



IDEA MONITORING AND RESULTS DRIVEN ACCOUNTABILITY

Monitoring Background for the Individuals with Disabilities Education Act (IDEA)

IDEA requires that the Office of Special Education Programs (OSEP) of the U.S. Department of Education monitors how states implement their systems of early intervention (Part C) and special education (Part B). IDEA requires each state to submit to OSEP:

- a State Performance Plan (SPP), which identifies how the state will improve its implementation of IDEA. The SPP consists of quantifiable compliance and results indicators. Prior to 2014 there were 16 indicators under Part B (see screenshot on page 3) and 10 indicators under Part C (now 17 and 11 respectively). The current SPP covers the six-year period for fiscal years 2013 through 2018¹; and
- an Annual Performance Report (APR), in which the state reports its progress on the SPP yearly to OSEP. In their annual performance reports to OSEP, states are required to provide specific data for each indicator.

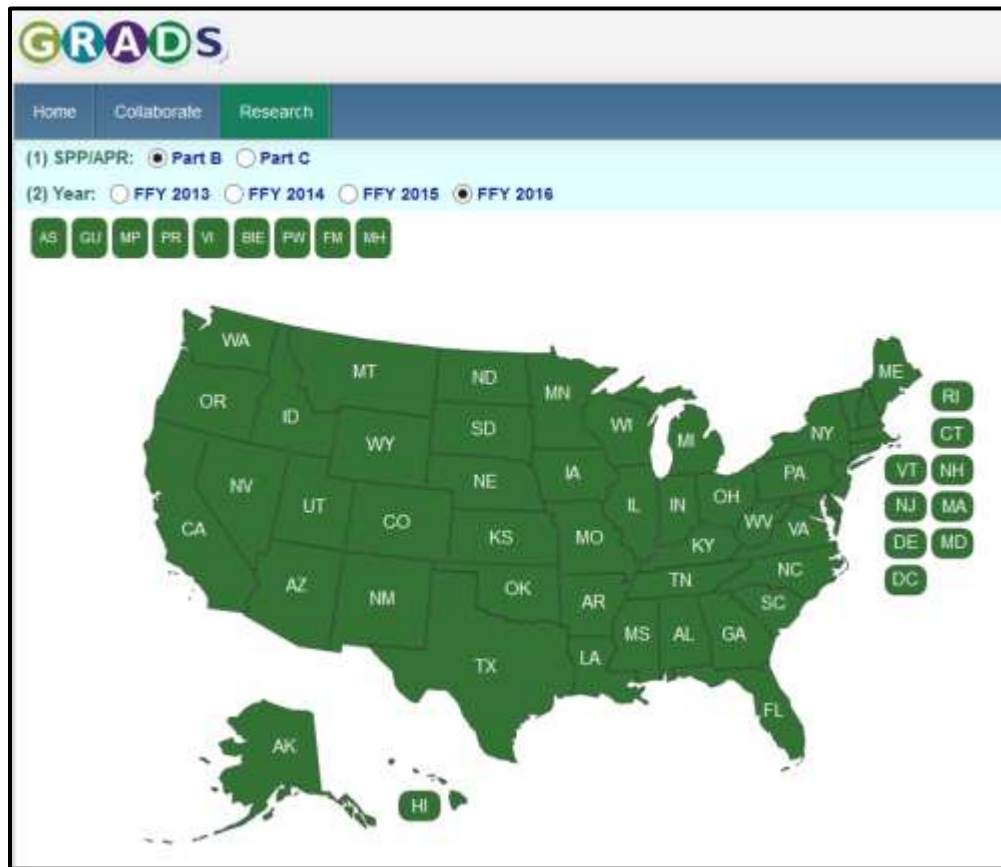
Each year OSEP assigns every state a “Determination” regarding its IDEA implementation. Determination categories are:

- Meets Requirements,
- Needs Assistance,
- Needs Intervention, and
- Needs Substantial Intervention

Any states that fail to earn a Meets Requirements determination are encouraged to seek technical assistance from OSEP’s Technical Assistance (TA) Centers. In addition, IDEA identifies technical assistance or enforcement actions that the U.S. Department of Education (the Department) must take under specific circumstances for states that are not determined to “meet requirements.” The actions can range from requiring the state to access technical assistance, to requiring a corrective action plan, to withholding funds or referring the matter to the Department’s inspector general or to the Department of Justice.

¹ New SSPs for 2019-2024 should be developed soon. The APR for the new SPP covering 2019 won’t be used for the Annual Determination until 2021. 2019 Determination letters for the 2017 Fiscal Year will be issued soon.

Information on each state's SPP, APR, Annual Determination (pre-2017) and much more is available on OSEP's GRADS360 site at <https://osep.grads360.org/#report/apr/publicView>. Click on Part B or Part C, Year and state. In addition to the state's APR for each indicator, there's the OSEP letter to the state regarding the Annual Determination, a Data Display with state-level information, and a Fact Sheet describing how OSEP made the Determination. Below are screenshots of the GRADS360 national map webpage and an indicator page for one state. For 2017 and 2018 Annual Determinations letters go to <https://sites.ed.gov/idea/spp-apr-letters>.





Results Driven Accountability (RDA)

In 2014, a new IDEA Accountability framework was developed called Results Driven Accountability (RDA). Two main components of RDA are:

- A new method for making IDEA Annual Determinations that is focused on scores from a Compliance Matrix and a Results Matrix.
- A new requirement for states to develop a State Systemic Improvement Plan (SSIP) for both Part C and Part B of IDEA. The SSIP is supposed to be an ambitious but achievable multi-year plan that each state must write describing how it will improve outcomes for children with disabilities served under IDEA. Indicator 11 was added in the Part C SPP/APR to address the SSIP. For Part B, Indicator 17 was added. Information about your state's SSIP is available at the GRADS360 website, discussed above, under these indicators.

It is important to understand that RDA does not focus on all the indicators in the SPPs/APRs in making the Annual IDEA Determination. For example, Indicator 5 for Part B, which focuses on Least Restrictive Environment (LRE) for all students with disabilities, is not part of either the Compliance Matrix or Results Matrix. In addition, the SSIP is not part of the IDEA Annual Determination.

The **Compliance Matrix** focuses on certain indicators: 4B (suspension/expulsion), 9 (disproportionate representation of minorities/ethnicities), 10 (disproportionate representation in specific disability categories), 11 (Child Find-identifying students who need special education services), 12 (early childhood transition), and 13 (secondary transition). The scoring is based on

whether the data for each of these indicators is valid and reliable and the percentage of compliance.

The **Results Matrix** focuses on participation in regular (not alternate) state assessments and participation and performance on the National Assessment of Educational Progress (NAEP), drop-out rates, and the percentage of students graduating with a regular high school diploma.

Rethinking RDA

In the Fall of 2018 the Assistant Secretary of the Office of Special Education and Rehabilitative Services (OSERS) announced a framework for “rethinking RDA.” You can find this framework and the Assistant Secretary’s blog post on the topic at <https://sites.ed.gov/idea/rethinking-special-education-and-rehabilitative-services-raising-expectations/>.

There are a number of concerns with how IDEA Annual Determinations are made under RDA that apply to all students with disabilities (SwDs). However, there are two specific concerns for students with Down syndrome and other developmental/intellectual disabilities.

First, Indicator 5 on Educational Environments (same thing as LRE) is not part of either matrix. This is a concern for all SWDs since the national average for including SwDs in general education classes 80% or more of the day is lower than it should be (around 60%). However, there is a much greater concern when you consider that the percentage for students in the Intellectual Disability category under IDEA is only around 17% and a large study has shown it is only 3% for students who take state alternate assessments.² NDSC submitted comments to OSEP recommending that Indicator 5 be included in the IDEA Annual Determination process with a specific focus on the LRE data by disability category. This data is already collected by states and is reported in the state’s Data Display.

Second, neither the performance or participation of students who take the state’s alternate assessment are included in the Annual Determination. Only participation on the state’s general assessment is measured. The NAEP participation and performance data used in the Results Matrix also does not include students who take the state’s alternate assessments because there is no alternate assessment for the NAEP. NDSC also addressed this issue in its comments.

Additional concerns that impact all SWDs are laid out on pages 11-12 of a detailed report on RDA by The Advocacy Institute at <http://www.advocacyinstitute.org/resources/AdvocacyInstitute.RDA.Report.Nov2018.pdf>.

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² Kleinert, H. What Data Tells Us About General Education and Students with Disabilities <https://ici.umn.edu/products/impact/312/Least-Restrictive-Environment-Data/#Least-Restrictive-Environment-Data> (2018)