



# General Supervision Accountability System

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Michigan Department of Education

Office of Special Education

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NOTICE: This internal MDE OSE document is being provided for informational purposes only. The document reflects how the MDE OSE meets its general supervision responsibilities.

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# General Supervision Accountability System

## Introduction

In August 2020, the Michigan Department of Education (MDE) Board of Education approved [Michigan's Top 10 Strategic Education Plan](#) to provide "focused direction to Michigan's education community in support of all learners. Michigan's Top 10 Strategic Education Plan is designed to concentrate energy and resources, strengthen operations, and set success measures to ensure all stakeholders work together toward common educational goals. Michigan's Top 10 Strategic Education Plan has a mission, vision, guiding principles, and focused goals, including metrics for each goal area to help monitor Michigan's educational progress."

### **MDE Mission**

Support learning and learners.

### **MDE Vision**

Every learner in Michigan's public schools will have an inspiring, engaging, and caring learning environment that fosters creative and critical thinkers who believe in their ability to positively influence Michigan and the world beyond.

### **MDE Goals**

1. Expand early childhood learning opportunities
2. Improve early literacy achievement
3. Improve the health, safety, and wellness of all learners
4. Expand secondary learning opportunities for all students
5. Increase the percentage of all students who graduate from high school
6. Increase the percentage of adults with a post-secondary credential
7. Increase the number of certified teachers in areas of shortage
8. Provide adequate and equitable school funding

### [MDE goals Source](#)

States are obligated under federal law to have a system of general supervision to monitor and support the implementation of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004 in local education agencies (LEAs) (IDEA Regulations, Subpart F, Section 300.149). Michigan Department of Education (MDE) Office of Special Education (OSE) strives to address the goals in Michigan's Top 10 Strategic Education

Plan while meeting the federal obligation to develop an effective general supervision system. The general supervision system is an accountability mechanism for improving educational results and functional outcomes for children and youth with disabilities while ensuring LEAs meet program requirements of IDEA, with a particular emphasis on requirements most closely related to those improvements. In Michigan, Intermediate School Districts (ISDs) are subrecipients of IDEA grant funds and, thus, serve as LEAs, with the responsibility to support member districts in improving results and ensuring program requirements are met. This document describes the general supervision system, consisting of eight separate but *interrelated* components developed by Michigan to meet its obligation under federal law.

The Merriam-Webster online dictionary [defines a system](#) as "a regularly interacting or interdependent group of items forming a unified whole." The graphic below (and on the document's cover) shows the interrelatedness of the eight components of general supervision, even though the components are presented in a linear sequence. MDE OSE acknowledges even fully implemented or developed systems can always continue to improve (see [Annotated Bibliography](#)) and is committed to continuously evaluating for improvement.



MDE OSE System of General Supervision builds on a framework developed in 2007 by The National Center for Special Education Accountability Monitoring<sup>1</sup> and has eight components:

1. State Performance Plan/Annual Performance Report, including the State Systemic Improvement Plan,
2. Data on Results and Processes,
3. Integrated Monitoring Activities,
4. Policies, Procedures, and Effective Implementation of Evidence-Based Practices,
5. Professional Learning and Development and Technical Assistance,
6. Fiscal Accountability and Management,
7. Effective Dispute Resolution, and
8. Improvement, Correction, Incentives, and Sanctions.

### **Building Capacity – Improving Outcomes**

Even as MDE OSE acknowledges the obligations and requirements of the IDEA and the Michigan Administrative Rules for Special Education (MARSE), MDE OSE has a shared vision for why we do the work. MDE OSE has aligned the why we do the work with the MDE Mission and Vision.

In support of MDE's Mission, Vision, and Top 10 Strategic Education Plan goals, we believe the state education agency's (MDE OSE) purpose is to ensure the civil rights of children with disabilities for a free appropriate public education (FAPE) in the least restrictive environment (LRE) are maintained, and the rights of children and families are protected. MDE OSE is committed to ensuring children and youth with disabilities receive a meaningful education in their LRE, interact with their typical peers, and access the general education curriculum. We believe this leads to meaningful outcomes where adults with disabilities have the opportunity to live independently, exert control and choice over their own lives, and fully participate in and contribute to their communities. When individuals with disabilities can accomplish these outcomes, they are integrated into the economic, political, social, and cultural mainstream of Michigan society. This

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<sup>1</sup> The National Center for Special Education Accountability Monitoring (NCSEAM), a U.S. Department of Education, Office of Special Education funded technical assistance center, in conjunction with stakeholders representing six regional resource centers, the Federal Regional Resource Center, the Early Childhood Technical Assistance Center, representatives of state agencies, the National Association of State Directors of Special Education, IDEA Infant and Toddler Coordinators Association, and Office of Special Education Programs of the U.S. Department of Education developed a framework for General Supervision. This framework is described in [Developing and Implementing an Effective System of General Supervision: Part B](#) (2007).

entitlement is granted to children and youth with disabilities by Congress and supported by the will of the people of the State of Michigan.

We believe in operationalizing the intent of the IDEA and Congress to improve student outcomes; MDE must support a system to build the capacity of schools, member districts, ISDs, and MDE OSE. Meaningful outcomes occur when we all work with each other and for each other. MDE OSE operationalizes these beliefs through the following actions:

1. Being proactive and responsive to families and educators to strengthen processes and provide technical assistance specific to identified needs,
2. Collecting high-quality data on outcomes and on processes to engage in data-based decision-making,
3. Continuously improving the knowledge and skills of both MDE OSE staff and external stakeholders,
4. Working in partnership with the ISDs to support the development, enhancement, and alignment of MDE OSE and the ISD Systems of General Supervision, and
5. Supporting a healthy and effective System of General Supervision to ensure the intent and purposes of IDEA are achieved for children and youth with disabilities.

Remember, "the value in our lives is not determined by what we do for ourselves. The value in our lives is determined by what we do for others" (Sinek, 2016)<sup>2</sup>. Our true value as leaders and advocates is not measured solely by our work. Our true value is measured by the support we provide to educators and children and youth with disabilities to achieve meaningful outcomes by implementing an aligned and effective System of General Supervision.

### **MDE OSE Organizational Structure**

Special education is at its best in Michigan when we support the development of competencies in administrators, educators, and the students we serve. To achieve this goal, MDE OSE defines "the work" or "the OSE work" by implementing the steps included in the graphic below:

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<sup>2</sup> Sinek, S. (2016). *Together is better: A little book of inspiration*. NY: Portfolio/Penguin.

## What system(s) is in place to:

1.  Ensure everyone knows the requirements of IDEA?
2.  Verify everyone is implementing the requirements correctly?
3.  Support identified areas of improvement?

MDE OSE must ensure MDE OSE, ISD, and member district special education staff know the requirements of IDEA. This includes the requirements in §1416 (a)(2) as follow:

The primary focus of Federal and State monitoring activities described in paragraph (1) shall be on—

(A) improving educational results and functional outcomes for all children with disabilities; and

(B) ensuring that States meet the program requirements under this subchapter, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

### [Section 1416 Source](#)

Additionally, MDE OSE must ensure adherence to the Michigan Administrative. Code R 340.1839 - Monitoring and program evaluation:

- (1) The department shall establish monitoring procedures, criteria, and evaluation activities to ensure that minimum standards are being achieved by all public agencies.
- (2) Each intermediate school district shall implement monitoring procedures and evaluation methods developed by the department to ensure that the standards and criteria established are being achieved by the intermediate school district, their constituent local school districts, and their public school academies.



## MARSE Source

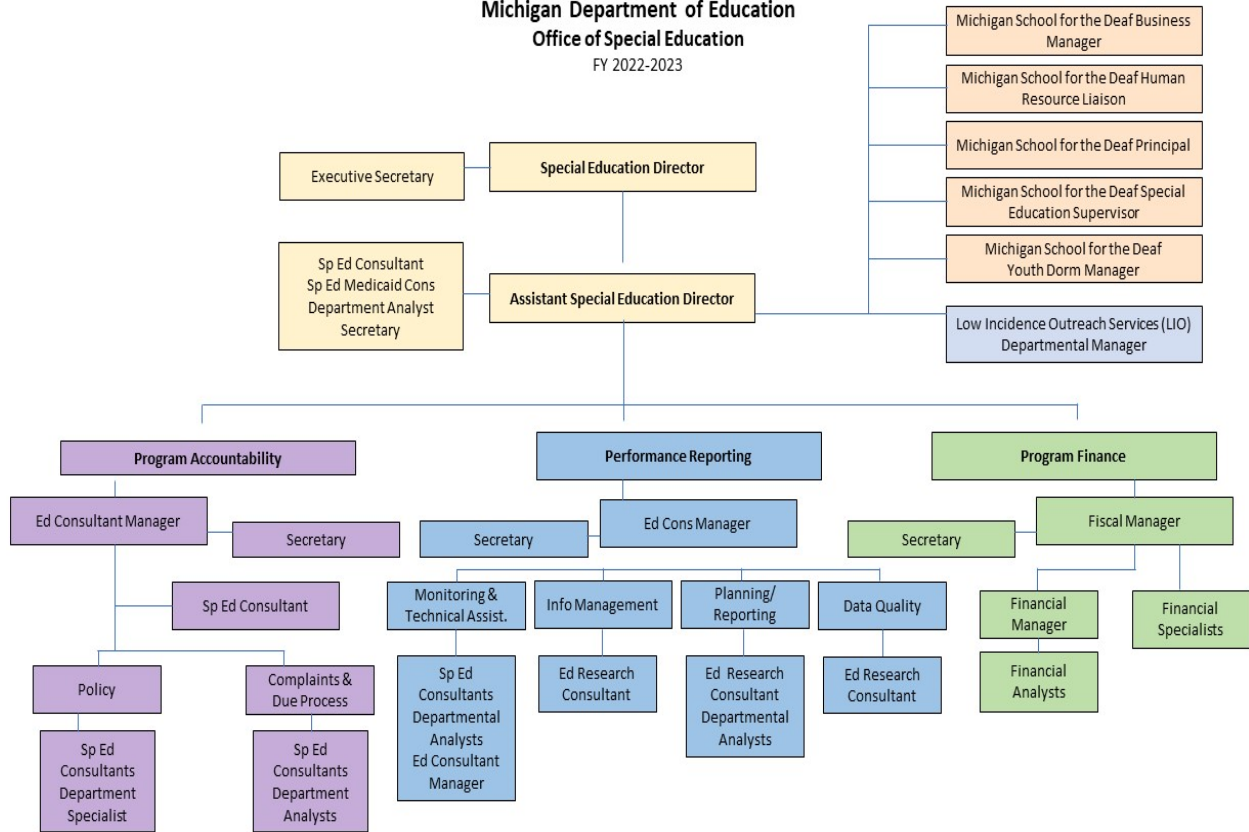
MDE OSE uses the eight components of general supervision described in this document to provide knowledge and ensure an understanding of IDEA requirements. To verify the requirements are implemented correctly, MDE OSE relies primarily, but not solely, on the general supervision activities in Integrated Monitoring, which include Fiscal Accountability and Management, Policies, Procedures, and Implementation of Effective Evidence-Based Practices, Effective Dispute Resolution, and Improvement, Correction, Incentives, and Sanctions.

MDE OSE comprises four units: Administration, Performance Reporting (PR), Program Finance (PF), and Program Accountability (PA), as illustrated in the chart below. These units accomplish the “OSE Work.”

1. The Administration, which is comprised of the State Director of Special Education and the Assistant Director of Special Education, has primary responsibility for ensuring policies and procedures, along with evidence-based practices, are shared with the field to ensure the purposes and requirements of IDEA and MARSE are met.
2. PA has primary responsibility for policy-related work, including rule promulgation, guidance development, and MDE OSE Information Line and dispute resolution, including facilitation, mediation, state complaints and due process complaints/requests for due process hearings.
3. PR has primary responsibility for data collection and analysis for state and federal reporting, along with conducting compliance monitoring activities and providing professional learning and development (PLD) and technical assistance (TA).
4. PF has primary responsibility to oversee state aid and federal funding structures for special education programs and services. The unit ensures that federal grants and state aid reimbursements are effectively administered through whole-unit monitoring activities and ongoing PLD and TA.

In addition to the individual unit responsibilities, MDE OSE ensures the correction of identified noncompliance. As well as these formal unit structures, there are cross-unit working groups or teams. For example, the Quadrant Data Use Team is tasked with analyzing data used in annual ISD determinations based on the extent ISDs have met the purposes and requirements of IDEA and other more recent data to identify levels of PLD or TA. The Data Use and Action Team provides TA to ISDs on analyzing and using data to improve results and ensure compliance. See [Appendix E](#) for additional description.

**Michigan Department of Education  
Office of Special Education  
FY 2022-2023**



Michigan Department of Education Office of Special Education organizational chart. A text version of the chart is available in [Appendix E](#).

## State Performance Plan (SPP)/Annual Performance Report (APR), including the State Systemic Improvement Plan (SSIP)



Under Part B of IDEA, each state must have in place a state performance plan that evaluates the state’s implementation of the requirements and purposes of IDEA (IDEA Regulations, Subpart F, Section 300.601). The SPP must also describe how the state will improve educational results and functional outcomes for children and youth with disabilities by reporting on specific indicators. Beginning in 2014, the U.S. Department of Education, Office of Special Education Programs (OSEP) revised the SPP to eliminate duplicative reporting and make explicit a focus area for improving results through the SSIP. States must submit an APR that includes performance on the 16 numbered indicators of results and compliance along with a more detailed report about performance and progress on the result’s Indicator 17 SSIP. [Appendix A](#) is an example of the information the U.S. Department of Education, OSEP requires states to submit. The IDEA requires states to collect data to measure performance compared to targets for each indicator. The OSEP determines targets for compliance indicators as 100% or 0% depending on the indicator (see also [Data on Results and Processes](#)). States must engage stakeholders in target setting for results indicators. Targets may not be lower than baseline, which is typically the year data were first reported or when a change in methodology has occurred, and must show improvement over the years for which they are set. Currently, the State’s FFY 2025 target must reflect improvement over the baseline data.

Additionally, States must make available to the public specific reports and, therefore, MDE OSE must make the [SPP/APR publicly available](#). Data showing the performance of each of the ISDs compared to the state targets must be available to the public for Indicators 1-14. The public reporting documents for ISDs and member districts are posted in [MISchool Data](#), Michigan’s Official Education Data Source. MDE OSE website also has information about the [SPP/APR and related data](#).

A key component of the SPP/APR and SSIP process is the engagement of stakeholders. The Conference Report of IDEA 2004 contained the following statement: “Within the context of the State Performance Plan, measurable and rigorous targets are established

with broad stakeholder input and specify the challenging levels of improved performance to be reached within a particular timeframe.” MDE OSE uses the Special Education Advisory Committee (SEAC), mandated by the IDEA, as the primary stakeholder group to provide feedback and input on SPP targets and progress.<sup>3</sup> Another stakeholder group includes ISD Directors of Special Education, with whom MDE OSE communicates and meets regularly to provide information and updates and seek input and feedback. Additionally, the General Supervision Accountability Workgroup meets monthly to provide general and specific feedback to MDE OSE on developing and implementing procedures relevant to ISDs and member districts. The workgroup is composed of:

- ISD Directors of Special Education,
- local or member district special education administrators,
- liaisons to the SEAC,
- the Michigan Association of Administrators of Special Education (MAASE),
- Special Education Instructional Leadership Network (SELIN), and
- the Michigan Council of Charter School Authorizers (MCCSA).

Other stakeholder groups include the Data Advisory Committee (DAC) and those represented through MDE OSE IDEA Part B funded grants: Michigan Alliance for Families (MAF), the Michigan Multi-Tiered Systems of Supports Technical Assistance Center (MI-MTSS TA Center), MDE Low Incidence Outreach (MDE LIO), Statewide Autism Resources & Training (START), Special Education Mediation Services (SEMS), and ALT+SHIFT (a collaborative effort to shift mindsets and beliefs, and implement and sustain evidence-based practices) (see [Professional Learning and Development and Technical Assistance](#)).

MDE OSE collects, compiles, and summarizes the data and information necessary to submit the SPP/APR, including the SSIP, timely to the OSEP. For each indicator, an assigned staff member serves as the leader for each indicator and collaborates with a team consisting of data analysts, compliance monitoring personnel, and, if necessary, external contractors. The SPP/APR coordinator, responsible for the final submission, develops a production schedule, including deadlines and responsibilities, and works closely with the individual indicator teams to ensure reporting aligns with the requirements of OSEP’s measurement table (see [Appendix A](#)).

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<sup>3</sup> MDE’s [SEAC](#) is established to meet the requirements of the State Advisory Panel under IDEA at Section 300.168.

The IDEA requires the U.S. Department of Education Secretary to review States' SPP/APR submissions annually and, using those data and other required federal data submissions, make a determination (§300.603) on whether the state:

1. meets the requirements and purposes of Part B of the Act;
2. needs assistance in implementing the requirements of Part B of the Act;
3. needs intervention in implementing the requirements of Part B of the Act; or
4. needs substantial intervention in implementing the requirements of Part B of the Act. In turn, states must make determinations of the LEAs/ISDs in their jurisdiction.

MDE makes determinations of the ISDs annually as required by the IDEA. MDE OSE uses criteria similar to those used by the U.S. Department of Education to make determinations of the states. The criteria include results and compliance elements and indicators. The methodology is described in detail in the document, [\*How the Michigan Department of Education Made Determinations: Under Section 616\(d\) of the Individuals with Disabilities Education Act: Part B\*](#). This methodology document is updated annually.

MDE OSE reviews an ISD's performance based on results elements and compliance indicators, as well as updated data collected through a fiscal risk assessment, dispute resolution records, and compliance monitoring activities to evaluate the performance of ISDs (see [Data on Results and Processes](#), [Fiscal Accountability and Management, Policies, Procedures and Implementation of Evidence-based Practices](#), [Integrated Monitoring Activities](#), and [Effective Dispute Resolution](#)). MDE OSE uses a Differentiated Framework of Supports to identify specific TA and other supports ISDs need to improve performance (see [Appendix B](#)). MDE OSE Quadrant Data Use Team has initial responsibility for compiling and analyzing these data in consultation with the Performance Reporting Unit before providing preliminary recommendations for improving performance to MDE OSE Leadership Team. ISDs are identified as needing Universal, Directed, Targeted, or Intensive support (see [Professional Learning and Development and Technical Assistance](#)).

MDE OSE annually updates data visualization templates showing longitudinal performance on each of the SPP/APR indicators to illustrate changes that occur. These data visualizations also show the states' performance compared to the year's target set for that indicator. These data visualizations are shared with the MDE Leadership, MDE

OSE staff, ISD Directors of Special Education, and the General Supervision Accountability Workgroup for additional analysis and feedback.

## Data on Results and Processes



As a part of the state’s general supervision responsibilities, data are used for decision-making about program accountability, management, and improvement. The factors include:

- Data collection and verification
- Data examination, analyses, and visualization
- Public reporting of data
- ISD determinations
- Improvement activities

In addition to these factors, MDE OSE has adopted a Data Use and Action Process with an iterative eight-step approach depicted in the graphic below.

### Prepare

1. Organize Data
2. Assess Data Quality

### Inquire

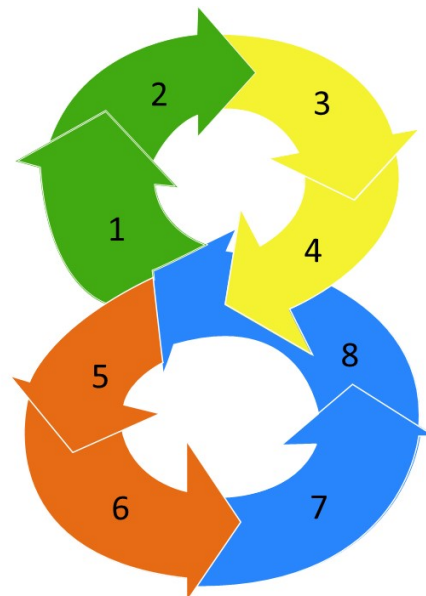
3. Conduct Data Analysis
4. Determine Actionable Causes

### Plan

5. Develop Measurable Outcomes
6. Identify Strategic Activities & Plan

### Act

7. Implement Plan with Fidelity
8. Evaluate Progress



## Data Collection and Verification

IDEA requires states to collect timely, valid, and reliable data from LEAs/ISDs. As was noted above, in Michigan for special education, Intermediate School Districts (ISDs) are the “LEA” as subrecipients of IDEA funds. Districts that are members of the ISD and, in some instances, ISDs, collect and submit data to MDE OSE.

Section 618 of IDEA details federally required data collections<sup>4</sup>. The state uses the 618 data, SPP/APR data, and data from other sources to identify patterns and trends for decision-making about areas of needed improvement in results and compliance. In addition to these data, MDE collects financial data related to special education allocations, costs, and expenditures.

MDE is responsible for submitting accurate and valid data to the Office of Special Education Programs (OSEP). To fulfill that responsibility, MDE must conduct verification activities to ensure accuracy. Data accuracy includes checking whether data entry rules are followed and whether the columns and rows of data sum correctly.

The first level of data quality checks occurs with the [Center for Educational Performance and Improvement](#) (CEPI). CEPI is “the agency responsible for collecting, securely managing, and reporting education data in Michigan.” The data quality checks help ensure data provided to MDE OSE by CEPI are of high quality.

In addition to the data quality checks conducted by CEPI, MDE OSE has assigned the role of data quality review to the PR Unit staff. The assigned staff examines the data to identify any variations or anomalies. When anomalies are found, MDE OSE reviews trend data to determine whether this is a one-time anomaly or a trend that needs further examination and explanation, including consulting with other units or offices. PR Unit staff also review whether data submitted in the Michigan Student Data System (MSDS) are certified by each member district in a timely manner. Section 303.124 of IDEA requires “(a) Each statewide system must include a system for compiling and reporting timely and accurate data...” This requirement, by extension applies to data submitted by member districts and ISDs.

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<sup>4</sup> “[Section 618](#) of the *Individuals with Disabilities Education Act* (IDEA) requires that each state submit data about the infants and toddlers, birth through age 2, who receive early intervention services under Part C of IDEA and children with disabilities, ages 3 through 21, who receive special education and related services under Part B of IDEA.” The State Performance Plan/Annual Performance Report (SPP/APR) includes data under Section 618. See Appendix A for specific 618 indicators.



[Michigan Compiled Law \(MCL\) 388.1701\(1\)](#), in part, states, “not later than the fifth Wednesday after the pupil membership count day and not later than the fifth Wednesday after the supplemental count day, each [member] district superintendent shall submit and certify to the center and the intermediate superintendent, in the form and manner prescribed by the center, the number of pupils enrolled and in regular daily attendance.” Further, MCL states: “Not later than the sixth Wednesday after the pupil membership count day and not later than the sixth Wednesday after the supplemental count day, the district shall resolve any pupil membership conflicts with another district, correct any data issues, and recertify the data in a form and manner prescribed by the center and file the certified data with the intermediate superintendent.”

In a memo to ISD Directors of Special Education prior to each of the three required annual General Collection data submissions, the OSE specifies:

The Michigan Department of Education (MDE) will consider the student data submitted by the Intermediate School Districts (ISDs) timely when member districts and ISDs submit and certify data to the Center for Educational Performance and Information (CEPI) not later than the fifth Wednesday after the count day, which is [date to be inserted].

ISDs and member districts that need to resolve any pupil membership conflicts with another district or correct any data issues, must:

- Do so not later than the fifth Wednesday, [date to be inserted], after the pupil membership count day; and
- Do so not later than the sixth Wednesday after the supplemental count day; and
- Recertify the data in a form and manner prescribed by CEPI; and
- File the certified data with the ISD superintendent.

ISDs and member districts which accurately follow the process above, will be considered to have timely data submissions for purposes of IDEA determinations. The goal is to have the data submitted by the fifth Wednesday after count day, which allows reopening between the fifth and the sixth Wednesday. **Any subsequent reopening of data submissions will result in an untimely IDEA data submission and may impact the ISDs IDEA determination** [emphasis added].

Other verification activities include program fiscal compliance monitoring activities (see also [Fiscal Accountability and Management](#)), comparative reviews of dispute

resolutions, and compliance monitoring (see also [Effective Dispute Resolution](#) and [Integrated Monitoring Activities](#)). Multiple methods, including electronic, comparative, and on-site monitoring activities, are used to verify the accuracy of the data collected and submitted.

### **Data Examination, Analyses, and Visualization**

Data analyses are conducted annually for each of the SPP/APR indicators to identify patterns and trends over time and make decisions about areas in which ISDs need additional technical assistance (TA) or compliance support and areas of needed improvement. MDE OSE uses the *Differentiated Framework of Supports* (see also [Integrated Monitoring, Professional Learning and Development and Technical Assistance](#), and [Appendix B](#)) to address improving educational results and functional outcomes for children and youth with Individualized Education Programs (IEPs) and compliance with those requirements most closely related to improved results and outcomes.

The PA Unit uses state complaints, due process complaints, and mediation data to identify areas for which TA is needed (see also [Effective Dispute Resolution](#)) or additional compliance monitoring is required. State complaint data are examined to ensure the final decisions are timely and identify the types of complaints withdrawn or those completed with findings of noncompliance compared to those with no findings. Due process hearing data are examined to determine the status and frequent reasons for complaints or disputes. MDE OSE presents these data in tables and graphics. MDE OSE Information Line is another source of data. Data collected, analyzed, and visualized from the Information Line include the topics or reasons for Information Line contact and the role of persons making contact, such as parents or guardians, school personnel, advocates, etc.

MDE OSE also examines data to identify whether significant disproportionality based on race or ethnicity exists in the identification, placement, and discipline of children and youth with IEPs.<sup>5</sup> States are required to use “a standard methodology for analysis of disproportionality, which includes States setting a threshold above which disproportionality in the identification, placement, or discipline of children with disabilities within an LEA [ISD] is significant” (p. 3). MDE OSE units collaborate in this data activity because of the programmatic and fiscal implications. When the LEA/ISD is determined to have significant disproportionality, the LEA/ISD is required to use 15% of

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<sup>5</sup> See [Significant Disproportionality FAQ](#) for additional information.

IDEA Part B funds to develop and implement Comprehensive Coordinated Early Intervening Services (CCEIS). See the [Significant Disproportionality webpage](#) for more information. MDE OSE has developed a tiered identification system to support ISDs and member districts when identified as potentially “at risk” of reaching the threshold for significant disproportionality (see also [Integrated Monitoring Activities](#) and [Fiscal Accountability and Management](#)).

The PF Unit analyzes annual risk assessment data of all federal grant subrecipients (e.g., amount of funding, single audits, new personnel, etc.) to identify the level of monitoring activities, concerns, and areas for TA (see also [Fiscal Accountability and Management](#)). Other data sources include oversight of IDEA fiscal requirement testing for LEA/ISD Maintenance of Effort, Excess Cost, Proportionate Share, funding for New or Significantly Expanding Charter Schools, and the annual review and approval of IDEA grant applications to identify TA needs. The PF and Performance Reporting (PR) units work collaboratively on the review and approval of ISD/member district budgets and program designs, implementing a program of Coordinated Early Intervening Services (CEIS), and the required collection of data on students benefiting from the CEIS program.

MDE OSE has two teams specifically tasked with examining, analyzing, and visualizing data. The Quadrant Data Use Team uses data from annual ISD Determinations, fiscal, compliance monitoring, state complaints, and due process hearings to apply the *Differentiated Framework of Supports* to identify specific TA or corrective action that ISDs need to take. This team also provides MDE OSE Leadership with visualizations of state demographic data and other data of interest. MDE OSE Data Use and Action Team delivers technical assistance to ISDs to develop the ISDs’ skills in data analysis to improve results and compliance. Another data visualization activity noted in the SPP/APR section is the annual completion of templates showing trends over time on the SPP/APR indicators. Both teams aim to include members across units to build the capacity of MDE OSE, as well as that of the ISDs and their member districts.

Additionally, MDE OSE includes all staff in continuing to learn and develop data analysis skills through the systematic MDE OSE eight-step Data Use and Action Process. Several times each year, MDE OSE staff meetings are devoted to examining data for indicators, questioning performance, and considering actionable next steps. Data from compliance monitoring and dispute resolution activities are also examined in this manner to identify areas or ISDs most in need of more intensive TA. Fiscal requirements data may also

indicate a need for general TA for all LEAs/ISDs or consideration of a need for TA to a specific LEA/ISD.

### **Public Reporting Data**

See the [SPP/APR/SSIP](#) section of this document. Additionally, the Michigan School Data ([MISchoolData](#)) website has public reports specifically designed for parents ([Parent Dashboard for School Transparency](#)) and comparative tools ([Special Education Data Portraits](#)).

### **ISD Determinations**

See the [SPP/APR/SSIP](#) section of this document.

### **Improvement Activities**

The MDE identifies improvement activities through data analysis of the SPP/APR indicators and data from sources used by the PA and PF units (note references to the *Differentiated Framework of Supports* and see also [Professional Learning and Development and Technical Assistance](#)). During the 2018-19 school year, the Deputy Superintendent of P-20 Systems and Student Transitions convened a diverse group of education, business, and community stakeholders to help MDE formulate a plan for improving results for children and youth with IEPs. The plan, The [Path Forward](#), was initiated in the 2019-20 school year. The [MDE 2020-2021 Annual Report](#) notes, "The Path Forward continues to play an important role in the improvement of Michigan's special education delivery system and the outcomes associated with it" (p. 15). Specifically, the Annual Report section on the Implementation of The Path Forward Strategic Action Plan for Special Education documents the improvement in the state's Determination score over the past several years.

Improvement activities are also identified as a result of joint compliance monitoring activities. ISDs, with MDE OSE support, monitor the compliance of member districts and, when necessary, provide support to member districts to improve compliance (see also the sections on [Integrated Monitoring](#) and [Improvement, Correction, Incentives, and Sanctions](#)). MDE OSE also provides explicit guidance documents to support ISDs and member districts in fulfilling their responsibilities under IDEA and MARSE (see also [Policies, Procedures, and Effective Evidence-Based Practices](#)).

## Integrated Monitoring Activities



MDE OSE has espoused a definition of “monitoring” that focuses on results and integrates data from various sources to support conclusions more broadly than the traditional connotation of compliance monitoring. Specifically:

MDE OSE defines monitoring as a proactive, preventive, and corrective approach to improving educational results and functional outcomes for children and youth with IEPs and compliance with requirements of the IDEA and MARSE using financial and programmatic data and data from other activities to identify the performance and progress of ISDs on elements and indicators of results and compliance through an ongoing and systematic process. Monitoring encourages and supports improvement and enforces compliance combined with technical assistance, professional learning and development, and a continuum of incentives and sanctions.

MDE OSE conducts compliance monitoring activities as required for reporting in the SPP/APR and as is deemed necessary to ensure the civil rights of children with disabilities for a FAPE in the LRE are maintained. As noted in the [Data on Results and Processes](#) section, MDE OSE conducts various analyses of data, including dispute resolution and fiscal data, to identify trends or patterns for both promising practices and noncompliance issues. These analyses may trigger additional compliance monitoring activities.

MDE OSE also examines the timeliness of annual IEP reviews, implementation of FAPE in the LRE, reviews the MARSE required ISD Plans to ensure they meet requirements, monitors fiscal aspects of ISD and member district operations, and uses state and due process complaints to identify areas needing further monitoring, and technical assistance. Another integrated monitoring activity is the examination of data to determine whether significant disproportionality by disability, identification, educational environments, and discipline exists. These activities are guided by manuals, checklists, and business rules. Catamaran is the MDE OSE electronic system designed to support MDE’s general supervision system and ensure a balance between results and compliance. In addition to support general supervision system and activities,

Catamaran<sup>6</sup>, is a repository of public documents ranging from policy and guidance to TA. The [TA portion of Catamaran](#) can be accessed by the public. Catamaran also has a secure component with a repository of monitoring reports and data for MDE OSE and ISDs to use to communicate and maintain real-time records.

MDE OSE has increasingly involved the ISDs in compliance monitoring activities as MDE OSE and ISDs build an understanding of the role ISDs have as subrecipients of IDEA funds. Some of the compliance monitoring activities for the SPP/APR indicators are conducted by ISDs in partnership with MDE OSE through MDE OSE's professional learning and development activities (PLD) (see also [Data on Results and Processes](#)). These activities are designated as MDE OSE-directed monitoring activities. According to MARSE R 340.1839 Monitoring and program evaluation. Rule 139:

- (1) The department shall establish monitoring procedures, criteria, and evaluation activities to ensure that minimum standards are being achieved by all public agencies.
- (2) Each intermediate school district shall implement monitoring procedures and evaluation methods developed by the department to ensure that the standards and criteria established are being achieved by the intermediate school district, their constituent local school districts, and their public school academies (p. 143) (see [Appendix C](#)).

Compliance monitoring extends across all the units in MDE OSE. As noted above, the PF Unit monitors IDEA and state fiscal requirements, IDEA grant applications, special education state aid cost reports, and state aid payments, ISD Plan millage distributions, IDEA Part B State-level Activities funds, including expenditures through the General Supervision System Grants to ISDs (see also [Fiscal Accountability and Management](#)). The PA Unit monitors compliance through the Dispute Resolution processes of complaints and due process hearings (see also [Effective Dispute Resolution](#)). The PR Unit monitors compliance on the required indicators in the SPP/APR, as well as in areas of significant disproportionality, implementation of FAPE in the LRE, timeliness of annual IEPs, and other areas when concern is identified. The units share data and information to ensure the integration of these monitoring activities and efforts.

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<sup>6</sup> MDE OSE's electronic support system, Catamaran, is a repository of public documents ranging from policy and guidance to technical assistance. This portion of [Catamaran](#) can be accessed by the public. Catamaran also has a secure component with a repository of monitoring reports and data for MDE OSE and ISDs to use to communicate and maintain real-time records.

When compliance monitoring activities determine noncompliance, finding(s) are issued to the ISD and/or member district a written notification is automatically pushed to the responsible administrator directly through Catamaran. Depending on the type of finding, whether isolated or system-wide, corrective actions, corrective action plans, and/or student-level corrective actions may be directed or ordered by MDE OSE through Catamaran. Student-level corrective action must be completed as soon as possible and verified, usually within 30 school days of the date of the written notification of noncompliance. System-wide corrective actions must be completed and verified, as soon as possible, but in no case more than one year after written notification of noncompliance. (Also see [Effective Dispute Resolution](#) section for specifics related to timelines for complaints, due process hearings, and mediation).

As described in the section on Data on Results and Processes, MDE OSE designed the *Differentiated Framework of Supports*, as a methodology to provide a mechanism for differentiating the level or intensity of supports ISDs need. There are four quadrants or levels of support: Universal, Directed, Targeted, and Intensive. This methodology provides a way to identify ISDs most in need of support for compliance, those most in need of support for improving results and functional outcomes for children and youth with IEPs, and those with intensive needs in both areas (see [Professional Learning and Development and Technical Assistance](#)).

MDE OSE has a Continuum of Incentives and Sanctions document to use as a guide for recognizing improvement and progress and providing more significant interventions when improvement does not occur (see also [Improvement, Correction, Incentives, and Sanctions](#)).

## Effective Policies, Procedures, and Implementation of Evidence-Based Practices



### Effective Policies

The foundation for MDE OSE policy guidance documents is the IDEA and the MARSE, that “includes the full Michigan rules and pairs each rule with any of the relevant regulations from the (IDEA)” (p. 2). Guidance documents are on MDE OSE website under a section on [Policies](#) – “Policy documents provide information to help interpret and implement the law. The documents are not laws or regulations.” This section has taken on added importance in the last three years as a result of working to ensure children and youth with IEPs receive the special education and related services to which they are entitled during the COVID-19 public health pandemic. MDE OSE has several mechanisms and resources for [providing Professional Learning and Development \(PLD\) and Technical Assistance \(TA\)](#) to support ISDs to improve and ensure compliant practices.

### Effective Procedures

MDE OSE also has written procedures for conducting compliance monitoring activities, fiscal compliance monitoring activities, and dispute resolution actions. These documents are primarily available through the public-facing Catamaran TA site.

To ensure MDE OSE personnel are appropriately and adequately prepared, the supervisors of the three units conduct several activities relevant to the work of the staff and of the unit.

- The PA Unit has a coach and training coordinator who provides comprehensive onboarding for all new state complaint investigators and ongoing coaching and support to ensure consistent understanding and implementation of policy, process, and language. Additionally, the PA Unit has weekly “Issues” meetings to problem-solve issues being investigated in state complaints, questions received through the Information Line, and topics being researched for guidance.
- The PR Unit assigns a mentor to each new staff member to help build internal capacity. The PR unit meets monthly with standing agenda items for each area for which the unit is responsible for reporting out, such as the SPP/APR,



corrective action plans, data quality, TA, etc. Regular report outs assure, to the extent possible, all unit members are informed about the totality of the PR unit work.

- The PF Unit meets as a team at least monthly to provide training and discuss PF unit and MDE OSE current and ongoing issues. Task-specific staff provide support and ongoing training.

### **Effective Implementation of Evidence-Based Practices**

MDE OSE meets regularly with ISD Directors of Special Education and implements a Communications Protocol (see [Appendix D](#)) to ensure timely and relevant communications to build a shared understanding of policies, procedures, and evidence-based practices. These meetings and communications are provided with intention and highlight specific policies or procedures, particularly when concerns emerge through compliance monitoring activities, state complaints, or fiscal information and relevant updates. Evidence-based practices are also emphasized through presentations of the supports and services offered by MDE OSE grant-funded initiatives.

As has been noted in previous components, MDE OSE uses a *Differentiated Framework of Supports* to determine actions to be taken with ISDs dependent on data analyses. This document describes actions based on the intensity and area of need – results elements or compliance indicators or both. The document is also linked to MDE OSE Continuum of Incentives and Sanctions document (see [Improvement, Correction, Incentives, and Sanctions](#)).

As described in the [Data on Results and Processes](#) and [Integrated Monitoring Activities](#) sections, MDE OSE works with ISDs to build ISD capacity to conduct valid and reliable compliance monitoring activities. Additionally, MDE OSE provides TA to ISDs with repeated compliance challenges in a specific area, such as secondary transition planning (SPP/APR Indicator 13). In addition to the MDE OSE website and Catamaran Training site, which have been highlighted in previous sections, there is also a growing number of compliance and evidence-based practice resources on the [Michigan Virtual](#) platform. Resources on the Michigan Virtual platform, including Discipline for children and youth with IEPs and Applied Behavior Analysis in Schools virtual learning modules, to name a few, have been developed by MDE OSE and made available at no cost. MDE OSE state complaint final decision reports include TA in the written findings of fact, conclusions, and decisions. MDE OSE has developed tools and other resources to support ISDs, such as the Discipline Toolkit, videos on data quality, and MDE OSE grant-funded initiatives

described in the [SPP/APR](#) and [Professional Learning and Development and Technical Assistance](#) sections.

MDE OSE ensures ISDs follow state policies and procedures and implement effective evidence-based practices through data examination and analysis, integrated monitoring, and fiscal and dispute resolution activities. One specific fiscal activity is the submission of assurance statements as part of the ISDs' applications for funds (see [Fiscal Accountability and Management](#)). Data on state complaints and other dispute resolution actions provide information about the extent to which ISDs are following state policies and procedures and implementing effective practices (see [Effective Dispute Resolution](#)).

MDE OSE awards IDEA Part B Grant Funds for Initiatives, referenced as Grant Funded Initiatives (GFIs) to provide statewide assistance in advancing evidence-based practices to support diverse learners. GFIs support a variety of stakeholders, including ISDs, member districts, and families of children and youth with disabilities through professional development and training, producing or lending materials for students, disseminating critical guidance and information, and implementing proven programs in schools.

GFIs are designed to provide children and youth with disabilities with an appropriate education that meets their needs and prepares them for post-school life. As MDE OSE states in the beginning of this document:

MDE OSE is committed to ensuring children and youth with disabilities receive a meaningful education in their LRE, interact with their typical peers, and access the general education curriculum. We believe this leads to meaningful outcomes where adults with disabilities have the opportunity to live independently, exert control and choice over their own lives, and fully participate in and contribute to their communities. When individuals with disabilities can accomplish these outcomes, they are integrated into the economic, political, social, and cultural mainstream of Michigan society.

Examples include supporting educators in using alternative educational approaches to teaching, such as assistive technology that supports students' meaningful access to educational material and increases their success (ALT+SHIFT) and increasing parent engagement by providing a local mentor to help parents navigate the special education system and be more involved in their child's education (Michigan Alliance for Families). See all Michigan GFIs at [IDEA Grant Funded Initiatives](#). See also sections on [Professional](#)

Learning and Development and Technical Assistance and State Performance Plan (SPP)/Annual Performance Report (APR), including the State Systemic Improvement Plan.

## Professional Learning and Development (PLD) and Technical Assistance (TA)



MDE OSE uses data and input from stakeholders to identify areas of need for PLD and TA. MDE OSE has developed a *Differentiated Framework of Supports* to guide the development and delivery of PLD and TA (see [Appendix B](#)).

### Differentiated Framework of Supports – Quadrants

#### Differentiated Framework of Supports

<b>High Results/Low Compliance</b>	<b>High Results/High Compliance</b>
<b>Directed Supports</b> <ul style="list-style-type: none"> <li>• Provide directed supports to improve compliance</li> <li>• System review to create a plan for improving compliance</li> </ul>	<b>Universal Supports</b> <p>System Review to identify successful procedures and practices to share with others and identify areas of improvements</p>
<b>Low Results/Low Compliance</b>	<b>Low Results/High Compliance</b>
<b>Intensive Supports</b> <p>Comprehensive system review to create individualized improvement plan based on local capacity, educator competency, experience, and expertise</p>	<b>Targeted Supports</b> <ul style="list-style-type: none"> <li>• Provide targeted supports to improve results</li> <li>• System review to create a plan for improving results</li> </ul>

## Directed Quadrant – High Results/Low Compliance

### Directed Supports

- Provide directed supports to improve compliance
- System review to create a plan for improving compliance

## Universal Quadrant – High Results/Low Compliance

### Universal Supports

System review to identify successful procedures and practices to share with others and identify areas of improvements.

## Intensive Quadrant – Low Results/Low Compliance

### Intensive Supports

Comprehensive system review to create individualized improvement plan based on local capacity, educator competency, experience, and expertise.

## Targeted Quadrant – Low Results/High Compliance

### Targeted Supports

- Provide targeted supports to improve results
- System review to create a plan for improving results

The framework is used to identify ISDs' needs in four specific categories – universal, directed (low in compliance), targeted (low in results indicators), or intensive (low in both compliance and results).

MDE OSE uses several means of providing PLD and TA services, including through information and resources on the MDE OSE website and the [Catamaran Technical Assistance site](#). Catamaran also provides mechanisms to help ISDs and member districts analyze and interpret data. [Michigan Virtual University](#) is another source for information and resources (see also [Policies, Procedures, and Effective Evidence-based Practices](#)). Michigan Virtual University has sections for students, educators, administrators, and mentors. The section for educators is described as “a flexible online learning community for Michigan educators...Our Professional Learning Services team collaborates with subject-matter experts to develop timely, comprehensive, and action-oriented learning opportunities for teachers, administrators, mentors, and counselors.” Educators taking specific courses can earn continuing education credits.

Other sources of professional development and learning are through MDE OSE IDEA Grant Funded Initiatives (GFI). Current grant-funded initiatives include:

- The [MDE, Low Incidence Outreach \(MDE-LIO\)](#) operates a field model to support the needs of ISDs and member districts in improving the quality of education for students who are blind or visually impaired and for students who are Deaf or hard of hearing.
- [Michigan’s Multi-Tiered System of Supports \(MiMTSS\) Technical Assistance Center](#), previously Michigan’s Integrated Behavior and Learning Support Initiative (MIBLSI), works on behalf of the MDE to provide a continuum of TA to ISDs, member districts, and schools in an MTSS framework. MiMTSS is funded, in part, by the U.S. Office of Special Education Programs (OSEP) as a State Personnel Development Grant (SPDG) “to provide capacity-building tools and resources for member districts that support implementation of MTSS.”
- The [Statewide Autism Resources and Training Project](#) (START) works with schools, community partners, and families to promote and support independence, engagement, and socialization of children and youth with an autism spectrum disorder to become active, engaged members of their schools and local communities.
- [Michigan Alliance for Families](#) provides information, support, and education to parents whose children receive special education services from birth to age 26.
- [Special Education Mediation Services](#) (SEMS) is the federally funded mediation center which provides mediation and facilitation services by trained, neutral mediators and facilitators at no cost for parents, ISDs, and member districts. Mediation and facilitation are activities which promote and restore positive home-school relationships and increase family engagement which has a profound impact on outcomes for children and youth with disabilities.
- [ALT+SHIFT](#) is a dynamic organization collaborating with educators and families to improve educational outcomes for all students. ALT+SHIFT provides professional learning opportunities, resources, tiered TA, and implementation to ensure children and youth with disabilities have access and opportunities to learn at high levels through the use of technology, digital materials, and augmentative and alternative communication options.

Through the TA and PLD resources, MDE OSE is working to ensure high-quality and consistent information is provided to ISDs and member districts. MDE OSE is developing

a mechanism to review resources and usage annually, to maintain, revise, or improve those available.

The Differentiated Framework data analysis by the Quadrant Data Use Team begins with examining data used in making IDEA Determinations of ISDs (see also [Data on Results and Processes](#)). In addition to those data analyses, the Quadrant Data Use Team examines data from compliance monitoring, dispute resolution, and fiscal management activities. Based on the information from these data analyses, ISDs are categorized according to the four quadrants – universal, directed, targeted, or intensive. The directed and targeted categories equate to Needs Assistance for the IDEA Determinations, while ISDs in Meets Requirements are categorized as universal, and those in Needs Intervention are in the intensive quadrant.

Universal supports are available to all ISDs. These include information and resources described above on MDE OSE website, Catamaran, Michigan Virtual, grant-funded initiatives, etc. ISDs in this category may request technical assistance for specific topics yet are not directed or targeted for specific support.

ISDs in the Directed quadrant have sub-scores equal to or greater than the state median for results elements and below the median for compliance indicators and elements. Because of the low compliance, MDE OSE can direct action to correct noncompliance and achieve compliance. The data for each ISD in this category are reviewed to identify specific compliance issues, as well as the types of support provided to the ISD in previous years. This allows MDE OSE to identify specific areas in directing the TA to support the ISD.

ISDs with sub-scores at or above the median for the compliance indicators and elements and below the state median for results elements are in the Targeted quadrant. MDE OSE conducts similar data analyses on the results elements to determine whether there are patterns or trends, along with examining other data such as those for dispute resolution and fiscal management. Depending on the length of time an ISD has been in this category, MDE OSE may provide a list of resources specific to the results element(s) with low percentages or provide more individual TA.

ISDs in the Intensive quadrant have sub-scores below the state median for both the results elements and compliance indicators and elements. MDE OSE also examines the length of time ISDs have had low scores in both results and compliance, previous supports provided, the indicators or elements across time, whether improvement has been made, and other data in determining TA for individual ISDs. ISDs in this quadrant

must complete actions as directed by MDE OSE to ensure compliance with IDEA and MARSE and focus on improving specific results indicators and elements with low performance. Supports may include engagement with an MDE OSE representative to complete a Facilitated Self-Assessment, engagement with an MDE OSE representative in an intensive data analysis to identify specific areas for improvement (similar to that described in the Directed Quadrant) and required participation in the OSE Data Use & Action Process Work Sessions.

MDE OSE has developed a Continuum of Incentives and Sanctions (see [Improvement, Correction, Incentives, and Sanctions](#)). This continuum emphasizes MDE OSE's efforts to support improvement first. The imposition of sanctions, especially financial sanctions, is considered the last available option to meet federal requirements.



## Fiscal Accountability and Management



MDE OSE PF Unit oversees the fiscal operations of IDEA and MARSE-supported activities as required under the IDEA and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (OMB Uniform Guidance). PF monitors through the review and approval of special education state aid cost reports and reimbursements, ISD Plan millage distribution methodology, IDEA Part B State-level Activities funds, manages IDEA Part B grants by utilizing a comprehensive application review and approval process, universal and targeted technical assistance (TA), risk-based compliance assessment model, and Program Fiscal Reviews. PF also facilitates with the PR Unit in the review and approval of the IDEA Part B funds to support the General Supervision System Grants, which assists ISDs in developing and implementing a general supervision system to promote improvement efforts and build capacity within member districts to ensure the provision of a FAPE for all children and youth with an IEP. The PF and PR also coordinate the examination of data to determine whether significant disproportionality by disability, identification, educational environments, and discipline exists.

Subrecipient monitoring is central to the PF Unit's general supervisory responsibilities to ensure the ISDs and their member districts meet IDEA and state fiscal requirements. PF analyzes annual risk assessment data of all federal grant subrecipients (e.g., amount of funding, single audits, new personnel, etc.) to identify the level of monitoring activities, concerns, and areas for TA. Other sources of data for this purpose include:

- Oversight of IDEA fiscal requirement testing for LEA/ISD Maintenance of Effort (MOE),
- Excess Cost,
- Proportionate Share,
- Funding for New or Significantly Expanding Charter Schools,
- Coordinated Early Intervening Services (CEIS), and
- Annual review and approval of IDEA grant applications.

PF also ensures the accuracy of these data through data verification activities.

As noted in the [Integrated Monitoring Component](#), PF ensures that federal grants and state aid reimbursements are effectively administered through whole unit monitoring activities and ongoing PLD and TA. MDE OSE units collaborate in examining data to identify whether significant disproportionality based on race or ethnicity exists in the identification, placement, and discipline of children and youth with IEPs because of the fiscal and programmatic implications. States are required to use "a standard methodology for analysis of disproportionality, which includes States setting a threshold above which disproportionality in the identification, placement, or discipline of children with disabilities within an LEA[ISD] is significant."

When an LEA/ISD is determined to have [significant disproportionality](#), the LEA/ISD is required to use 15% of IDEA Part B 611 and 619 funds to develop and implement Comprehensive Coordinated Early Intervening Services (CCEIS). MDE OSE has developed a tiered identification system to support ISDs and member districts when identified as potentially "at risk" of reaching the threshold for significant disproportionality.

ISDs may voluntarily reserve up to 15% of their Part B funds to develop and implement a Coordinated Early Intervening Services (CEIS) program for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment. The PF and PR units collaboratively review and approve ISD/member district budgets and program designs for implementing a program of CEIS to ensure the required collection of data on students benefiting from the CEIS program.

TA is an integral part of PF work to ensure subrecipients are educated regarding fiscal compliance requirements of IDEA Part B, allowability of expenditures within their specific grant award, and applicable MARSE rules. PF considers all activities, including the review and approval of grant applications, phone calls, emails, virtual meetings, annual risk assessment, and Program Fiscal Reviews, as aligned, supportive, and informing all monitoring activities and need for TA in a variety of formats. Focused presentations are made in groups or on a one-to-one basis and are ongoing throughout the year.

MDE OSE Quadrant Data Use Team examines, analyzes, and visualizes data and uses annual Determination data from the PF and PA to apply the *Differentiated Framework of Supports* to identify specific TA (see [Professional Learning and Development and](#)

[Technical Assistance](#)) or corrective action that ISDs need to take. Fiscal requirements data may also indicate a need for general TA or consideration of a need for TA to a specific ISD. PF meets monthly to provide training and discuss unit and MDE OSE current and ongoing issues. Task-specific staff support, and training are ongoing.

## Effective Dispute Resolution



The IDEA and MARSE entitle children with disabilities to a FAPE in the least restrictive environment (LRE). Parents and school officials may disagree on what special education services and placement a child should receive under this right. MDE OSE promotes effective dispute resolution and ensures procedural safeguards as required by IDEA and MARSE. The IDEA and MARSE provide several approaches parents and schools can use to help resolve their disputes. MDE OSE offers mechanisms for resolving disputes at the earliest point including facilitated meetings<sup>7</sup> and mediation. When a disagreement cannot be resolved through facilitated meetings and mediation, additional dispute resolution options include filing a state complaint or a due process complaint and request for hearing. When a due process complaint and request for hearing are related to a student's discipline and alternative educational placement, the hearing will be conducted on an expedited basis. (See [Michigan Administrative Rules for Special Education \(MARSE\) With Related IDEA Federal Regulations](#), and [Dispute Resolution Options](#))

MDE OSE has established effective communication mechanisms among all components of its general supervision system integrating data from monitoring, fiscal, dispute resolution, and PLD and TA. Data from dispute resolution systems are used to inform PLD and TA activities and to identify priorities for monitoring.

The PA Unit has primary responsibility for dispute resolution options. The PA unit reviews data collected through dispute resolution records to evaluate the performance of ISDs (see [Data on Results and Processes](#)). For example, the PA Unit examines State complaint data for timely written decisions, complaints completed with findings of noncompliance, and data from due process hearings<sup>8</sup> to determine the status and

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<sup>7</sup> Special Education Mediation Services (SEMS) provides free facilitation for IEP meetings and special education mediation in Michigan.

<sup>8</sup> Michigan's State Education Advisory Committee (SEAC) receives and review findings and decisions of all completed due process hearings related to special education. Redacted versions of court decisions are studied by SEAC members in order to better understand the special education legal decisions in Michigan and inform the SBE and MDE of the unmet needs of students with disabilities See [SEAC Function 6](#) and [Special Education Advisory Committee \(SEAC\) 2021-2022 Annual Report](#).

frequent reasons for disputes. Catamaran<sup>9</sup> tracks required timelines, including oversight of corrective actions ordered following an investigation of written state complaints where noncompliance was identified. MDE OSE also examines these data to determine the reasons for disputes and whether patterns or trends exist in the state or an ISD regarding the implementation of dispute resolution policies, procedures, and activities, and uses these data to identify priorities for monitoring and where PLD and TA are needed (See [Professional Learning and Development \(PLD\) and Technical Assistance \(TA\)](#)). The PA unit works collaboratively with the PR Unit, sharing data to identify monitoring priorities and inform TA activities. In its commitment to continuous improvement, MDE OSE invited Pingora Consulting to evaluate its dispute resolution system and integration with components of its system for general supervision. The resulting reports provided recommendations for improvement and progress in addressing them. The PA Unit meets with Pingora Consulting on a regular basis to discuss continued improvements to MDE OSE dispute resolution system.

MDE OSE also collects and annually reports dispute resolution data to the federal OSEP under Section 618 of the IDEA<sup>10</sup> and for the SPP/APR Indicators B15 (percent of hearing requests resolved through resolution session settlement agreements) and B16 (percent of mediations held that resulted in mediation agreements).

MDE OSE uses these and other dispute resolution data to identify trends or patterns to understand which dispute resolution options parents choose when they have a dispute and whether less adversarial options, such as IEP facilitation<sup>11</sup>, mediation, and state complaints, are used more often than due process hearings. MDE OSE analysis of these data also helps to identify areas for improvement, such as promoting collaborative options for resolving disagreements between parents and schools regarding the development and implementation of children's IEPs. Additionally, MDE OSE examines

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<sup>9</sup> MDE OSE's electronic support system, Catamaran, is a repository of public documents ranging from policy and guidance to technical assistance. This portion of [Catamaran](#) can be accessed by the public. Catamaran also has a secure component with a repository of monitoring reports and data for MDE OSE and ISDs to use to communicate and maintain real-time records.

<sup>10</sup> States are required to report, by case status and state: 1) the number and percent of written, signed complaints initiated through dispute resolution procedures for children ages 3 through 21 served under IDEA, Part B, 2) the number and percent of mediations held through dispute resolution procedures for children ages 3 through 21 served under IDEA, Part B, 3) the number and percent of hearings (fully adjudicated) through dispute resolution procedures for children ages 3 through 21 served under IDEA, Part B, and 4) Number of expedited hearing requests (related to disciplinary decision) filed through dispute resolution procedures for children ages 3 through 21 served under IDEA, Part B.

<sup>11</sup> IEP facilitation is *not* mentioned in IDEA and is not one of the dispute resolution options described in the law's procedural safeguards. However, it is being used to help IEP teams reach agreements in special education decision-making.

these data to learn more about why certain ISDs may have exceptionally high or low dispute resolution data compared to the number of state and due process complaints filed. For example, a small number of state and due process complaints may mean parents are not aware of resources for resolving disputes that are available through SEMS and MAF. Analyzing data helps MDE OSE determine the need for more marketing resources in certain areas of the state or for additional marketing efforts to families of certain races or ethnicities, or to which groups certain TA needs to be developed or targeted.

## Improvement, Correction, Incentives, and Sanctions



As MDE OSE Building Capacity – Improving Results purpose states, “Even as MDE OSE acknowledges the obligations and requirements of the IDEA and the Michigan Administrative Rules for Special Education (MARSE), MDE OSE has a shared vision for why we do the work.” As described, the shared vision includes ensuring “the civil rights of children with disabilities for a FAPE in the LRE” for “children and youth with disabilities [to] receive a meaningful education” leading to “meaningful outcomes.” MDE OSE is committed to building the capacity of members of MDE OSE and those in the ISDs and member districts to improve results for children and youth with disabilities through the components of general supervision, especially through [Policies, Procedures, and Effective Implementation of Evidence-based Practices](#), [Data on Results and Processes](#), [Fiscal Accountability and Management](#), [Effective Dispute Resolution](#), and [Integrated Monitoring Activities](#). Through these components, MDE OSE examines both results and compliance to identify improvement and correction. MDE OSE is also committed to recognizing these results and compliance improvements, even as MDE OSE must ensure correction when noncompliance is identified. To achieve these improvements and corrections, MDE OSE has developed a continuum of incentives and sanctions.

MDE OSE has developed this continuum of improvements, corrections, incentives, and sanctions to support ISDs and member districts to comply with IDEA’s requirement to conduct monitoring focused on activities for “(A) improving educational results and functional outcomes for all children with disabilities; and (B) ensuring that States meet the program requirements under this part, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities” [Section 616, (a)(2)].

This continuum of actions shifts the emphasis from using strictly punitive measures as a first resort to the last available option to meet federal requirements. A continuum also provides a means of recognizing progress toward improvement for both educational results and functional outcomes and compliance with IDEA.

Even as the Improvement, Correction, Incentives, and Sanctions component of the MDE OSE System of General Supervision uses the term “continuum,” there is no linear implication intended. For example, as listed below recognition might be used first in one instance whereas offering the opportunity to participate in the MDE OSE Data Use and Action Process might be used first in another instance.

## **Continuum of Incentives and Sanctions to Achieve Improvement of Results and Correction of Noncompliance**

### ***Incentives***

MDE OSE will use meetings with ISD Directors of Special Education, professional presentations, Catamaran banners, and other opportunities to highlight accomplishment and good practices of ISDs. For example, an opportunity for recognition would be meeting or exceeding MDE OSE target for results elements or meeting the 100% compliance target for compliance indicators.

- Recognition – identified for marked improvement, positive progress, meeting rigorous targets, and/or innovations
  - Recognition in Statewide or other Newsletters
  - Recognition in Catamaran
  - Highlight an ISD/Member District at ISD Directors’ Meeting
  - Opportunities to share (present)/co-present to peers/stakeholders
  - Opportunities to mentor (possibly with some associated release time)
  - Letter to the superintendent of the ISD/LEA
  - Letter to the ISD Board
  - Presentation/Recognition (virtual or in person) to ISD Board
  - Individual Support to ISD Administrative Teams/ISD Board
- Voluntary participation in MDE OSE Data Use & Action Process (travel reimbursement may apply)
- Sharing of Policies, Procedures, and Practices
- Cohort participation
- Determination of Meets Requirement – Opportunities, including potential fiscal incentive



- Proactive tiered approach to identifying risk of being identified as having significant disproportionality
- Voluntary participation in General Supervision Accountability Workgroup
- Tuition Reimbursement Grant

### ***Improvement and Correction of Noncompliance***

- MDE OSE GFIs (see [Professional Learning and Development and Technical Assistance](#))
- Differentiated Framework of Support
- MDE OSE Facilitated Self-Assessment Process
- MDE OSE Directed Participation in the Data Use & Action Process (travel reimbursement not applicable)
- Fiscal Risk Assessment
- Corrective Actions, in addition to the TA noted above -
  - Directed corrective actions
  - Routine reporting of activities undertaken to correct
- Corrective Action Plan (CAP)
  - Notification of ISD Leadership (Superintendent)
  - Notification of authorizer, board president, and charter
  - Assigned MDE OSE representative to communicate weekly
  - Increased frequency of monitoring of correction activities, required written report of progress
  - Required reporting through Catamaran
  - Notification of the School Board
- Directed plan of rapid compliance (correction not evident at 6 months)

### ***Sanctions***

- Uncorrected Noncompliance (> 12 months)
  - Assign a Statewide Monitor to oversee correction
  - Contact the ISD Superintendent

- Contact from the Deputy Superintendent
- Take to the ISD Board
- Longstanding Noncompliance – ISD Determinations (≥24 months)
  - The continuum at this point forward references action the MDE will have:
    - Weekly meeting with MDE OSE, ISD Director, and Member District Special Education Contact
    - Monthly joint meetings among the MDE Deputy Superintendent, MDE OSE Director and Administrative Team, ISD Superintendent and Administrative Team, and Member District Superintendent and Administrative Team
      - Identification of Specific Needs
      - Frequent Data Checks
      - Reports of Progress
      - Use of Funds Discussion
      - Status Updates
      - Additional Documentation as requested
  - When deemed necessary, MDE places conditions on IDEA Funds (>24 months after noncompliance identified and not corrected)
    - Directed expenditures based on identified needs to ensure correction
    - Grant award conditions, based on uniform guidance, as determined necessary
    - Conditions on MDE OSE grants
- Withholding IDEA funds and other sanctions as noted in MARSE R 340.1855 Failure to comply with corrective action in a timely manner; sanctions. Rule 155. (p. 153) (>36 months after noncompliance identified and not corrected) MDE may take one or more of the following actions:
  - Withhold, in part or whole, federal IDEA funds under Part B
  - Withdraw authority of ISD to operate a program and simultaneously require public agency of residence to place the affected student(s) in an appropriate program
  - Apply penalties under 1976 PA 451, MCL 380.1

## Annotated Bibliography

Institute of Medicine 2015. *Transforming Health Care Scheduling and Access: Getting to Now*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/20220>. Downloaded 2/24/2022.

*A defining characteristic of modern health care is...a commitment by the organization to build and incorporate processes for continuous learning, knowledge sharing, and innovative change... Such characteristics...empower teams to question how things are done and recommend operational changes to improve efficiency (Brandenburg et al., 2015). Continuous process improvement uses data for ongoing improvement of the quality of a product or service. Continuous process improvement encourages all...team members to continuously question how they and their system are performing and whether performance can improve (Edwards et al., 2008). Data, transparency, and accountability are critical enabling factors for a learning culture, which requires the creation of a structured approach to process and outcome evaluation (pp. 15-16)*

While specifically referencing the health care industry, the characteristics and continuous improvement process for a service industry – education – are applicable.

Brandenburg, L., P. A. Gabow, W. C. Rupp, G. D. Steele, Jr., J. S. Toussaint, and B. Tyson. 2015. Innovation and best practices in health care scheduling. Washington, DC. <http://www.iom.edu/Global/Perspectives/2015/Innovation-and-Best-Practices-in-Health-CareScheduling.aspx> (accessed April 22, 2015).

Edwards, P. J., D. T. Huang, L. N. Metcalfe, and F. Sainfort. 2008. Maximizing your investment in EHR. Utilizing EHRs to inform continuous quality improvement. *Journal of Healthcare Information Management* 22(1):32-37.

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Ndaruhutse, S., Jones, C. & Riggall, A. (2019). *Why systems thinking is important for the education sector*. Reading: Education Development Trust. Downloaded from <https://files.eric.ed.gov/fulltext/ED603263.pdf> 02/24/2022.

*Traditional responses to improve education outcomes that take a piecemeal approach may have some success but are unlikely to solve the ‘wicked problems’ that different education systems around the world face. Systems thinking offers a glimpse of a different future. It can help policymakers achieve faster and more sustained progress in education that results in broad outcomes for the current and future generation of children and young people (p. 11)*

## Appendix A: SPP/APR Measurement Table

### Part B State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table

#### Monitoring Priority: FAPE in the LRE

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>1. Percent of youth with Individualized Education Programs (IEPs) exiting special education due to graduating with a regular high school diploma.</p> <p>(20 U.S.C. 1416 (a)(3)(A))</p>	<p><b>Data Source:</b></p> <p>Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in ED<i>Facts</i> file specification FS009.</p> <p><b>Measurement:</b></p> <p>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 special education (ages 14-21) in the denominator.</p>	<p><i>Sampling is not allowed.</i></p> <p>Data for this indicator are “lag” data. Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.</p> <p>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.</p> <p>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.</p> <p>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.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>2. Percent of youth with IEPs who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))</p>	<p><b>Data Source:</b> Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in <i>EDFacts</i> file specification FS009.</p> <p><b>Measurement (only one option):</b> 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.</p>	<p><i>Sampling is not allowed.</i></p> <p>Data for this indicator are “lag” data. Describe the results of the State’s examination of the section 618 exiting data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <ul style="list-style-type: none"> <li>A. Participation rate for children with IEPs.</li> <li>B. Proficiency rate for children with IEPs</li> </ul>	<p><b>Data Source:</b></p> <p>3A. Same data as used for reporting to the Department under Title I of the ESEA, using <i>EDFacts</i> file specifications FS185 and 188.</p> <p>3B. Same data as used for reporting to the Department under Title I of the ESEA, using <i>EDFacts</i> file specifications FS175 and 178.</p>	<p>Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.</p> <p>Include information regarding where to find public reports of assessment participation and performance results, as required by 34 C.F.R. § 300.160(f), i.e., a link to the Web site where these data are reported.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>against grade level academic achievement standards.</p> <p>C. Proficiency rate for children with IEPs against alternate academic achievement standards.</p> <p>D. Gap in proficiency rates for children with IEPs and for all students against grade level academic achievement standards.</p> <p>(20 U.S.C. 1416 (a)(3)(A))</p>	<p>3C. Same data as used for reporting to the Department under Title I of the ESEA, using <i>EDFacts</i> file specifications FS175 and 178.</p> <p>3D. Same data as used for reporting to the Department under Title I of the ESEA, using <i>EDFacts</i> file specifications FS175 and 178.</p> <p><b>Measurement:</b></p> <p>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.</p> <p>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.</p> <p>C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against alternate academic achievement standards) divided by the</p>	<p>Indicator 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, &amp; 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.</p> <p>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.</p> <p>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.</p> <p>Indicator 3D. Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>(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.</p> <p>D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children enrolled for a full academic year and those not enrolled for a full academic year.</p>	<p>compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children enrolled for a full academic year and those not enrolled for a full academic year. Only include children with disabilities who had an IEP at the time of testing.</p>
<p>4. Rates of suspension and expulsion:</p> <p>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</p>	<p><b>Data Source:</b></p> <p>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.</p> <p><b>Measurement:</b></p>	<p>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.</p> <p>Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>year for children with IEPs; and</p> <p>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.</p> <p>(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p>	<p>A. Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] times 100.</p> <p>B. Percent = [(# of LEAs that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of suspensions and expulsions of more than 10 days during the school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100. Include State’s definition of “significant discrepancy.”</p>	<p>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:</p> <ul style="list-style-type: none"> <li>• The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or</li> <li>• The rates of suspensions and expulsions for children with IEPs to the rates of suspensions and expulsions for nondisabled children within the LEAs.</li> </ul> <p>In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.</p> <p>Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the section 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported section 618 data in 2020-2021 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 section 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs</p>



Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).</p> <p>Indicator 4A: Provide the actual numbers used in the calculation (based upon LEAs that met the minimum n and/or cell size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.</p> <p>Indicator 4B: Provide the following: (a) the number of LEAs that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs; and (b) the number of those LEAs in which policies, procedures or practices contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>interventions and supports, and procedural safeguards.</p> <p>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.</p> <p>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.</p> <p>If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>explanation of why the State did not identify any findings of noncompliance.</p> <p>Targets must be 0% for 4B.</p>
<p>5. Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:</p> <ul style="list-style-type: none"> <li>A. Inside the regular class 80% or more of the day;</li> <li>B. Inside the regular class less than 40% of the day; and</li> <li>C. In separate schools, residential facilities, or homebound/hospital placements.</li> </ul> <p>(20 U.S.C. 1416(a)(3)(A))</p>	<p><b>Data Source:</b> Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in <i>EDFacts</i> file specification FS002.</p> <p><b>Measurement:</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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</li> </ul>	<p>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.</p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>If the data reported in this indicator are not the same as the State’s data reported under section 618 of the IDEA, explain.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	kindergarten and aged 6 through 21 with IEPs]] times 100.	
<p>6. Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:</p> <ul style="list-style-type: none"> <li>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</li> <li>B. Separate special education class, separate school, or residential facility.</li> <li>C. Receiving special education and related services in the home.</li> </ul> <p>(20 U.S.C. 1416(a)(3)(A))</p>	<p><b>Data Source:</b> Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in ED<i>Facts</i> file specification FS089.</p> <p><b>Measurement:</b></p> <ul style="list-style-type: none"> <li>A. Percent = [(# 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) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.</li> <li>B. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.</li> <li>D. Percent = [(# of children ages 3, 4, and 5 with IEPs receiving special education and related services in the home) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.</li> </ul>	<p><i>Sampling from the State's section 618 data is not allowed.</i></p> <p>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.</p> <p>States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.</p> <p>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 a baseline and targets, and report on them in the corresponding SPP/APR.</p> <p>For Indicator 6C: States may express their targets in a range (<i>e.g.</i>, 75-85%).</p> <p>Describe the results of the calculations and compare the results to the target.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		If the data reported in this indicator are not the same as the State’s data reported under IDEA section 618, explain.
<p>7. Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:</p> <ul style="list-style-type: none"> <li>A. Positive social-emotional skills (including social relationships);</li> <li>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</li> <li>C. Use of appropriate behaviors to meet their needs.</li> </ul> <p>(20 U.S.C. 1416 (a)(3)(A))</p>	<p><b>Data Source:</b> State-selected data source.</p> <p><b>Measurement:</b> Outcomes:</p> <ul style="list-style-type: none"> <li>A. Positive social-emotional skills (including social relationships);</li> <li>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</li> <li>C. Use of appropriate behaviors to meet their needs.</li> </ul> <p>Progress categories for A, B and C:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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</li> </ul>	<p><i>Sampling of <b>children for assessment</b> is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See <u>General Instructions on page 3</u> for additional instructions on sampling.)</i></p> <p>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.</p> <p>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).</p> <p>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.</p> <p>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</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>Summary Statements for Each of the Three Outcomes:</b></p> <p><b>Summary Statement 1:</b> Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who</p>	<p>defined as a child who has been assigned a score of 6 or 7 on the COS.</p> <p>In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>substantially increased their rate of growth by the time they turned 6 years of age or exited the program.</p> <p><b>Measurement for Summary Statement 1:</b></p> <p>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.</p> <p><b>Summary Statement 2:</b> 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.</p> <p><b>Measurement for Summary Statement 2:</b> 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.</p>	
<p>8. 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.</p>	<p><b>Data Source:</b> State-selected data source.</p> <p><b>Measurement:</b> Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with</p>	<p><i>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 <u>General Instructions</u> on page 3 for additional instructions on sampling.)</i></p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
(20 U.S.C. 1416(a)(3)(A))	disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.	<p>Describe the results of the calculations and compare the results to the target.</p> <p>Provide the actual numbers used in the calculation.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.</p> <p>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</p>



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

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

**Monitoring Priority: Disproportionate Representation**

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>9. 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))</p>	<p><b>Data Source:</b> 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.</p> <p><b>Measurement:</b> 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.</p> <p>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</p>	<p>Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA, aggregated across all disability categories. Provide the actual numbers used in the calculation.</p> <p>States are not required to report on underrepresentation.</p> <p>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.</p> <p>Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>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).</p> <p>Based on its review of the section 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 C.F.R. §§ 300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices, and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).</p>	<p>problems. Describe the method(s) used to calculate disproportionate representation.</p> <p>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.</p> <p>Targets must be 0%.</p> <p>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.</p> <p>If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		explanation of why the State did not identify any findings of noncompliance.
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>(20 U.S.C. 1416(a)(3)(C))</p>	<p><b>Data Source:</b> 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.</p> <p><b>Measurement:</b> 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 a State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.</p> <p>Include State’s definition of “disproportionate representation.” Please specify in your definition: 1) the calculation method(s) being used (<i>i.e.</i>, 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</p>	<p>Provide racial/ethnic disproportionality data for children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: intellectual disability, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification. Provide the actual numbers used in the calculation.</p> <p>States are not required to report on underrepresentation.</p> <p>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</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).</p> <p>Based on its review of the section 618 data for the reporting year, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 C.F.R. §§ 300.600(d)(3) and 300.602(a) (e.g., using monitoring data; reviewing policies, practices, and procedures, etc.). In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 (i.e., after June 30, 2022).</p>	<p>the district did not meet the minimum n and/or cell size for any racial/ethnic group.</p> <p>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.</p> <p>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.</p> <p>Targets must be 0%.</p> <p>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,</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>technical assistance, training, etc.) and any enforcement actions that were taken.</p> <p>If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2022 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.</p>

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

**Effective General Supervision Part B/Child Find**

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>11. 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.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p><b>Data Source:</b></p> <p>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.</p> <p><b>Measurement:</b></p> <p>a. # of children for whom parental consent to evaluate was received.</p>	<p><i>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.</i></p> <p>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.</p> <p>Note that under 34 C.F.R. § 300.301(d), the timeframe set for initial evaluation does not apply to a public</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>b. # of children whose evaluations were completed within 60 days (or State-established timeline).</p> <p>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.</p> <p>Percent = [(b) divided by (a)] times 100.</p>	<p>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.</p> <p>Targets must be 100%.</p> <p>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.</p> <p>If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		explanation of why the State did not identify any findings of noncompliance.

**Effective General Supervision Part B/Effective Transition**

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>12. 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))</p>	<p><b>Data Source:</b> Data to be taken from State monitoring or State data system.</p> <p><b>Measurement:</b></p> <ul style="list-style-type: none"> <li>a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.</li> <li>b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.</li> <li>c. # of those found eligible who have an IEP developed and implemented by their third birthdays.</li> <li>d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 C.F.R. § 300.301(d) applied.</li> </ul>	<p><i>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.</i></p> <p>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.</p> <p>Targets must be 100%.</p> <p>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 C.F.R. § 303.211 or a similar State option.</p> <p>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</p>



Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.</p> <p>f. # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 C.F.R. § 303.211 or a similar State option.</p> <p>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.</p> <p>Percent = [(c) divided by (a - b - d - e - f)] times 100.</p>	<p>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.</p> <p>If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2021 SPP/APR, the data for FFY 2020), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.</p>
<p>13. 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</p>	<p><b>Data Source:</b> Data to be taken from State monitoring or State data system.</p> <p><b>Measurement:</b> 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.</p>	<p><i>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 <b>General Instructions</b> on page 3 for additional instructions on sampling.)</i></p> <p>Collect data by September 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 or who were expected to return but did not return for the current school year. This includes all</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>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.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>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.</p> <p>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.</p>	<p>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.</p> <p><b>I. Definitions</b>  <b>Enrolled in higher education</b> 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.</p> <p><b>Competitive employment</b> as used in measures B and C: States have two options to report data under “competitive employment”:</p> <p>Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, <i>i.e.</i>, 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.</p> <p>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</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>“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.</p> <p><b><i>Enrolled in other postsecondary education or training</i></b> 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).</p> <p><b><i>Some other employment</i></b> 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.).</p> <p><b>II. Data Reporting</b> 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.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:</p> <ol style="list-style-type: none"> <li>1. Enrolled in higher education within one year of leaving high school;</li> <li>2. Competitively employed within one year of leaving high school (but not enrolled in higher education);</li> <li>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);</li> <li>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).</li> </ol> <p>“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</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>in some other postsecondary education or training program.</p> <p>States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.</p> <p>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.</p> <p><b>III. Reporting On the Measures/Indicators</b></p> <p>Targets must be established for measures A, B, and C.</p> <p>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;</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>however, the key outcome we are interested in here is enrollment in higher education.</p> <p>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.</p> <p>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.</p> <p><b>Beginning with the FFY 2021 SPP/APR, due February 1, 2023</b>, include the State’s analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States must include race/ethnicity in their analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.</p> <p>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</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

***Effective General Supervision Part B/General Supervision***

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>15. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p><b>Data Source:</b> Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the EDFacts Metadata and Process System (EMAPS)).</p> <p><b>Measurement:</b> Percent = (3.1(a) divided by 3.1) times 100.</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>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.</p> <p>States may express their targets in a range (e.g., 75-85%).</p> <p>If the data reported in this indicator are not the same as the State’s data under IDEA section 618, explain.</p> <p>States are not required to report data at the LEA level.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>16. Percent of mediations held that resulted in mediation agreements.</p> <p>(20 U.S.C. 1416(a)(3(B)))</p>	<p><b>Data Source:</b> Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).</p> <p><b>Measurement:</b> Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of mediations reaches 10 or greater, develop baseline and targets, and report on them in the corresponding SPP/APR.</p> <p>States may express their targets in a range (e.g., 75-85%).</p> <p>If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.</p> <p>States are not required to report data at the LEA level.</p>



## Indicator 17 – State Systemic Improvement Plan

### **Monitoring Priority – General Supervision**

**Indicator:** 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 the components described below.

#### **Instructions for the Indicator/Measurement –**

**Baseline Data:** The State must provide baseline data 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 2022 through February 2027, the State must provide updated data for that specific FFY (expressed as percentages), and that data must be aligned with the State-identified Measurable Result(s) 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 is 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 is 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 FFYs 2013-2015 Measurement Table for detailed requirements of Phase I and Phase II SSIP submissions.

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

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

In Phase III, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress implementing the SSIP. This includes: (A) data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term outcomes or objectives for implementation of the SSIP and its progress toward achieving the State-identified Measurable Result(s) for Children with Disabilities (SiMR); (B) the rationale for any revisions that were made, or that the State intends to make, to the SSIP as the result of implementation, analysis, and evaluation; and (C) a description of the meaningful stakeholder engagement. If the

State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

#### (A) Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2020 through 2025 SPPs/APRs, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

#### (B) Phase III Implementation, Analysis and Evaluation

The State must provide a narrative or graphic representation (e.g., a logic model) of the principal activities, measures and outcomes that were implemented since the State's last SSIP submission (i.e., February 1, 2022). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

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

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with

fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (e.g., behaviors), parent/caregiver outcomes, and/or child outcomes. Describe any additional data (e.g., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

### (C) Stakeholder Engagement

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

### Additional Implementation Activities

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

## **Paperwork Burden Statement**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0624. Public reporting burden for this collection of information is estimated to average 1,790 hours per response, including time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit under the Individuals with Disabilities Education Act (20 U.S.C. section 1400 et. seq.). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact Lisa Brown / [Lisa.K.Brown@ed.gov](mailto:Lisa.K.Brown@ed.gov) directly.

## Appendix B: Differentiated Framework of Supports

4/07/2022

**Introduction:** Annually, MDE OSE examines the data used in making the Determination of the extent to which an Intermediate School District (ISD) is meeting the purposes and requirements of Individuals with Disabilities Education Act (IDEA). These data are used to identify the quadrant of supports for the ISD for the upcoming year. Specific technical assistance (TA) and other supports are then identified based on length of time in a specific ISD Determinations' category, previously accessed supports, and other data sources and information.

Quadrant	Universal	Directed	Targeted	Intensive
Characteristics	High Results/High Compliance	High Results/Low Compliance	Low Results/High Compliance	Low Results/Low Compliance
Framework	<b>Universal Supports</b> System review to identify successful procedures and practices to share with others and identify areas of improvement	<b>Directed Supports</b> Provide directed supports to improve compliance System review to create a plan for improving compliance	<b>Targeted Supports</b> Provide targeted supports to improve results System review to create a plan for improving results	<b>Intensive Supports</b> Comprehensive system review to create an individualized improvement plan based on local capacity, educator competency, experience, and expertise
Who	ISDs with Determination sub-scores equal to or greater than the state medians for both results and compliance indicators and elements.	ISDs with Determination sub-scores equal to or greater than the state median for the results elements and <b>below</b> the state median for <b>compliance</b> indicators and elements.	ISDs with Determination sub-scores equal to or greater than the state median for the compliance indicators and elements and <b>below</b> the state median for <b>results</b> elements.	ISDs with Determination sub-scores <b>below</b> the state medians for the <b>results and compliance</b> indicators and elements.
Determinations Status	Meets Requirements	Needs Assistance - Compliance	Needs Assistance - Results	Needs Intervention

Quadrant	Universal	Directed	Targeted	Intensive
<b>Criteria</b>	These ISDs are identified as part of the Universal Quadrant of Supports. ISDs take the initiative to seek information and materials necessary for maintaining or improving performance.	These ISDs are identified as part of the Directed Quadrant of Supports because MDE OSE can direct actions to improve compliance.	These ISDs are identified as part of the Targeted Quadrant of Supports to focus or target attention on the improvement of specific results elements with low performance.	These ISDs are identified as part of the Intensive Quadrant of Supports and in need of improvement due to low performance in specific results and compliance indicators and elements. ISDs in the Intensive Quadrant must complete actions as directed by MDE OSE to ensure compliance with IDEA and Michigan Administrative Rules for Special Education (MARSE) and focus attention on the improvement of specific results indicators and elements with low performance.
<b>Forms of Support</b>	Universal supports, including TA and information available to all ISDs. Examples include: <ul style="list-style-type: none"> <li>• Access to guidance, procedures, products, presentations, webinars, guidebooks, newsletters, and other universally available materials through the MDE or other websites, such as U.S. Department of Education and Office of</li> </ul>	To support improvement of compliance, MDE OSE will direct actions to be taken by the ISD.  ISDs in the Directed Quadrant have access to all supports provided to the Universal Supports quadrant.  Additional support may include the assignment of an MDE OSE TA	To support improvement of results efforts, targeted supports are made available to ISDs. These supports are typically based on needs common to multiple ISDs.  ISDs in the Targeted Quadrant have access to all supports provided to the Universal Supports quadrant.	To support improvement of results efforts and compliance, intensive supports are required. These intensive supports are based on the length of time an ISD has continued to need intensive support, any previous supports provided, and the extent to which performance has improved, even if not enough to move out of the quadrant.

Quadrant	Universal	Directed	Targeted	Intensive
	<p>Special Education (OSEP) funded TA centers.</p> <ul style="list-style-type: none"> <li>• Interaction with Michigan Department of Education (MDE) staff through invited or offered conference presentations by MDE staff.</li> <li>• Use of General Supervision System Grant funds to develop and continuously improve the system.</li> <li>• Engage in brief communications, such as phone consultation or email with MDE staff.</li> </ul>	<p>representative to the ISD. To determine the appropriate directed efforts, MDE OSE representative with members of the ISD complete an analysis in area(s) of noncompliance to determine whether:</p> <ul style="list-style-type: none"> <li>a) improvement has occurred over time;</li> <li>b) this is a first-time noncompliance issue; or</li> <li>c) there is repeated noncompliance.</li> </ul> <p>In conjunction with the data analysis, MDE OSE representative and ISD members will determine actionable causes of the noncompliance, along with strengths and barriers to correction. The ISD uses the causes to take corrective actions.</p>	<p>Additional support may include informing the ISDs of the TA resources available through the:</p> <ul style="list-style-type: none"> <li>• MDE website, e.g., Early Warning and Monitoring Intervention System (EWIMS),</li> <li>• MDE OSE website, e.g., Supports for Students with Disabilities web page;</li> <li>• Catamaran TA site; and</li> <li>• MDE OSE grant funded initiatives.</li> </ul>	<p>ISDs in the Intensive Quadrant may have access to all supports provided to the Universal, Directed, or Targeted Supports quadrants.</p> <p>Additional supports may include, but are not limited to the following:</p> <ul style="list-style-type: none"> <li>• Informing the ISDs of the TA resources available through the: <ul style="list-style-type: none"> <li>○ MDE website, e.g., Early Warning and Monitoring Intervention System (EWIMS);</li> <li>○ MDE OSE website, e.g., the Supports for Students with Disabilities web page; and</li> <li>○ Catamaran TA site, and MDE OSE grant funded initiatives.</li> </ul> </li> <li>• Engagement with an MDE OSE representative to complete a Facilitated Self-Assessment.</li> <li>• Engagement with an MDE OSE representative</li> </ul>

Quadrant	Universal	Directed	Targeted	Intensive
				<p>in an intensive data analysis to identify specific areas for improvement (similar to that described in the Directed Quadrant).</p> <ul style="list-style-type: none"> <li>• Participation in the MDE OSE Data Use &amp; Action Process Work Sessions.</li> </ul>
<b>Determinations Considerations</b>	<p>ISDs identified in the Universal Supports quadrant may be contacted to share with other ISDs procedures and practices they have found to be particularly successful in improving results and outcomes for children and youth with IEPs, as well as maintaining compliance.</p>	<p>ISDs in Needs Assistance for two or more consecutive years are required to seek TA from sources listed above or others to improve compliance indicators and elements.</p>	<p>ISDs in Needs Assistance for two or more consecutive years are required to seek TA from sources listed above or others to improve results indicators and elements.</p>	<p>MDE OSE has a Continuum of Incentives and Sanctions. MDE OSE emphasizes that among the options of sanctions, financial sanctions are considered as the last available option to meet federal requirements. ISDs in Needs Intervention for three consecutive years are subject to any and all applicable sanctions as noted in IDEA and MARSE R 340.1855 Failure to comply with corrective action in a timely manner; sanctions. Rule 155 (pp. 161-162).</p>

**Other Considerations:** In addition to the Determinations’ data, MDE OSE looks at previous years’ data in these same areas to identify possible patterns or trends. From these data analyses, MDE OSE then examines data related to the compliance monitoring activities that occurred more recently than the Determinations’ data, reviews dispute resolution data, and considers fiscal factors. Once all of these factors have been considered, MDE OSE differentiates the supports that will be required and/or offered to improve results for children and youth with IEPs and ensure compliance.



## Appendix C: Related MARSE Rules

### **MARSE R 340.1839 Monitoring and program evaluation.**

#### **Rule 139.**

- (1) The department shall establish monitoring procedures, criteria, and evaluation activities to ensure that minimum standards are being achieved by all public agencies.
- (2) Each intermediate school district shall implement monitoring procedures and evaluation methods developed by the department to ensure that the standards and criteria established are being achieved by the intermediate school district, their constituent local school districts, and their public school academies.

### **MARSE R 340.1855 Failure to comply with corrective action in a timely manner; sanctions.**

#### **Rule 155.**

- (1) If a public agency fails to correct known violations of law in a timely manner, or fails to cooperate with the department or the intermediate school district during the conduct of its investigation, or presents known falsification of fact, or continues repetition of similar violations, the department shall do 1 or more of the following:
  - (a) If the public agency in violation is a local school district or a public school academy, then the department shall direct the intermediate school district to provide complying programs and services pursuant to section 1702 of 1976 PA 451, MCL 380.1702.
  - (b) If the public agency in violation is an intermediate school district, the department may withdraw the authority of the intermediate school district to operate a program that is in noncompliance and simultaneously require the public agency of residence to place the affected student or students in an appropriate program.
  - (c) Withhold federal funds under part B of the individuals with disabilities education act, 20 U.S.C. chapter 33, §1400, et seq.
  - (d) Apply other penalties under 1976 PA 451, MCL 380.1.

- (e) Withhold state funds under 1979 PA 94, MCL 388.1601, or any other governing statute.
- (f) Withhold, withdraw, or suspend such endorsements, approvals, credentials, grants, or authorizations pertaining to special education

## Appendix D: MDE OSE Communications Protocol

November 2021

Purpose (Intention)	Status of Information to Disseminate	Input Desired by MDE OSE (Involvement of MDE OSE Leadership)	Questions from 'Audience'	Dissemination Methods <sup>12</sup>
<b>To Inform</b> (Intention is to increase awareness)	Information, facts, concepts, etc. are fully formed or nearly fully formed.	No input needed or solicited, although some changes or revisions may be identified. (MDE OSE Leadership involvement in delivery <b>not</b> required.)	Questions received are answered through vetted Q & A.	MDE OSE News Release, MDE OSE Newsletter, 'Numbered Memo,' Webinars <sup>13</sup> , Catamaran
<b>To Teach</b> Professional Learning/Development Intention is to build capacity (knowledge, skills, & dispositions) and improve results	Information, concepts, etc. fully formed, although the process of teaching may inform updates or revisions. Knowledge, skills, & dispositions are specified.	No input needed however feedback may lead to improved teaching. (MDE OSE Leadership involvement <b>not</b> required.)	Questions inform the effectiveness of teaching and can lead to increased comprehension (knowledge, skills, & dispositions).	Webinars, Videos, Face-to Face.
<b>To Engage</b> Intention is to gather information and/or to collaborate.	Information, concepts, etc. are partially formed, and/or in need of further development. Engagement may be necessary to build support and commitment.	Input needed and solicited (Facilitation & MDE OSE Leadership participation required.)	Questions inform further development and may be an iterative process.	Face-to-Face Meetings <sup>14</sup> , Virtual Meetings, Surveys

<sup>12</sup> Each dissemination method can be mapped/flow-charted into an MDE OSE routine (that can be tracked & evaluated).

<sup>13</sup> Webinars are primarily informational, although they may be used as forum for teaching with intentional interaction and attention to adult principles of learning.

<sup>14</sup> Meeting face-to-face (if no public health restrictions) and/or virtual meeting formats.

## Appendix E: Organization of the Office of Special Education (OSE)

The Office of Special Education (OSE) is made up of four units, Administrative Unit, Program Accountability Unit, Performance Reporting Unit, and Program Finance. There are also two additional offices that are overseen by the Office of Special Education: Michigan School for the Deaf (MSD) and Low Incidence Outreach (LIO).

The Administrative Unit oversees the OSE as a whole, the MSD, and the LIO. It is made up of the Director of Special Education, the Assistant Director of Special Education, the Executive Secretary, a secretary, a Special Education Consultant, a Special Education Medicaid Consultant, and a Departmental Analyst.

The Program Accountability Unit is made up of an Educational Consultant Manager, a secretary, three Special Education Consultant 14, one special education consultant 13, and one department specialist that work on policy. Seven special education consultant 13's, one departmental analyst 12 that work on state complaints and due process.

The Performance Reporting Unit is made up of an Educational Consultant Manager, a secretary, two special education consultant 14's, three special education consultant 13's, one departmental specialist 13, one education research consultant 14, and two department analyst 12's that work on planning and reporting. One education research consultant that work on data quality and one that works on information management.

The program finance unit is made up of a Program Finance Manager 15, a program Finance Manager 14, a secretary, four financial analyst 9-11's, and three financial specialists.

The OSE org chart only shows the leadership of the MSD and LIO. The MSD has a business manager, human resources liaison, principal, special education supervisor, and a youth dorm manager. LIO has a departmental manager.