

**State Performance Plan / Annual Performance Report:
Part B**

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

**For reporting on
FFY18**

North Dakota



PART B DUE February 3, 2020

**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

Number of Districts in your State/Territory during reporting year

175

General Supervision System

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

The section on the General Supervision System is contained in the attachment (NDDPI SPP-APR FFY2018 Part B Introduction) because of the limited character capacity.

Technical Assistance System

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

The section on the Technical Assistance System is contained in the attachment (NDDPI SPP-APR FFY2018 Part B Introduction) because of the limited character capacity.

Professional Development System

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

The section on the Professional Development System is contained in the attachment (NDDPI SPP-APR FFY2018 Part B Introduction) because of the limited character capacity.

Stakeholder Involvement

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

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

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

YES

Reporting to the Public

How and where the State reported to the public on the FFY17 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 2017 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2017 APR in 2019, is available.

The North Dakota Department of Public Instruction reported to the public on the FFY 2017 (July 1, 2017-June 30, 2018) 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 2017 APR on its website at <https://insights.nd.gov/Education>. To locate districts' performance reports, click on Data for Specific District or School tab. Select Browse K-12 to display a list of alphabetically arranged names of schools by default. Click on Browse by District to display a list of alphabetically arranged names of districts in the State. Select any school district (e.g. Bismarck public school district, Fargo public school district, Minot public school district, West Fargo public school district) to view its data. On the homepage of the school district, click on Special Education Performance and select any indicator to view data. Note that to protect student privacy, data for districts with less than 10 students are not displayed.

Also, the department publicly made available a copy of its FFY 2017 SPP/APR (July 1, 2017-June 30, 2018) submitted to OSEP in 2019 on its website at <https://www.nd.gov/dpi/sites/www/files/documents/SpEd/APR-2017B-ND.pdf>

Intro - Prior FFY Required Actions

In the FFY 2018 SPP/APR, the State must report FFY 2018 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year 4; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2019); (3) a summary of the SSIP's coherent improvement strategies,

including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short- and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities are impacting the State's capacity to improve its SiMR data.

Response to actions required in FFY 2017 SPP/APR

Intro - OSEP Response

While the State has publicly reported on the FFY 2017, July 1, 2017-June 30, 2018, performance of each local educational agency (LEA) located in the State on the targets in the State's performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA, those reports do not contain the required information. Specifically, for indicators 1,2, 4A, and 4B.

The State provided a FFY 2019 target for Indicator B-17/State Systemic Improvement Plan (SSIP), and OSEP accepts that target.

Intro - Required Actions

Indicator 1: Graduation

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2018 SPP/APR, use data from 2017-2018), and compare the results to the target. Provide the actual numbers used in the calculation.

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

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

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

1 - Indicator Data

Historical Data

Baseline	2011	66.74%			
FFY	2013	2014	2015	2016	2017
Target >=	89.00%	89.00%	89.00%	89.00%	89.00%
Data	69.85%	69.93%	67.82%	67.88%	66.34%

Targets

FFY	2018	2019
Target >=	89.00%	89.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Prepopulated Data

Source	Date	Description	Data
SY 2017-18 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	10/02/2019	Number of youth with IEPs graduating with a regular diploma	590
SY 2017-18 Cohorts for Regulatory Adjusted-Cohort Graduation Rate	10/02/2019	Number of youth with IEPs eligible to graduate	860

Source	Date	Description	Data
(EDFacts file spec FS151; Data group 696)			
SY 2017-18 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695)	10/02/2019	Regulatory four-year adjusted-cohort graduation rate table	68.60%

FFY 2018 SPP/APR Data

Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma	Number of youth with IEPs in the current year's adjusted cohort eligible to graduate	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
590	860	66.34%	89.00%	68.60%	Did Not Meet Target	No Slippage

Provide reasons for slippage, if applicable

XXX

Graduation Conditions

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

4-year ACGR

If extended, provide the number of years

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

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

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

NO

If yes, explain the difference in conditions that youth with IEPs must meet.

Provide additional information about this indicator (optional)

1 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

1 - OSEP Response

The State provided a target for FFY 2019 for this indicator, and OSEP accepts that target.

1 - Required Actions

Indicator 2: Drop Out

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

Data Source

OPTION 1:

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification C009.

OPTION 2:

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

Measurement

OPTION 1:

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

OPTION 2:

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

Instructions

Sampling is not allowed.

OPTION 1:

Use 618 exiting data for the year before the reporting year (e.g., for the FFY 2018 SPP/APR, use data from 2017-2018). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) received a certificate; (c) reached maximum age; (d) dropped out; or (e) died.

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

OPTION 2:

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

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

Options 1 and 2:

Data for this indicator are "lag" data. Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2018 SPP/APR, use data from 2017-2018), and compare the results to the target.

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

2 - Indicator Data

Historical Data

Baseline	2011	21.68%			
FFY	2013	2014	2015	2016	2017
Target <=	19.50%	19.50%	19.25%	18.75%	18.00%
Data	19.13%	18.41%	20.26%	17.65%	16.53%

Targets

FFY	2018	2019
Target <=	17.00%	17.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous

involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Please indicate the reporting option used on this indicator

Option 1

Prepopulated Data

Source	Date	Description	Data
SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/30/2019	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	553
SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/30/2019	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b)	
SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/30/2019	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c)	39
SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/30/2019	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d)	143
SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/30/2019	Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e)	2

FFY 2018 SPP/APR Data

Number of youth with IEPs who exited special education due to dropping out	Total number of High School Students with IEPs by Cohort	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
143	737	16.53%	17.00%	19.40%	Did Not Meet Target	Slippage

Has your State made or proposes to make changes to the data source under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012? (yes/no)

XXX

If yes, provide justification for the changes below.

XXX

Use a different calculation methodology (yes/no)

XXX

Change numerator description in data table (yes/no)

XXX

Change denominator description in data table (yes/no)

XXX

If use a different calculation methodology is yes, provide an explanation of the different calculation methodology

XXX

FFY 2018 SPP/APR Data

Number of youth with IEPs who exited special education due to dropping out	Total number of High School Students with IEPs by Cohort	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
XXX	XXX	XXX	XXX	XXX	XXX	XXX

Provide reasons for slippage, if applicable

The FFY 2018 drop out rate increased by 2.87% from the FFY 2017 rate, missing the target by 2.40%. While the drop out rate for students with disabilities increased, the graduation rate improved. Some students in the state are dropping out of school to get their GED and work at high paying jobs

in the areas like the oil fields. ND's ESSA Accountability System includes credit in building/district accountability reports for Completer Rates. Completers are students who drop out of school, yet earn their GED. As a result, school districts can focus on actual graduation and/or GED completion. In contrast, GED completion for APR purposes is not counted. As teachers continue to improve their transition planning efforts for students with disabilities and spend more concerted effort in transition planning, students are graduating later as they reach the age of limitation. These students count against the state drop out percentages. ND is addressing graduation and dropout rates as part of the Focused Monitoring process. North Dakota is also addressing graduation and dropout rates through the State Systemic Improvement Plan (SSIP). This work includes building and developing strategic partnerships with expert technical assistance centers like the National Technical Assistance Center on Transition (NTACT), the National Center for Systemic Improvement (NCSI), and the National Dropout Prevention Center (NDPC). North Dakota high schools continue to work to keep students in school and to re-enter students who have left school.

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

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

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

NO

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

Provide additional information about this indicator (optional)

2 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

2 - OSEP Response

The State provided a target for FFY 2019 for this indicator, and OSEP accepts that target.

2 - Required Actions

Indicator 3B: Participation for Students with IEPs

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

Instructions

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

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

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

3B - Indicator Data

Reporting Group Selection

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

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Overall I	X	X	X	X	X	X	X	X	X	X	X
B												
C												
D												
E												
F												
G												
H												
I												
J												
K												
L												

Historical Data: Reading

Group	Group Name	Baseline	FFY	2013	2014	2015	2016	2017
A	Overall	2005	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	98.10%	Actual	97.17%	96.43%	95.46%	95.82%	95.89%
B			Target >=					
B			Actual					
C			Target >=					

C			Actual					
D			Target >=					
D			Actual					
E			Target >=					
E			Actual					
F			Target >=					
F			Actual					
G			Target >=					
G			Actual					
H			Target >=					
H			Actual					
I			Target >=					
I			Actual					
J			Target >=					
J			Actual					
K			Target >=					
K			Actual					
L			Target >=					
L			Actual					

Historical Data: Math

Group	Group Name	Baseline	FFY	2013	2014	2015	2016	2017
A	Overall	2005	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	98.10%	Actual	97.37%	95.75%	95.38%	95.73%	95.99%
B			Target >=					
B			Actual					
C			Target >=					
C			Actual					
D			Target >=					
D			Actual					
E			Target >=					
E			Actual					
F			Target >=					
F			Actual					
G			Target >=					
G			Actual					
H			Target >=					
H			Actual					
I			Target >=					
I			Actual					
J			Target >=					
J			Actual					
K			Target >=					
K			Actual					

L			Target >=				
L			Actual				

Targets

	Group	Group Name	2018	2019
Reading	A >=	Overall	95.00%	95.00%
Reading	B >=			
Reading	C >=			
Reading	D >=			
Reading	E >=			
Reading	F >=			
Reading	G >=			
Reading	H >=			
Reading	I >=			
Reading	J >=			
Reading	K >=			
Reading	L >=			
Math	A >=	Overall	95.00%	95.00%
Math	B >=			
Math	C >=			
Math	D >=			
Math	E >=			
Math	F >=			
Math	G >=			
Math	H >=			
Math	I >=			
Math	J >=			
Math	K >=			
Math	L >=			

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

FFY 2018 Data Disaggregation from EDFacts

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

YES

Data Source:

SY 2018-19 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

Date:

04/08/2020

Reading Assessment Participation Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs	1,332	1,353	1,261	1,267	1,206	1,083					921
b. IEPs in regular assessment with no accommodations	585	486	434	369	376	287					234
c. IEPs in regular assessment with accommodations	596	741	708	766	679	657					522
f. IEPs in alternate assessment against alternate standards	105	73	78	90	83	70					77

Data Source:

SY 2018-19 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

Date:

04/08/2020

Math Assessment Participation Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs	1,332	1,353	1,262	1,272	1,207	1,084					924
b. IEPs in regular assessment with no accommodations	966	908	752	636	550	430					259
c. IEPs in regular assessment with accommodations	218	327	399	510	521	518					522
f. IEPs in alternate assessment against alternate standards	104	73	78	89	82	71					78

FFY 2018 SPP/APR Data: Reading Assessment

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A	Overall	8,423	8,016	95.89%	95.00%	95.17%	Met Target	No Slippage
B							N/A	N/A
C							N/A	N/A
D							N/A	N/A
E							N/A	N/A
F							N/A	N/A
G							N/A	N/A
H							N/A	N/A

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
I							N/A	N/A
J							N/A	N/A
K							N/A	N/A
L							N/A	N/A

Group	Group Name	Reasons for slippage, if applicable
A	Overall	XXX
B		XXX
C		XXX
D		XXX
E		XXX
F		XXX
G		XXX
H		XXX
I		XXX
J		XXX
K		XXX
L		XXX

FFY 2018 SPP/APR Data: Math Assessment

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A	Overall	8,434	8,091	95.99%	95.00%	95.93%	Met Target	No Slippage
B							N/A	N/A
C							N/A	N/A
D							N/A	N/A
E							N/A	N/A
F							N/A	N/A
G							N/A	N/A
H							N/A	N/A
I							N/A	N/A
J							N/A	N/A
K							N/A	N/A
L							N/A	N/A

Group	Group Name	Reasons for slippage, if applicable
A	Overall	XXX
B		XXX
C		XXX
D		XXX
E		XXX

Group	Group Name	Reasons for slippage, if applicable
F		XXX
G		XXX
H		XXX
I		XXX
J		XXX
K		XXX
L		XXX

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 North Dakota Department of Public Instruction publicly reported on students with disabilities participating in statewide assessment with the same frequency and in the same detail as it reports on the assessment of all students at the state and district level based on the FFY 2017 SPP/APR (July 1, 2017-June 30, 2018) data at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>. Click on the link and select Participation Demographics tab to display and view report on statewide assessment participation numbers and rates in both Math and ELA for student subgroups, including students on IEPs. Results can be filtered by accommodation status, assessment type, and the grade level tested.

District level report is available at this link <https://insights.nd.gov/Education>. Click on Data for Specific District or School tab. Select Browse K-12 to display a list of alphabetically arranged names of schools by default. Click on Browse by District to display a list of alphabetically arranged names of districts in the State. Select any district to view its data and click on Academic Progress. Select and click on Student Achievement to access the following tabs; Performance Overview, Performance Demographics, Participation Overview, Participation Demographics, and Explanation. Continue by selecting Participation Demographics to display and view district-wide assessment participation numbers and rates for all student subgroups, including students on IEPs. Results can be filtered by accommodation status, assessment type, and grade level tested for both Math and ELA.

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

Response to actions required in FFY 2017 SPP/APR

3B - OSEP Response

The State provided targets for FFY 2019 for this indicator, and OSEP accepts those targets.

3B - Required Actions

Indicator 3C: Proficiency for Students with IEPs

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

Instructions

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

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

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

3C - Indicator Data

Reporting Group Selection

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

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Overall	X	X	X	X	X	X	X	X	X	X	X
B												
C												
D												
E												
F												
G												
H												
I												
J												
K												
L												

Historical Data: Reading

Group	Group Name	Baseline	FFY	2013	2014	2015	2016	2017
A	Overall	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Overall	54.30%	Actual	49.51%	18.63%	21.52%	17.95%	15.82%
B			Target >=					
B			Actual					
C			Target >=					

C			Actual					
D			Target >=					
D			Actual					
E			Target >=					
E			Actual					
F			Target >=					
F			Actual					
G			Target >=					
G			Actual					
H			Target >=					
H			Actual					
I			Target >=					
I			Actual					
J			Target >=					
J			Actual					
K			Target >=					
K			Actual					
L			Target >=					
L			Actual					

Historical Data: Math

Group	Group Name	Baseline	FFY	2013	2014	2015	2016	2017
A	Overall	2005	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Overall	50.20%	Actual	50.93%	13.45%	14.74%	14.23%	14.34%
B			Target >=					
B			Actual					
C			Target >=					
C			Actual					
D			Target >=					
D			Actual					
E			Target >=					
E			Actual					
F			Target >=					
F			Actual					
G			Target >=					
G			Actual					
H			Target >=					

H			Actual					
I			Target >=					
I			Actual					
J			Target >=					
J			Actual					
K			Target >=					
K			Actual					
L			Target >=					
L			Actual					

Targets

	Group	Group Name	2018	2019
Reading	A >=	Overall	100.00%	100.00%
Reading	B >=			
Reading	C >=			
Reading	D >=			
Reading	E >=			
Reading	F >=			
Reading	G >=			
Reading	H >=			
Reading	I >=			
Reading	J >=			
Reading	K >=			
Reading	L >=			
Math	A >=	Overall	100.00%	100.00%
Math	B >=			
Math	C >=			
Math	D >=			
Math	E >=			
Math	F >=			
Math	G >=			
Math	H >=			
Math	I >=			
Math	J >=			
Math	K >=			
Math	L >=			

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children’s Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented

technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

FFY 2018 Data Disaggregation from ED Facts

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

YES

Data Source:

SY 2018-19 Assessment Data Groups - Reading (ED Facts file spec FS178; Data Group: 584)

Date:

04/08/2020

Reading Proficiency Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned	1,286	1,300	1,220	1,225	1,138	1,014					833
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level	190	130	113	94	81	70					34
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level	89	52	47	48	40	36					37
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level	51	48	49	53	36	28					37

Data Source:

SY 2018-19 Assessment Data Groups - Math (ED Facts file spec FS175; Data Group: 583)

Date:

04/08/2020

Math Proficiency Data by Grade

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned	1,288	1,308	1,229	1,235	1,153	1,019					859
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level	283	202	196	143	84	77					21
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level	30	22	41	23	13	25					12
f. IEPs in alternate assessment against alternate standards	19	14	11	13	10	8					13

Grade	3	4	5	6	7	8	9	10	11	12	HS
scored at or above proficient against grade level											

FFY 2018 SPP/APR Data: Reading Assessment

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A	Overall	8,016	1,363	15.82%	100.00%	17.00%	Did Not Meet Target	No Slippage
B							N/A	N/A
C							N/A	N/A
D							N/A	N/A
E							N/A	N/A
F							N/A	N/A
G							N/A	N/A
H							N/A	N/A
I							N/A	N/A
J							N/A	N/A
K							N/A	N/A
L							N/A	N/A

Group	Group Name	Reasons for slippage, if applicable
A	Overall	XXX
B		XXX
C		XXX
D		XXX
E		XXX
F		
G		XXX
H		XXX
I		XXX
J		XXX
K		XXX
L		XXX

FFY 2018 SPP/APR Data: Math Assessment

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A	Overall	8,091	1,260	14.34%	100.00%	15.57%	Did Not Meet Target	No Slippage
B							N/A	N/A
C							N/A	N/A
D							N/A	N/A

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
E							N/A	N/A
F							N/A	N/A
G							N/A	N/A
H							N/A	N/A
I							N/A	N/A
J							N/A	N/A
K							N/A	N/A
L							N/A	N/A

Group	Group Name	Reasons for slippage, if applicable
A	Overall	XXX
B		XXX
C		XXX
D		XXX
E		XXX
F		XXX
G		XXX
H		XXX
I		XXX
J		XXX
K		XXX
L		XXX

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 North Dakota Department of Public Instruction publicly reported on performance of students with disabilities participating in statewide assessment with the same frequency and in the same detail as it reports on the assessment of all students at the state and district level based on the FFY 2017 SPP/APR (July 1, 2017-June 30, 2018) data at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>. Click on the link and select Performance Demographics tab to display and view report on statewide assessment performance rates in both Math and ELA for student subgroups, including students on IEPs. Results can be filtered by accommodation status, assessment type, and the grade level tested

District level report is available at this link <https://insights.nd.gov/Education>. Click on Data for Specific District or School tab. Select Browse K-12 to display a list of alphabetically arranged names of schools by default. Click on Browse by District to display a list of alphabetically arranged names of districts in the State. Select any district to view its data and click on Academic Progress. Select and click on Student Achievement to access the following tabs; Performance Overview, Performance Demographics, Participation Overview, Participation Demographics, and Explanation. Continue by selecting Performance Demographics to display district-wide assessment performance rates for subgroups, including students on IEPs. Results can be filtered by accommodation status, assessment type, and grade level tested for both Math and ELA.

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

Response to actions required in FFY 2017 SPP/APR

3C - OSEP Response

The State provided targets for FFY 2019 for this indicator, and OSEP accepts those targets.

3C - Required Actions

Indicator 4A: Suspension/Expulsion

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

Results Indicator: Rates of suspension and expulsion:

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

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

Data Source

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

Measurement

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

Include State's definition of "significant discrepancy."

Instructions

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

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2018 SPP/APR, use data from 2017-2018), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

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

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

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

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for 2017-2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

4A - Indicator Data

Historical Data

Baseline	2016	0.00%			
FFY	2013	2014	2015	2016	2017
Target <=	0.97%	0.97%	0.97%	0.97%	0.97%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

Targets

FFY	2018	2019
Target <=	0.80%	0.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills

Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

FFY 2018 SPP/APR Data

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

YES

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

85

Number of districts that have a significant discrepancy	Number of districts that met the State's minimum n size	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
0	94	0.00%	0.80%	0.00%	Met Target	No Slippage

Provide reasons for slippage, if applicable

XXX

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 FFY2018 (based on 2017-2018 data) state rate for suspending/expelling students with disabilities for more than 10 days was 0.14%. The NDDPI has set the state bar as five percentage points higher than the state rate. Thus, any district that suspends or expels 5.14% or more of its students with disabilities for more than 10 days is flagged for significant discrepancy. There must be at least 30 students in the denominator of a suspension rate for it to be flagged. Of the 179 districts, 85 were excluded because their suspension/expulsion rate had fewer than 30 enrolled students with disabilities in the denominator. Eighty (80) of the remaining 85 had a 0% suspension/expulsion rate. In the entire state of North Dakota, 23 students with disabilities were suspended/expelled for greater than 10 days in FFY 2018. Seventeen (17) districts had a suspension rate greater than 0%. Of the seventeen (17) districts, one (1) was excluded because there were not at least 30 students with disabilities enrolled at this district. Thus, when exclusions are based on only those districts with a suspension rate greater than 0%, one (1) of the 179 districts was excluded from the analyses.

Provide additional information about this indicator (optional)

Review of Policies, Procedures, and Practices (completed in FFY 2018 using FFY17- FFY18 data)

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

In accordance with regulations, if district data had indicated a significant discrepancy in the rate of suspensions and expulsions for children with IEPs, the state would: Require the review and revision of polices, practices and procedures that contributed to the significant discrepancy; and Provide the state accepted plan and templates required for the required reviews.

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

The State must report on the correction of noncompliance in next year's SPP/APR consistent with requirements in the Measurement Table and OSEP Memorandum 09-02, dated October 17, 2008. Please explain why the State did not ensure that policies, procedures, and practices were revised to comply with applicable requirements.

XXX

Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

XXX

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

4A - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

4A - OSEP Response

The State provided its target for FFY 2019 for this indicator, but OSEP cannot accept that target because the State's end target for FFY 2019 does not reflect improvement over the baseline data. The State must revise its FFY 2019 target to reflect improvement.

In its calculation, the State used the total number of districts from 2018-2019 in the denominator. OSEP notes that the measurement table requires that

States examine data for the year before the reporting year (e.g., for the FFY 2018 APR, use data from 2017-2018). When reporting the total number of districts in the State under this indicator, the State should use the total number of districts for the year before the reporting year (e.g., for the FFY 2018 APR, use data from 2017-2018).

OSEP notes that the State references disproportionate representation in its 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.

4A - Required Actions

Indicator 4B: Suspension/Expulsion

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

Results Indicator: Rates of suspension and expulsion:

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

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

Data Source

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

Measurement

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

Include State's definition of "significant discrepancy."

Instructions

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

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2018 SPP/APR, use data from 2017-2018), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons

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

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

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

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for 2017-2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

4B - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below:

Historical Data

Baseline	2016	0.00%			
FFY	2013	2014	2015	2016	2017
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

Targets

FFY	2018	2019
Target	0%	0%

FFY 2018 SPP/APR Data

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

YES

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

100

Number of districts that have a significant discrepancy, by race or ethnicity	Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements	Number of districts that met the State's minimum n size	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
0	0	79	0.00%	0%	0.00%	Met Target	No Slippage

Provide reasons for slippage, if not applicable

XXX

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 FFY2018 (based on 2017-2018 data) state rate for suspending/expelling students with disabilities for more than 10 days is 0.14%. The NDDPI has set the state bar as five percentage points higher than the state rate. Thus, any district that suspends or expels 5.14% or more of its students with disabilities for more than 10 days is flagged for significant discrepancy. There must be at least 30 students in the denominator of a suspension rate for it to be flagged.

Of the 179 districts, 100 were excluded because their suspension/expulsion rate had fewer than 30 enrolled students with disabilities in the denominator for every race/ethnicity category. Only one of the remaining 100 districts had a suspension rate greater than 0. In the entire state of North Dakota, only 23 students with disabilities were suspended/expelled for greater than 10 days in FFY2018. Sixteen (16) districts had an overall suspension rate greater than 0%.

Provide additional information about this indicator (optional)

Review of Policies, Procedures, and Practices (completed in FFY 2018 using 2017-2018 data)

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

In accordance with regulations, if district data had indicated a significant discrepancy in the rate of suspensions and expulsions for children with IEPs, the state would: Require the review and revision of polices, practices and procedures that contributed to the significant discrepancy; and Provide the state accepted plan and templates required for the required reviews.

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

If YES, select one of the following:

The State must report on the correction of noncompliance in next year's SPP/APR consistent with requirements in the Measurement Table and OSEP Memorandum 09-02, dated October 17, 2008. Please explain why the State did not ensure that policies, procedures, and practices were revised to comply with applicable requirements.

XXX

Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

XXX

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

4B - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

4B - OSEP Response

The State provided a target for FFY 2019 for this indicator, and OSEP accepts that target.

In its calculation, the State used the total number of districts from 2018-2019 in the denominator. OSEP notes that the measurement table requires that States examine data for the year before the reporting year (e.g., for the FFY 2018 APR, use data from 2017-2018). When reporting the total number of districts in the State under this indicator, the State should use the total number of districts for the year before the reporting year (e.g., for the FFY 2018 APR, use data from 2017-2018).

OSEP notes that the State references disproportionate representation in its 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.

4B- Required Actions

Indicator 5: Education Environments (children 6-21)

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

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

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

5 - Indicator Data

Historical Data

	Baseline	FFY	2013	2014	2015	2016	2017
A	2008	Target >=	75.00%	75.10%	75.20%	75.30%	76.00%
A	77.17%	Data	75.32%	74.58%	74.08%	73.25%	73.48%
B	2008	Target <=	4.60%	4.85%	4.85%	4.80%	4.80%
B	4.98%	Data	4.54%	5.11%	5.33%	5.69%	5.86%
C	2008	Target <=	2.00%	2.00%	2.00%	1.99%	1.97%
C	1.09%	Data	1.60%	1.66%	1.75%	1.63%	1.56%

Targets

FFY	2018	2019
Target A >=	77.50%	77.50%
Target B <=	4.75%	4.75%
Target C <=	1.08%	1.08%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/11/2019	Total number of children with IEPs aged 6 through 21	13,559
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/11/2019	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	9,912
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/11/2019	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	812
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/11/2019	c1. Number of children with IEPs aged 6 through 21 in separate schools	87
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/11/2019	c2. Number of children with IEPs aged 6 through 21 in residential facilities	103
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/11/2019	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	26

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

Provide an explanation below

FFY 2018 SPP/APR Data

	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	9,912	13,559	73.48%	77.50%	73.10%	Did Not Meet Target	No Slippage
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	812	13,559	5.86%	4.75%	5.99%	Did Not Meet Target	Slippage
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	216	13,559	1.56%	1.08%	1.59%	Did Not Meet Target	No Slippage

	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	XXX	XXX	XXX	XXX	XXX	XXX	XXX
B. Number of children with IEPs aged 6 through 21	XXX	XXX	XXX	XXX	XXX	XXX	XXX

	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
inside the regular class less than 40% of the day							
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	XXX	XXX	XXX	XXX	XXX	XXX	XXX

Use a different calculation methodology (yes/no)

NO

Please explain the methodology used to calculate the numbers entered above.

Part	Reasons for slippage, if applicable
A	XXX
B	The FFY2018 data on 5B shows an increase of 0.13% from the FFY2017 data and missing the target by 1.24%. Data on student placement settings was analyzed at the LEA levels, but the NDDPI did not find any significant differences among the Special Education Units and Districts in the number of students served in the regular classroom less than 40% of the day. Analyzing the child count data for the 2018-19 school year, the NDDPI found increased number of children and youth with the primary disabilities of Autism, Emotional Disturbance, Intellectual Disabilities, and Other Health Impairments with some of them having complex needs that may be adequately met in more restrictive settings. In line with the NDDPI's increased focus on students with mental and behavioral health needs across agencies due to the North Dakota SSIP and the SiMR, the NDDPI hypothesizes that this may be due to the increased use of targeted evidence-based interventions and therapies for students identified with behavioral, social/emotional, social communication and mental health needs.
C	XXX

Provide additional information about this indicator (optional)

5 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

5 - OSEP Response

The State provided targets for FFY 2019 for this indicator, and OSEP accepts those targets.

5 - Required Actions

Indicator 6: Preschool Environments

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

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

6 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below.

Historical Data

	Baseline	FFY	2013	2014	2015	2016	2017
A	2011	Target >=	27.30%	27.30%	27.50%	27.70%	28.50%
A	29.05%	Data	27.32%	26.43%	25.20%	24.60%	28.51%
B	2011	Target <=	29.00%	28.80%	28.60%	28.40%	27.60%
B	28.77%	Data	28.96%	32.98%	32.81%	32.85%	33.03%

Targets

FFY	2018	2019
Target A >=	29.60%	29.60%
Target B <=	26.50%	26.50%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/11/2019	Total number of children with IEPs aged 3 through 5	2,343
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/11/2019	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	645
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/11/2019	b1. Number of children attending separate special education class	753
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/11/2019	b2. Number of children attending separate school	34
SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/11/2019	b3. Number of children attending residential facility	2

FFY 2018 SPP/APR Data

	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2017 Data	FFY 2018 Target	FFY 2018 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	645	2,343	28.51%	29.60%	27.53%	Did Not Meet Target	No Slippage
B. Separate special education class, separate school or residential facility	789	2,343	33.03%	26.50%	33.67%	Did Not Meet Target	No Slippage

Use a different calculation methodology (yes/no)

NO

Please explain the methodology used to calculate the numbers entered above.

Provide reasons for slippage for A

Part	Reasons for slippage, if applicable
A	XXX
B	XXX

Provide additional information about this indicator (optional)

6 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

6 - OSEP Response

The State provided targets for FFY 2019 for this indicator, and OSEP accepts those targets.

6 - Required Actions

Indicator 7: Preschool Outcomes

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

State selected data source.

Measurement

Outcomes:

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

Progress categories for A, B and C:

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

Summary Statements for Each of the Three Outcomes:

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

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

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

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

Instructions

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

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

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

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

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

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

7 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below.

Historical Data

	Baseline	FFY	2013	2014	2015	2016	2017
A1	2013	Target >=	83.50%	83.50%	83.50%	84.00%	84.00%
A1	84.50%	Data	84.50%	87.57%	88.01%	85.76%	84.17%
A2	2013	Target >=	63.00%	63.00%	63.00%	63.50%	63.50%
A2	63.16%	Data	63.16%	68.23%	66.20%	61.89%	61.02%
B1	2013	Target >=	84.00%	84.00%	84.00%	84.50%	84.50%
B1	86.42%	Data	86.42%	87.76%	90.71%	87.29%	86.59%
B2	2013	Target >=	55.00%	55.00%	55.00%	55.50%	55.50%
B2	55.06%	Data	55.06%	56.73%	55.17%	52.72%	50.00%
C1	2013	Target >=	80.50%	80.50%	80.50%	81.00%	81.00%
C1	84.29%	Data	84.29%	89.47%	86.78%	85.07%	86.67%
C2	2013	Target >=	72.00%	72.00%	72.00%	72.50%	72.50%
C2	72.20%	Data	72.20%	74.28%	73.18%	68.39%	72.04%

Targets

FFY	2018	2019
Target A1 >=	84.50%	85.00%
Target A2 >=	64.00%	64.00%
Target B1 >=	85.00%	87.00%
Target B2 >=	56.00%	56.00%
Target C1 >=	81.50%	84.50%
Target C2 >=	73.00%	73.00%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

FFY 2018 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed

864

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

	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	4	0.46%

	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	97	11.23%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	242	28.01%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	333	38.54%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	188	21.76%

	Numerator	Denominator	FFY 2017 Data	FFY 2018 Target	FFY 2018 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>	575	676	84.17%	84.50%	85.06%	Met Target	No Slippage
A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	521	864	61.02%	64.00%	60.30%	Did Not Meet Target	No Slippage

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

	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	5	0.58%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	109	12.62%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	338	39.12%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	288	33.33%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	124	14.35%

	Numerator	Denominator	FFY 2017 Data	FFY 2018 Target	FFY 2018 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>	626	740	86.59%	85.00%	84.59%	Did Not Meet Target	Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	412	864	50.00%	56.00%	47.69%	Did Not Meet Target	Slippage

Outcome C: Use of appropriate behaviors to meet their needs

	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	7	0.81%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	90	10.42%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	182	21.06%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	310	35.88%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	275	31.83%

	Numerator	Denominator	FFY 2017 Data	FFY 2018 Target	FFY 2018 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.	492	589	86.67%	81.50%	83.53%	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.	585	864	72.04%	73.00%	67.71%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
A1	XXX
A2	XXX
B1	The NDDPI Office of Special Education, with input from the ND Early Childhood Special Education Advisory Committee received feedback from many special education units who reported an increase in the number of students lacking basic foundational skills at the time of entering programs. A primary reason reported by the units include increased amount of screen time in home settings for children as well as parents. Currently, North Dakota has the Striving Readers Comprehensive Literacy (NDSRCL) Grant, which has an emphasis on increasing literacy in early childhood. North Dakota has also implemented a Family Engagement Initiative which promotes active partnerships between schools and families.
B2	The NDDPI Office of Special Education, with input from the ND Early Childhood Special Education Advisory Committee received feedback from many special education units who reported an increase in the number of students lacking basic foundational skills at the time of entering programs. A primary reason reported by the units include increased amount of screen time in home settings for children as well as parents. Currently, North Dakota has the Striving Readers Comprehensive Literacy (NDSRCL) Grant, which has an emphasis on increasing literacy in early childhood. North Dakota has also implemented a Family Engagement Initiative which promotes active partnerships between schools and families.
C1	XXX
C2	The NDDPI Office of Special Education, with input from the ND Early Childhood Special Education Advisory Committee received feedback from many special education units who reported the severity of behavioral needs as increasing in children. Although many students were able to make substantial increases in their behavior, some were not able to meet age level expectations. The Classroom Assessment Scoring (CLASS) Training is currently being offered across the state as an instrument to assess and improve classroom interaction and quality in early childhood programs.

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

Please explain why the State did not 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
Was sampling used?	NO
If yes, has your previously-approved sampling plan changed?	
If the plan has changed, please provide sampling plan	

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

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

YES

If no, provide the criteria for defining “comparable to same-aged peers.”

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

The NDDPI Office of Special Education, with support and information from the ND Early Childhood Special Education Advisory Committee, have approved seven anchor tool assessments that can be utilized to determine entry and exit Early Childhood Outcomes (ECOs) ratings. Entry ratings for the special education students that have been found eligible for special education services is scored on an ECOs Summary Form that is located on ND's special education case management system, known as, TIENET. 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 of their entry score. ND's ECOs Summary Forms' raw data are compiled in an Excel document for the NDDPI Office of Special Education to report findings for the state's SPP/APR.

Provide additional information about this indicator (optional)

7 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

7 - OSEP Response

The State provided targets for FFY 2019 for this indicator, and OSEP accepts those targets for A2, B2, and C2, but cannot accept the targets A1, B1 and C1, because the State's end targets for FFY 2019 do not reflect improvement over baseline data. The State must revise its FFY 2019 targets for A1, B1, and C1 to reflect improvement.

7 - Required Actions

Indicator 8: Parent involvement

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

Data Source

State selected data source.

Measurement

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

Instructions

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

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

Provide the actual numbers used in the calculation.

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

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

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

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

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

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

8 - Indicator Data

	Yes / No
Do you use a separate data collection methodology for preschool children?	NO
If yes, will you be providing the data for preschool children separately?	XXX

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Historical Data

Baseline	2013	70.58%			
FFY	2013	2014	2015	2016	2017
Target >=	70.55%	70.80%	71.00%	71.20%	72.00%
Data	70.58%	68.03%	75.84%	67.50%	72.24%

Targets

FFY	2018	2019
Target >=	73.10%	73.10%

FFY 2018 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 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
309	434	72.24%	73.10%	71.20%	Did Not Meet Target	Slippage

The number of parents to whom the surveys were distributed.

5,314

Percentage of respondent parents

8.17%

Provide reasons for slippage, if applicable

The NDDPI Office of Special Education, with input from the ND IDEA Advisory Committee, reviewed the survey results as well as survey participation and data. The committee feels parents are more likely to respond to survey requests from their local district than from the state. They also feel going back to an online survey versus paper may increase response. This feedback will be considered for next year. The ND Legislature and the Department of Public Instruction are putting a much sharper focus on family engagement as a strategy to improve classroom learning. New efforts are being developed across the state to ensure schools and families are doing everything possible to partner together for the betterment of students. NDDPI created its first-ever Family Engagement Cabinet in the Spring 2019. The Family Engagement Cabinet provides an outlet for family members to share experiences in education and advocate for changes they would like to see. The Cabinet assists NDDPI in facilitating partnerships and collaboration with families and schools. Eight training sessions were held across the state in 2019 to train districts on effective and consistent family engagement practices.

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

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

Historical Data

	Baseline	FFY	2013	2014	2015	2016	2017
Preschool	XXX	Target >=	XXX	XXX	XXX	XXX	XXX
Preschool	XXX	Data	XXX	XXX	XXX	XXX	XXX
School age	XXX	Target >=	XXX	XXX	XXX	XXX	XXX
School age	XXX	Data	XXX	XXX	XXX	XXX	XXX

Targets

FFY	2018	2019
Target A >=	XXX	XXX
Target B >=	XXX	XXX

FFY 2018 SPP/APR Data: Preschool Children Reported Separately

	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 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
Preschool	XXX	XXX	XXX	XXX	XXX	XXX	XXX
School age	XXX	XXX	XXX	XXX	XXX	XXX	XXX

Provide reasons for slippage, if applicable

XXX

The number of School-Age parents to whom the surveys were distributed.

XXX

Percentage of respondent School-Age parents

XXX

	Yes / No
Was sampling used?	YES
If yes, has your previously-approved sampling plan changed?	NO
If yes, provide sampling plan.	XXX

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

OSEP approved this sampling plan on May 20, 2014.

The sampling for this collection was done at the special education unit level. Districts in North Dakota are divided into 32 special education units. A representative sample of parents was randomly selected from each of the 32 special education units. The number of parents chosen was dependent on the number of total students at a special education unit as indicated in the table below. The sample sizes selected ensured roughly similar margins of error across the different district sizes.

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

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

	Yes / No
If yes, provide a copy of the survey.	ParentSurveyNDDPI 2019-accessiblepdf
The demographics of the parents responding are representative of the demographics of children receiving special education services.	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 ensure that future response data are representative, NDDPI will be working with its stakeholders in exploring ways to increase parent response rate and to make the data more reportable and useable at the local level. In line with this effort, NDDPI will continue to work closely with the local special education unit personnel to have them verify that students have the most current contact information to mail the questionnaires to. In addition to mailing questionnaires, NDDPI will be working with local school districts to provide a secure online access of the questionnaires to parents. Also, NDDPI will be collaborating with and providing support for local school districts that would opt-in to distribute their own questionnaires to parents of their schools. In addition, the NDDPI will be working through its Family Engagement Cabinet to provide training sessions to strengthen partnerships between schools and families while facilitating active engagement of all parents in their children's education.

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

In line with NDDPI's sampling plan, a random selection method was used to select a representative sample of 5,314 of PK-12 students. The calculation of the representativeness of the sample was in line with the racial/ethnic and primary disability make-up of all students receiving special education and related services in the state. In addition, a consideration was given to a proportionate representation of students' grade level, gender, and the servicing special education units. Parents of the selected students were mailed a 10-item questionnaire from which responses were collected. The NDDPI assessed the representativeness of the survey responses by comparing the demographic characteristics of the students of the parents who responded to the survey to the demographic characteristics of all special education students. Based on outcome of the analysis, the NDDPI determined that the results were generally representative by the grade level, gender, and primary disability of the child. However, regarding race/ethnicity, parents of white students were over-represented (88% of parent respondents indicated that their student is white, given that 72% of special education students are white). Also, Native American students were slightly under-represented (4% of parent respondents indicated that their child is Native American, given that 11% of special education students are Native Americans).

Provide additional information about this indicator (optional)

8 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

8 - OSEP Response

The State provided a target for FFY 2019 for this indicator, and OSEP accepts that target.

The State reported that the response data for this indicator were representative of the demographics of children receiving special education services in the State. However, in its narrative, the State reported that "Parents of whites are over-represented...and parents of Native American students were slightly under-represented." Therefore, it is unclear whether or not the response data was representative.

8 - Required Actions

Indicator 9: Disproportionate Representation

Instructions and Measurement

Monitoring Priority: Disproportionality

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for FFY 2017), 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

Provide an explanation of why it is not applicable below.

Historical Data

Baseline	2016	0.00%			
FFY	2013	2014	2015	2016	2017
Target	0%	0%	0%	0%	0%
Data	0.56%	0.00%	0.00%	0.00%	0.00%

Targets

FFY	2018	2019
Target	0%	0%

FFY 2018 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.

144

Number of districts with disproportionate representation of racial and ethnic groups in special education and related services	Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
1	0	31	0.00%	0%	0.00%	Met Target	No Slippage

Provide reasons for slippage, if applicable

XXX

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 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.

A total of 175 districts were included in the analyses. Of these 175, 31 met the minimum n requirements at least one time for a final risk ratio to be calculated (for each district seven risk ratios could be calculated; one for each racial/ethnic group). Please note that many districts in North Dakota have between 0-2 students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated in every district.

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.

If a district's data had indicated disproportionate representation;

1. NDDPI notifies the district and special education unit and provides data indicating disproportionate representation.
2. The district is required to complete the North Dakota Disproportionality Workbook to determine whether the disproportionality is the result of inappropriate identification or noncompliant policies, procedures or practices. The Workbook requires the district and special education unit to review policies, procedures and practices in the area of child find and referral, evaluation, eligibility and placement and/or discipline. The district is found out of compliance 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.
3. Once the district has completed the Disproportionality Workbook and given it to NDDPI, NDDPI conducts follow-up reviews to verify the information provided in the Disproportionality Workbook as needed.

In accordance with regulations, the state would:

Require the review and revision of policies, practices and procedures that contribute to disproportionate representation; and
Provide the state accepted plan and templates required for the required reviews.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

9 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

9 - OSEP Response

9 - Required Actions

Indicator 10: Disproportionate Representation in Specific Disability Categories

Instructions and Measurement

Monitoring Priority: Disproportionality

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for FFY 2017), 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

Provide an explanation of why it is not applicable below

Historical Data

Baseline	2016	0.00%			
FFY	2013	2014	2015	2016	2017
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	8.33%

Targets

FFY	2018	2019
Target	0%	0%

FFY 2018 SPP/APR Data

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

YES

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

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Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
1	0	14	8.33%	0%	0.00%	Met Target	No Slippage

Provide reasons for slippage, if applicable

XXX

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 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.

A total of 175 districts were included in the analyses. Of these 175, 14 met the minimum n requirements at least one time for a final risk ratio to be calculated (for each district seven risk ratios could be calculated; one for each racial/ethnic group). Please note that many districts in North Dakota have between 0-2 students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated in every district.

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.

If a district's data had indicated disproportionate representation;

1. NDDPI notifies the district and special education unit and provides data indicating disproportionate representation.
2. The district is required to complete the North Dakota Disproportionality Workbook to determine whether the disproportionality is the result of inappropriate identification or noncompliant policies, procedures or practices. The Workbook requires the district and special education unit to review policies, procedures and practices in the area of child find and referral, evaluation, eligibility and placement and/or discipline. The district is found out of compliance 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.
3. Once the district has completed the Disproportionality Workbook and given it to NDDPI, NDDPI conducts follow-up reviews to verify the information provided in the Disproportionality Workbook as needed.

In accordance with regulations, the state would:

Require the review and revision of policies, practices and procedures that contribute to disproportionate representation; and Provide the state accepted plan and templates required for the required reviews.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

The district that was out of compliance created a corrective action plan. NDDPI verified that the corrective action plan was completed by collecting evidence of the actions. The district also provided the NDDPI with the revision of the policies, practices and procedures which was also verified.

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

The district completed the North Dakota Disproportionality Workbook and found that it needed to revise their policies, procedures and practices after their comprehensive review. The district was also given a list of the students in the area of disproportionality. The district did a thorough analysis of the students on the list to make sure it met the standards of the revised policies, practices and procedures. Once the district had completed their corrective action plan or technical assistance on the new policies, practices and procedures, NDDPI staff went through each IEP to check for compliance. It was found in the compliance check that of the forty-two Native American students with a Speech Impairment, eighteen of the students had either moved, were dismissed from special education and related services or the special education disability category changed to something other than speech impairment. It was also found that of the fifteen Native American students with an Intellectual Disability, five of the students had either graduated, moved, dropped out or the special education disability category changed to something other than intellectual disability.

Through NDDPI's Levels of Determination review of Compliance Indicators, the district was also required to create a corrective action plan for how the district was going to implement the new policies, procedures and practices. It includes training for the staff as well as internal controls at the local level to make sure practices were being changed. The local unit director notified NDDPI each time a part of the corrective action plan was completed, and NDDPI verified completion by obtaining copies of training offered and teacher signatures verifying attendance for the training. After the corrective action was completed and documentation was collected by the NDDPI, a closeout letter is sent.

In order to assure that the corrective action had changed the way students who were Native Americans were identified the NDDPI staff made a comparison between the year of noncompliance with the current Indicator 10 data to make sure reasonable progress (0.10) was made in the area(s) of noncompliance. If reasonable progress has been made, the district will be found in compliance in the area(s) as long as reasonable progress is made. If reasonable progress is not made the district will be found out of compliance and another review of policies, practices and procedures will be conducted by NDDPI. The district found out of compliance had made reasonable progress from the year of noncompliance to the current year.

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

10 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

10 - OSEP Response

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2017 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2017: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

10 - Required Actions

Indicator 11: Child Find

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

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

Targets must be 100%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for FFY 2017), 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	2005	88.09%			
FFY	2013	2014	2015	2016	2017
Target	100%	100%	100%	100%	100%
Data	99.55%	98.62%	99.18%	99.51%	99.14%

Targets

FFY	2018	2019
Target	100%	100%

FFY 2018 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 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
3,737	3,715	99.14%	100%	99.41%	Did Not Meet Target	No Slippage

Provide reasons for slippage

XXX

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

22

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.

During FFY 2018, 3737 parental consents for evaluations were received in North Dakota schools of which 3715 evaluations were completed within the 60-day timeline. The range in days delayed was between 1 and 182. The reasons for delay include case manager error and the miscalculation of the 60 day timeline. However, all the 22 evaluations were timely corrected within the one-year timeframe of notification and if the child was found eligible for services, an IEP was developed. There were no cases where a child with parental consent for an evaluation did not have the evaluation process completed.

Indicate the evaluation timeline used:

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

What is the State’s timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).

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

State database that includes data for the entire reporting year

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

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

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
32	32	0	0

FFY 2017 Findings of Noncompliance Verified as Corrected

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

The NDDPI special education monitoring staff reviewed the FFY 2017 data collected using the statewide IEP Case management database (TIENET). All noncompliance for the FFY2017 (the 32 evaluations) were timely corrected within the one-year timeframe. The FFY2017 instances were corrected and verified by NDDPI through student file review and phone interviews with local special education directors before the submission of the FFY2017 APR. Each district with noncompliance in FFY2017 was (1) timely corrected within the one-year timeframe of notification and (2) is currently implementing the regulatory requirements of this indicator based on a review of updated data. Each special education unit with noncompliance identified in FFY 2017 had subsequent random samples of student files reviewed for ongoing regulatory compliance through data collected through the state data system, TieNet. This random sample met the 100% compliance standard.

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

The NDDPI Special Education Regional Coordinator reviewed the FFY 2017 data collected using the statewide IEP Case management database (TIENET). The local Special Education Unit Director was required to give documentation to the Regional Coordinator to ensure each file had been corrected and training had been provided on meeting the requirements of the Indicator. The NDDPI Special Education Regional Coordinator subsequently checked the TIENET database to ensure the files have been corrected to meet the requirements of the Indicator. The FFY2017 instances were corrected and verified before the submission of the FFY2017 APR. All noncompliance for the FFY2017 (the 32 evaluations) were (1) timely corrected within the one-year time frame and (2) is correctly implementing the regulatory requirements of this indicator based on a review of updated data at a student and systemic level consistent with OSEP Memorandum 09-02.

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

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

11 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

11 - OSEP Response

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2017 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2017 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..

11 - Required Actions

Indicator 12: Early Childhood Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

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

Measurement

- # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- # of those found eligible who have an IEP developed and implemented by their third birthdays.
- # 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.
- # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.

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

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

Instructions

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

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

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

Targets must be 100%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for FFY 2017), 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

Provide an explanation of why it is not applicable below.

Historical Data

Baseline	2005	94.62%			
FFY	2013	2014	2015	2016	2017
Target	100%	100%	100%	100%	100%
Data	100.00%	99.17%	100.00%	99.73%	100.00%

Targets

FFY	2018	2019
Target	100%	100%

FFY 2018 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	685
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.	473

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.	6
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	7
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.	5

	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2017 Data	FFY 2018 Target	FFY 2018 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.	473	474	100.00%	100%	99.79%	Did Not Meet Target	No Slippage

Provide reasons for slippage, if applicable

XXX

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

1

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

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

Attach PDF table (optional)

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

State database that includes data for the entire reporting year

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

The local special education unit (SEU) designee submits a spreadsheet to the NDDPI for each July 1 through June 30 time period. In addition, transition-specific data are collected and verified within the statewide IEP Case management database by each SEU designee. During the collection period (July 1-June 30), local special education unit administrators contacted NDDPI staff members to discuss questions they had based on individual cases. To assure consistent high-quality data, NDDPI staff members completed an Indicator 12 data comparison of statewide IEP Case management database Indicator 12 data with each SEUs' Indicator 12 spreadsheet and verified the TIENET report. The NDDPI staff members completed an Indicator 12 Data Comparison Report for the SEU in areas needing clarifications. Through this system of data sharing, the NDDPI collected the necessary data and calculated the percentage of children found eligible for preschool special education services who received services by their third birthday for the FFY2018.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

12 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

12 - OSEP Response

12 - Required Actions

Indicator 13: Secondary Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

Targets must be 100%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2018 SPP/APR, the data for FFY 2017), 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	2009	74.56%			
FFY	2013	2014	2015	2016	2017
Target	100%	100%	100%	100%	100%
Data	98.38%	98.36%	97.90%	98.85%	97.87%

Targets

FFY	2018	2019
Target	100%	100%

FFY 2018 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 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
411	413	97.87%	100%	99.52%	Did Not Meet Target	No Slippage

Provide reasons for slippage, if applicable

XXX

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 FFY2018 Indicator 13 monitoring was completed by the NDDPI Indicator 13 State Monitoring Team. The individuals chosen to be part of this team were selected with the intention of strengthening the capacity in ND for consistent knowledge and training throughout the state relative to the secondary transition IDEA 2004 requirements. The team consisted of university professors who work with pre-service special education teachers, state special education personnel, and local special education program coordinators. The 2018-19 Indicator 13 State Monitoring team consisted of the same representation/role as those doing the monitoring in the previous seven years. This provided for continued consistency to the monitoring process. The team continues to receive ongoing training throughout the year prior to the June monitoring session. The team is trained by the NDDPI to ensure continued understanding of the requirements of Indicator 13, competence of the team in using the statewide TIENET database system for accessing the student files, and inter-rater reliability during the scoring process. During the FFY2018 trainings, the team reviewed the previous year's process and revised, as deemed necessary, the collection methods as well as the data report sheets given to the LEAs after the review process.

Valid and Reliable

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

Statewide representation: In June 2019, the Indicator 13 State Monitoring team met for one week and reviewed 413 student files from across the state. The objective was to review one student file from each case manager of students age 16-21 who were on an IEP during FFY2018. 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 of the 413 files reviewed, two IEP files did not meet all of the components of the eight questions in the ND Transition Requirements Checklist. Further analysis of these data indicated that although a file may have been in compliance for a majority of the components of the Indicator 13 checklist, it did not meet the requirement of this indicator. Therefore, the data for FFY2018 for this indicator is 99.52% as displayed in the attachment titled "Transition Requirements". The correction of non-compliance was verified through review of current student data for each record found out of compliance. 100% of the two IEP files were verified as corrected by the NDDPI Staff prior to December 20, 2019

	Yes / No
Do the State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	NO
If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age?	
If yes, at what age are youth included in the data for this indicator	

If no, please explain

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
9	9	0	0

FFY 2017 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 FFY2017 data using the statewide IEP Case management database (TIENET). All noncompliance for FFY2017 was corrected and correction verified through review of each individual student file. The NDDPI verified that each district with noncompliance in FFY2017 had (1) developed and implemented IEPs in compliance with the transition requirements and (2) is currently implementing the regulatory requirements of this indicator based on a review of updated data at the student and systemic level consistent with OSEP Memorandum 09-02. Districts were notified through a close-out letter once corrections were verified.

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

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

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

The NDDPI verified that each district with noncompliance in FFY2017 had (1) developed and implemented IEPs in compliance with the transition

requirements and (2) is currently implementing the regulatory requirements of this indicator based on a review of updated data at the student and systemic level consistent with OSEP Memorandum 09-02.

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of PFFY01 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

13 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

13 - OSEP Response

13 - Required Actions

Indicator 14: Post-School Outcomes

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

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

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

Data Source

State selected data source.

Measurement

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

Instructions

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

Collect data by September 2019 on students who left school during 2017-2018, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2017-2018 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

I. Definitions

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

Competitive employment as used in measures B and C: States have two options to report data under “competitive employment” in the FFY 2018 SPP/APR, due February 2020:

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

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

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

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

II. Data Reporting

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

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

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

III. Reporting on the Measures/Indicators

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

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

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

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

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

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

14 - Indicator Data

Historical Data

	Baseline	FFY	2013	2014	2015	2016	2017
A	2009	Target >=	29.89%	30.09%	30.29%	30.49%	31.39%
A	21.40%	Data	29.89%	26.88%	33.47%	29.07%	30.89%
B	2009	Target >=	56.52%	56.72%	56.92%	57.12%	58.02%
B	57.30%	Data	56.52%	56.45%	56.90%	58.72%	62.83%
C	2009	Target >=	80.98%	81.18%	81.38%	81.58%	82.38%
C	68.00%	Data	80.98%	82.26%	87.03%	83.14%	85.34%

FFY 2018 Targets

FFY	2018	2019
Target A >=	32.39%	32.39%
Target B >=	59.02%	59.02%
Target C >=	83.48%	83.48%

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

FFY 2018 SPP/APR Data

Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	280
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	100

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)	22
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).	32

	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 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
A. Enrolled in higher education (1)	84	280	30.89%	32.39%	30.00%	Did Not Meet Target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	184	280	62.83%	59.02%	65.71%	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)	238	280	85.34%	83.48%	85.00%	Met Target	No Slippage

Part	Reasons for slippage, if applicable
A	XXX
B	XXX
C	XXX

Please select the reporting option your State is using:

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

	Yes / No
Was sampling used?	NO
If yes, has your previously-approved sampling plan changed?	
If yes, provide sampling plan.	

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

	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO
If yes, attach a copy of the survey	XXX

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

In April 2019, contact information (phone/address/email) were obtained for all the 793 students with disabilities who exited during the 2017-18 school year, graduated with a regular diploma, dropped-out, or reached the maximum age (21) for receiving special education services. In summer 2019, all special education units were given the choice of whether or not they would like to conduct the post school survey at the local level. Six (6) of the thirty-two (32) special education units opted-in to attempt calling and interviewing each of the exiters in their unit about postsecondary education and employment activities in the past year since leaving high school. Attempts to contact exiters from the remaining 26 units were made by a state team of professionals who were trained and contracted by the NDDPI to administer the post school outcomes survey by telephone. After July 2019, emails and additional follow up phone interview attempts were made by personnel from the North Dakota Department of Instruction, Office of Special Education to contact students who didn't respond to calls made from their local units or the state team. A total of 280 exiters completed an interview (on the phone or online) for a response rate of 35.31%.

The response rates were analyzed by the demographic characteristics of gender, race/ethnicity, primary disability, and type of exiter to determine if one group was more likely to respond than another group. There were no significant differences in response rates by gender, ethnicity/race, or disability. Exiters who graduated with a diploma (39%) were more likely to respond than exiters who dropped out (21%). The NDDPI will continue to ensure that the response data are representative of all exited students with disabilities.

In a continued effort to increase the response rate, the NDDPI is exploring other ways of supplementing the survey data collection method. In this regard, the NDDPI is collaborating with the ND University System and other State Agencies in exploring the viability of incorporating higher education enrollment data from the National Student Clearinghouse and postsecondary information from the Adult Education program in the State. To establish the validity of these information, the NDDPI matched the FFY2018 survey results on higher education enrollment with enrollment data from the National Student Clearinghouse database and data on postsecondary education or training program with data from the Adult Education program. The NDDPI will be considering incorporating enrollment data from the National Student Clearinghouse database and other information from the State Adult Education program with the survey results in FFY2019.

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

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

Provide additional information about this indicator (optional)

14 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

14 - OSEP Response

The State provided targets for FFY 2019 for this indicator, and OSEP accepts those targets.

14 - Required Actions

Indicator 15: Resolution Sessions

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

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

15 - Indicator Data

Select yes to use target ranges

Target Range not used

Prepopulated Data

Source	Date	Description	Data
SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/11/2019	3.1 Number of resolution sessions	0
SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/11/2019	3.1(a) Number resolution sessions resolved through settlement agreements	0

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

NO

Provide an explanation below.

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Historical Data

Baseline	2005	0.00%			
FFY	2013	2014	2015	2016	2017

Target >=					
Data	0.00%			0.00%	

Targets

FFY	2018	2019
Target >=		

FFY 2018 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
0	0				N/A	N/A

Targets

FFY	2018 (low)	2018 (high)	2019 (low)	2019 (high)
Target	XXX	XXX	XXX	XXX

FFY 2018 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2017 Data	FFY 2018 Target (low)	FFY 2018 Target (high)	FFY 2018 Data	Status	Slippage
XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX

Provide reasons for slippage, if applicable

XXX

Provide additional information about this indicator (optional)

ND reported fewer than ten resolution sessions held in FFY 2018. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

15 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

15 - OSEP Response

The State reported fewer than ten resolution sessions held in FFY 2018. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

15 - Required Actions

Indicator 16: Mediation

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

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

16 - Indicator Data

Select yes to use target ranges

Target Range not used

Prepopulated Data

Source	Date	Description	Data
SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/11/2019	2.1 Mediations held	3
SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/11/2019	2.1.a.i Mediations agreements related to due process complaints	0
SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/11/2019	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

Provide an explanation below

Targets: Description of Stakeholder Input

The NDDPI has actively solicited broad stakeholder input on a statewide basis. In addition, the SEA members met periodically during the year to review and update the SPP indicators, targets, and activities. Through the engagement of the stakeholders in a review of the indicator trend and current APR data, recommendations were solicited for revisions to targets and methodologies. Stakeholder agencies in North Dakota include the ND IDEA Part B Advisory Committee and Part C ND Interagency Coordinating Council; the ND Early Childhood Special Education Advisory Committee; the NDMTSS State Implementation Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Pathology Taskforce; the NDAA Advisory Committee; the ND Administrators in Special Education Study Council; the Autism Spectrum Disorder Task Force; Multidisciplinary State Review Team studying the continuum of care for ND youth; and the ND Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C); Division of Vocational Rehabilitation; ND Department of Human Services/Children and Family Services and Behavioral Health Divisions; Division of Developmental Disabilities; Children's Behavioral Health Taskforce; Life Skills Transition Center Taskforce; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; ND Board for Career and Technical Education; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds both a Spring and Fall statewide Special Education Leadership Institute with all local special education directors and coordinators in attendance. During these sessions, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP/APR.

Historical Data

Baseline	2005	0.00%
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FFY	2013	2014	2015	2016	2017
Target >=					
Data	0.00%	0.00%	0.00%	0.00%	0.00%

Targets

FFY	2018	2019
Target >=		

FFY 2018 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 2017 Data	FFY 2018 Target	FFY 2018 Data	Status	Slippage
0	3	3	0.00%		100.00%	N/A	N/A

Targets

FFY	2018 (low)	2018 (high)	2019 (low)	2019 (high)
Target	XXX	XXX	XXX	XXX

FFY 2018 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 2017 Data	FFY 2018 Target (low)	FFY 2018 Target (high)	FFY 2018 Data	Status	Slippage
XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX

Provide reasons for slippage, if applicable

XXX

Provide additional information about this indicator (optional)

The North Dakota Department of Public Instruction reported fewer than ten mediations held in FFY2018. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

16 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

16 - OSEP Response

The State reported fewer than ten mediations held in FFY 2018. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

16 - Required Actions

Certification

Instructions

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

Certify

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

Select the certifier's role:

Designated by the Chief State School Officer to certify

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

Name:

Gerry Teevens

Title:

Director of Special Education

Email:

gteevens@nd.gov

Phone:

701-328-2277

Submitted on:

04/30/20 9:12:57 AM