students and families, and establishing a procedure to review their EWS effectiveness. Districts in the first or second cohort of the EWIMS pilot program have continued to report promising results. High schools that took part in Cohort 1 have graduation rates for all students above 90% (the state average is 84.3%). These short-term and intermediate outcomes are related to both the data and the technical assistance of the systems framework of the North Dakota SSIP.

Planning, Implementing, Evaluating, and Reporting (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. In terms of the four EBPs that NDDPI is focusing on, 11 LSEUs implemented behavior specific praise during the 2022-23 school year; 18 LSEUs implemented Check-In Check-Out; 3 LSEUs implemented Teacher-Directed Opportunity to Respond; and 12 LSEUs implemented Check & Connect. The positive impact of these EBPs includes increasing attendance and engagement and improving behavior.

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, changes were made to the Tool for the 2022-2023 school year. Additional changes will be made in 2023-24.

These three strategies support system change and are necessary for the achievement of the SiMR as they help develop awareness, knowledge, and skills of educators and school systems to use early warning systems to increase student attendance and engagement and improve student behavior.

Areas of a Systems Framework: Resources

ESSER Funds – Two projects are being completed with ESSER funds. The first is the EWIMS work that was just described above. The NDDPI contracted with the American Institute for Research (AIR) for this work. The AIR staff trained a Cadre of EWIMS coaches in North Dakota. These coaches are staff from local university systems or regional education associations. This training also enhances the capacity within those agencies. In addition to training the Cadre of coaches, the AIR is ensuring staff from the NDDPI is knowledgeable in the work and able to train additional coaches as needed. The contract with AIR will end after the 2023-2024 school year and maintenance of the program will be transferred over to the NDDPI staff.

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 and an EWS program. The other district used the funds to create a new class for summer school titled “Workforce Readiness.” This class focused on building positive peer relations, managing transitions successfully, learning effective study skills, and organizing oneself to be successful in high school. After high school students successfully complete the class, they will earn 0.5 credits toward graduation. Both districts reported increased student engagement and higher attendance rates for students that utilized these programs.

Directing resources to support system change that meet the individual needs of participating LEAs are necessary for achievement of the SiMR as they help LEAs to identify their own barriers and challenges related to graduation of students with an ED and to identify initiatives that will help them overcome these barriers.

Areas of Systems Framework: Governance

Behavioral Health Collaboration – This team met four times this past year. This team is comprised of several offices of the NDDPI and the North Dakota Department of Health and Human Services (NDDHHS). Members report many benefits from the collaboration. Team members have presented to each other’s departments. Information is now shared in both departments’ newsletters. In addition, a presentation was shared at the National Center for Homeless Education Conference on how this collaboration benefits both NDDPI and NDDHHS. There were 96 attendees.

Newsletters – In total, six articles were shared throughout the school year on EBPs. Of the 20,946 newsletters sent, 55% were opened.

Collaboration between the NDDPI and NDHHS helps to ensure both educational and community support and the removal of barriers that could impact the SiMR. In addition to the state agencies working to identify and address their own barriers and challenges the LEAs are asked to work with their assigned Human Service Zone to address barriers within their communities. This collaboration will allow barriers to be removed or solutions to be found. This will increase the success and sustainability of this work over time.

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

NO

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

The NDDPI Office of Specially Designed Services engaged members of the SSIP stakeholder groups: IDEA Advisory Council, the SEA Internal SSIP Team, the Community of Practice for Social Emotional Behavioral Disorders, the Behavioral Health Collaboration Team, and the Transition Community of Practice to focus SSIP efforts across the state. During the next reporting period, the NDDPI will continue to focus and expand the work on the following:

**Evidence-Based Practices (EBPs)/Promising Practices:** Last year, the NDDPI office shared research and asked districts to implement EBPs that included students with emotional disturbance in the research samples. In addition, the Office of Specially Designed Services selected three strategies and one program to highlight and provide additional training and support. 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 continue to provide training to administrators and teachers throughout the state during the 2024-25 school year. There was an increase in these strategies/programs within the LSEUs this year, but the work can be expanded further. For those districts that started implementing last year, the goal for this year is to improve fidelity of implementation. Data will be collected on the impact of training sessions as well as on the fidelity of implementation of these EBPs.

**EWIMS:** Seven 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 members of the EWIMS team at their school. The AIR is in the process of turning over full support of the EWIMS work to the NDDPI. The AIR staff will still be available to support the NDDPI team as needed during the next year.

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. The AIR is also working with the NDDPI staff on the sustainability of the work. The NDDPI will take over full program implementation with the 2024-2025 cohort. Being this last cohort of schools were some of the biggest districts in North Dakota they are being given the opportunity to add additional schools to the EWIMS work this year. In total seven schools from the two districts will take part in the next cohort training.

Technical assistance will continue to be invested in the PIER Tool to further support intentional planning, implementation, evaluation, and reporting of local SSIP efforts. Office of Specially Designed Services staff will join other offices within the NDDPI 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.

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. NTACTION'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.

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 North Dakota 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:**

EBPs encouraged for implementation across the state:

- Check in, Check Out
- Opportunities to Respond (teacher-initiated)
- Behavior Specific Praise
- Check & Connect
- Early Warning Intervention & Monitoring Systems (EWIMS)

Public summary reports of the 2022-23 PIER Tool can be found here. <https://www.nd.gov/dpi/sites/www/files/documents/SpEd/22-23%20PIER%20Summary%20Report.pdf>

An Infographic of the 2022-23 PIER Tool can be found here.

<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/NDSSIP%20PIER%20Tool%20Infographic%202022-23.pdf>

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

During the 2021-22 school year, the Office of Specially Designed Services 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. These practices and programs include the following, (a) 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. (b) 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. (c) 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. (d) 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.

**Early Warning Intervention and Monitoring Systems (EWIMS):** The EWIMS is an evidence-based, data-driven decision-making process that can be leveraged as part of a district's secondary Multi-Tiered System of Supports framework. 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 4 by continuing to support two larger districts:

Grand Forks and West Fargo in expanding their EWIMS work. One school from both Grand Forks and West Fargo were a part of Cohort 3. Being these are large districts they were offered an opportunity to be a part of Cohort 4. An additional seven schools in these districts will join Cohort 4. To sustain the work at the state level, the American Institute for Research (AIR) has assisted 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.

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

The NDDPI selected the following evidence-based practices, programs, and strategies to impact the SiMR. All of these practices, programs and strategies improve one of the following: attendance, behavior, or course completion. Success in these areas increases the likelihood of graduation.

- 1) Check In, Check Out (CICO). CICO is an opportunity for a student and a mentor to work together to improve behavior by setting goals, tracking data, and building a relationship. In addition, daily goals and data tracking are a great way for schools to increase communication and collaboration with families. The collaboration of school staff, the student, and families may increase the student's attendance, positive behavior, and/or improve their academic performance.
- 2) Opportunities to Respond, Teacher Directed (OTRs). OTRs 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. Using OTRs with fidelity increases student engagement (positive behavior) in learning, which increases academic achievement leading to course completion.
- 3) Behavior Specific Praise. 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. Behavior Specific Praise when done with fidelity will lead to an increase in positive behaviors which will increase the chance for course completion.
- 4) Check & Connect. 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. This intervention if implemented with fidelity should increase attendance, positive behaviors, and course completion leading to graduation.
- 5) Early Warning Intervention and Monitoring Systems (EWIMS). EWIMS is an evidence-based, data-driven decision-making process that can be leveraged as part of a district's secondary Multi-Tiered System of Supports (MTSS) framework. EWIMS teams create a catalogue that allows the team to know what interventions are available, assign appropriate interventions to students, and identify gaps in available interventions. The goal is to intervene in the areas of attendance, behavior and course completion with proper interventions before the child is at-risk.

In addition to these selected evidence-based practices, programs and strategies, the Office of Specially Designed Services allows LSEUs to implement local control and select their own Evidence Based Practices they feel will impact graduation rates within their units. The LSEU will collect data and report on how these practices, programs or strategies impact students attendance, behavior or course completion.

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

Two surveys were added to the evaluation plan in order to collect data related to the extent to which the pilot schools are (a) implementing EBPs (the Evidence-Based Practices Survey) and implementing an EWS with fidelity (the Early Warning Systems fidelity survey). In addition, interviews with the special education directors of the two pilot districts were conducted.

**EBP Survey.** This survey consists of questions on the type of data (e.g., attendance, course grades, behavior suspensions) that a school uses as part of their EWS and how effectively they are using the data. It also asks about the EBPs that a school uses for students with ED and if they are making an impact. Results indicate that schools are using course grades and behavior incident data effectively and that the two EBPs that are having the greatest positive impact on students with ED are Check-In Check-Out and Check & Connect. The NDDPI used the data from this survey to determine what additional technical assistance surrounding EBPs to provide to the pilot schools. Based on a comparison of fall to spring data, the NDDPI believe that practice change is occurring. The NDDPI will continue to monitor this in 2023-2024.

**EWS Survey.** This survey consists of the eight components to an effective Early Warning System (EWS) for identifying students who are in jeopardy of dropping out. Six teams from the targeted schools completed the survey in fall 2022 and spring 2023. Results indicated that on average, one of the eight components was being implemented with fidelity. Overall and on four of the eight scales, the scores increased from fall 2022 to spring 2023. One school was fully implementing four of the eight components in spring 2023; two schools were fully implementing two components; and one school was fully implementing one component. This data provided schools with a blueprint of steps to take in the 2023-24 school year to improve their EWS. In addition to the six pilot schools, the NDDPI encouraged all high schools across the state to take advantage of the online EWS; six non-pilot schools did so and received a report of their results. While this is a self-reported measure, and thus not as reliable as an external observational tool, it does provide information regarding what practices are being implemented in the field. Based on a comparison of fall to spring data, the NDDPI believe that practice change is occurring. The NDDPI will continue to monitor this in 2023-2024.

**Special Ed Unit Director Interviews.** The purpose of the interviews was to gather qualitative information on how their EWIMS was going and to determine what they are using for their data and progress monitoring systems and whether they are seeing improvement in their data. These districts indicated that they have some struggles getting started including getting their teams established; being more proactive than reactive and getting students to transition back to school after Covid. One suggestion both districts made was the importance of having the spring check-in meeting be an in-person meeting. Another suggestion was to move transition IEPs down to 8th grade. Both districts had one school fully implementing EWIMS for a minimum of one semester of the school year. The schools in both districts had a decrease in chronic absenteeism (Grand Forks had a decrease of 0.65% and West Fargo had a decrease of 2.94%).

The NDDPI staff reviewed the results of the surveys and the interviews and used this information to provide guidance and develop additional trainings. In addition, the EWS survey results were shared with the American Institute for Research (AIR) to inform their trainings and supports for the districts.

**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.**

Evidence-Based Practices - 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. As mentioned above, in terms of the four EBPs that NDDPI is focusing on, 11 LSEUs implemented behavior specific praise during the 2022-23 school year; 18 LSEUs implemented Check-In Check-Out; 3 LSEUs implemented Teacher-Directed Opportunity to Respond; and 12 LSEUs implemented Check & Connect. The positive impact of these EBPs include increasing attendance and engagement and improving behavior. Units indicate that they have generally seen improvement in their 6-year graduation rates over time as a result of their efforts.

EWIMS Work - Grand Forks and West Fargo who completed year one of their EWIMS work. Both districts had one school fully implementing EWIMS for a minimum of one semester of the school year. The schools in both districts had a decrease in chronic absenteeism, Grand Forks had a decrease of 0.65% and West Fargo had a decrease of 2.94%.

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

Evidence-Based Practices (EBPs) – The NDDPI will continue to provide technical assistance and professional development for the four, state selected EBPs. These include Behavior Specific Praise, Check In-Check Out, Teacher Directed Opportunities to Respond, and Check & Connect.

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. This will ensure there is a consistent message being shared to increase SSIP efforts. 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.

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, the Behavioral Health Collaboration team, and the internal SSIP State Team.

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.

North Dakota 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.

EWIMS Work - The NDDPI will select a new cohort of districts to participate in the EWIMS work. They will receive training and monthly coaching sessions. The schools selected as a part of last year's cohort will move into their second and final year of instruction and support. The success of this work is measured by the EWS survey. In addition, success can be measured by an increase in student attendance and a decrease in chronic absenteeism for schools implementing.

**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. In addition, the 6-year graduation rate increased from 58% to 67% so we believe that we are on the right track.

**Section C: Stakeholder Engagement**

**Description of Stakeholder Input**

During FFY 2022, the NDDPI worked with a variety of groups, such as the Local Special Education Directors, IDEA Advisory Committee members, Early Childhood Special Education Committee, the Behavioral Health Collaboration team, the North Dakota Transition Community of Practice members, and Community of Practice for Social-Emotional-Behavioral Disorders members. Data for the FFY 2022 APR submission has been shared with various groups such as the Local Special Education Directors, the IDEA Advisory Committee members, the Early Childhood Special Education Committee, the North Dakota Transition Community of Practice (CoP) members, the Behavioral Health Collaboration team, State Systemic Improvement Plan (SSIP) Internal team and the Community of Practice for Social-Emotional-Behavioral Disorders members. These groups analyzed the APR data, helped develop additional strategies, provided possible reasons for slippage, and evaluated progress to determine if there was a need to revise targets.

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations for the State Systemic Improvement Plan (SSIP) work in North Dakota. Over the past year, the IDEA Advisory Council met virtually three times. The IDEA Advisory Council supports North Dakota by focusing on improving student outcomes, increasing graduation rates, and decreasing dropout rates for students with disabilities. The IDEA Advisory Council participated in discussions and reviewed state progress on items on the SSIP Action plan at each meeting and provided input for SPP/APR data throughout the year.

The North Dakota Department of Public Instruction (NDDPI) Internal SSIP Leadership Team is comprised of 13 key members across the NDDPI and North Dakota Career & Technical Education. The team works in areas that will impact students with emotional disturbances' ability to graduate choice-ready. In North Dakota, Choice Ready is part of the North Dakota ESSA plan and means graduating from high school ready for post-secondary education, the workforce, and/or the military.

The NDDPI cofacilitates three North Dakota Transition Community of Practice meetings throughout the year. The North Dakota Transition Community of Practice is comprised of 40-45 active members, including 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 North Dakota's SSIP activities and efforts frequently occur as part of the North Dakota Transition Community of Practice. Each member of the Transition Community of Practice

provides updates at each meeting, and outside presenters are brought in to share and discuss how collaboration can occur to increase outcomes for students with disabilities.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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.

A Behavioral Health Collaboration Team was formed during the 2022-23 school year. This team includes members from the NDDPI whose portfolios focus on behavioral health and child welfare, including special education, school discipline, foster care, homelessness, school counselors, and Section 504. North Dakota Health and Human Services (NDHHS) members, including early childhood, behavioral health and education, and System of Care coordinators, also participate. This team meets regularly to share initiatives being worked on and to find ways to collaborate on the work. This team is activated, as needed, to solve problems and support children or districts in need.

The NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) across North Dakota. 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 also took place with parent advocacy centers, general education administrators, legislative teams, family groups, etc. Further information sharing occurs through newsletters posted on the NDDPI webpage and emailed to subscribers. There are two different newsletters. The BLAST goes out weekly and is intended for administrative staff (superintendents, principals, and LSEU directors). 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 North Dakota's SSIP work. The goal is 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.

The NDDPI consults with and collaborates with the North Dakota Parent Training and Information Center (PTI) to provide resources and webinars to increase parent knowledge on the Special Education Indicators in the following areas: secondary transition (Indicator 13), early childhood transition, the special education evaluation process (Indicators 11 and 12), and dispute resolution (Indicator 15 and 16). Collaboration will continue between the SEA and PTI to create more resources and provide more information for parents of students with disabilities.

A workgroup was assembled to review proposed changes to Indicator 4. The workgroup consisted of volunteer members from the IDEA Advisory Council. The workgroup included two parent support agency representatives, a parent, and a LSEU Director. Proposed changes were discussed, and the committee expressed no concerns and was in support of moving forward with the changes. The proposed changes were shared on a monthly call with LSEU special education administrators. There were 55 people on the call. No one expressed opposition to moving forward with the proposed changes. In addition, a video presentation was recorded and shared with parent support agencies within the state. They sent it out to their membership. At the end of the video, participants were asked to complete a post-survey. Those completing the post-survey also were in support of the changes to Indicator 4.

#### **Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

The North Dakota IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the SSIP work in North Dakota. The North Dakota IDEA Advisory Committee is formed of a broad representation of individuals with knowledge and expertise on the needs of children with disabilities. Appointments to the committee are made by the North Dakota Superintendent of Public Instruction for a three-year term. In accordance with the regulations governing the implementation of the IDEA, the majority of members of the committee are parents of children with disabilities or individuals with disabilities. The remaining members of the committee represent a variety of stakeholders concerned with, and involved in, improving results for children with disabilities attending public schools in North Dakota, state-supported educational programs, private schools, juvenile and adult correctional facilities, state human service agencies, and higher education representatives.

Over the past year, the IDEA Advisory Council met virtually on September 13, 2022, December 13, 2022, and April 4, 2023. The IDEA Advisory Council supports North Dakota, 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 13 key members across the NDDPI and Career & Technical Education who work in areas that will impact graduation or students with emotional disturbance. In North Dakota, 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 the North Dakota Transition Community of Practice, which meets thrice yearly. More than 45 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 North Dakota's SSIP activities and efforts frequently occurs as part of the Transition Community of Practice.

A Community of Practice for Social-Emotional-Behavioral Disorders (SEBD) met three times during 2022-23. 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 North Dakota. 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.

Using feedback given by the special education unit directors, the North Dakota PIER tool was redesigned this year. In addition to open-ended questions about the evidence-based practices (EBPs) being used across North Dakota, questions were developed that specifically targeted the four EBPs shared by the NDDPI throughout the year. North Dakota worked with REAs, State Longitudinal Data Systems, and National Technical Assistance Centers, like the National Center for Systemic Improvement, to continue to develop further North Dakota's SSIP work to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. North Dakota's SSIP focus during 2022-23 has been increasing the use of EBPs for students with ED. 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 2023-24 school year. New supports in place are:

**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. This dashboard was built last year. Data around graduation and dropout was shared. This next year the LSEU will also have access to data entered around suspension, expulsion, and truancy.

**Shared Interest Groups** – in addition to free training provided to all educators, school staff, and community members on the North Dakota Educational Hub some shared interest groups for educators and school staff will be provided. These meetings are done virtually. A topic of interest is covered for 20-30 minutes and then time is allowed for participants to share ideas and problem-solve with peers in breakout rooms.

**Parent Engagement** – The Office of Specially Designed Services staff will work with local parent support agencies to provide training through webinars or conferences. Data and information will be shared that will allow parents to hold conversations with their child's school team around generalizing skills between school and home.

**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 the next. The action plan consists of these key strategies:

- Messaging – The SSIP team will continue to focus on its positive messaging of how to help students who are disengaged from school.
- Inter- and Cross-Departmental Alignment - The SSIP Team will continue to work with other DPI programs to foster a department-wide commitment towards improving graduation rates of students with ED.
- Fidelity of Early Warning Systems - The SSIP Team will continue to work with those schools who are participating in the EWIMS project.
- High School Practices - The SSIP Team will continue to offer support to high schools implementing Evidence-Based Practices (EBPs).
- PIER Tool Improvement - The SSIP Team will improve the PIER Tool to get more specific information and data from the special education units that can be analyzed both qualitatively and quantitatively.
- Regression Analysis Follow-Up - The SSIP Team will improve upon the previous regression model surrounding graduation predictions and thus, will improve upon the targeted support offered to units/districts.
- Big Five Special Education Units Focus - The SSIP Team will get buy-in from the Big Five Special Education Units to participate in this targeted initiative so that the graduation rate of ED students will increase.
- Consider State Personnel Development Grant Possibilities - The SSIP Team will examine the possibility of applying for a State Personnel Development Grant (SPDG) as a way of increasing the degree of PD/TA that is offered to all units surrounding the graduation rate of students with disabilities included those with ED.

The action plan and additional details can be found here:

<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/NDSSIP%20Action%20Plan.pdf>

The expected outcomes are (1) improved implementation of the Early Warning Systems components; (2) improved implementation of the targeted Evidence-Based Practices (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. North Dakota 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.

During the last year, as questions were edited in the PIER Tool the NDDPI team found that the functionality of the tool could be improved. This year the PIER Tool is being rebuilt in a system that will improve the functionality. The survey will also be edited further to include even more quantitative data.

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 training is scheduled to support families with students with disabilities working toward graduation. The NDDPI office has been working with some national technical assistance centers and other state offices to find some additional strategies to engage parents.

**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:**

Director of Specially Designed Services

#### **Email:**

moconnor@nd.gov

#### **Phone:**

7013284560

#### **Submitted on:**

04/22/24 5:07:25 PM

Determination Enclosures

RDA Matrix

## North Dakota 2024 Part B Results-Driven Accountability Matrix

Results-Driven Accountability Percentage and Determination (1)

Percentage (%)	Determination
75.00%	Needs Assistance

Results and Compliance Overall Scoring

Section	Total Points Available	Points Earned	Score (%)
Results	20	11	55.00%
Compliance	20	19	95.00%

(1) For a detailed explanation of how the Compliance Score, Results Score, and the Results-Driven Accountability Percentage and Determination were calculated, review "How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2024: Part B."

2024 Part B Results Matrix

Reading Assessment Elements

Reading Assessment Elements	Grade	Performance (%)	Score
Percentage of Children with Disabilities Participating in Statewide Assessment (2)	Grade 4		
Percentage of Children with Disabilities Participating in Statewide Assessment	Grade 8		
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 4	20%	0
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 4	89%	1
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 8	28%	1
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 8	90%	1

Math Assessment Elements

Math Assessment Elements	Grade	Performance (%)	Score
Percentage of Children with Disabilities Participating in Statewide Assessment	Grade 4		
Percentage of Children with Disabilities Participating in Statewide Assessment	Grade 8		
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 4	44%	2
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 4	92%	1
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 8	22%	1
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 8	91%	1

(2) Statewide assessments include the regular assessment and the alternate assessment.

**Exiting Data Elements**

<b>Exiting Data Elements</b>	<b>Performance (%)</b>	<b>Score</b>
<b>Percentage of Children with Disabilities who Dropped Out</b>	26	0
<b>Percentage of Children with Disabilities who Graduated with a Regular High School Diploma**</b>	71	1

\*\*When providing exiting data under section 618 of the IDEA, States are required to report on the number of students with disabilities who exited an educational program through receipt of a regular high school diploma. These students meet the same standards for graduation as those for students without disabilities. As explained in 34 C.F.R. §300.102(a)(3)(iv), in effect June 30, 2017, “the term regular high school diploma means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.”

2024 Part B Compliance Matrix

Part B Compliance Indicator (3)	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2021 (4)	Score
Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	0.00%	N/A	2
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	0.00%	N/A	2
Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	0.00%	N/A	2
Indicator 11: Timely initial evaluation	98.74%	YES	2
Indicator 12: IEP developed and implemented by third birthday	100.00%	YES	2
Indicator 13: Secondary transition	81.68%	YES	1
Timely and Accurate State-Reported Data	100.00%		2
Timely State Complaint Decisions	100.00%		2
Timely Due Process Hearing Decisions	100.00%		2
Longstanding Noncompliance			2
Programmatic Specific Conditions	None		
Uncorrected identified noncompliance	None		

(3) The complete language for each indicator is located in the Part B SPP/APR Indicator Measurement Table at: [https://sites.ed.gov/idea/files/2024\\_Part-B\\_SPP-APR\\_Measurement\\_Table.pdf](https://sites.ed.gov/idea/files/2024_Part-B_SPP-APR_Measurement_Table.pdf)

(4) This column reflects full correction, which is factored into the scoring only when the compliance data are >=5% and <10% for Indicators 4B, 9, and 10, and >=90% and <95% for Indicators 11, 12, and 13.

**Data Rubric**  
**North Dakota**

FFY 2022 APR (1)

Part B Timely and Accurate Data -- SPP/APR Data

APR Indicator	Valid and Reliable	Total
1	1	1
2	1	1
3A	1	1
3B	1	1
3C	1	1
3D	1	1
4A	1	1
4B	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
11	1	1
12	1	1
13	1	1
14	1	1
15	1	1
16	1	1
17	1	1

**APR Score Calculation**

<b>Subtotal</b>	21
<b>Timely Submission Points</b> - If the FFY 2022 APR was submitted on-time, place the number 5 in the cell on the right.	5
<b>Grand Total</b> - (Sum of Subtotal and Timely Submission Points) =	26

(1) In the SPP/APR Data table, where there is an N/A in the Valid and Reliable column, the Total column will display a 0. This is a change from prior years in display only; all calculation methods are unchanged. An N/A does not negatively affect a State's score; this is because 1 point is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the SPP/APR Data table.

**618 Data (2)**

Table	Timely	Complete Data	Passed Edit Check	Total
Child Count/ Ed Envs Due Date: 8/30/23	1	1	1	3
Personnel Due Date: 2/21/24	1	1	1	3
Exiting Due Date: 2/21/24	1	1	1	3
Discipline Due Date: 2/21/24	1	1	1	3
State Assessment Due Date: 1/10/24	1	1	1	3
Dispute Resolution Due Date: 11/15/23	1	1	1	3
MOE/CEIS Due Date: 5/3/23	1	1	1	3

**618 Score Calculation**

Subtotal	21
Grand Total (Subtotal X 1.23809524) =	26.00

(2) In the 618 Data table, when calculating the value in the Total column, any N/As in the Timely, Complete Data, or Passed Edit Checks columns are treated as a '0'. An N/A does not negatively affect a State's score; this is because 1.23809524 points is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the 618 Data table.

**Indicator Calculation**

A. APR Grand Total	26
B. 618 Grand Total	26.00
C. APR Grand Total (A) + 618 Grand Total (B) =	52.00
Total N/A Points in APR Data Table Subtracted from Denominator	0
Total N/A Points in 618 Data Table Subtracted from Denominator	0.00
<b>Denominator</b>	52.00
D. Subtotal (C divided by Denominator) (3) =	1.0000
E. Indicator Score (Subtotal D x 100) =	100.00

(3) Note that any cell marked as N/A in the APR Data Table will decrease the denominator by 1, and any cell marked as N/A in the 618 Data Table will decrease the denominator by 1.23809524.

## APR and 618 -Timely and Accurate State Reported Data

DATE: February 2024 Submission

### SPP/APR Data

**1) Valid and Reliable Data** - Data provided are from the correct time period, are consistent with 618 (when appropriate) and the measurement, and are consistent with previous indicator data (unless explained).

### Part B 618 Data

**1) Timely** – A State will receive one point if it submits all *EDFacts* files or the entire *EMAPS* survey associated with the IDEA Section 618 data collection to ED by the initial due date for that collection (as described the table below).

618 Data Collection	EDFacts Files/ EMAPS Survey	Due Date
Part B Child Count and Educational Environments	C002 & C089	8/30/2023
Part B Personnel	C070, C099, C112	2/21/2024
Part B Exiting	C009	2/21/2024
Part B Discipline	C005, C006, C007, C088, C143, C144	2/21/2024
Part B Assessment	C175, C178, C185, C188	1/10/2024
Part B Dispute Resolution	Part B Dispute Resolution Survey in <i>EMAPS</i>	11/15/2023
Part B LEA Maintenance of Effort Reduction and Coordinated Early Intervening Services	Part B MOE Reduction and CEIS Survey in <i>EMAPS</i>	5/3/2023

**2) Complete Data** – A State will receive one point if it submits data for all files, permitted values, category sets, subtotals, and totals associated with a specific data collection by the initial due date. No data is reported as missing. No placeholder data is submitted. The data submitted to *EDFacts* aligns with the metadata survey responses provided by the state in the State Supplemental Survey IDEA (SSS IDEA) and Assessment Metadata survey in *EMAPS*. State-level data include data from all districts or agencies.

**3) Passed Edit Check** – A State will receive one point if it submits data that meets all the edit checks related to the specific data collection by the initial due date. The counts included in 618 data submissions are internally consistent within a data collection



## Dispute Resolution

### IDEA Part B

#### North Dakota

School Year: 2022-23

A zero count should be used when there were no events or occurrences to report in the specific category for the given reporting period. Check "Missing" if the state did not collect or could not report a count for the specific category. Please provide an explanation for the missing data in the comment box at the top of the page.

#### Section A: Written, Signed Complaints

<b>(1) Total number of written signed complaints filed.</b>	10
(1.1) Complaints with reports issued.	4
(1.1) (a) Reports with findings of noncompliance	1
(1.1) (b) Reports within timelines	4
(1.1) (c) Reports within extended timelines	0
(1.2) Complaints pending.	1
(1.2) (a) Complaints pending a due process hearing.	0
(1.3) Complaints withdrawn or dismissed.	5

#### Section B: Mediation Requests

<b>(2) Total number of mediation requests received through all dispute resolution processes.</b>	5
(2.1) Mediations held.	3
(2.1) (a) Mediations held related to due process complaints.	0
(2.1) (a) (i) Mediation agreements related to due process complaints.	0
(2.1) (b) Mediations held not related to due process complaints.	3
(2.1) (b) (i) Mediation agreements not related to due process complaints.	3
(2.2) Mediations pending.	0
(2.3) Mediations withdrawn or not held.	2

#### Section C: Due Process Complaints

<b>(3) Total number of due process complaints filed.</b>	3
(3.1) Resolution meetings.	1
(3.1) (a) Written settlement agreements reached through resolution meetings.	1
(3.2) Hearings fully adjudicated.	2
(3.2) (a) Decisions within timeline (include expedited).	2
(3.2) (b) Decisions within extended timeline.	0
(3.3) Due process complaints pending.	0
(3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing).	1

#### Section D: Expedited Due Process Complaints (Related to Disciplinary Decision)

<b>(4) Total number of expedited due process complaints filed.</b>	0
(4.1) Expedited resolution meetings.	0
(4.1) (a) Expedited written settlement agreements.	0
(4.2) Expedited hearings fully adjudicated.	0
(4.2) (a) Change of placement ordered	0
(4.3) Expedited due process complaints pending.	0
(4.4) Expedited due process complaints withdrawn or dismissed.	0

**State Comments:**

**Errors:**

Please note that the data entered result in the following relationships which violate edit checks:

State error comments:

This report shows the most recent data that was entered by:

North Dakota

These data were extracted on the close date:

11/15/2023

## How the Department Made Determinations

Below is the location of How the Department Made Determinations (HTDMD) on OSEP's IDEA Website. How the Department Made Determinations in 2024 will be posted in June 2024. Copy and paste the link below into a browser to view.

<https://sites.ed.gov/idea/how-the-department-made-determinations/>



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

**Final Determination Letter**

June 21, 2024

Honorable Kirsten Baesler  
State Superintendent  
North Dakota Department of Public Instruction  
600 East Boulevard Avenue, Dept. 201  
Bismarck, ND 58505

Dear Superintendent Baesler:

I am writing to advise you of the U.S. Department of Education's (Department) 2024 determination under Section 616 of the Individuals with Disabilities Education Act (IDEA). The Department has determined that North Dakota needs assistance in implementing the requirements of Part B of the IDEA. This determination is based on the totality of North Dakota's data and information, including the Federal fiscal year (FFY) 2022 State Performance Plan/Annual Performance Report (SPP/APR), other State-reported data, and other publicly available information.

North Dakota's 2024 determination is based on the data reflected in its "2024 Part B Results-Driven Accountability Matrix" (RDA Matrix). The RDA Matrix is individualized for each State and Entity and consists of:

- (1) a Compliance Matrix that includes scoring on Compliance Indicators and other compliance factors;
- (2) a Results Matrix that includes scoring on Results Elements;
- (3) a Compliance Score and a Results Score;
- (4) an RDA Percentage based on both the Compliance Score and the Results Score; and
- (5) the State's or Entity's Determination.

The RDA Matrix is further explained in a document, entitled "[How the Department Made Determinations under Section 616\(d\) of the Individuals with Disabilities Education Act in 2024: Part B](#)" (HTDMD).

The Office of Special Education Programs (OSEP) is continuing to use both results data and compliance data in making determinations in 2024, as it did for Part B determinations in 2014-2023. (The specifics of the determination procedures and criteria are set forth in the HTDMD document and reflected in the RDA Matrix for North Dakota).

In making Part B determinations in 2024, OSEP continued to use results data related to:

- (1) the participation and performance of CWD on the most recently administered (school year 2021-2022) National Assessment of Educational Progress (NAEP), as applicable (For the 2024 determinations, OSEP using results data on the participation and performance of children with disabilities on the NAEP for the 50 States, the District of Columbia, and Puerto Rico. OSEP used the available NAEP data for Puerto Rico in making Puerto Rico's 2024 determination as it did for Puerto Rico's 2023 determination. OSEP did not use NAEP data in making the BIE's 2024 determination because the NAEP data available for the BIE were not comparable to the NAEP data available for the 50 States, the District of Columbia, and Puerto Rico; specifically, the most recently administered NAEP for the BIE is 2019, whereas the most recently administered NAEP for the 50 States, the District of Columbia, and Puerto Rico is 2022.)
- (2) the percentage of CWD who graduated with a regular high school diploma; and
- (3) the percentage of CWD who dropped out.

For the 2024 IDEA Part B determinations, OSEP also considered participation of CWD on Statewide assessments (which include the regular assessment and the alternate assessment). While the participation rates of CWD on Statewide assessments were a factor in each State or Entity's 2024 Part B Results Matrix, no State or Entity received a Needs Intervention determination in 2024 due solely to this criterion. However, this criterion will be fully incorporated beginning with the 2025 determinations.

You may access the results of OSEP's review of North Dakota's SPP/APR and other relevant data by accessing the EMAPS SPP/APR reporting tool using your North Dakota-specific log-on information at <https://emaps.ed.gov/suite/>. When you access North Dakota's SPP/APR on the site, you will find, in applicable Indicators 1 through 17, the OSEP Response to the indicator and any actions that North Dakota is required to take. The actions that North Dakota is required to take are in the "Required Actions" section of the indicator.

It is important for you to review the Introduction to the SPP/APR, which may also include language in the "OSEP Response" and/or "Required Actions" sections.

You will also find the following important documents in the Determinations Enclosures section:

- (1) North Dakota's RDA Matrix;
- (2) the HTDMD [link](#);

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- (3) "2024 Data Rubric Part B," which shows how OSEP calculated North Dakota's "Timely and Accurate State-Reported Data" score in the Compliance Matrix; and
- (4) "Dispute Resolution 2022-2023," which includes the IDEA Section 618 data that OSEP used to calculate the North Dakota's "Timely State Complaint Decisions" and "Timely Due Process Hearing Decisions" scores in the Compliance Matrix.

As noted above, North Dakota's 2024 determination is Needs Assistance. A State's or Entity's 2024 RDA Determination is Needs Assistance if the RDA Percentage is at least 60% but less than 80%. A State or Entity's determination would also be Needs Assistance if its RDA Determination percentage is 80% or above but the Department has imposed Specific Conditions on the State's or Entity's last three IDEA Part B grant awards (for FFYs 2021, 2022, and 2023), and those Specific Conditions are in effect at the time of the 2024 determination.

North Dakota's determination for 2023 was also Needs Assistance. In accordance with Section 616(e)(1) of the IDEA and 34 C.F.R. §300.604(a), if a State or Entity is determined to need assistance for two consecutive years, the Secretary must take one or more of the following actions:

- (1) advise the State or Entity of available sources of technical assistance that may help the State or Entity address the areas in which the State or Entity needs assistance and require the State or Entity to work with appropriate entities;
- (2) direct the use of State-level funds on the area or areas in which the State or Entity needs assistance; or
- (3) identify the State or Entity as a high-risk grantee and impose Specific Conditions on the State's or Entity's IDEA Part B grant award.

Pursuant to these requirements, the Secretary is advising North Dakota of available sources of technical assistance, including OSEP-funded technical assistance centers and resources at the following websites: [Monitoring and State Improvement Planning \(MSIP\) | OSEP Ideas That Work](#), [Individuals with Disabilities Education Act \(IDEA\) Topic Areas](#), and requiring North Dakota to work with appropriate entities. In addition, North Dakota should consider accessing technical assistance from other Department-funded centers such as the Comprehensive Centers with resources at the following link: <https://compcenternetwork.org/states>. The Secretary directs North Dakota 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. We strongly encourage North Dakota to access technical assistance related to those results elements and compliance indicators for which it received a score of zero. North Dakota must report with its FFY 2023 SPP/APR submission, due February 1, 2025, on:

- (1) the technical assistance sources from which North Dakota received assistance; and
- (2) the actions North Dakota took as a result of that technical assistance.

As required by IDEA Section 616(e)(7) and 34 C.F.R. §300.606, North Dakota must notify the public that the Secretary of Education has taken the above enforcement actions, including, at a minimum, by posting a public notice on its website and distributing the notice to the media and through public agencies.

IDEA determinations provide an opportunity for all stakeholders to examine State data as that data relate to improving outcomes for infants, toddlers, children, and youth with disabilities. The Department encourages stakeholders to review State SPP/APR data and other available data as part of the focus on improving equitable outcomes for infants, toddlers, children, and youth with disabilities. Key areas the Department encourages State and local personnel to review are access to high-quality intervention and instruction; effective implementation of individualized family service plans (IFSPs) and individualized education programs (IEPs), using data to drive decision-making, supporting strong relationship building with families, and actively addressing educator and other personnel shortages.

For 2025 and beyond, the Department is considering three criteria related to IDEA Part B determinations as part of the Department's continued efforts to incorporate equity and improve results for CWD. First, the Department is considering as a factor OSEP-identified longstanding noncompliance (i.e., unresolved findings issued by OSEP at least three or more years ago). This factor would be reflected in the determination for each State and Entity through the "longstanding noncompliance" section of the Compliance Matrix beginning with the 2025 determinations. In implementing this factor, the Department is also considering beginning in 2025 whether a State or Entity that would otherwise receive a score of Meets Requirements would not be able to receive a determination of Meets Requirements if the State or Entity had OSEP-identified longstanding noncompliance (i.e., unresolved findings issued by OSEP at least three or more years ago). Second, the Department is considering as potential additional factors the improvement in proficiency rates of CWD on Statewide assessments. Third, the Department is considering whether and how to continue including in its determinations criteria the participation and proficiency of CWD on the NAEP.

For the FFY 2023 SPP/APR submission due on February 1, 2025, OSEP is providing the following information about the IDEA Section 618 data. The 2023-24 IDEA Section 618 Part B data submitted as of the due date will be used for the FFY 2023 SPP/APR and the 2025 IDEA Part B Results Matrix and States and Entities will not be able to resubmit their IDEA Section 618 data after the due date. The 2023-24 IDEA Section 618 Part B data will automatically be prepopulated in the SPP/APR reporting platform for Part B SPP/APR Indicators 3, 5, and 6 (as they have in the past). Under EDFacts Modernization, States and Entities are expected to submit high-quality IDEA Section 618 Part B data that can be published and used by the Department as of the due date. States and Entities are expected to conduct data quality reviews prior to the applicable due date. OSEP expects States and Entities to take one of the following actions for all business rules that are triggered in the EDPass or EMAPS system prior to the applicable due date: 1) revise the uploaded data to address the edit; or 2) provide a data note addressing why the data submission triggered the business rule. States and Entities will be unable to submit the IDEA Section 618 Part B data without taking one of these two actions. There will not be a resubmission period for the IDEA Section 618 Part B data.

As a reminder, North Dakota must report annually to the public, by posting on the State educational agency's (SEA's) website, the performance of each local educational agency (LEA) located in North Dakota on the targets in the SPP/APR as soon as practicable, but no later than 120 days after North Dakota's submission of its FFY 2022 SPP/APR. In addition, North Dakota must:

- (1) review LEA performance against targets in the State's SPP/APR;

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- (2) determine if each LEA “meets the requirements” of Part B, or “needs assistance,” “needs intervention,” or “needs substantial intervention” in implementing Part B of the IDEA;
- (3) take appropriate enforcement action; and
- (4) inform each LEA of its determination.

Further, North Dakota must make its SPP/APR available to the public by posting it on the SEA’s website. Within the upcoming weeks, OSEP will be finalizing a State Profile that:

- (1) includes North Dakota’s determination letter and SPP/APR, OSEP attachments, and all State or Entity attachments that are accessible in accordance with Section 508 of the Rehabilitation Act of 1973; and
- (2) will be accessible to the public via the ed.gov website.

OSEP appreciates North Dakota’s efforts to improve results for children and youth with disabilities and looks forward to working with North Dakota over the next year as we continue our important work of improving the lives of children with disabilities and their families. Please contact your OSEP State Lead if you have any questions, would like to discuss this further, or want to request technical assistance.

Sincerely,

---

Valerie C. Williams  
Director  
Office of Special Education Programs

cc: North Dakota Director of Special Education

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