

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

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

**For reporting on  
FFY 2020**

**North Dakota**



**PART B DUE February 1, 2022**

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

## Introduction

### Instructions

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

## Intro - Indicator Data

### Executive Summary

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

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

173

#### General Supervision System:

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

Explanation of the NDDPI Office of Special Education

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

a. Special Education State Director: Oversees the implementation of IDEA regulations statewide and provides oversight of state legislative responsibilities and supervision of the NDDPI special education personnel.

b. Special Education SEA Staff: Hold portfolios specific to disability categories, training, monitoring, and special education program responsibilities.

c. IDEA Grant Manager: Oversees the IDEA Part B and state special education budgets.

Local Education Agencies (LEA) and Local Special Education Units (LSEUs):

North Dakota currently has 173 local school districts. Each school district belongs to one of the 31 special education units and collaborates with the special education unit staff to ensure children with disabilities receive appropriate and individualized special education services.

The following offices may be held within each of the local special education units:

Special Education Unit Director, Assistant Special Education Unit Director, and Special Education Coordinator.

Statewide case management and database system:

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

General Supervision monitoring overview and process:

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

a. Fiscal Monitoring: Supporting documentation is reviewed to ensure funds were used for allowable expenditures in alignment with the application, as well as other fiscal items such as inventory control, time and effort documentation, parentally placed set-aside funds and record retention.

b. Compliance Monitoring Self-Assessment: The NDDPI has developed toolkits for LSEUs, districts, residential schools, and department of corrections to use as a self-assessment of the compliance of special education staff in conjunction with the federal regulations. These toolkits include recommendations for student level and current compliance corrective actions. As part of local responsibilities for general supervision, LSEUs are highly encouraged to use these toolkits to sample a portion of their unit's population of student IEP files each year.

c. Focused monitoring: The NDDPI collaborated with the Office of Educational Improvement and Support to identify schools/districts in the second year of targeted support with a targeted subgroup of students with disabilities and a drive for improvement. Two districts were identified and monitored using the focused monitoring procedures.

More information about North Dakota's focused monitoring procedures can be found at

<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Guidelines/Monitoring/Focusedmonitoring.pdf>

In addition, residential schools are focused monitored on a five-year cycle. This process includes a review of documentation outlined in the self-assessment, individual student file reviews and an on-site visit. In previous years, if the special education unit had findings, the corrective action plan was due 90 days following the final report.

d. Due Process/Mediation/Complaints:

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

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

#### Corrections of Noncompliance:

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

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

#### Technical Assistance System:

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

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

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

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

#### State Longitudinal Data System (SLDS):

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

#### Departmental Website:

The NDDPI's <https://www.nd.gov/dpi/> is a substantial part of the department's technical assistance to districts, schools, and families. It contains guidelines, policy papers, forms for local, district, and parent use. The website also carries the North Dakota State Standards, assessment information, and student privacy policies and agreements. The overall design has moved from an agency-centric design to a user-centric design. When Part B special education information is shared, stakeholders are frequently directed to a specific website link for additional information. Annually, the NDDPI sends out to stakeholders a link related to ND's SPP/APR. On NDDPI's website, under the Compliance Data and Reports tab, the ND SPP/APR is posted for public viewing under the ND SPP/APR and OSEP Determinations tab at <https://www.nd.gov/dpi/education-programs/special-education>

Likewise, the ND Special Education Guidelines are available on the NDDPI Special Education website under the Special Education State Guidelines tab at <https://www.nd.gov/dpi/education-programs/special-education>

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

#### Communication with Special Education Units and Parent Support and Advocacy Groups:

As a way to communicate new guidance during COVID, the NDDPI started having regular Microsoft TEAMS calls with special education directors and coordinators across the state as well as calls with Parent Support and Advocacy groups. These calls were held at least monthly throughout the 2020-2021 school year.

#### Professional Development System:

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

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

#### Resident Teacher Program (RTP):

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

#### Speech-Language Pathology Loan Forgiveness Program:

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

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

#### Traineeship Scholarship:

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

#### Para-to-Teacher Program (PTP):

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

#### Special Education Webinar Series:

Live webinars were provided monthly from September through April and were recorded and shared with participants. More than 450 teachers, administrators, community agency staff, and parents registered. Topics covered included writing IEPs, collaborative goal writing with related services, procedural safeguards, writing FBAs/BIPs, and explicit instruction.

#### Law Conference on Students with Disabilities:

The NDDPI collaborated with the state special education offices from Montana and South Dakota to organize and sponsor the Northern Plains Law Conference on Students with Disabilities. The purpose is to provide the latest information on special education legal and other related issues. The 2020 Law Conference was held virtually and had 272 attendees from all three states.

#### Early Childhood Professional Development:

The NDDPI collaborated on various professional development activities with partners in Part C, Child Care, and Head Start. Virtual trainings were offered across the state to provide access to rural populations in the following areas: ND Early Learning Standards, Language & Literacy, and Social-Emotional Learning.

#### Comprehensive Literacy State Development Grant:

NDDPI established a group of stakeholders who produced a practical guide for caregivers of children ages birth –21 to improve literacy through increased Executive Functioning skills. This guide, *Improving Literacy Through Self-Regulations*, and supporting training can be found on the NDDPI website: [https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Final%20NDDPI\\_OnThe5s\\_.pdf](https://www.nd.gov/dpi/sites/www/files/documents/SpEd/Final%20NDDPI_OnThe5s_.pdf).

Digital and printed copies of the guide were disseminated to over 50,000 parents and professionals across ND.

#### Family Engagement:

NDDPI has a strong presence in Family Engagement initiatives. Two Special Education Coordinators serve on the Core Family Engagement team and assist with the Superintendent's Family Cabinet, a diverse group of stakeholders and families. This group serves as advisors and actively shares information and professional development in trauma intervention, inclusion, and strengthening home-to-school connections. The Family Cabinet worked with the Center for Innovation in Education to host statewide virtual family/school coffee chats, developed a Family Engagement Toolkit, Playbook, and other resources: Family Toolkit, ND Family Facebook group, Indian Education Resources.

The NDDPI and the Technical Assistance for Excellence in Special Education Center facilitated a stakeholder workgroup that reviewed the ND Gifted and Talented Guidelines from 1996. The work led to a new document entitled "ND Best Practices for Gifted Education". The document intends to guide districts moving forward with equitable assessment and services for students identified as gifted. It addresses the dynamic and ongoing process of identifying student gifts and talents, challenging students to become aware of their best potentials, and providing opportunities and services throughout the school program. Gifted Education Best Practices (nd.gov) Presentations were provided at different conferences held in ND.

The NDDPI Resource Center is designed to be a one-stop-shop to help schools, educators, students, parents, and caregivers by providing access to educational supports and resources at the local, regional and national levels. The Resource Center page was carefully chosen to align with North Dakota K-12 Education Content Standards. Particular attention has been given to identifying best practices and guidance in supporting ALL students, including students with disabilities, and providing suggestions for educator professional learning.

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

##### North Dakota Behavior Coaching Initiative

North Dakota has established eight Regional Education Associations (REAs) designated by the North Dakota State Century Code chapter 15.1-09.1-01. In 2020-2021, the NDDPI collaborated with REAs to provide services related to increasing the competencies of educators across the State. Work was focused on conducting and writing FBAs and BIPs. Training efforts consisted of sessions for schools in Prevent-Teach-Reinforce (PTR), conducting FBAs and BIPs, and how to use the Technical Adequacy Tool for Evaluation (TATE). Representatives from the NDDPI meet bimonthly with REA staff to track progress. The NDDPI coordinates with each REA to facilitate professional development for school personnel throughout regions of the State. The collaborative work between the REAs and the NDDPI is exemplified through ND Multi-Tier System of Supports work.

The NDDPI hosts annual training related to the federal secondary transition requirements. The annual Indicator 13 monitoring results dictate the structure and specific topics. Professional development was provided on; "Increasing Graduation Rates and Writing Transition IEPs", "Graduation and Choice Ready" to support the ND ESSA for a student to be choice ready in the following areas: post-secondary, workforce, military or independent living, and the importance of Graduation Improvement, with research on strategies to incorporate. The NDDPI partakes in NTA:CTC Perkins V, Vocational Rehabilitation, and Part B IDEA collaboration team meetings held every month. Collaboration with the National Dropout Prevention Institute to conduct an in-state research study to determine how to increase graduation rates for students with disabilities and how to close the gap between students with disabilities and those without disabilities.

#### Broad Stakeholder Input:

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

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

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

YES

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

127

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

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

Parents of students with disabilities were involved in almost all the meetings NDDPI held to discuss the targets. When NDDPI switched the method for engaging stakeholders, it was to minimize the process and make it more understandable and less time-consuming so parents of students with disabilities would engage in the process. Utilizing platforms such as Jamboard during the meetings equalized the field when gathering information. NDDPI shared invitations with parent support and advocacy groups who assisted in distributing the invitations to parents willing to participate and offer suggestions during the process. Parent support and advocacy staff highly encouraged parents to participate so they could share their insight as a North Dakota family. Invitations for parent involvement were also shared on the NDDPI Family Engagement Facebook Group page and in the NDDPI weekly BLAST. In addition, the surveys were created to help collect more responses from North Dakota parents.

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

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

In addition to the information provided above, the NDDPI Office of Special Education worked collaboratively with the NDDPI Office of Indian and Multicultural Education to send invitations to meetings with their stakeholders, and to share links so that members could complete online surveys to increase the capacity of diverse groups. NDDPI also expressed the importance to all groups who helped distribute invitations to stakeholders the need to get as many stakeholders from across North Dakota as possible, including and especially those from diverse groups. Stakeholder group meetings included PPTs on how to set targets, graphs of scores over time, and detailed explanations of how to interpret the data. Parents were encouraged to ask questions and offer their unique insights. The online surveys included graphs of data over time for context.

**Soliciting Public Input:**

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

The NDDPI sent invitations to special education directors, parent support and advocacy groups, special education consortiums, and other offices in NDDPI and asked them to share with as many parents, school administrators, educators, advocacy organizations, community members, and other stakeholders as possible. The invitations for the November stakeholder meeting to set targets were sent out three weeks in advance. The invitations to complete the surveys online were sent out for about 90 days. These invitations were also shared on NDDPI's Family Engagement Facebook group and through the NDDPI weekly newsletter, the BLAST.

**Making Results Available to the Public:**

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

The NDDPI online surveys with the potential targets were available on the NDDPI website until December 31, 2021. The information gathered from the survey was looked at to see if the targets should be changed. As previously mentioned, the large majority of stakeholders agreed with the proposed end targets and the proposed intervening targets. Thus, no changes were made to the targets proposed by stakeholders.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2019 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 2019 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP/APR, including any revision if the State has revised the targets that it submitted with its FFY 2019 APR in 2021, is available.**

The North Dakota Department of Public Instruction reported to the public on the FFY 2019 (July 1, 2019-June 30, 2020) 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 2019 APR on its website at <https://insights.nd.gov/Education>

To access the districts' performance reports;

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

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

**Intro - Prior FFY Required Actions**

None

**Intro - OSEP Response**

**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) exiting special education due to graduating with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

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

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2020 SPP/APR, use data from 2019-2020), and compare the results to the target. Provide the actual numbers used in the calculation.

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

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

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

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	76.12%

FFY	2015	2016	2017	2018	2019
Target >=	89.00%	89.00%	89.00%	89.00%	89.00%
Data	67.82%	67.88%	66.34%	68.60%	73.36%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target >=	76.12%	76.12%	76.32%	76.53%	76.93%	77.74%

### Targets: Description of Stakeholder Input

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Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

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After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

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In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at

the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	526
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	0
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	0
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	38
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	127

#### FFY 2020 SPP/APR Data

Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
526	691	73.36%	76.12%	76.12%	N/A	N/A

#### Graduation Conditions

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

The North Dakota Department of Public Instruction (NDDPI) and the local school districts have the authority to set graduation standards, grading policies, and conditions for awarding diplomas as long as those policies do not violate the civil rights of students. The completion of a course of study prescribed under state and local requirements should result in formal recognition of the completion of that study. Diplomas for students who receive



special education services are awarded in the same manner as diplomas are awarded to students without disabilities. North Dakota School Century Code 15.1-21-02.1 includes the following requirement: Before a school district, a non-public high school, or the ND Department of Independent Study issues a diploma to a student, the student must have successfully completed at least 22 units of high school course work from the minimum curriculum offerings established by North Dakota School Century Code 15.1-21-02. ND offers an optional high school curriculum for any high school student who has completed at least two years of high school and has failed to pass at least one-half unit from three subsections in section 15.1-21-02.1 or has a grade point average at or below the twenty-fifth percentile of others students in the district who are enrolled in the same grade. The student, along with their parents and the student's career advisor, guidance counselor, or principal, will meet to determine whether the student will be allowed to pursue an optional high school curriculum to obtain 21 credits to meet graduation requirements as outlined in North Dakota Century Code 15.1-21-02.3.

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

NO

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

ND's baseline was from 2011, which was ten years ago. At that time ND was using a different formula to calculate the graduation rate of students with disabilities. ND has become more diverse in race/ethnicity, English Learners, and with students with more significant needs than ten years ago. All of these things have impacted our data and led the NDDPI to select a different baseline. NDDPI met with stakeholders to review previous and statistical forecasted data related to graduation rates of students with disabilities. When looking at data, using the new calculation, it was determined that the 2020 data would be the most representative going forward. Also, due to this indicator being "lag data," this baseline year would not have been affected by the Covid 19 pandemic.

## **1 - Prior FFY Required Actions**

None

## **1 - OSEP Response**

The State reported it revised the baseline for this indicator, using section 618 exiting data from FFY 2017. However, OSEP cannot accept that baseline revision because the State's FFY 2017 baseline data reported in the Historical Data table (75.24%) is not consistent with the data the State submitted in its FFY 2017 (i.e. 2016-17) section 618 exiting data (42.31%).

OSEP cannot accept the State's FFYs 2020-2025 targets for this indicator because OSEP cannot determine whether the State's end target for FFY 2025 reflects improvement over the State's baseline data, given the discrepancy in the baseline data, as noted above. The State must ensure that its FFY 2025 target reflects improvement over the baseline.

## **1 - Required Actions**

## Indicator 2: Drop Out

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

#### Data Source

##### OPTION 1:

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

##### OPTION 2 (For FFY 2020 ONLY):

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 exited special education (ages 14-21) in the denominator.

##### OPTION 2 (For FFY 2020 ONLY):

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.*

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 2020 SPP/APR, use data from 2019-2020), and compare the results to the target.

With the FFY 2020 SPP/APR, due February 1, 2022, States may use either option 1 or 2. States using Option 2 must provide the actual numbers used in the calculation.

##### OPTION 1:

**Use 618 exiting data** for the year before the reporting year (e.g., for the FFY 2020 SPP/APR, use data from 2019-2020). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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

##### 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 Statistics'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:

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

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** States must report data using Option 1 (i.e., the same data as used for reporting to the Department under section 618 of the IDEA). Option 2 will not be available beginning with the FFY 2021 SPP/APR.

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	18.38%

FFY	2015	2016	2017	2018	2019
Target <=	19.25%	18.75%	18.00%	17.00%	17.00%
Data	20.26%	17.65%	16.53%	19.40%	16.48%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target <=	18.38%	18.38%	18.23%	18.09%	17.80%	17.21%

### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for

setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### Please indicate the reporting option used on this indicator

Option 1

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	526
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	0
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	0
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	38

Source	Date	Description	Data
SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/26/2021	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	127

#### FFY 2020 SPP/APR Data

Number of youth with IEPs (ages 14-21) who exited special education due to dropping out	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
127	691	16.48%	18.38%	18.38%	N/A	N/A

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

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

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

ND's baseline was from 2011, which was ten years ago. ND has become more diverse in race/ethnicity, English Learners, and students with more significant needs than ten years ago. These things have impacted our data and led the NDDPI to select a different baseline. NDDPI met with stakeholders to review previous and statistical forecasted data related to dropout rates of students with disabilities. When looking at data, it was determined that the 2020 data would be the most representative in the future. Due to this indicator being "lag data," this baseline year would not have been affected by the Covid 19 pandemic.

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2017, but OSEP cannot accept that baseline revision because the State's FFY 2017 baseline data reported in the Historical Data table (19.46%) is not consistent with the State's FFY 2017 data reported in the section 618 exiting data (12.64%). Data for this indicator are "lag" data; therefore FFY 2017 data are from 2016-17.

OSEP cannot accept the State's FFYs 2020-2025 targets for this indicator because OSEP cannot determine whether the State's end target for FFY 2025 reflects improvement over the State's baseline data, given the discrepancy in the baseline data, as noted above. The State must ensure that its FFY 2025 target reflects improvement over the baseline.

## 2 - Required Actions

## Indicator 3A: Participation for Children with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

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

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

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

### 3A - Indicator Data

#### Historical Data:

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

#### Targets

Subject	Group	Group Name	2020	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%
Reading	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%
Reading	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%
Math	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%
Math	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%
Math	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%	95.00%	95.00%

## Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

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On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

## FFY 2020 Data Disaggregation from EDFacts

### Data Source:

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

### Date:

03/30/2022

### Reading Assessment Participation Data by Grade

Group	Grade 4	Grade 8	Grade HS
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a. Children with IEPs*	1,373	1,229	820
b. Children with IEPs in regular assessment with no accommodations	453	323	217
c. Children with IEPs in regular assessment with accommodations	743	694	457
d. Children with IEPs in alternate assessment against alternate standards	71	85	46

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

03/30/2022

**Math Assessment Participation Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,375	1,232	821
b. Children with IEPs in regular assessment with no accommodations	753	471	235
c. Children with IEPs in regular assessment with accommodations	451	564	451
d. Children with IEPs in alternate assessment against alternate standards	69	86	46

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

**FFY 2020 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	1,267	1,373		95.00%	92.28%	N/A	N/A
B	Grade 8	1,102	1,229		95.00%	89.67%	N/A	N/A
C	Grade HS	720	820		95.00%	87.80%	N/A	N/A

**FFY 2020 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	1,273	1,375		95.00%	92.58%	N/A	N/A
B	Grade 8	1,121	1,232		95.00%	90.99%	N/A	N/A
C	Grade HS	732	821		95.00%	89.16%	N/A	N/A

**Regulatory Information**

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

**Public Reporting Information**

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

The NDDPI publicly reports on students with disabilities performance in statewide assessment with the same frequency and in the same detail as it reports on all students in the state. Student assessment performance data are publicly reported at both state and district levels. The FFY 2020 (July 1, 2020-June 30, 2021) statewide Math and ELA assessment performance data are available at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>.

To access state level reports;

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

District level reports for the FFY 2020 (July 1, 2020-June 30, 2021) are available at <https://insights.nd.gov/Education>

To access report,

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

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

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

The NDDPI team does not feel that COVID-19 had an impact on participation rates. All schools were open during all testing windows. The participation rate did decrease this year. The NDDPI assessment team dug into the data and uncovered that some residential schools were not following North Dakota's Century Code policy on Parental Directives allowing students to opt out of the assessments. This had a greater impact on participation rates than COVID-19. The training was provided one on one with these residential schools for the parental directive to opt out. In addition, training has been provided to special education directors and district testing coordinators across the state.

The NDDPI baseline was last set in 2005. In 2017, the NDDPI updated the state education standards which impacted both the NDSA and NDAA. This same year a new vendor for the NDSA was selected. Being the new assessment used different proficiency standards and cut scores, data prior to 2017 is not comparable. Therefore FFY 2020 data was selected as the baseline. During this time the state of ND has become more diverse in race/ethnicity, English Learners, and with students with more significant needs than 16 years ago. In 2006, the number of students with disabilities was about 12,000; the percentage of SWD who were white was about 85%, and the number of ELL SWD was about 200. In 2020, the number of students with disabilities was about 14,000; the percentage of SWD who were white was about 75%; and the number of ELL SWD was over 300 (while this might seem like a small increase, the EL numbers in 2006-07 were mainly American Indian and White whereas now, the EL numbers are mainly Hispanic and African American). The disability categories of students have shifted to a higher percentage of students having Autism or Other Health Impairments. All of these things have impacted our data and led the NDDPI to select a different baseline.

### **3A - Prior FFY Required Actions**

None

### **3A - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

### **3A - Required Actions**



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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

### Data Source

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

### Measurement

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

### Instructions

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

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

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

## 3B - Indicator Data

### Historical Data:

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

### Targets

Subject	Group	Group Name	2020	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	13.21%	13.21%	13.43%	13.90%	14.34%	15.23%
Reading	B >=	Grade 8	11.90%	11.90%	12.16%	12.42%	12.94%	14.00%
Reading	C >=	Grade HS	8.75%	8.75%	9.23%	9.53%	10.13%	11.30%
Math	A >=	Grade 4	14.87%	14.87%	15.26%	15.65%	16.43%	18.00%
Math	B >=	Grade 8	9.37%	9.37%	9.70%	10.03%	10.68%	12.00%
Math	C >=	Grade HS	4.96%	4.96%	5.14%	5.32%	5.50%	6.21%

### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1,2,14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

## FFY 2020 Data Disaggregation from EDFacts

### Data Source:

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### Date:

03/03/2022

### Reading Assessment Proficiency Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,196	1,017	674
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	100	81	35
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	58	40	24

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,204	1,035	686
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	151	81	21
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	28	16	13

**FFY 2020 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	158	1,196		13.21%	13.21%	N/A	N/A
B	Grade 8	121	1,017		11.90%	11.90%	N/A	N/A
C	Grade HS	59	674		8.75%	8.75%	N/A	N/A

**FFY 2020 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	179	1,204		14.87%	14.87%	N/A	N/A
B	Grade 8	97	1,035		9.37%	9.37%	N/A	N/A
C	Grade HS	34	686		4.96%	4.96%	N/A	N/A

## Regulatory Information

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

## Public Reporting Information

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

The NDDPI publicly reports on students with disabilities performance in statewide assessment with the same frequency and in the same detail as it reports on all students in the state. Student assessment performance data are publicly reported at both state and district levels. The FFY 2020 (July 1, 2020-June 30, 2021) statewide Math and ELA assessment performance data are available at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>.

To access state level reports;

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

District level reports for the FFY 2020 (July 1, 2020-June 30, 2021) are available at <https://insights.nd.gov/Education>

To access report,

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

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

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

The NDDPI team does not feel that COVID-19 had an impact on participation rates. All schools were open during all testing windows. The participation rate did decrease this year. The NDDPI assessment team dug into the data and uncovered that some residential schools were not following North Dakota's Century Code policy on Parental Directives allowing students to opt out of the assessments. This had a greater impact on participation rates than COVID-19. The training was provided one on one with these residential schools for the parental directive to opt out. In addition, training has been provided to special education directors and district testing coordinators across the state.

The NDDPI baseline was last set in 2005. In 2017, the NDDPI updated the state education standards which impacted both the NDSA and NDAA. This same year a new vendor for the NDSA was selected. Being the new assessment used different proficiency standards and cut scores, data prior to 2017 is not comparable. Therefore FFY 2020 data was selected as the baseline. During this time the state of ND has become more diverse in race/ethnicity, English Learners, and with students with more significant needs than 16 years ago. In 2006, the number of students with disabilities was about 12,000; the percentage of SWD who were white was about 85%, and the number of ELL SWD was about 200. In 2020, the number of students with disabilities was about 14,000; the percentage of SWD who were white was about 75%; and the number of ELL SWD was over 300 (while this might seem like a small increase, the EL numbers in 2006-07 were mainly American Indian and White whereas now, the EL numbers are mainly Hispanic and African American). The disability categories of students have shifted to a higher percentage of students having Autism or Other Health Impairments. All of these things have impacted our data and led the NDDPI to select a different baseline.

## 3B - Prior FFY Required Actions

None

## 3B - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 3B - Required Actions

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

### Data Source

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

### Measurement

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

### Instructions

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

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

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

## 3C - Indicator Data

### Historical Data:

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

### Targets

Subject	Group	Group Name	2020	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	53.52%	53.52%	54.21%	54.89%	56.26%	59.00%
Reading	B >=	Grade 8	35.29%	35.29%	36.01%	36.72%	38.15%	41.00%
Reading	C >=	Grade HS	39.13%	39.13%	39.74%	40.35%	41.57%	44.00%
Math	A >=	Grade 4	31.88%	31.88%	32.15%	32.41%	32.94%	34.00%
Math	B >=	Grade 8	13.95%	13.95%	14.21%	14.47%	14.98%	16.00%
Math	C >=	Grade HS	36.96%	36.96%	37.09%	37.22%	37.48%	38.00%

## Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

## FFY 2020 Data Disaggregation from EDFacts

### Data Source:

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### Date:

03/03/2022

## Reading Assessment Proficiency Data by Grade

Group	Grade 4	Grade 8	Grade HS
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a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	71	85	46
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	38	30	18

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	69	86	46
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	22	12	17

**FFY 2020 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	38	71		53.52%	53.52%	N/A	N/A
B	Grade 8	30	85		35.29%	35.29%	N/A	N/A
C	Grade HS	18	46		39.13%	39.13%	N/A	N/A

**FFY 2020 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	22	69		31.88%	31.88%	N/A	N/A
B	Grade 8	12	86		13.95%	13.95%	N/A	N/A
C	Grade HS	17	46		36.96%	36.96%	N/A	N/A

**Regulatory Information**

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

**Public Reporting Information**

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

The NDDPI publicly reports on students with disabilities performance in statewide assessment with the same frequency and in the same detail as it reports on all students in the state. Student assessment performance data are publicly reported at both state and district levels. The FFY 2020 (July 1, 2020-June 30, 2021) statewide Math and ELA assessment performance data are available at <https://insights.nd.gov/Education/State/StateAssessment/StudentAchievement#>.

To access state level reports;

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

District level reports for the FFY 2020 (July 1, 2020-June 30, 2021) are available at <https://insights.nd.gov/Education>

To access report,

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

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

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

The NDDPI team does not feel that COVID-19 had an impact on participation rates. All schools were open during all testing windows. The participation rate did decrease this year. The NDDPI assessment team dug into the data and uncovered that some residential schools were not following North Dakota's Century Code policy on Parental Directives allowing students to opt out of the assessments. This had a greater impact on participation rates than COVID-19. The training was provided one on one with these residential schools for the parental directive to opt out. In addition, training has been provided to special education directors and district testing coordinators across the state.

The NDDPI baseline was last set in 2005. In 2017, the NDDPI updated the state education standards which impacted both the NDSA and NDAA. This same year a new vendor for the NDSA was selected. Being the new assessment used different proficiency standards and cut scores, data prior to 2017 is not comparable. Therefore FFY 2020 data was selected as the baseline. During this time the state of ND has become more diverse in race/ethnicity, English Learners, and with students with more significant needs than 16 years ago. In 2006, the number of students with disabilities was about 12,000; the percentage of SWD who were white was about 85%, and the number of ELL SWD was about 200. In 2020, the number of students with disabilities was about 14,000; the percentage of SWD who were white was about 75%; and the number of ELL SWD was over 300 (while this might seem like a small increase, the EL numbers in 2006-07 were mainly American Indian and White whereas now, the EL numbers are mainly Hispanic and African American). The disability categories of students have shifted to a higher percentage of students having Autism or Other Health Impairments. All of these things have impacted our data and led the NDDPI to select a different baseline.

**3C - Prior FFY Required Actions**

None

**3C - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

**3C - Required Actions**



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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

### Data Source

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

### Measurement

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2020-2021 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2020-2021 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children enrolled for a full academic year and those not enrolled for a full academic year.

### Instructions

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

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

Indicator 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2020-2021 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2020-2021 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.

## 3D - Indicator Data

### Historical Data:

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

### Targets

Subject	Group	Group Name	2020	2021	2022	2023	2024	2025
Reading	A <=	Grade 4	24.25	24.25	23.97	23.69	23.12	22.00
Reading	B <=	Grade 8	36.71	36.71	36.50	36.28	35.86	35.00
Reading	C <=	Grade HS	31.67	31.67	31.46	31.25	30.84	30.00
Math	A <=	Grade 4	20.49	20.49	20.31	20.12	19.75	19.00
Math	B <=	Grade 8	27.84	27.84	27.61	27.38	26.92	26.00
Math	C <=	Grade HS	23.06	23.06	22.74	22.42	21.77	20.50

### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1,2,14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

## FFY 2020 Data Disaggregation from EDFacts

### Data Source:

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

### Date:

03/03/2022

### Reading Assessment Proficiency Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	8,149	8,011	7,045
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,196	1,017	674
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	2,990	3,850	2,941

d. All students in regular assessment with accommodations scored at or above proficient against grade level	63	44	58
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	100	81	35
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	58	40	24

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	8,179	8,053	7,088
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,204	1,035	686
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	2,863	2,981	1,957
d. All students in regular assessment with accommodations scored at or above proficient against grade level	29	16	29
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	151	81	21
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	28	16	13

**FFY 2020 SPP/APR Data: Reading Assessment**

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	13.21%	37.46%		24.25	24.25	N/A	N/A
B	Grade 8	11.90%	48.61%		36.71	36.71	N/A	N/A
C	Grade HS	8.75%	42.57%		31.67	33.82	N/A	N/A

**FFY 2020 SPP/APR Data: Math Assessment**

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A	Grade 4	14.87%	35.36%		20.49	20.49	N/A	N/A
B	Grade 8	9.37%	37.22%		27.84	27.84	N/A	N/A
C	Grade HS	4.96%	28.02%		23.06	23.06	N/A	N/A

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

The NDDPI team does not feel that COVID-19 had an impact on participation rates. All schools were open during all testing windows. The participation rate did decrease this year. The NDDPI assessment team dug into the data and uncovered that some residential schools were not following North Dakota's Century Code policy on Parental Directives allowing students to opt out of the assessments. This had a greater impact on participation rates than COVID-19. The training was provided one on one with these residential schools for the parental directive to opt out. In addition, training has been provided to special education directors and district testing coordinators across the state.

The NDDPI baseline was last set in 2005. In 2017, the NDDPI updated the state education standards which impacted both the NDSA and NDAA. This same year a new vendor for the NDSA was selected. Being the new assessment used different proficiency standards and cut scores, data prior to 2017 is not comparable. Therefore FFY 2020 data was selected as the baseline. During this time the state of ND has become more diverse in race/ethnicity, English Learners, and with students with more significant needs than 16 years ago. In 2006, the number of students with disabilities was about 12,000; the percentage of SWD who were white was about 85%, and the number of ELL SWD was about 200. In 2020, the number of students with disabilities was about 14,000; the percentage of SWD who were white was about 75%; and the number of ELL SWD was over 300 (while this might seem like a small increase, the EL numbers in 2006-07 were mainly American Indian and White whereas now, the EL numbers are mainly Hispanic and African American). The disability categories of students have shifted to a higher percentage of students having Autism or Other Health Impairments. All of these things have impacted our data and led the NDDPI to select a different baseline.

**3D - Prior FFY Required Actions**

None

**3D - OSEP Response**

The State has established the baseline for this indicator, using data from FFY 2020, and OSEP accepts that baseline.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

**3D - Required Actions**

## Indicator 4A: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

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

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, LEAs that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of LEAs 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 2020 SPP/APR, use data from 2019-2020), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

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

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

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2019-2020 school year, those 100 LEAs would have reported 618 data in 2019-2020 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2020-2021, suspension/expulsion data from those 15 new LEAs would not be in the 2019-2020 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2020 SPP/APR submission, States must use the number of LEAs reported in 2019-2020 (which can be found in the FFY 2019 SPP/APR introduction).

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

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2015	2016	2017	2018	2019
Target <=	0.97%	0.97%	0.97%	0.80%	0.00%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### FFY 2020 SPP/APR Data

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

YES

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

Number of LEAs that have a significant discrepancy	Number of LEAs that met the State's minimum n/cell size	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
0	95	0.00%	0.00%	0.00%	Met target	No Slippage

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

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

**State's definition of "significant discrepancy" and methodology**

The NDDPI uses the "state bar" method for defining significant discrepancy. The FFY 2020 (based on 2019-2020 data) state rate for suspending/expelling students with disabilities for more than ten days is 0.08%. The NDDPI has set the state bar as five percentage points higher than the state rate. Thus, any district that suspends or expels 5.08% or more of its students with disabilities for more than ten days will be flagged for significant discrepancy.

There must be at least 30 students with disabilities (minimum n-size) in the denominator for a suspension rate to be flagged. Of the 174 districts, 79 were excluded because they did not meet the n-size, and 88 of the districts that met the n-size had a 0% suspension/expulsion rate.

In the entire state of North Dakota, 13 students with disabilities were suspended/expelled for greater than ten days in SY 2019-20. A total of seven districts, with at least 30 students with disabilities enrolled, had a suspension/expulsion rate greater than 0%. However, none of the seven districts had a suspension/expulsion rate greater than or equal to 5.08%.

In summary,

I. Total number of Districts =174

II. Number of districts excluded with fewer than 30 students with disabilities enrolled Minimum N-size=79

III. Number of districts with more than 30 students with disabilities but zero Suspensions/Expulsions=88

IV. Number of districts with more than 30 students with disabilities and a suspension/expulsion rate >0=7

V. None of the seven districts had a suspension/expulsion rate = 5.08%

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

Data on this indicator is similar to prior years. The NDDPI recognizes that there could have been an impact due to COVID-19 during the data collection period. In spring 2020 schools shut down briefly and then transitioned to virtual learning. The NDDPI will continue to monitor what if any impact that has on the data.

**Review of Policies, Procedures, and Practices (completed in FFY 2020 using 2019-2020 data)**

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

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

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

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4A - Prior FFY Required Actions**

None

**4A - OSEP Response**

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

**4A - Required Actions**



## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

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

Include State's definition of "significant discrepancy."

#### Instructions

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

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2020 SPP/APR, use data from 2019-2020), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

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

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

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2019-2020 school year, those 100 LEAs would have reported 618 data in 2019-2020 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2020-2021, suspension/expulsion data from those 15 new LEAs would not be in the 2019-2020 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2020 SPP/APR submission, States must use the number of LEAs reported in 2019-2020 (which can be found in the FFY 2019 SPP/APR introduction).

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

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

### Historical Data

Baseline Year	Baseline Data
2016	0.00%

FFY	2015	2016	2017	2018	2019
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2020	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%	0%

#### FFY 2020 SPP/APR Data

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

YES

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

90

Number of LEAs that have a significant discrepancy, by race or ethnicity	Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements	Number of LEAs that met the State's minimum n/cell size	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
0	0	84	0.00%	0%	0.00%	Met target	No Slippage

Were all races and ethnicities included in the review?

YES

#### State's definition of "significant discrepancy" and methodology

The NDDPI uses the "state bar" method for defining significant discrepancy. The FFY 2020 (based on SY 2019-20 data) overall state rate for suspending/expelling students with disabilities for more than ten days is .08% The NDDPI has set the state bar as 5% higher than the state rate. Thus, any district that suspends or expels 5.08% or more of its students with disabilities of a particular racial/ethnic group for more than ten days is flagged for significant discrepancy.

For each of North Dakota's 174 LEAs, the NDDPI calculated a suspension and expulsion rate for each of the seven races and ethnicity reporting categories. (Note: many LEAs do not have members of every race and ethnicity reporting category enrolled in the LEA.)

None were identified as having significant discrepancy in FFY 2020 for Indicator 4B.

In fact, only seven LEAs had a suspension rate greater than 0%. Of these seven, two were excluded because they did not meet the minimum n of at least 30 students with disabilities in the denominator. Both of these LEAs suspended just one student (with disabilities) When we examined all 174 districts, 90 were excluded because there were fewer than 30 enrolled students with disabilities in each of their racial/ethnic groups. In the entire state of North Dakota, only 13 students with disabilities were suspended/expelled for greater than ten days in the 2019-20 school year.

In summary,

I. Total number of Districts 174

II. Number of districts excluded with fewer than 30 students with disabilities in each of their racial/ethnic groups=90

III. Number of districts with 30 or more students with disabilities in a given racial/ethnic group and a suspensions/expulsion rate of 0%=79

IV. Number of districts with 30 or more students with disabilities in a given racial/ethnic group and a suspension/expulsion rate > 0%=5

V. Number of the five districts had a suspension/expulsion rate greater than or equal to 5.08% for a specific racial/ethnic group=0

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

Data on this indicator is similar to prior years. The NDDPI recognizes that there could have been an impact due to COVID-19 during the data collection period. In spring 2020 schools shut down briefly and then transitioned to virtual learning. The NDDPI will continue to monitor what if any impact that has on the data.

#### Review of Policies, Procedures, and Practices (completed in FFY 2020 using 2019-2020 data)

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

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

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

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4B - Prior FFY Required Actions**

None

**4B - OSEP Response**

**4B- Required Actions**

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

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

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

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

## 5 - Indicator Data

### Historical Data

Part	Baseline	FFY	2015	2016	2017	2018	2019
A	2020	Target >=	75.20%	75.30%	76.00%	77.50%	77.50%
A	73.24%	Data	74.08%	73.25%	73.48%	73.10%	72.92%
B	2020	Target <=	4.85%	4.80%	4.80%	4.75%	4.75%
B	6.42%	Data	5.33%	5.69%	5.86%	5.99%	6.44%
C	2020	Target <=	2.00%	1.99%	1.97%	1.08%	1.08%
C	1.58%	Data	1.75%	1.63%	1.56%	1.59%	1.51%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target A >=	73.24%	73.24%	73.45%	73.67%	74.12%	75.00%
Target B <=	6.42%	6.42%	6.42%	6.42%	5.71%	5.00%
Target C <=	1.58%	1.58%	1.58%	1.58%	1.41%	1.25%

### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1,2,14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### Prepopulated Data

Source	Date	Description	Data
SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/07/2021	Total number of children with IEPs aged 5 (kindergarten) through 21	14,768
SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/07/2021	A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	10,816
SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/07/2021	B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	948
SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/07/2021	c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools	96
SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/07/2021	c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities	101
SY 2020-21 Child Count/Educational Environment	07/07/2021	c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements	36

Source	Date	Description	Data
Data Groups (EDFacts file spec FS002; Data group 74)			

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

NO

#### FFY 2020 SPP/APR Data

Education Environments	Number of children with IEPs aged 5 (kindergarten) through 21 served	Total number of children with IEPs aged 5 (kindergarten) through 21	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	10,816	14,768	72.92%	73.24%	73.24%	N/A	N/A
B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	948	14,768	6.44%	6.42%	6.42%	N/A	N/A
C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	233	14,768	1.51%	1.58%	1.58%	N/A	N/A

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

The calculation for Indicator 5 has changed to include all five-year-olds in kindergarten; therefore, North Dakota has chosen a baseline that aligns with kindergarteners being included in the sample.

#### 5 - Prior FFY Required Actions

None

#### 5 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, but OSEP cannot accept that revision because the State did not transition to including 5-year-olds in Kindergarten in its FFY2019 data (EDFacts file specification FS002). The State must revise baseline using FFY2020 data.

OSEP cannot accept the State's FFYs 2020-2025 targets for this indicator because OSEP cannot determine whether the State's end targets for FFY 2025 reflect improvement over the State's baseline data, given that the State's revised baseline cannot be accepted, as noted above. The State must ensure its FFY 2025 targets reflect improvement.

#### 5 - Required Actions

## Indicator 6: Preschool Environments

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

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

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

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

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

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

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

## 6 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

### Historical Data – 6A, 6B

Part	FFY	2015	2016	2017	2018	2019
A	Target >=	27.50%	27.70%	28.50%	29.60%	29.60%
A	Data	25.20%	24.60%	28.51%	27.53%	29.13%
B	Target <=	28.60%	28.40%	27.60%	26.50%	26.50%
B	Data	32.81%	32.85%	33.03%	33.67%	31.46%

### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

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In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

## Targets

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

Inclusive Targets

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

Target Range not used

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

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

### Inclusive Targets – 6A, 6B

FFY	2020	2021	2022	2023	2024	2025
Target A >=	21.22%	21.22%	21.61%	22.10%	23.07%	25.00%
Target B <=	40.76%	40.76%	40.60%	40.23%	39.49%	38.00%

### Inclusive Targets – 6C



FFY	2020	2021	2022	2023	2024	2025
Target C <=	1.34%	1.34%	1.31%	1.26%	1.18%	1.00%

#### Prepopulated Data

##### Data Source:

SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

##### Date:

07/07/2021

Description	3	4	5	3 through 5 - Total
Total number of children with IEPs	471	830	414	1,715
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	75	180	109	364
b1. Number of children attending separate special education class	207	329	131	667
b2. Number of children attending separate school	12	9	11	32
b3. Number of children attending residential facility	0	0	0	0
c1. Number of children receiving special education and related services in the home	8	12	3	23

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

NO

#### FFY 2020 SPP/APR Data - Aged 3 through 5

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2019 Data	FFY 2020 Target	FFY 2020 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	364	1,715	29.13%	21.22%	21.22%	N/A	N/A
B. Separate special education class, separate school or residential facility	699	1,715	31.46%	40.76%	40.76%	N/A	N/A
C. Home	23	1,715		1.34%	1.34%	N/A	N/A

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

The calculation for Indicator 6 has changed not to include any five-year-old in kindergarten; therefore, North Dakota has chosen a baseline that aligns with kindergarteners not being included in the sample.

#### 6 - Prior FFY Required Actions

None

#### 6 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2019, but OSEP cannot accept that revision because the State did not transition to excluding 5-year-old students in kindergarten in its FFY2019 data (EDFacts file specification FS089). The State must revise baseline to FFY2020.

OSEP cannot accept the State's FFYs 2020-2025 targets for this indicator because OSEP cannot determine whether the State's end targets for FFY 2025 reflect improvement over the State's baseline data, given that the State's revised baseline cannot be accepted, as noted above. The State must ensure its FFY 2025 targets reflect improvement.

## 6 - Required Actions

## Indicator 7: Preschool Outcomes

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

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

#### Data Source

State selected data source.

#### Measurement

Outcomes:

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

Progress categories for A, B and C:

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

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

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

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

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

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

#### Instructions

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

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

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

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

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

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

## 7 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Part	Baseline	FFY	2015	2016	2017	2018	2019
A1	2013	Target >=	83.50%	84.00%	84.00%	84.50%	85.00%
A1	84.50%	Data	88.01%	85.76%	84.17%	85.06%	88.14%
A2	2013	Target >=	63.00%	63.50%	63.50%	64.00%	64.00%
A2	63.16%	Data	66.20%	61.89%	61.02%	60.30%	60.82%

B1	2013	Target >=	84.00%	84.50%	84.50%	85.00%	87.00%
B1	86.42%	Data	90.71%	87.29%	86.59%	84.59%	87.30%
B2	2013	Target >=	55.00%	55.50%	55.50%	56.00%	56.00%
B2	55.06%	Data	55.17%	52.72%	50.00%	47.69%	48.94%
C1	2013	Target >=	80.50%	81.00%	81.00%	81.50%	84.50%
C1	84.29%	Data	86.78%	85.07%	86.67%	83.53%	86.61%
C2	2013	Target >=	72.00%	72.50%	72.50%	73.00%	73.00%
C2	72.20%	Data	73.18%	68.39%	72.04%	67.71%	67.76%

## Targets

FFY	2020	2021	2022	2023	2024	2025
Target A1 >=	86.13%	86.13%	86.36%	86.60%	87.07%	88.00%
Target A2 >=	59.84%	59.84%	60.30%	60.76%	61.67%	63.50%
Target B1 >=	89.22%	89.22%	89.38%	89.54%	89.86%	90.50%
Target B2 >=	48.22%	48.22%	49.19%	50.17%	52.11%	56.00%
Target C1 >=	85.97%	85.97%	86.22%	86.48%	86.99%	88.00%
Target C2 >=	65.94%	65.95%	66.83%	67.71%	69.48%	73.00%

## Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

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#### FFY 2020 SPP/APR Data

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

869

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

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	5	0.58%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	90	10.36%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	254	29.23%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	336	38.67%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	184	21.17%

Outcome A	Numerator	Denominator	FFY 2019 Data	FFY 2020 Target	FFY 2020 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. Calculation: $(c+d)/(a+b+c+d)$	590	685	88.14%	86.13%	86.13%	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. Calculation: $(d+e)/(a+b+c+d+e)$	520	869	60.82%	59.84%	59.84%	Met target	No Slippage

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

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	2	0.23%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	80	9.21%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	368	42.35%

Outcome B Progress Category	Number of Children	Percentage of Children
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	311	35.79%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	108	12.43%

Outcome B	Numerator	Denominator	FFY 2019 Data	FFY 2020 Target	FFY 2020 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:</i> $(c+d)/(a+b+c+d)$	679	761	87.30%	89.22%	89.22%	Met target	No Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation:</i> $(d+e)/(a+b+c+d+e)$	419	869	48.94%	48.22%	48.22%	Met target	No Slippage

**Outcome C: Use of appropriate behaviors to meet their needs**

Outcome C Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	3	0.35%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	83	9.55%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	210	24.17%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	317	36.48%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	256	29.46%

Outcome C	Numerator	Denominator	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation:</i> $(c+d)/(a+b+c+d)$	527	613	86.61%	85.97%	85.97%	Met target	No Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. <i>Calculation:</i> $(d+e)/(a+b+c+d+e)$	573	869	67.76%	65.94%	65.94%	Met target	No Slippage

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

YES

Sampling Question	Yes / No
Was sampling used?	NO

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

YES

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

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

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

The NDDPI baseline was last set in 2013. During this time the state of ND has become more diverse in race/ethnicity, English Learners, and with students with more significant needs. All of these things have impacted our data and led the NDDPI to select a different baseline. The stakeholders thought it best to align the FFY 2020 target with the FFY 2020 data. This gives districts time and opportunity to improve their scores back to what the baseline was in 2013-14 and then exceed the baseline by 2025-26.

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 7 - Required Actions

## Indicator 8: Parent involvement

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

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

#### Data Source

State selected data source.

#### Measurement

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

#### Instructions

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

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

Provide the actual numbers used in the calculation.

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

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

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

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2020 SPP/APR, compare the FFY 2020 response rate to the FFY 2019 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.

The State must also analyze the response rate to identify potential nonresponse bias and take steps to reduce any identified bias and promote response from a broad cross section of parents of children with disabilities.

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

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

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

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023**, when reporting the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services, States must include race/ethnicity in their analysis. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.

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

## 8 - Indicator Data

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

#### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

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On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.



In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1,2,14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### Historical Data

Baseline Year	Baseline Data
2013	70.58%

FFY	2015	2016	2017	2018	2019
Target >=	71.00%	71.20%	72.00%	73.10%	73.10%
Data	75.84%	67.50%	72.24%	71.20%	73.11%

#### Targets

FFY	2020	2021	2022	2023	2024	2025
Target >=	67.73%	67.73%	68.26%	68.80%	69.87%	72.00%

#### FFY 2020 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 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
346	510	73.11%	67.73%	67.84%	Met target	No Slippage

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

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

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

5,634

**Percentage of respondent parents**

9.05%

**Response Rate**

FFY	2019	2020
Response Rate	12.64%	9.05%

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

NDDPI continues to monitor the results of the demographics of the indicator eight surveys. Two years ago (2018-2019 school year), NDDPI allowed the special education unit directors the option to send out the parent survey so that the information would come from a familiar source. The data received from the units, who chose to send out the surveys personally, showed an increased parent response rate. It does not significantly affect the data because the special education units have very small populations. The results were presented at the 2021 Special Education Directors Institute to show all the directors the possibility of increasing the response rate by sending out the parent survey from a familiar source. For the 2021-2022 school year, many of the larger special education units have opted to send the parent survey out to their families. The special education units were provided with materials which will allow the survey to be sent in multiple ways; email, text, in-person letter, or mail. The NDDPI will continue to follow up with the special education units by sending emails and making phone calls to increase the response rate. The NDDPI is taking steps to encourage more parents of Hispanic and of American Indian students with disabilities to respond by encouraging units to opt-in to provide the survey to parents, getting monthly reports from vendor to see response rates and then follow-up with the special education units that are providing the survey, and making the survey available in multiple languages. The NDDPI will be surveying the special education units to figure out the high need for language translation to help increase the response rate for the underrepresented parent group.

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

Nonresponse bias measures the differences in opinions between respondents and non-respondents in meaningful ways, such as the positivity of responses. A few things can be examined to determine nonresponse bias. One is the overall response rate. The higher the response rate, the less likely nonresponse bias will occur. Our response rate is 9%, which is the lower than we would like. It is possible that those parents who did not respond are different in some meaningful way in their level of positivity from those who did respond. Thus, we proceeded with the next two ways for examining nonresponse bias.

Second, the representativeness of the responses can be examined. We describe this in the next section where we state: The State used statistical significance testing to determine if one group was over- or under-represented based on their response rate. Although significant differences were found in response rates by disability and race/ethnicity, the actual responses showed no significant differences in the overall parent involvement percentage. Third, we can compare the responses of parents who responded early in the process to those who responded later in the process. The idea being that perhaps those who do not immediately respond are different in some meaningful way than those who respond immediately. These results showed no statistically significant differences between parents who responded earlier and parents who responded later. Therefore, we conclude that nonresponse bias is not present.

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

The State used statistical significance testing of response rate to determine if one group was over-or under-represented. Note that our survey sample was such that if all disaggregated groups have the same response rate, then by definition, the disaggregated groups are representative of the population. For example, if all racial/ethnic groups had a 30% response rate, then the population of the respondents would mirror the actual population in terms of its racial/ethnic make-up. On the other hand, if one racial/ethnic group has a 30% response rate for example and another a 20% response rate, then the population of the respondents would not mirror the actual population in terms of its racial/ethnic make-up. Significant differences were found in response rates by race/ethnicity and disability. In terms of race/ethnicity, parents of White students were more likely to respond (response rate=11%) than parents of Hispanic students (response rate=5%) and parents of American Indian students (response rate=3%). In terms of disability, parents of students with Autism (response rate=16%) and Speech/Language Impairments (response rate=13%) were more likely to respond than parents of students with a Specific Learning Disability (response rate=6%) and parents of students with an Emotional Disturbance (response rate=8%). No significant differences were found by grade group.

Although there were a few significant differences between groups of parents by race/ethnicity and primary disability, there were no significant differences in the parent involvement percentage itself between these groups of parents. For example, parents of White students had a similar parent involvement percentage as parents of Hispanic students and parents of American Indian students. So, we are confident that the overall results are representative of the State despite the differences in response rates. In addition, parents from a wide range of districts from across the state responded to the survey; thus, the results are representative of all racial/ethnic groups and all disability categories. Furthermore, results are weighted by district to ensure that the parent survey results reflect the population of parents in terms of geographic distribution.

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

NO

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

The NDDPI presented the statewide responsiveness and demographic data for the parent surveys from previous years at the Leadership Institute to the Special Education Unit (SEU) directors in September of 2021. After presenting this statewide data to the SEU directors, NDDPI presented them with the option to opt-in to send out the parent survey from their SEU. In the past, NDDPI has had two SEU's opt-in to send out the surveys themselves. The data received from the SEUs, who chose to send out the surveys personally, showed an increased parent response rate. The NDDPI thought that if parents were familiar with the agency (SEU) sending out the survey, they would be more willing to respond. In the past, the SEU that send out surveys did not significantly affect the data because the special education units have very small populations. For the 2021-2022 school year, many of the larger

special education units have opted to send the parent survey out to their families. The special education units were provided with materials which will allow the survey to be sent in multiple ways; email, text, in-person letter, or mail. The NDDPI will continue to follow up with the SEUs by sending emails and making phone calls to increase the response rate. The NDDPI will provide the SEUs with monthly emails identifying the number of surveys completed within their unit, along with the statewide completion rates based on demographics of race/ethnicity and disability category. This information will allow the SEUs to target specific demographic areas to help increase the representative responsiveness. The NDDPI has identified that Hispanic and American Indian students are two under-represented demographic areas. The NDDPI continues to take steps to encourage more parents of Hispanic and of American Indian students with disabilities to respond by encouraging units with high numbers of Hispanic and Native American students to opt-in to provide the survey to parents. The NDDPI will be sending out monthly reports from their vendor to see response rates and then follow-up with the special education units that are providing the survey. The NDDPI and their vendor has also made the survey in an additional language and continues to explore more languages. The NDDPI will be surveying the special education units to figure out the high need for language translation to help increase the response rate for the underrepresented parent group.

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

Statistical significance testing was used to determine representativeness with a threshold of  $p < 0.05$ .

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

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

NDDPI worked with an outside evaluator to create documents that would allow for special education units to send the survey out to parents, to make the survey more accessible and come from a familiar source. Special Education Units have access to a letter explaining the parent survey that can be sent to parents in a paper letter, an email, a text message, or completed in-person. If special education units choose to complete the survey this way, they will not conduct a sample of parents, rather they will have all parents of students with a disability receive a survey. Special Education Units that choose to not send out surveys, will have surveys sent out through an external evaluator that will use the approved sampling methodology outlined below.

OSEP approved this sampling plan on May 20, 2014. The sampling for this collection was done at the special education unit level. Districts in North Dakota are divided into 31 special education units. A representative sample of parents was randomly selected from each of the 31 special education units. The number of parents chosen was dependent on the number of total students at a special education unit as indicated in the table below. The sample sizes selected ensured roughly similar margins of error across the different district sizes.

**Number of Students Sample Size Chosen**

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

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

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

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

When selecting new targets, the stakeholders thought it best to align the FFY 2020 target with the FFY 2020 data. By aligning the targets to the FFY 2020 data, it gives districts time and opportunity to improve their scores back to what the baseline was in 2013-14 and then exceed the baseline by 2025-26.

While COVID-19 did not directly affect the results of our FFY 2020, we believe that there is some relation to why our percentages were lower compared to the FFY 2019. During the FFY 2019, many parents reported that when schools initially shut down due to the COVID-19 pandemic and virtual learning, they communicated and collaborated at higher levels with school personnel than in the past in regard to changes, updates and programming. This may be the reason for the data in FFY2019 to be higher. For our current FFY 2020, although parents were still in agreement with school teams, we received a much lower response rate. This could have led to our overall data for the FFY 2020.

**8 - Prior FFY Required Actions**

None

## **8 - OSEP Response**

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

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, "Significant differences were found in response rates by race/ethnicity and disability." Therefore, it is unclear whether the response data was representative. OSEP notes that the State did not describe the strategies to address this issue in the future.

The State reported that sampling was used to collect data for this indicator and that the previously approved sampling plan had not changed. In order to report data for this indicator using sampling for the FFY 2020-2025 SPP/APR, the State must submit its sampling plan to OSEP and provide data consistent with the approved sampling plan

## **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 the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2020 reporting period (i.e., after June 30, 2021).

#### Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2020	0.00%

FFY	2015	2016	2017	2018	2019
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2020	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%	0%

#### FFY 2020 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.

137

Number of districts with disproportionate representation of racial/ethnic groups in special education and related services	Number of districts with disproportionate representation of racial/ethnic groups in special education and related services that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
0	0	36	0.00%	0%	0.00%	N/A	N/A

Were all races and ethnicities included in the review?

YES

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

The NDDPI elects to use the definition of disproportionality as articulated by the National Center for Culturally Responsive Educational Systems (NCCRES) synopsis of provisions of IDEA 04 (October 2005). "Disproportionality refers to comparisons made between groups of students by race, ethnicity, or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education." The NDDPI defines disproportionate representation as a risk ratio of 3.00 or above (considered over-representation). Risk ratios are difficult to interpret when they are based on small numbers of students (either in the racial/ethnic group or the comparison group). When risk ratios are based on small numbers, minor variations in the number of students in either the racial/ethnic group or the comparison group can produce dramatic changes in the size of the risk ratio. Thus, a risk ratio was determined only if there are ten or more students (minimum n-size) in the target and comparison groups. The NDDPI uses one year of data to determine the disproportionate representation of racial and ethnic groups in special education and related services.

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

A total of 173 districts were included in the analyses. Of these 173, 36 met the minimum n requirements at least one time for a final risk ratio to be calculated (for each district, seven risk ratios could be calculated; one for each racial/ethnic group). Please note that many districts in North Dakota have between 0-2 students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated in every district.

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

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

The calculation for Indicator 9 has changed to include all five-year-olds in kindergarten; therefore, North Dakota has chosen a baseline that aligns with kindergarteners being included in the sample.

#### Correction of Findings of Noncompliance Identified in FFY 2019

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

#### Correction of Findings of Noncompliance Identified Prior to FFY 2019

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

## 9 - Prior FFY Required Actions

None

## **9 - OSEP Response**

The State reported its baseline for this indicator using data from FFY2016 however, OSEP cannot accept this baseline because of revisions to the Measurement Table. Specifically, with the FFY 2020 APR submission, all States are now required to provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten in addition to those aged 6 through 21 served under IDEA, aggregated across all disability categories. Therefore, the State must revise its baseline using FFY 2020 data.

## **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 2020, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2020 reporting period (i.e., after June 30, 2021).

#### Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

### 10 - Indicator Data

#### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2020	0.00%

FFY	2015	2016	2017	2018	2019
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	8.33%	0.00%	0.00%

#### Targets

FFY	2020	2021	2022	2023	2024	2025
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Target	0%	0%	0%	0%	0%	0%
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#### FFY 2020 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.

159

Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
4	0	14	0.00%	0%	0.00%	N/A	N/A

Were all races and ethnicities included in the review?

YES

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

The NDDPI elects to use the definition of disproportionality as articulated by the National Center for Culturally Responsive Educational Systems' (NCCRES) synopsis of provisions of IDEA 04 (October, 2005) "Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education." The NDDPI defines disproportionate representation as a risk ratio of 3.00 or above (considered over-representation). Risk ratios are difficult to interpret when they are based on small numbers of students (either in the racial/ethnic group or the comparison group). When risk ratios are based on small numbers, minor variations in the number of students in either the racial/ethnic group or the comparison group can produce dramatic changes in the size of the risk ratio. Thus, a risk ratio was determined only if there were 10 or more students (minimum n-size) in the target group and the comparison group. The NDDPI uses one year of data to determine disproportionate representation of racial and ethnic groups in special education and related services.

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

A total of 173 districts were included in the analyses. Of these 173, 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. Four out of the 14 districts' were flagged for disproportionate representation because their risk ratios were 3.00 or more. Of the four districts, two districts were flagged the previous year. In the previous year, both districts were determined that the disproportionate representation was not a result of inappropriate identification. For this reason, as well as the districts making over 0.10 reasonable progress and the NDDPI did a file review of the evaluation for all the students identified under the flagged identification in these two districts. Through the file review it was determined that these two districts disproportionate representation was not a result of inappropriate identification.

For the other two districts that were flagged for disproportionate representation, the following steps were completed:

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

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

The calculation for Indicator 10 has changed to include all five-year-olds in kindergarten; therefore, North Dakota has chosen a baseline that aligns with kindergarteners being included in the sample.

#### Correction of Findings of Noncompliance Identified in FFY 2019

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

#### Correction of Findings of Noncompliance Identified Prior to FFY 2019

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

## 10 - Prior FFY Required Actions

The State must demonstrate, in the FFY 2020 SPP/APR, that the district identified in FFY 2017 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification is in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311, including that the State verified that the district with noncompliance identified in FFY 2017: (1) is correctly implementing the specific regulatory requirement(s) (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 district, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

### Response to actions required in FFY 2019 SPP/APR

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.

The district completed the North Dakota Disproportionality Workbook and found that it needed to revise its policies, procedures, and practices after its 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 its 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.

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. A random sample of students who were Native American and had a primary disability of ID and SI were pulled. The NDDPI staff checked the evaluations of these students to determine if the district was correctly implementing the regulatory requirement when identifying these students. The NDDPI determined that the district was implementing the regulatory requirement.

## 10 - OSEP Response

The State reported its baseline for this indicator using data from FFY2016 however, OSEP cannot accept this baseline because of revisions to the Measurement Table. Specifically, with the FFY 2020 APR submission, all States are now required to provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten in addition to those aged 6 through 21 served under IDEA, aggregated across all disability categories. Therefore, the State must revise its baseline using FFY 2020 data.

## 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

- # of children for whom parental consent to evaluate was received.
- # 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 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	88.09%

FFY	2015	2016	2017	2018	2019
Target	100%	100%	100%	100%	100%
Data	99.18%	99.51%	99.14%	99.41%	99.61%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%	100%

### FFY 2020 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 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
3,268	3,229	99.61%	100%	98.81%	Did not meet target	No Slippage

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

39

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

In the SY 2020-21, 3268 parental consents for evaluations were received in North Dakota schools, of which 3229 evaluations were completed within the 60-day timeline. The range in days delayed was between 1 and 136. The reasons for delay are related to case manager error. However, all the 39 evaluations were timely corrected within the one-year timeframe of notification and if the child was found eligible for services, an IEP was developed. There were no cases where a child with parental consent for an evaluation did not have the evaluation process completed.

**Indicate the evaluation timeline used:**

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

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

State database that includes data for the entire reporting year

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

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

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

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

Before the COVID-19 pandemic, the number of evaluations in a school year was about 3700. During the first year of the pandemic, FFY 2019, those evaluation numbers dropped to 3100. Those numbers have remained lower during the current FFY 2020 at 3200. With school shutdowns and people being quarantined, it could have affected the number of completed evaluations overall. Many schools reported that during the COVID-19 pandemic, many schools continued to be close to in-person learning and do virtual learning. School also reported that they had limited access to qualified evaluators or the parent did not present the child due to being sick or exposed to the coronavirus.

**Correction of Findings of Noncompliance Identified in FFY 2019**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
12	12	0	0

**FFY 2019 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 2019 data collected using the statewide IEP Case management database (TIENET). All noncompliance for the FFY 2019 (the 12 evaluations) were timely corrected within the one-year timeframe. The FFY 2019 instances were corrected and verified by NDDPI through student file review, phone and virtual interviews with local special education directors before the submission of the FFY 2020 APR. Each district with noncompliance in FFY 2019 was (1) timely corrected within the one-year timeframe of notification and (2) is correctly implementing the regulatory requirements of this indicator based on a review of updated data at a student and systemic level consistent with OSEP Memorandum 09-02. Each special education unit with noncompliance identified in FFY 2019 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 2019 data collected using the statewide IEP Case management database (TIENET). The local special education unit director was required to give documentation to the NDDPI special education regional coordinator to ensure each file had been corrected and training had been provided on meeting the requirements of the indicator. The NDDPI special education regional coordinator subsequently checked the TIENET database to ensure the files have been corrected to meet the requirements of the indicator. The FFY 2019 instances were corrected and verified before the submission of the FFY 2020 APR. All noncompliance for the FFY 2019 (the 12 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 will enact to ensure future compliance. This includes implementing a system of internal controls. If a district continues to be out of compliance for two years, the district moves to the next level of determination, which then includes more intensive technical assistance from the NDDPI. After the corrective action is completed and documentation is collected by the NDDPI, a closeout letter is sent.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

## **11 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

### **Response to actions required in FFY 2019 SPP/APR**

The NDDPI Special Education Regional Coordinator reviewed the FFY 2019 data collected using the statewide IEP Case management database (TIENET). The local special education unit director was required to give documentation to the NDDPI special education regional coordinator to ensure each file had been corrected and training had been provided on meeting the requirements of the indicator. During the new reporting period, random files have been pulled for the districts that were found out of compliance. Those districts have continued to correctly implement the regulatory requirements of this indicator. The NDDPI special education regional coordinator subsequently checked the TIENET database to ensure the files have been corrected to meet the requirements of the indicator. The FFY 2019 instances were corrected and verified before the submission of the FFY 2020 APR. All noncompliance for the FFY 2019 (the 12 evaluations) were (1) timely corrected within the one-year time frame and (2) is correctly implementing the regulatory requirements of this indicator based on a review of updated data at a student and systemic level consistent with OSEP Memorandum 09-02.

## **11 - OSEP Response**

## **11 - Required Actions**

## 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.

Targets must be 100%.

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

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

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2005	94.62%

FFY	2015	2016	2017	2018	2019
Target	100%	100%	100%	100%	100%
Data	100.00%	99.73%	100.00%	99.79%	100.00%

#### Targets

FFY	2020	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%	100%

#### FFY 2020 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	590
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	174
c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	400

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.	12
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	3
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	0

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2019 Data	FFY 2020 Target	FFY 2020 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.	400	401	100.00%	100%	99.75%	Did not meet target	No Slippage

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

1

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

One child who was served in Part C and referred to Part B did not have eligibility for Part B determined and/or an IEP developed and implemented by the child's third birthday. The number of days that the child's IEP was late was 151 days due to case manager error. Upon thorough review and communication with the case manager, the NDDPI staff accessed the child's file on the TIENET database and verified, at the individual student level, that all requirements were 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 FFY 2020.

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

#### Correction of Findings of Noncompliance Identified in FFY 2019

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

#### Correction of Findings of Noncompliance Identified Prior to FFY 2019

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

#### 12 - Prior FFY Required Actions

None

#### 12 - OSEP Response

## 12 - Required Actions



## Indicator 13: Secondary Transition

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

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

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

#### Instructions

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

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

Targets must be 100%.

Provide detailed information about the timely correction of 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 2020 SPP/APR, the data for FFY 2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2009	74.56%

FFY	2015	2016	2017	2018	2019
Target	100%	100%	100%	100%	100%
Data	97.90%	98.85%	97.87%	99.52%	100.00%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%	100%

### FFY 2020 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 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
291	402	100.00%	100%	72.39%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

In the past, ND reported Indicator 13 data after special education units were given time to make corrections to any areas of noncompliance obtained from the initial monitoring of transition files. Through online webinars provided by IDC and NTACTION, NDDPI realized they were incorrectly reporting Indicator 13 data. Beginning this reporting period (FFY 2020), ND will report the initial percentage of noncompliance calculated after the monitoring period before special education units are given the opportunity to make corrections to files found out of compliance.

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

State monitoring

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

In the previous eight years, the State Monitoring Team consisted of university professors who worked with pre-service special education teachers, state special education personnel, and local special education program coordinators who would gather on-site and conduct the monitoring. In the past, NDDPI worked with a state team of monitors to review and complete monitoring for each case manager who had transition students from the age of 16-21 on their caseload. Due to safety and health concerns related to Covid, NDDPI felt it would not be appropriate to bring the state team made up of different people across the state to one location to complete monitoring. So, NDDPI, Office of Special Education staff internally monitored the files for Indicator 13 in June of 2020.

Education staff completed the 2020-2021 monitoring. This 2020-2021 Indicator 13 State Monitoring Team was provided the same training that the previous Indicator 13 State Monitoring Team participated in, but the training was provided through the Microsoft Teams meeting platform instead of onsite. The training was provided in a consistent manner as in the past to ensure understanding of the requirements of Indicator 13, the competence of the team in using the statewide TIENET database system for accessing the student files, and inter-rater reliability during the scoring process. The state transition coordinator, who has held the Indicator 13 portfolio for the past five years, took the lead on monitoring activities. The state transition coordinator was available throughout the monitoring process to assist in reviewing files that were questionable and provide ongoing training if necessary.

#### Valid and Reliable

The TIENET Database provides access to every student's special education file throughout the state. The Indicator 13 Transition Requirement Checklist has been built into the TIENET database for school, district, and state monitoring and verification needs. The State Monitoring Team accessed each student's IEP file to both review files and 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 2021, the Indicator 13 State Monitoring team was given one month to complete the monitoring process. They reviewed 402 student files from across the state. The objective was to review one student file from each case manager of students age 16-21 who were on an IEP during FFY 2020. 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 291 files reviewed met all of the components of the eight questions in the ND Transition Requirements Checklist. Therefore, the data for FFY 2020 for this indicator is 72.39%.

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

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

#### Correction of Findings of Noncompliance Identified in FFY 2019

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

#### Correction of Findings of Noncompliance Identified Prior to FFY 2019

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

#### 13 - Prior FFY Required Actions

None

#### 13 - OSEP Response

#### 13 - Required Actions



## Indicator 14: Post-School Outcomes

### Instructions and Measurement

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

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

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

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

#### Data Source

State selected data source.

#### Measurement

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

#### Instructions

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

Collect data by September 2021 on students who left school during 2019-2020, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2019-2020 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

#### I. Definitions

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

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

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

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

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

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

#### II. Data Reporting

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

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

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

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

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

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2020 SPP/APR, compare the FFY 2020 response rate to the FFY 2019 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.

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

### III. Reporting on the Measures/Indicators

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

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

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

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

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

**Beginning with the FFY 2021 SPP/APR, due Feb. 1, 2023,** when reporting the extent to which the demographics of respondents are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, States must include race/ethnicity in its analysis. In addition, the State's analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.

## 14 - Indicator Data

### Historical Data

Measure	Baseline	FFY	2015	2016	2017	2018	2019
A	2020	Target >=	30.29%	30.49%	31.39%	32.39%	32.39%
A	20.20%	Data	33.47%	29.07%	30.89%	30.00%	29.13%
B	2020	Target >=	56.92%	57.12%	58.02%	59.02%	59.02%
B	59.27%	Data	56.90%	58.72%	62.83%	65.71%	62.46%
C	2020	Target >=	81.38%	81.58%	82.38%	83.48%	83.48%
C	81.13%	Data	87.03%	83.14%	85.34%	85.00%	81.68%

### FFY 2020 Targets

FFY	2020	2021	2022	2023	2024	2025
Target A >=	20.20%	20.20%	20.43%	20.65%	21.10%	22.00%
Target B >=	59.27%	59.27%	60.05%	60.83%	62.39%	65.50%
Target C >=	81.13%	81.13%	81.49%	81.85%	82.57%	84.00%

### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### FFY 2020 SPP/APR Data

Total number of targeted youth in the sample or census	715
Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	302
Response Rate	42.24%
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	61
2. Number of respondent youth who competitively employed within one year of leaving high school	118
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)	14
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).	52

Measure	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
A. Enrolled in higher education (1)	61	302	29.13%	20.20%	20.20%	N/A	N/A
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	179	302	62.46%	59.27%	59.27%	N/A	N/A
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)	245	302	81.68%	81.13%	81.13%	N/A	N/A

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

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

**Response Rate**

FFY	2019	2020
Response Rate	44.58%	42.24%

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

Three years ago, NDDPI contracted with an outside survey company to complete the Post School Outcomes Survey. At that time, the response rate for Indicator 14 was 27.27%, and the state realized that to use the data, the response rate had to increase. The following year, a state team was created, and special education units were given the option of completing post-school outcome survey calls at the local level. The overall response rate rose to 44.58%, and data showed response rates were highest when special education units completed the Post School Outcomes surveys with students who exited schools within local districts. This year’s overall response rate of 42% is very high and is similar to last year’s response rate.

Over the past two years, the number of special education units that have opted in has increased (2019 = 6 SEUs, 2020 = 9 SEUs, and 2021 = 11 SEUs). NDDPI will continue to share the message of increased response rates when conducted at the local level and will increase the number of SEUs who choose to complete the Post School Outcome survey at the unit level. Prior to attempting to reach exiters by telephone, emails are sent out with Post School Outcomes survey link to all students who have provided an email when exiting high school. This next year, NDDPI will continue to send emails and will also send out text messages with the Post School Outcomes survey link to students who provide cell phone numbers. Afterward, telephone calls will be made to exiters who did not respond to the email or text message. NDDPI believes this will help increase the response rate for all groups, including those that are underrepresented.

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

Nonresponse bias measures the differences in opinions between respondents and non-respondents in meaningful ways, such as the positivity of responses. A few things can be examined to determine nonresponse bias. One is the overall response rate. The higher the response rate, the less likely non-response bias will occur. Our response rate is 42%, which is a high response rate for this type of survey. Second, the representativeness of the responses can be examined. We describe this in the next section where we state: The State used statistical significance testing to determine if one group was over- or under-represented based on their response rate. While exiters who dropped out were less likely to respond than other exiters, there were very few significant differences in the actual responses of students who dropped out and those who did not. In addition, we received responses from a broad geographic range of students from across the state from multiple districts which make nonresponse bias less likely. Third, we can compare the responses of exiters who responded early in the process to those who responded later in the process. The idea being that perhaps those who do not immediately respond and need multiple prompts to respond are different in some meaningful way than those who respond immediately. These results

showed no statistically significant differences between exiters who responded earlier and exiters who responded later. Therefore, we conclude that nonresponse bias is not present.

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

The State used statistical significance testing to determine if one group was over- or under-represented based on the response rate. Note that our exiter sample was such that if all disaggregated groups have the same response rate, then by definition, the disaggregated groups are representative of the population. For example, if all racial/ethnic groups had a 30% response rate, then the population of the respondents would mirror the actual population in terms of its racial/ethnic make-up. On the other hand, if one racial/ethnic group has a 30% response rate for example and another a 20% response rate, then the population of the respondents would not mirror the actual population in terms of its racial/ethnic make-up. No significant differences were found by the gender, race/ethnicity, or disability of the youth. Significant differences were found in response rates by exit type. Exiters who dropped out (response rate=32%) were less likely to respond than exiters who graduated with a diploma (response rate=44%) or reached maximum age (response rate=57%). Although exiters who dropped out were less likely to respond than other exiters, we are confident that the overall results are representative of the state because there were very few significant differences in the actual responses of students who dropped out and those who did not. Exiters from a wide range of districts from across the state responded to the survey; thus, the results are representative of all racial/ethnic groups, all disability categories, all genders, and all exit types and reflect the population of exiters in terms of geographic distribution. NDDPI will provide multiple avenues for students to respond to the Post School Outcomes Survey. These will include sending text messages, sending email messages, and making telephone calls at different times throughout the day. NDDPI will continue to monitor response rate by exit status and will make multiple attempts to increase response rates for exit codes that are not representative of the entire population.

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

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.

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

Statistical significance testing was used to determine representativeness with a threshold of  $p < 0.05$ .

Sampling Question	Yes / No
Was sampling used?	NO
Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	YES
If yes, attach a copy of the survey	2021 Revised Survey2

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

ND opted report data in alignment with the term competitive integrated employment a couple years ago when it was suggested by OSEP that states collect data aligned to the Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). At that time, ND started revising its Post School Outcomes survey to include questions related to competitive integrated employment. The new survey was shared with stakeholders and finalized this past year. ND opted to use it the past summer. Data obtained can be used by the Office of Special Education but will also support work conducted by the ND Vocational Rehabilitation Office, the ND Career and Technical Education Office and the ND Job Service Office to improve outcomes for students with disabilities.

ND's baseline was from 2009, which was 12 years ago. Twelve years is a long time for the same baseline, given how much ND has changed in the past 12 years. Over the past four years (2016-2020), enrollment in higher education has been around 30%. In 2020-2021, the percentage of students who attended higher education dropped to 20.20%. Data for 14B increased from 2016-2017 (58.72%) to 65.71% in 2018-2019. Over the past two years 2019-2020 (62.46%) and 2020-2021 (59.27%) the number of students who reported either going into higher education or competitive employment decreased to a level very similar to what it was five years ago.

The world has changed, and certainly, ND districts have changed. Before Covid and more so since the onset of Covid, post-school outcomes have changed. Prior to Covid, fewer students were entering post-secondary institutions and opting to either enter the workforce or receive training differently after exiting high school than in the past. More recently, responses collected from students and parents show a decrease in the number of students entering both higher education and the workforce. So the old baseline is not accurately reflecting how things are in ND today. Some of the reasons students provided during the Post School Outcomes Survey for not attending higher education or having a job included: "I wondered if it was a good time to start college because things were shut down due to Covid", "Things were really hard due to Covid", "Not mentally or emotionally ready.", "When Covid hit, it was hard navigating courses online", "Struggles with mental health issues and has high anxiety", "If we did not have Covid, things would have gone much smoother" etc. The stakeholder group who assisted with setting a baseline, along with NDDPI, took into consideration the impact Covid had for students who were entering the world of work, but especially higher education. and decided to use the most recent data from 2020 to set a new baseline.

## 14 - Prior FFY Required Actions

None

## 14 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State did not provide verification that the attachment (2021 revised survey2) it included in its FFY 2020 SPP/APR submission is in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), as required by Section 508.



## 14 - Required Actions

## Indicator 15: Resolution Sessions

### Instructions and Measurement

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

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

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

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

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

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

### 15 - Indicator Data

Select yes to use target ranges

Target Range not used

#### Prepopulated Data

Source	Date	Description	Data
SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/03/2021	3.1 Number of resolution sessions	0
SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/03/2021	3.1(a) Number resolution sessions resolved through settlement agreements	0

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

NO

#### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1, 2, 14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2015	2016	2017	2018	2019
Target >=					
Data		0.00%			

#### Targets

FFY	2020	2021	2022	2023	2024	2025
Target >=						

#### FFY 2020 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
0	0				N/A	N/A

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

There were fewer than ten resolution sessions held in FFY 2020. The state is not required to provide targets until ten or more resolution sessions are held in a fiscal year.

#### 15 - Prior FFY Required Actions

None

### **15 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2020. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

### **15 - Required Actions**

## Indicator 16: Mediation

### Instructions and Measurement

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

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

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

#### Data Source

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

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

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

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

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

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

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

## 16 - Indicator Data

### Select yes to use target ranges

Target Range not used

#### Prepopulated Data

Source	Date	Description	Data
SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/03/2021	2.1 Mediations held	3
SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/03/2021	2.1.a.i Mediations agreements related to due process complaints	0
SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/03/2021	2.1.b.i Mediations agreements not related to due process complaints	2

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

NO

#### Targets: Description of Stakeholder Input

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the

stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups Those meetings and the Indicator information presented are listed below:

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On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to the transition indicators (Indicators 1,2,14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

#### Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2015	2016	2017	2018	2019
Target >=					
Data	0.00%	0.00%	0.00%	100.00%	0.00%

#### Targets

FFY	2020	2021	2022	2023	2024	2025
Target >=						

#### FFY 2020 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 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
0	2	3	0.00%		66.67%	N/A	N/A

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

There were fewer than ten mediations held in FFY 2020. The state is not required to provide targets until ten or more resolution sessions are held in a fiscal year.

#### 16 - Prior FFY Required Actions

None

**16 - OSEP Response**

The State reported fewer than ten mediations held in FFY 2020. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

**16 - Required Actions**

## Indicator 17: State Systemic Improvement Plan

### Instructions and Measurement

**Monitoring Priority:** General Supervision

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

#### Measurement

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

#### Instructions

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

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

**Updated Data:** In its FFYs 2020 through FFY 2025 SPPs/APRs, due February 2, 2022, the State must provide updated data for that specific FFY (expressed as percentages) and that data must be aligned with the State-identified Measurable Result(s) for Children with Disabilities. In its FFYs 2020 through FFY 2025 SPPs/APRs, the State must report on whether it met its target.

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

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

##### Phase I: Analysis:

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

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

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

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

- Results of Ongoing Evaluation and Revisions to the SSIP.

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

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

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

##### Phase III: Implementation and Evaluation

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

##### A. Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2020 through 2025 SPP/APR, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

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

The State must provide a narrative or graphic representation, e.g., a logic model, of the principal activities, measures and outcomes that were implemented since the State's last SSIP submission (i.e., Feb 2021). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2020 APR, report on anticipated outcomes to be obtained during FFY 2021, i.e., July 1, 2021-June 30, 2022).

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (i.e., behaviors), parent/caregiver outcomes, and/or child outcomes. Describe any additional data (i.e., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

##### C. Stakeholder Engagement



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

#### Additional Implementation Activities

The State should identify any activities not already described that it intends to implement in the next fiscal year (e.g., for the FFY 2020 APR, report on activities it intends to implement in FFY 2021, i.e., July 1, 2021-June 30, 2022) including a timeline, anticipated data collection and measures, and expected outcomes that are related to the SiMR. The State should describe any newly identified barriers and include steps to address these barriers.

## 17 - Indicator Data

### Section A: Data Analysis

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

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

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

NO

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

YES

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

The population is made up of students within a six-year graduation cohort. The students within that cohort are students that have been identified with an ED disability. This focus allows students that need an extended period of time to finish high school, before they age out at 21 years old.

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

NO

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

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

#### Does the State intend to continue implementing the SSIP without modifications? (yes/no)

YES

#### If yes, describe how evaluation data support the decision to implement without any modifications to the SSIP.

ND's baseline extended six-year graduation rate for students identified as having an emotional disturbance is 60.22% which was established in FFY2013. The current six-year graduation rate for students with ED is 62.04% which is higher than the baseline as well as the previous two years (FFY2019=56.41%; FFY2018=53.06%). NDDPI wants to continue to make strides in this area and thus will continue to focus on the graduation rate of students with ED.

### Progress toward the SiMR

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

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

NO

### Historical Data

Baseline Year	Baseline Data
2013	60.22%

### Targets

FFY	2020	2021	2022	2023	2024	2025
Target>=	62.04%	62.04%	62.74%	63.44%	64.84%	67.63%

### FFY 2020 SPP/APR Data

6 year ED graduated cohort	6 year ED cohort (overall)	FFY 2019 Data	FFY 2020 Target	FFY 2020 Data	Status	Slippage
67	108	66.72%	62.04%	62.04%	Met target	No Slippage

#### Provide the data source for the FFY 2020 data.

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

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

Note that the main premise of the ND SSIP is for NDDPI to provide a framework and support for local special education units in selecting their own evidence-based practices (EBPs) to implement in order to improve the graduation rate of students with ED. ND is a local control state and thus, for purposes of buy-in and sustainability, allowing special education units to select their own EBPs is important. As such, the information that NDDPI collects is centered around finding out from the special education units what EBPs they are implementing, what evidence they have that they are implementing the EBPs with fidelity, and what progress monitoring data they have that supports their use of the EBPs.

This information from special education units is collected from the PIER (Plan, Implement, Evaluate, and Report) Tool. This tool is comprised of nine sections. The first seven sections are based on the seven elements taken from the measurement language as described in the national technical assistance call. The last two sections were added to help the special education units communicate their efforts and needs to the NDDPI. The PIER Tool is designed to support local special education units intentionally think through and report to the state the following: (1) Theory of Action, (2) Infrastructure/Coherent Improvement Strategies, (3) Evidence-based practices and fidelity data, (4) Stakeholder Engagement Activities, (5) Progress toward the SiMR, (6) Scale-up planning, (7) Sustainability planning, (8) Additional information about the SSIP efforts, and (9) Support/Technical Assistance needed from the SEA.

This year, NDDPI conducted a qualitative analysis of special education units' responses to the PIER tool and has planned follow-up technical assistance to the units based on this analysis. For example, some units need help with measuring fidelity, others need support with using their data. One theme expressed by a majority of special education units was a desire to know how other districts and units are improving their graduation rates and if their peers have resources to share.

In addition to collecting data from the PIER tool, the other type of data NDDPI collects and analyzes is the 4-year and 6-year graduation rate data of each special education unit and each district in the state for students with ED as well as for all students with disabilities. This year, NDDPI conducted a multiple regression analysis to determine the best predictors of graduation rates and to determine which special education units/districts are doing better than expected in terms of graduation rates based on the regression model and which special education units/districts are doing worse than expected. This information will be used to provide targeted support to units/districts.

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

YES

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

(1) ND built on last year's work around 5 SSIP Infrastructure Pillars: Messaging, Alignment Efforts, Pilot Projects (Early Warning Systems), Middle School and High School Practices, and Web-based Documents (PIER Tool).

ND continues to make progress toward increasing capacity around the use of early warning indicators (attendance, behavior, and course performance) as they relate to improving graduation outcomes. ND extended its contract with the American Institute of Research (AIR) for coaching and capacity building. For the initial three ND high schools in the project, coaching continued into Year two. Two additional high schools were added into a new cohort. At the SEA level, ND is having increasingly targeted conversations helping LEA's connect and use data they are already collecting for progress monitoring toward graduation. Further, intentional, targeted technical assistance is beginning with some of the settings providing special education services to larger populations of students (n=>600) with disabilities in ND who have had lower graduation rates over the previous five years.

(2). Alignment efforts are being promoted for districts that have used ESSER funding to engage in more intentional data analysis. The data analysis efforts in some of ND's larger districts include using systems that already include early warning system frameworks built into the framework. Further, a portion of SEA ESSER funds is being targeted toward supporting a smaller number of larger special education units whose student population comprises roughly 50% of the SiMR population. Technical assistance is ongoing and locally contextualized to implementing graduation improvement practices based on EBPs being implemented with fidelity. Another SEA ESSER project is focused on building a cadre of ND experts (ex: university personnel, REA personnel, etc.) who will impact preservice teachers and the field in using early warning system data to make intervention monitoring and effectiveness decisions. Due to NDDPI, Office of Special Education having to replace their Data Manager, they engaged with a national company, Data Driven Enterprises (DDE) to keep work moving forward during the transition. As part of this engagement with DDE, NDDPI has decided to explore how an SSIP external evaluator could further ND's effort SEA in the short and long term.

(3) NDDPI examined future graduation trends (four and five years) to continue to plan for the next steps in making progress toward the SiMR.

(4) NDDPI secured funding making it possible to enter into an agreement with the National Dropout Prevention Center (NDPC) to study schools districts across ND that have made comparable progress in closing the reading, graduation, and math achievement gaps between students with and without disabilities. The SEA completed work with the NDPC to finalize this research report and will begin to use the findings to further inform the SEA efforts.

(5) NDDPI is continuing the effort started last year of providing each local special education unit six data points comprised of four years of trend data. These data points are state graduation rates for (a) all students (b) students with disabilities (c) students with ED and local Special Education Units (SEU) specific graduation rates for each (d) local high school (e) local students with disabilities and (f) local SEU students with ED. Additionally, local special education unit data specific elements are being disaggregated/aggregated to provide more detail to each local special education unit around subgroups (ex. ethnicity, gender, attendance, discipline) and IDEA related topics (ex: LRE and disability category) as they correlate with local graduation rates. Special education units are provided with an activity guide that helps walk them through these reports.

**Did the State identify any general data quality concerns, unrelated to COVID-19, that affected progress toward the SiMR during the reporting period? (yes/no)**

NO

**Did the State identify any data quality concerns directly related to the COVID-19 pandemic during the reporting period? (yes/no)**

NO

## **Section B: Implementation, Analysis and Evaluation**

**Please provide a link to the State's current evaluation plan.**

Evaluation Plan Narrative:

<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/Evaluation%20Plan%20Narrative%20FINAL.pdf>

ND SSIP Logic Model:

<https://www.nd.gov/dpi/sites/www/files/documents/SpEd/SSIP/FINAL%20SSIP%20Logic%20Model%20.pdf>

**Is the State's evaluation plan new or revised since the previous submission? (yes/no)**

**Provide a summary of each infrastructure improvement strategy implemented in the reporting period:**

During the 2020-21 school year, discussions increased around aligning general education and special education continuous improvement efforts. During this time, too, a renewed emphasis was placed on identifying and implementing strategies and practices that have proven to make a difference in supporting students on the pathway toward graduation.

The NDDPI Office of Special Education is engaging the SSIP stakeholder group (IDEA Advisory Council) and the internal SEA SSIP leadership team to focus SSIP efforts across the state. During the next reporting period, NDDPI will concentrate on the following:

- 1) Expand the message: While dropping out is a process and not a single event, we must also recognize that all students have hopes and dreams. As a result, we must engage with the student, and all involved with the student, to consider how these hopes and dreams might be leveraged to improve learning and outcomes for each individual student in the SiMR cohort. The message of "all students have hopes and dreams" will be aligned using transition assessment to identify students' strengths and preferences and write measurable postsecondary goals aligned to the student's hopes, dreams, strengths and preferences. Technical assistance will be provided for writing compliant IEPs based on the aforementioned and how to use hopes and dreams to create an engaging environment that students will want to partake in until they graduate.
- 2) Early Warning System: Districts that have completed the first year in the EWIMS pilot program have reported promising results, so the NDDPI will continue to expand the number of districts interested and willing to invest time and effort into serving students through this project. NDDPI will continue working with the AIR to train more districts in developing an early warning system and monitoring data to determine needed interventions for specific students to improve graduation rates. In order to sustain the work at the state level, AIR will assist NDDPI in developing an Early Warning Systems Cadre made up of university and REA personnel who can continue to provide support to districts already implementing an early warning system and to train new districts interested in creating an early warning system. Furthermore, the NDDPI is exploring possibilities for leveraging additional partners to support LEAs work with students identified as having an IDEA emotional disturbance.
- 3) Technical assistance will continue to be invested in the PIER tool to further support intentional planning, implementing, evaluating, and reporting of local SSIP efforts. NDDPI will implement a workspace platform as part of the PIER tool so that each special education unit can communicate back and forth while working on the platform with NDDPI staff as they complete and report EBPs within their units along with fidelity of implementation of the practices. Office of Special Education staff will join other Offices within NDDPI and Cognia to determine how the PIER tool can be used to measure school improvement and reporting at the local level and will look into how to drill down into individual student-level data. This will continue to support and promote leadership and vision that promotes aligned continuous improvement efforts, family and community engagement, discretionary fund opportunities to support new, expanding SSIP efforts designed to improve outcomes moving forward.
- 4) The pool of effective middle and high school practices to support students on the path toward graduation will continue to be expanded, scaled up, and discussed in ways that are sustainable and meaningful for improving graduation and transition outcomes for students. Middle/High School efforts at the SEA level will continue promotion of practices that correlate highly with the likelihood of graduation. NTA:CT's 23 Evidence Based Practices and Predictors will be presented with three categories in mind: Predictors that align with the individual students (Goal-setting, Psychological Empowerment, Self-Advocacy, Self-Care, Self-Realization and Youth Autonomy), family partners (Parent Expectations, and Parental Involvement), and workforce ready (Career Awareness, CTE, Community Experiences, Paid Employment, Occupational Courses, Transition Program and Work-Study).
- 5) ESSER funds will be used to provide the "Big Five" special education units across the state an opportunity to work with the NDDPI to develop and implement a Graduation Improvement Project within their districts to assist in improving graduation rates for students included in ND SSIP SiMR cohorts. This project would offer meaningful discretionary funds to an LEA interested in, and approved by the SEA, to participate in the project. These five units have more than 50% of students with ED across the state. Concentrating efforts with these five units should increase SSIP SiMR data and can be shared with smaller units.

**Describe the short-term or intermediate outcomes achieved for each infrastructure improvement strategy during the reporting period including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Please relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up.**

The short-term and intermediate outcome measures have to do with three pieces of data: (1) The PIER Tool, (2) EWIMS, and (3) evaluating outcomes. These are described below.

**PIER Tool.** During the current reporting period, ND implemented the newly developed PIER tool. This tool is intended to further support overall and individual improvement strategy implementation and effectiveness at the local SEU level. The NDDPI intends to use ongoing, regular communication and data from the PIER tool (which includes the annual SSIP summary from each local SEU), to review, evaluate, and plan future improvement strategy outcomes.

93.5% (29 of 31 special education units) of local special education units completed and used the newly implemented PIER framework for reporting 2020-21 SSIP activities and results. The NDDPI, upon receiving these annual summaries, consolidated the information and worked with national technical assistance providers to evaluate SSIP efforts.

**EWIMS.** Through interactions with OSEP, ND determined the importance of implementing an intentional framework to support local school districts in progress monitoring graduation rates for students in the SiMR cohorts. ND entered into the contract with the American Institutes for Research to begin piloting the EWIMS process in ND which includes evaluative data and decisions for determining pilot effectiveness and the appropriateness of future scale-up. The EWIMS teams are collecting data on the three indicators of dropping out: attendance, course performance, and behavior. The teams report that they have identified thresholds in a tiered model, along with interventions that are available in their schools and have applied those interventions at each level.

**Evaluating Outcomes.** ND is working with resources from national technical assistance centers (e.g. IDC, NTA:CT ) to continue to think through ways to most effectively evaluate outcomes like the implementation and effectiveness of individual improvement strategies. NDDPI's IDEA-focused monitoring efforts examine selected SEU's outcomes for students with disabilities including SSIP results. While in the trial year, this effort is structuring processes to evaluate local implementation and effectiveness at the individual and systemic levels. Results of each of the strategies (e.g., discretionary grants, FBA/BIP professional development) are reported and reviewed each year, and decisions are made regarding next steps.

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

NO

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

During the 2020-21 school year, discussions increased around aligning general education and special education continuous improvement efforts. During this time, too, a renewed emphasis was placed on identifying and implementing strategies and practices that have proven to make a difference in supporting students on the pathway toward graduation.

The NDDPI Office of Special Education is engaging the SSIP stakeholder group (IDEA Advisory Council) and the internal SEA SSIP leadership team to focus SSIP efforts across the state. During the next reporting period, NDDPI will concentrate on the following:

- 1) Expand the message: While dropping out is a process and not a single event, we must also recognize that all students have hopes and dreams. As a result, we must engage with the student, and all involved with the student, to consider how these hopes and dreams might be leveraged to improve learning and outcomes for each individual student in the SiMR cohort. The message of “all students have hopes and dreams” will be aligned using transition assessment to identify student’s strengths and preferences and write measurable post-secondary goals aligned to the student’s hopes, dreams, strengths and preferences. Technical assistance will be provided for writing compliant IEPs based on the aforementioned and how to use hopes and dreams to create an engaging environment that students will want to partake in until they graduate.
- 2) Early Warning System: Districts that have completed the first year in the Early Warning Intervention Monitoring Systems (EWIMS) pilot program have reported promising results, so the ND SEA will continue to expand the number of districts interested and willing to invest time and effort into serving students through this project. NDDPI will continue working with the AIR to train more districts in developing and early warning system and monitoring data to determine needed interventions for specific students to improve graduation rates. In order to sustain the work at the state level, AIR will assist NDDPI in developing an Early Warning Systems Cadre made up of university and REA personnel who can continue to provide support to districts already implementing an early warning system and to train new districts interested in creating an early warning system. Furthermore, the ND SEA is exploring possibilities for leveraging additional partners to support ND LEA’s in supporting students identified as having an IDEA emotional disturbance.
- 3) Technical assistance will continue to be invested in the PIER tool to further support intentional planning, implementing, evaluating, and reporting of local SSIP efforts. NDDPI will implement a Workspace Platform as part of the PIER tool so that each special education unit can communicate back and forth while working on the platform with NDDPI staff as they complete and report evidence-based practices within their units along with fidelity of implementation of the practices. Office of Special Education staff will join other Offices within NDDPI and Cognia to determine how the PIER tool can be used to measure school improvement and reporting at the local level and will look at how to drill down into individual student-level data. This will continue to support and promote leadership and vision that promotes aligned continuous improvement efforts, family and community engagement, discretionary fund opportunities to support new, expanding SSIP efforts designed to improve outcomes moving forward.
- 4) The pool of effective middle and high school practices to support students on the path toward graduation will continue to be expanded, scaled up, and discussed in ways that are sustainable and meaningful for improving graduation and transition outcomes for students. Middle/High School efforts at the SEA level will continue the promotion of practices that correlate highly with the likelihood of graduation. NTAECT’s 23 Evidence Based Practices and Predictors will be presented with three categories in mind: Predictors that align with the individual student (Goal-setting, Psychological Empowerment, Self-Advocacy, Self-Care, Self-Realization and Youth Autonomy), family partners (Parent Expectations, and Parental Involvement), and workforce ready (Career Awareness, CTE, Community Experiences, Paid Employment, Occupational Courses, Transition Program and Work Study).
- 5) ESSER funds will be used to provide the “Big Three to Five” districts across the state work with the NDDPI to develop and implement a Graduation Improvement Project within their district to assist in improving graduation rates for students included in ND SSIP SiMR cohorts. This project would offer meaningful discretionary funds to an LEA interested in, and approved by the SEA, to participate in the project. Three to Five of the largest special education units will be invited due to them having 50% or more of students with ED across the state. Concentrating efforts with the Big Three to Five should increase SSIP SiMR data and can be shared with smaller units.

**List the selected evidence-based practices implement in the reporting period:**

ND is continuing to strengthen and revitalize the SSIP work in ND. While ND is a strong local control state, from early on ND has required an annual SSIP summary from each local special education unit in the state. This annual report provided a framework through which local special education units evaluate and report their annual SSIP efforts. The SEA, upon receiving these annual summaries, consolidated the information and worked with SEA and TAEE to evaluate SSIP efforts. Each special education unit has the opportunity to select EBPs they feel would benefit their own system. For this reason, there is a vast difference in the EBPs implemented and how they are measured across the state.

The 29 Special education units that completed the PIER Tool utilized many EBPs and fidelity tools. Several units mentioned Second Step, Functional Behavior Assessments (FBAs) and Behavior Intervention Plans (BIPs), Technical Adequacy Tool of Evaluation (TATE), Early Warning Signs, trauma and resiliency practices, and Multi-tiered Systems of Support-Behavior (MTSS-B) as practices and tools. Other interventions that were implemented were Nurtured Heart, Crisis Prevention Intervention (CPI), Zones of Regulation, Check and Connect, Why Try, Conscious Discipline, Safe and Civil Schools, Prevent Teach Reinforce, Individual Behavior Rating Scale Tool, and Skills Streaming for Adolescence.

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

Second Step programs are research-based, teacher-informed, and classroom-tested to promote the social-emotional development, safety, and well-being of children from Early Learning through Grade 8.

Functional Behavior Assessments (FBA) are used to understand the function or purpose of a specific interfering behavior.

Behavior Invention Plans (BIP) are used to target and select behaviors to monitor and select interventions designed to help improve prosocial behaviors and motivation levels and reduce problem behaviors.

Technical Adequacy Tool of Evaluation (TATE) is a scoring rubric used to assess the quality of FBA and BIP documents.

Early Warning Systems is a system based on student data to identify students who exhibit behavior or academic performance that puts them at risk of dropping out of school.

Trauma and resiliency practices provide expertise and resources to help overcome trauma and its effects and encourage environments designed for safe, healthy, and engaged learning.

Multi-tiered systems of support-behavior (MTSS-B) support a whole child approach to education that recognizes the intersections between physical, social/emotional and behavioral health, and how they impact student academic attainment.

Nurtured Heart Approach is a relationship-focused methodology based on a 3 Stands™ strategy to help children (and adults) build their Inner Wealth and use their intensity in successful ways.

Crisis Prevention Intervention (CPI) is an international training organization that specializes in the safe management of disruptive and assaultive behavior.

Zones of Regulation is a metacognitive framework for regulation and treatment approach that is based on immense evidence in the fields of autism, attention deficit disorders (ADD/HD), and social-emotional theories.

Check and Connect is an intervention used with K-12 students who show warning signs of disengagement with school and who are at risk of dropping out.

Why Try delivers programs, tools, and training to help change students from unmotivated to engaged, failing to graduates, and from hopeless to resilient.

Conscious Discipline is to provide every adult with the inspiration, knowledge and skills to implement Conscious Discipline, improving children's lives.

Safe and Civil Schools offers a series of materials and services that schools and districts can use to implement Positive Behavior Support solutions. Prevent Teach Reinforce (PTR) is a functional behavioral assessment-based intervention for students with behavior problems.

Individual Behavior Rating Scale Tool (IBRST) can be used by teachers to monitor student progress or by students as a self-monitoring tool.

Skill Streaming for Adolescence is an evidence-based strategy designed to systematically teach social skills to address the needs of children and youth who display aggression, immaturity, withdrawal and other problem behavior.

Each unit described its strategies surrounding a given EBP. Because there are so many, we won't list them all. Here is one example. NDDPI has reviewed the strategies for each unit and questions whether units truly understand how to find and implement EBPs that lead to higher graduation rates. NDDPI will collaborate with units to increase their understanding of using data to determine the effectiveness of EBS at the local level.

"Our district provides evidence-based practices for MTSS-B utilizing the Second Step curriculum at the elementary level and Resiliency and Youth at the secondary level along with the Why Try curriculum. For MTSS-A evidence-based practices are utilized for math and reading instruction. Student data is reviewed at the building level on a monthly basis by grade level teachers and specialists. This data is used to provide increasing and decreasing support to students on an individual level. It is this individualization that promotes improved graduation rates. Fidelity to these practices/curriculums is documented through the "One Stop Shop" a model-based data collection tool. The "One Stop Shop" tracks 1) what activities/practices/curriculums a school engages in, 2) what the fidelity to those activities is, and 3) what are the student outcomes to the activities. Outcome data for the "One Stop Shop" is collected from students engaging in electronic pre and post-testing for each lesson. Overarching system data is also collected by monitoring the number of students receiving supports at each tier for both MTSS-B and MTSS-A."

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

Each unit also described how the particular EBP was designed to change practices and impact student outcomes. Overall, about one-third of special education units indicated that additional training for school staff on understanding and addressing social, emotional, and behavioral health issues would improve students' overall classroom experience and graduations rates. Further, a number of units stated that if staff can teach students to develop the social, emotional, and self-regulation skills they need to improve their school experience, then students are more likely to graduate. In addition to professional development and training for school staff, the strategies suggested by units included: increased interventions and the use of evidence-based practices that promote social, behavioral, and mental health practices.

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

Special education units mentioned using student data (e.g., graduation rates, family surveys, intervention documentation, IEP goal growth) and assessment tools (e.g., Aimsweb, TATE) to measure their progress towards meeting their critical initiative goals. For those units that have related professional development opportunities for staff already in place, they indicated that to track their progress they document training opportunities, attendance, and staffs' application of new skills in a classroom setting. Comprehensively, special ed units also used family engagement attendance and surveys to measure progress on their Critical Initiatives.

The units also described the information they collected on the fidelity of implementation. Over half of the units are using FBAs and BIPs to assess changes in practices. Some example ways that the units are collecting fidelity information include the following. NDDPI has reviewed each unit's fidelity of implementation process and has identified a need for a more streamlined approach to measure and report fidelity of implementation at the local level. NDDPI will be creating a fidelity of implementation tool and will train and assist each unit on how to use the tool to more clearly measure fidelity at the local level. Furthermore, the tool will be used to increase NDDPI's ability to report fidelity of implementation across the state.

"We employ a Board-Certified Behavior Analyst (BCBA) who worked in conjunction with building level staff, administration and school psychologists to ensure a team approach to behavior management using research-based approaches and to ensure programming is carried out with fidelity."

"The unit also acquired Behavior Advantage, a tool to assist in the creation of effective FBAs and BIPs. This tool will also assist in progress monitoring and implementing with fidelity."

"We monitor fidelity in a variety of ways: TATE data and analysis, and focused file reviews. TATE Data: The overall quality of our Full FBAs, Simple FBAs, and PBSPs continues to increase within our elementary schools, from 64% of essential components in 2017-18 to 90% of essential components in 2020-21."

**Describe any additional data (e.g. progress monitoring) that was collected that supports the decision to continue the ongoing use of each evidence-based practice.**

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

NDDPI will reach out to Special Education Units through monthly technical assistance calls to provide any support needed to implement EBPs and measure the fidelity of implementation. Presentations will be provided to many different audiences across the State relating to the 5 Prongs discussed earlier so that there is a consistent message being shared to increase SSIP efforts. A variety of stakeholder groups will assist in deciding the next steps for the SSIP and increasing messaging statewide. The stakeholder groups will include the special education unit directors, the IDEA Advisory Council, the Transition Community of Practice, and the SEB Community of Practice. The Workspace feature will be incorporated into the PIER Tool so that

NDDPI staff can provide input and ask for clarification as SEUs add their local data.

NDDPI will continue to monitor the PIER tool and hold individual discussions with special education unit directors related to technical assistance needs that SEUs and other professionals may have related to EBPs. NDDPI will continue to share resources from National Technical Assistance Centers related to EBPs and data-based decision making to increase outcomes for students with ED. NDDPI will share applications for transition discretionary grants to North Dakota Universities, public schools, public education agencies, private organizations, and individual education practitioners. The discretionary funds are intended to improve educational outcomes and improve graduation rates for students with disabilities using EBPs at the middle and high school levels.

ND is a local control state, allowing SEUs to choose EBPs for each district. It is difficult to report implementation and fidelity when so many EBPs are being implemented across the State. NDDPI will work with an external evaluator to review EBPs within PIER Tool data to determine better ways to report fidelity. As part of this work, NDDPI will choose seven to ten EBPs, provide professional development and then each unit chooses one or two of the EBPs to implement at the local level.

## **Section C: Stakeholder Engagement**

### **Description of Stakeholder Input**

The NDDPI started the engagement process of setting the baselines and targets for SPP/APR indicators by reaching out to multiple groups, such as Special Education Directors, IDEA Advisory Committee members, and the ND Transition Community of Practice members.

Those meetings and Indicators that were addressed during the meetings are listed below:

On June 2nd, 2021, the Special Education Directors, as well as area service coordinators from the LSEUs, reviewed information for Indicators 1, 2, and 17 at the NDDPI Special Education Leadership Institute. Directors and Coordinators assisted in providing information for setting the baseline and potential targets for these indicators.

On June 3rd, 2021, the IDEA Advisory Committee members reviewed information for Indicators 1, 2, and 17. They assisted in providing information for setting the baseline and potential targets for these indicators.

On June 16th, 2021, the ND Transition Community of Practice reviewed information related to transition indicators (Indicator 1, Indicator 2, and Indicator 17). Community of Practice members assisted in providing information for setting the baseline and creating potential targets for the 2020-2025 SPP/APR.

After these first three meetings, NDDPI decided to hold an interactive virtual meeting where stakeholders from across the state would be invited to look at data, which included reviewing the selected baselines, and set targets in the areas of early childhood, assessment, secondary transition, and inclusion. This invitation was shared with administrators, parent support and advocacy groups, special education consortiums, Part C providers, community of practices, along with being advertised on the NDDPI Family Engagement Facebook Group page and shared through the NDDPI weekly newsletter, The BLAST.

As a result of the invitation being sent, a meeting was held on November 2nd, 2021, with twenty-five stakeholders. This included parents, school administrators, educators, parent support and advocacy group members as well as community members from across the state who joined NDDPI for an interactive virtual meeting to set the targets for the special education indicators.

In the stakeholder meetings for a given indicator, stakeholders reviewed the historical data and the projections for where the State would be in 2025-26 if all things stayed the same. Stakeholders were provided with an overview of the advantages and disadvantages of predictive models as well as an overview of the mindset for target-setting. Stakeholders were told that they would be selecting the end target (2025-26) for a given indicator. The State would then calculate intervening targets between FFY2020 and FFY2025 whereby there would be no increase in the target the first year, then small increments, and then the largest increment from 2024-25 to 2025-26. The purpose of using small increments at the beginning and large increments at the end is to allow enough time for district and school staff members to implement new initiatives and to change practices so that they have an opportunity to realistically meet the intervening targets along their way to the rigorous end target. After this overview in the stakeholder meetings, the stakeholders then determined a challenging and achievable target for the 2025-26 school year.

After this meeting, NDDPI created surveys to share the potential targets for Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17 and posted them on the NDDPI Office of Special Education website on November 18th until December 31st to allow additional stakeholders from across the state the opportunity to provide input. Two-hundred-forty-three individuals from various communities across the state completed the online surveys; of these 243, 102 were parents. Of the survey respondents, between 56-94% agreed with the proposed targets set for FFY2020 through FFY2025. Only 7 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the end target in FFY2025 less than 70%, and only 2 of 44 indicators/sub-indicators for which targets had to be set had an approval rate regarding the intervening targets between now and FFY2025 less than 70%. Thus, the NDDPI is confident in the targets that were chosen.

The NDDPI also presented these Indicators to multiple groups. Those meetings and the Indicator information presented are listed below:

On November 10th, 2021, the NDDPI Early Childhood Special Education (ECSE) Advisory Committee members reviewed information related to preschool environments, preschool outcomes, and early childhood transition (Indicators 6, 7, and 12). The ECSE Advisory Committee members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 2nd, 2021, the NDDPI Community of Practice on Social-Emotional-Behavioral Disorders reviewed information related to graduation, dropout, suspension/expulsion, and the State Systemic Improvement Plan (Indicators 1, 2, 4, and 17). Twenty participants, who included parents, school administrators (general education, special education, University systems, and juvenile justice), educators, parent support and advocacy group members, as well as community agency members reviewed baselines and targets selected previously by other stakeholder groups. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to complete a survey providing their input on the baseline and targets.

On December 15th, 2021, the IDEA Advisory Committee reviewed information related to Indicators 1, 2, 3, 5, 6, 7, 8, 14, and 17. Participants were given the opportunity to review the data, ask questions, and then had an opportunity to provide information on the barriers to increasing the performance of each indicator as well as improvement strategies that could be implemented to increase the performance of each indicator. Indicators 15 and 16 were not included in discussions because North Dakota does not have more than ten resolutions or mediations in a year. If North Dakota does have more than ten resolutions or mediation, the state would solicit stakeholder feedback on target setting, data analysis, improvement strategies, and evaluation for the relevant indicator.

On December 22nd, 2021, the Transition Community of Practice was given the opportunity to hear comments from other stakeholder groups related to

the transition indicators (Indicators 1,2,14, and 17) and had the opportunity to view the proposed final targets set for 2025. After each of the transition targets were reviewed, members had the opportunity to complete the survey where they could offer suggestions and/or comments for the indicators. Members were also given a link to review and submit comments relating to baseline and targets set for indicators 3, 5, 6, 7, and 8.

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

The ND IDEA Advisory Council continues to be the primary stakeholder group reviewing and making recommendations related to the SSIP work in ND. Over the past year, the IDEA Advisory Council met virtually on March 10th, 2021, June 3rd, 2021, September 15th, 2021, and December 15th, 2021. This diverse group of stakeholders supports ND, focusing on improving graduation and dropout rates for students with disabilities. For the SSIP, the group continued to recommend focusing on six-year extended graduation rates for students identified as having an IDEA emotional disturbance. Additional stakeholder engagement occurred through group discussions, information sharing, and individual or small group discussions.

An internal North Dakota Department of Public Instruction (NDDPI) SSIP Leadership Team was initiated last year and continued to meet during this period. In ND, graduating Choice Ready means graduating from high school ready for post-secondary education, ready for the workforce, and/or ready for the military. This Internal NDDPI SSIP Leadership has meant monthly to leverage our collective efforts to further systemic, sustainable change.

NDDPI continues to facilitate a quarterly Transition Community of Practice. Over 50 members of this Community of Practice include school personnel, agency personnel, families, persons with disabilities, and state personnel from transition related departments (example: Vocational Rehabilitation, Career Technical Education, etc.). Discussion around ND's SSIP activities and efforts frequently occur as part of the Transition Community of Practice. A Community of Practice focused on improving outcomes for students identified as needing social/emotional/behavioral (SEB) supports met quarterly over the past year on March 25th, 2021; June 3rd, 2021; December 2nd, 2021. Over 40 people attend, and the SEB Community of Practice continues to scale up and sustain activities and practices that will positively impact students identified as having SEB needs.

NDDPI held monthly technical assistance calls with local special education leadership (directors, assistant directors, and coordinators) from across ND. SSIP information was regularly and intentionally shared during these calls. With the same goals to increase communication, receive input, and provide intentional opportunities for discussion, NDDPI Special Education Leadership also initiated monthly calls with parent advocacy groups from across ND. During these calls, parts of the SSIP information were frequently shared and discussed. Stakeholder engagement was also promoted and productive by agreeing to and sharing information with a wide range of stakeholder groups. SSIP related presentations and discussions took place with parent advocacy centers, general education administrators, legislative teams, family groups, and so forth.

ND engaged with local special education leadership to receive feedback and discuss ways to make the PIER tool more user-friendly and effective in improving ND SSIP outcomes. ND worked with Regional Education Associations, State Longitudinal Data Systems, National Technical Assistance Centers to continue to develop for furthering ND's SSIP work to improve the effectiveness of practices that engage with a broad cross-section of stakeholders in a systemic, sustainable way. Part of ND's SSIP focus during 2020-21 has been Dropping Out is a Process, NOT an event. Numerous opportunities have been available to have conversations with a wide range of stakeholders about improving graduation rates for students identified as having an emotional disturbance. The groups have regularly supported keeping the same SSIP SiMR.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

NO

**Describe how the State addressed the concerns expressed by stakeholders.**

**Additional Implementation Activities**

**List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

The qualitative analysis of the PIER Tool indicates that there is a large number of different initiatives and EBPs that special education units are implementing and further, that a wide variety of progress monitoring tools and fidelity tools are being used by special education units. In order to get an accurate sense of what EBPs are being implemented with fidelity and which are having an impact on the graduation rate of students with ED, NDDPI is going to implement some targeted activities this coming year.

The key strategies that NDDPI intends to implement:

1. Improve the PIER Tool to get more specific information and data from the special education units that can be analyzed both qualitatively and quantitatively.
  2. Explore a common fidelity-type tool that can be used across all units.
    - a. Note that this fidelity tool would not replace any specific tools that the units are using for their particular EBPs. Rather, this will serve as a global assessment of good practices surrounding interventions for students (e.g., do you have a standard process in place for identifying students who might be at-risk for dropping out, have you identified indicator data for at-risk students, do you look at the data on a regular basis, do you identify the proper intervention for at-risk students, do you collect student progress data and fidelity of intervention data, etc.). In addition, for those units using an Early Warning System, we will also create/identify a common checklist for fidelity of implementation. The purpose of these common tools will be in order to more accurately monitor the implementation progress that units are making and to offer technical assistance as needed.
  3. Follow-up on the regression analysis.
    - a. Interview those special education units/districts that are doing better than expected and those that are doing worse than expected. In essence, do a "root cause" of their situation to determine what can be learned and shared with other units/districts.
    - b. Add the EBPs that are being implemented at the district level to the regression analysis to further assess what is working well.
    - c. If possible, collect information from the Big Five surrounding attendance, behavior, and courses to improve upon the regression model.
  4. Focus on the Big Five special education units. Ideally, NDDPI will get buy-in from all five of these units to participate in the following. Messaging and demonstrating the cost-benefit analysis to the units will be critical in order to get unit buy-in. (NDDPI's first step will be to create these materials to use with conversations with the Big Five).
    - a. First and foremost, build on what the units are already doing and acknowledge their current efforts.
    - b. Conduct a needs assessment to understand each unit's unique situation.
    - c. Complete a data inventory and initiative (EBP) inventory.
    - d. Implement an Early Warning System (build on what is currently in place with the units).
    - e. Identify and implement appropriate fidelity of implementation tool(s), including common fidelity-type checklists that can be used across units.
    - f. Identify and implement appropriate progress monitoring tools.
    - g. Create the evaluation plan.
    - h. Develop unit/district profiles of graduation data over time for units/districts to use in their strategizing for improved graduation rates.
    - i. Analyze evaluation and outcome data and make adjustments as needed.
- In addition to these activities, NDDPI will encourage the Big Five to be members of the Community of Practice NDDPI has established surrounding students with ED.

Our main goal in engaging in these strategies is to figure out how we can significantly and meaningfully impact the graduation rate of students with ED. The units have done a lot of activities the past few years; the department has provided a lot of support and analyzed a lot of data the past few years; the graduation rate has gone up and it has gone down. What has worked? What needs to be tweaked? What are pitfalls to avoid? How can what we have learned to be put into “standard operating procedures?” We want to be very mindful and intentional about our process going forward so that we can pinpoint effective practices, tools, and systems for increasing the graduation rates for students with ED.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

The NDDPI SSIP team is currently finalizing the action plan for the SSIP; the team is meeting on February 23rd and will finalize and publicize the action plan at that time. The action plan consists of 9 key strategies. These strategies will be implemented between February 2022 and June 2023. The expected outcomes are an improvement in the graduation rate for students with ED.

The five key strategies that are being continued are (1) Messaging, (2) Inter-Departmental Alignment, (3) Fidelity of Early Warning Systems, (4) High School Practices, and (5) Pier Tool. These five practices together will continue to focus on the positive messaging of how to help those students who are disengaged from schools; continue to work with other DPI programs to foster department-wide commitment towards improving the graduation rates of students with ED; continue to work with schools implementing EWIMS; continue to offer support to high schools implementing EBPs, and continue to use the PIER Tool. These efforts together will provide continued support to all special education units across the state surrounding graduation rates.

The four key strategies that are new are (A) PIER Tool Improvement; (B) Fidelity Measure Enhancement; (C) Regression Analysis Follow-Up; and (D) Big Five Special Education Units Focus. These four key strategies will improve the PIER Tool to better gather qualitative and quantitative data; develop common fidelity tools to use across units; better predict and thus support units and districts who are performing better/worse than expected, and getting buy-in from the big five special education units for targeted assistance surrounding graduation. These strategies together will help the SSIP Team to figure out how we can significantly and meaningfully impact the graduation rate of students with ED. The anticipated timeline is outlined below.

**A. PIER Tool Improvement**

The SSIP Team will improve the PIER Tool to get more specific information and data from the special education units that can be analyzed both qualitatively and quantitatively. The first three activities are from Strategy I-D above.

1. Convene planning meeting with NDDPI and external evaluator to develop detailed action and evaluation plans for this strategy. (February 2022)
2. Publicize the PIER Tool summary report from 2020-21 so units and key stakeholders can review the information. (February 2022)
3. Provide PD to units on how to complete the current PIER Tool (February 2022)
4. Revise the PIER Tool to get more specific information and data from the special education units that can be analyzed both qualitatively and quantitatively. (May 2022)
5. Analyze PIER Tool data from 2021-22 and write a summary report. (September 2022)
6. Revised PIER Tool made available to units (August 2022)

**B. Fidelity Measure Enhancement**

The SSIP Team will develop two common tools – one surrounding good practices for graduation/drop-out risk assessment and another for use with an EWS – for all units to use in order for NDDPI to have a way to quickly determine technical assistance needs as well as fidelity progress.

1. Convene planning meeting with NDDPI and external evaluator to develop detailed action and evaluation plans for this strategy. (February 2022)
2. Explore a common fidelity-type tool (Fidelity Tool A) for use with all units that can be used across all units by doing a lit review and interviewing key players. (March 2022)
3. Explore a common fidelity-type tool (Fidelity Tool B) for use with units implementing EWS by doing a lit review and interviewing key players. (March 2022)
4. Develop Common Fidelity Tools A and B. (April 2022)
5. Implement Common Fidelity Tools A and B. (July 2022)

**C. Regression Analysis Follow-Up**

The SSIP Team will improve upon the previous regression model for better predictions and thus, improved targeted support to units/districts.

1. Convene overall planning meeting with NDDPI and external evaluator to develop detailed action and evaluation plans for this strategy. (February 2022)
2. Interview those special education units/districts that are doing better than expected and those that are doing worse than expected. In essence, do a “root cause” of their situation to determine what can be learned and shared with other units/districts. (March 2022)
3. Add the EBPs that are being implemented at the district level to the regression analysis to further assess what is working well. (April 2022)
4. If possible, collect information from the Big Five surrounding attendance, behavior, and courses to improve upon the regression model. (June 2022)
5. Publicize the regression analysis report so units and key stakeholders can review the information. (July 2022)

**D. Big Five special education unit Focus**

The SSIP Team will get buy-in from the Big Five Special Education Units to participate in this targeted initiative so that the graduation rate of ED students will increase.

1. Convene overall planning meeting with NDDPI and external evaluator to develop detailed action and evaluation plans for this strategy. (February 2022)
2. Review activities of the Big 5 as reported on the PIER Tool. (February 2022)
3. Review graduation rates data of the Big Five over time. (February 2022)
4. Conduct a cost-benefit analysis of the Big Five's participation in the project. (March 2022)
5. Develop messaging materials for use with the Big Five that include a cost-benefit analysis. (March 2022)
6. Develop the PIER Tool follow-up, needs assessment, a data inventory, and an initiative inventory to understand each unit's situation. (April 2022).
7. Administer the PIER Tool follow-up, needs assessment, data inventory, and an initiative inventory. (April 2022)
8. Analyze the PIER Tool follow-up, needs assessment, a data inventory, and an initiative inventory. (May 2022)
9. Examine what type of EWS each of the Big Five is currently using. (March 2022)
10. Determine if/how EWS can be improved and what level of support eh Big Five need surrounding their EWS. (April 2022)
11. Identify and implement appropriate fidelity of implementation tools, including common fidelity-type checklists that can be used across units. (June 2022 [develop] – July 2022 [implement])
12. Identify and implement appropriate progress monitoring tools. (June 2022 [develop] – July 2022 [implement])
13. Develop unit/district profiles of graduation data over time for units/districts to use in their strategizing for improved graduation rates. (May 2022)
14. Create the evaluation plan. (April 2022)
15. Analyze evaluation and outcome data and make adjustments as needed. (September 2022)

**Describe any newly identified barriers and include steps to address these barriers.**



One of the barriers that have been identified during this reporting period has occurred through the use of the PIER tool. ND is a local control state, so each unit has had the opportunity to choose which EBPs they were going to implement within the LEA. Because of this, it has been difficult to measure fidelity across the various practices that have been used to report SSIP outcomes NDDPI is planning on working with the Big Five special education units across the state (see the previous section for details). Furthermore, NDDPI has realized that much of the data being collected is qualitative in nature which makes determining what is working very difficult. As such, NDDPI is working with an outside evaluator to develop a strong evaluation system for collecting quantitative data on EBPs, fidelity measures, progress measures, and outcomes. This data will be analyzed to determine if EBPs are implemented with fidelity and are making a difference in outcomes for students in the SiMR cohort.

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

## **17 - Prior FFY Required Actions**

None

## **17 - OSEP Response**

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State did not provide the numerator and denominator descriptions in the FFY 2020 SPP/APR Data table. The State must provide the description of the numerator and denominator used to calculate its FFY 2020 data.

The State did not provide any data, aligned with the State-identified Measurable Result (SiMR), for this indicator. Therefore, OSEP could not determine whether the State met its target.

The State must provide a link or narrative description of the current Theory of Action.

## **17 - Required Actions**

## **Certification**

### **Instructions**

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

#### **Certify**

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

#### **Select the certifier's role:**

Designated by the Chief State School Officer to certify

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

#### **Name:**

Mary McCarvel-O'Connor

#### **Title:**

Special Education Director

#### **Email:**

moconnor@nd.gov

#### **Phone:**

7013284560

#### **Submitted on:**

04/26/22 12:41:44 PM