

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

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

**For reporting on
FFY18**

Utah



PART B DUE February 3, 2020

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

Introduction

Instructions

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

Intro - Indicator Data

Executive Summary

See attachment

Number of Districts in your State/Territory during reporting year

154

General Supervision System

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

See attachment

Technical Assistance System

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

See attachment

Professional Development System

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

See attachment

Stakeholder Involvement

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

See attachment

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

NO

Reporting to the Public

How and where the State reported to the public on the FFY17 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2017 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2017 APR in 2019, is available.

See attachment

Intro - Prior FFY Required Actions

The State's IDEA Part B determination for both 2018 and 2019 is Needs Assistance. In the State's 2019 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2018 SPP/APR submission, due February 3, 2020, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance. In the FFY 2018 SPP/APR, the State must report FFY 2018 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year 4; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2019); (3) a summary of the SSIP's coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short- and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities are impacting the State's capacity to improve its SiMR data.

Response to actions required in FFY 2017 SPP/APR

Intro - OSEP Response

Intro - Required Actions

Indicator 1: Graduation

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

1 - Indicator Data

Historical Data

| Baseline | 2011 | 58.60% | | | |
|-----------|--------|--------|--------|--------|--------|
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target >= | 62.13% | 66.32% | 69.59% | 71.48% | 72.91% |
| Data | 65.02% | 68.23% | 67.93% | 70.22% | 69.36% |

Targets

| FFY | 2018 | 2019 |
|-----------|--------|--------|
| Target >= | 74.37% | 75.86% |

Targets: Description of Stakeholder Input

XXX

Utah State Board of Education (USBE) staff, local education agency (LEA) Special Education Directors, and Utah Special Education Advisory Panel (USEAP) members reviewed graduation data with the USBE statistician in 2012 and APR baseline was reset in 2013, when they reviewed the trend data from the previous seven years. They proposed that a 2% increase from the federal fiscal year (FFY) 2012 state rate of 60.91% was appropriately rigorous annual target. (FFY 2015 targets were based on the FYY 2014 data of 68.23%.) Proposed targets were presented to stakeholders at Utah State Board of Education (USBE) meetings and disseminated publicly for comment prior to finalization and approval. Stakeholder input and public meetings were held throughout the process to ensure stakeholder engagement. Targets were not amended for FFY 2018, but the statistical analysis for target setting used for the previous five year was extended to determine the target for FFY 2019.

Prepopulated Data

| Source | Date | Description | Data |
|---|------------|---|--------|
| SY 2017-18 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696) | 10/02/2019 | Number of youth with IEPs graduating with a regular diploma | |
| SY 2017-18 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696) | 10/02/2019 | Number of youth with IEPs eligible to graduate | |
| SY 2017-18 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695) | 10/02/2019 | Regulatory four-year adjusted-cohort graduation rate table | 69.97% |

FFY 2018 SPP/APR Data

| Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma | Number of youth with IEPs in the current year's adjusted cohort eligible to graduate | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|--|---------------|-----------------|---------------|---------------------|-------------|
| | | 69.36% | 74.37% | 69.97% | Did Not Meet Target | No Slippage |

Provide reasons for slippage, if applicable

XXX

Graduation Conditions

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

4-year ACGR

If extended, provide the number of years

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

A description of Utah graduation requirements is located in Utah Administrative Rule R277-700-6. Basic information is provided below and specific detail is found at <https://rules.utah.gov/publicat/code/r277/r277-700.htm#T4>:

Earn a minimum of 24 units of credit through course completion or through competency assessment:

- * Language Arts (4.0 Units of Credit)
- * Mathematics (3.0 Units of Credit)
- * Science (3.0 Units of Credit)
- * Social Studies (3.0 Units of Credit)
- * Arts (1.5 Units of Credit)
- * Physical and Health Education (2.0 Units of Credit)
- * Career and Technical Education (1.0 Units of Credit)
- * Digital Studies (0.5 Units of Credit)
- * General Financial Literacy (0.5 Units of Credit)
- * Electives (5.5 Units of Credit)
- * Library Media Skills (integrated into all subject areas)

LEAs shall use USBE-approved summative adaptive assessments to assess student mastery.

An LEA may modify a student's graduation requirements to meet the unique educational needs of a student if: (i) the student has a disability; and (ii) the modifications to the student's graduation requirements are made through the student's individual IEP.

USBE Rule R277-705-5 (<https://rules.utah.gov/publicat/code/r277/r277-705.htm> addresses graduation requirements for students with disabilities:

A. A student with disabilities served by special education programs shall satisfy high school completion or graduation criteria, consistent with state and federal law and the student's IEP.

R277-705-5(1) requires students with disabilities served by special education programs to satisfy high school completion or graduation requirements, consistent with state and federal law and the students' IEPs. The USBE Special Education Rules (SER) VII.C.2 allows the IEP team to amend graduation requirements and require that any amendments must be documented in the IEP. Amendments may include modifications, substitutions, and/or exemptions made to accommodate the needs of the individual student. R277-700.6(22) allows graduation requirements modifications to meet the unique educational needs of a student if: (i) the student has a disability; and (ii) the modifications to the student's graduation requirements are made through the student's individual IEP. The Rule requires that the LEA document the nature and extent of the modification, substitution, or exemption made to a student's graduation requirements in the student's IEP. R277-700.6(24) offers further guidance regarding substitutions in graduation requirements: An LEA may modify graduation requirements for an individual student to achieve an appropriate route to student success if the modification: (a) is consistent with: (i) the student's IEP; or (ii) Student Education and Occupation Plan/Plan for College and Career Readiness; (b) is maintained in the student's file; (c) includes the parent's signature; and (d) maintains the integrity and rigor expected for high school graduation, as determined by the USBE.

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

NO

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

Provide additional information about this indicator (optional)

USBE received technical assistance (TA) from the National Technical Assistance Center on Transition (NTACT) for Utah's annual Transition Institute in February 2019. Utah sent a team of transition stakeholders and interagency transition partners to the NTACT Capacity Building Institute in May 2019. Utah provided targeted Indicator 2 training for new LEA special education directors and LEA directors with high Indicator 1 and 2 risk scores during the 2018-19 school year. USBE developed a TA video module for Indicator 2 data in 2018.

In December of 2017 the Utah State Board of Education passed a rule to implement a state defined Alternate Diploma (allowable under Every Student Succeeds Act) for students with the most significant cognitive disabilities (Board rule R277-705-5). The Utah State-defined Alternate Diploma is a diploma that: (1) is standards-based, through Alternate Achievement Standards and, (2) aligned with the state's requirements for the regular high school diploma. The Alternate Diploma is only for a student with the most significant cognitive disabilities and is counted in the Utah's Adjusted Cohort Graduation Rate (ACGR) if the student receives the Alternate Diploma within the time period for which the State ensures the availability of a free appropriate public education (FAPE) under section 612(a)(1) of the IDEA. (ESEA section 8101(23)(A)(ii)(I)(bb), (25)(A)(ii)(I)(bb); 34 C.F.R. §

200.34(a)(1)(ii), (c)(3), (d)(1)).

The implementation of the Alternate Diploma may slightly increase Utah's graduation rate for Indicator 1 beginning in FFY 2018, however only 45 Alternate Diplomas were awarded to students by three LEAs in FFY 2018. We do not anticipate a significant impact on Utah's Indicator 1 as a result of the Alternate Diploma because only 1% of students are eligible to earn Utah's Alternate Diploma.

1 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

1 - OSEP Response

1 - Required Actions

Indicator 2: Drop Out

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

Data Source

OPTION 1:

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

OPTION 2:

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

Measurement

OPTION 1:

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

OPTION 2:

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

Instructions

Sampling is not allowed.

OPTION 1:

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

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

OPTION 2:

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

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

Options 1 and 2:

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

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

2 - Indicator Data

Historical Data

| Baseline | 2013 | 42.00% | | | |
|-----------|--------|--------|--------|--------|--------|
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target <= | 42.00% | 39.90% | 37.90% | 36.00% | 34.20% |
| Data | 42.00% | 30.30% | 29.82% | 27.69% | 27.04% |

Targets

| FFY | 2018 | 2019 |
|-----------|--------|--------|
| Target <= | 32.49% | 30.86% |

Targets: Description of Stakeholder Input

XXX

Targets were developed after review of historical data, in consultation with the Utah State Board of Education (USBE) Special Education Services (SES) statistician, and subsequently reviewed and adopted by USBE SES staff, the Utah Special Education Advisory Panel (USEAP), and LEA Special Education Directors during a Utah State Special Education Administrators Meeting (USEAM). Targets were not amended for FFY 2018, but the statistical analysis for target setting used for the previous five years was extended to determine the target for FFY 2019.

Please indicate the reporting option used on this indicator

Option 1

Prepopulated Data

| Source | Date | Description | Data |
|---|------------|--|-------|
| SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/30/2019 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 3,578 |
| SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/30/2019 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b) | 149 |
| SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/30/2019 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c) | 147 |
| SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/30/2019 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d) | 1,348 |
| SY 2017-18 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/30/2019 | Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e) | 12 |

FFY 2018 SPP/APR Data

| Number of youth with IEPs who exited special education due to dropping out | Total number of High School Students with IEPs by Cohort | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|--|---------------|-----------------|---------------|------------|-------------|
| 1,348 | 5,234 | 27.04% | 32.49% | 25.75% | Met Target | No Slippage |

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

XXX

If yes, provide justification for the changes below.

XXX

Use a different calculation methodology (yes/no)

XXX

Change numerator description in data table (yes/no)

XXX

Change denominator description in data table (yes/no)

XXX

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

XXX

FFY 2018 SPP/APR Data

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

Provide reasons for slippage, if applicable

XXX

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

The Indicator 2 dropout rate comes from the EDFacts 009 report data according to the EDFacts 009 specifications. (EDFacts definition of Single-Year Dropouts are students who left ninth through twelfth grade with a reason of Unknown, Withdrawn, Dropout, Expelled, Transferred to Adult Education, Exited to take the GED1, or Graduation Pending.) Additionally, if the student finished the school year and was expected to return to school the next year, or transferred to another public school within the state (including district and charter schools) and did not reappear by September 30 of the following school year, then he/she counts as a dropout. Finally, if the student was a retained senior but did not reappear by September 30 of the following school year, then he/she counts as a dropout. This count does not include students who transferred to home school, private school, or a school outside of the

state or country. Students who withdrew for medical reasons are also excluded from the dropout count. This definition is consistent with the federal definition of a Single-Year Dropout.

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

NO

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

Provide additional information about this indicator (optional)

2 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

2 - OSEP Response

2 - Required Actions

Indicator 3B: Participation for Students with IEPs

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

Instructions

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

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

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

3B - Indicator Data

Reporting Group Selection

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

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

Historical Data: Reading

| Group | Group Name | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------|-------------|----------|-----------|--------|--------|--------|--------|--------|
| A | Grades 3-8 | 2013 | Target >= | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| A | Grades 3-8 | 98.17% | Actual | 98.17% | 96.43% | 93.45% | 91.39% | 90.36% |
| B | Grades 9-10 | | Target >= | | | | | |
| B | Grades 9-10 | | Actual | | | | | |

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

Historical Data: Math

| Group | Group Name | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------|-------------|----------|-----------|--------|--------|--------|--------|--------|
| A | Grades 3-8 | 2013 | Target >= | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| A | Grades 3-8 | 98.04% | Actual | 98.04% | 96.23% | 93.53% | 91.49% | 90.22% |
| B | Grades 9-10 | | Target >= | | | | | |
| B | Grades 9-10 | | Actual | | | | | |
| C | | | Target >= | | | | | |
| C | | | Actual | | | | | |
| D | | | Target >= | | | | | |
| D | | | Actual | | | | | |
| E | | | Target >= | | | | | |
| E | | | Actual | | | | | |
| F | | | Target ≥ | | | | | |
| F | | | Actual | | | | | |
| G | | | Target >= | | | | | |
| G | | | Actual | | | | | |
| H | | | Target >= | | | | | |
| H | | | Actual | | | | | |
| I | | | Target >= | | | | | |
| I | | | Actual | | | | | |
| J | | | Target >= | | | | | |
| J | | | Actual | | | | | |
| K | | | Target >= | | | | | |

| | | | | | | | |
|---|--|--|-----------|--|--|--|--|
| K | | | Actual | | | | |
| L | | | Target >= | | | | |
| L | | | Actual | | | | |

Targets

| | Group | Group Name | 2018 | 2019 |
|---------|-------|-------------|--------|--------|
| Reading | A >= | Grades 3-8 | 95.00% | 95.00% |
| Reading | B >= | Grades 9-10 | 95.00% | 95.00% |
| Reading | C >= | | | |
| Reading | D >= | | | |
| Reading | E >= | | | |
| Reading | F >= | | | |
| Reading | G >= | | | |
| Reading | H >= | | | |
| Reading | I >= | | | |
| Reading | J >= | | | |
| Reading | K >= | | | |
| Reading | L >= | | | |
| Math | A >= | Grades 3-8 | 95.00% | 95.00% |
| Math | B >= | Grades 9-10 | 95.00% | 95.00% |
| Math | C >= | | | |
| Math | D >= | | | |
| Math | E >= | | | |
| Math | F >= | | | |
| Math | G >= | | | |
| Math | H >= | | | |
| Math | I >= | | | |
| Math | J >= | | | |
| Math | K >= | | | |
| Math | L >= | | | |

Targets: Description of Stakeholder Input

XXX

Utah had high participation rates up until federal fiscal year (FFY) 2014, when Utah introduced the State Assessment of Growth and Excellence (SAGE) statewide assessment, a complex computer adaptive assessment aligned with the Utah Core Standards. Simultaneously, Utah lawmakers passed legislation outlining a parent's right to opt their children out of statewide testing. As a result, participation rates have been decreasing yearly. However, in FFY 2018 Utah's participation rates did not decline. Utah will maintain targets and continue to promote participation in statewide assessments. Throughout FFY 2018, requirements, progress, and APR indicator results continued to be shared with local education agency (LEA) Special Education Directors and LEA Assessment Directors in order to reach a greater number of stakeholders. This information was also presented at quarterly meetings of the Utah Special Education Advisory Panel (USEAP). Annual Performance Report (APR) information is widely shared with the public during Utah State Board of Education (USBE) meetings, via email, and on social media. Utah values stakeholder input and solicits ongoing feedback and review not only for the development of the SSIP and revision to targets in the APR, but also for data analysis and improvement planning across systems. The USBE is utilizing the Collaboration Continuum and Design Thinking as a methodology to increase collaboration across the USBE and public education and has had a focus around improving student outcomes through increasing participation in Utah's statewide accountability assessments.

Targets were not amended for FFY 2018.

FFY 2018 Data Disaggregation from EDFacts

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

YES

Data Source:

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

Date:

12/11/2019

Reading Assessment Participation Data by Grade

| Grade | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | HS |
|---|-------|-------|-------|-------|-------|-------|---|-------|----|----|----|
| a. Children with IEPs | 8,156 | 8,264 | 8,045 | 7,467 | 6,523 | 5,900 | 0 | 4,282 | | | |
| b. IEPs in regular assessment with no accommodations | 7,255 | 7,288 | 7,069 | 6,443 | 5,552 | 4,816 | 0 | 2,282 | | | |
| c. IEPs in regular assessment with accommodations | 14 | 28 | 35 | 28 | 78 | 86 | 0 | 1,428 | | | |
| f. IEPs in alternate assessment against alternate standards | 418 | 437 | 400 | 440 | 429 | 473 | 0 | 460 | | | |

Data Source:

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

Date:

12/11/2019

Math Assessment Participation Data by Grade

| Grade | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | HS |
|---|-------|-------|-------|-------|-------|-------|---|-------|----|----|----|
| a. Children with IEPs | 8,157 | 8,259 | 8,039 | 7,466 | 6,416 | 5,796 | 0 | 4,635 | | | |
| b. IEPs in regular assessment with no accommodations | 7,249 | 7,268 | 7,055 | 6,389 | 5,416 | 4,672 | 0 | 2,226 | | | |
| c. IEPs in regular assessment with accommodations | 21 | 35 | 38 | 39 | 85 | 88 | 0 | 1,405 | | | |
| f. IEPs in alternate assessment against alternate standards | 416 | 436 | 400 | 440 | 427 | 474 | 0 | 461 | | | |

FFY 2018 SPP/APR Data: Reading Assessment

| Group | Group Name | Number of Children with IEPs | Number of Children with IEPs Participating | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|-------|-------------|------------------------------|--|---------------|-----------------|---------------|---------------------|-------------|
| A | Grades 3-8 | 44,355 | 41,289 | 90.36% | 95.00% | 93.09% | Did Not Meet Target | No Slippage |
| B | Grades 9-10 | 4,282 | 4,170 | | 95.00% | 97.38% | Met Target | No Slippage |
| C | | | | | | | | |
| D | | | | | | | | |
| E | | | | | | | | |
| F | | | | | | | | |
| G | | | | | | | | |
| H | | | | | | | | |
| I | | | | | | | | |

| Group | Group Name | Number of Children with IEPs | Number of Children with IEPs Participating | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|-------|------------|------------------------------|--|---------------|-----------------|---------------|--------|----------|
| J | | | | | | | | |
| K | | | | | | | | |
| L | | | | | | | | |

| Group | Group Name | Reasons for slippage, if applicable |
|-------|-------------|-------------------------------------|
| A | Grades 3-8 | XXX |
| B | Grades 9-10 | XXX |
| C | | XXX |
| D | | XXX |
| E | | XXX |
| F | | XXX |
| G | | XXX |
| H | | XXX |
| I | | XXX |
| J | | XXX |
| K | | XXX |
| L | | XXX |

FFY 2018 SPP/APR Data: Math Assessment

| Group | Group Name | Number of Children with IEPs | Number of Children with IEPs Participating | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|-------|-------------|------------------------------|--|---------------|-----------------|---------------|---------------------|-------------|
| A | Grades 3-8 | 44,133 | 40,948 | 90.22% | 95.00% | 92.78% | Did Not Meet Target | No Slippage |
| B | Grades 9-10 | 4,635 | 4,092 | | 95.00% | 88.28% | Did Not Meet Target | N/A |
| C | | | | | | | | |
| D | | | | | | | | |
| E | | | | | | | | |
| F | | | | | | | | |
| G | | | | | | | | |
| H | | | | | | | | |
| I | | | | | | | | |
| J | | | | | | | | |
| K | | | | | | | | |
| L | | | | | | | | |

| Group | Group Name | Reasons for slippage, if applicable |
|-------|-------------|-------------------------------------|
| A | Grades 3-8 | XXX |
| B | Grades 9-10 | XXX |
| C | | XXX |
| D | | XXX |

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

Regulatory Information

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

Public Reporting Information

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

Each school's results are posted on their individual school report card on the Utah School Report Card (<https://utahschoolgrades.schools.utah.gov/>) website.

Provide additional information about this indicator (optional)

3B - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

3B - OSEP Response

3B - Required Actions

Indicator 3C: Proficiency for Students with IEPs

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

Instructions

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

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

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

3C - Indicator Data

Reporting Group Selection

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

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

Historical Data: Reading

| Group | Group Name | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------|-------------|----------|-----------|--------|--------|--------|--------|--------|
| A | Grades 3-8 | 2018 | Target >= | 17.38% | 13.44% | 15.48% | 16.98% | 18.48% |
| A | Grades 3-8 | 17.40% | Actual | 17.38% | 13.44% | 15.48% | 14.97% | 15.95% |
| B | Grades 9-10 | 2018 | Target >= | 13.05% | 8.67% | 8.50% | 10.00% | 11.50% |
| B | Grades 9-10 | 11.71% | Actual | 13.05% | 8.67% | 8.50% | 8.45% | 10.13% |

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

Historical Data: Math

| Group | Group Name | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|-------|-------------|----------|--------------|--------|--------|--------|--------|--------|
| A | Grades 3-8 | 2018 | Target >= | 20.11% | 17.06% | 17.61% | 19.61% | 21.61% |
| A | Grades 3-8 | 17.88% | Actual | 20.11% | 17.06% | 17.61% | 17.94% | 18.41% |
| B | Grades 9-10 | 2018 | Target >= | 7.86% | 7.15% | 7.08% | 9.08% | 11.08% |
| B | Grades 9-10 | 4.81% | Actual | 7.86% | 7.15% | 7.08% | 6.55% | 5.91% |
| C | | | Target >= | | | | | |
| C | | | Actual | | | | | |
| D | | | Target >= | | | | | |
| D | | | Actual | | | | | |
| E | | | Target >= | | | | | |
| E | | | Actual | | | | | |
| F | | | Target >= | | | | | |
| F | | | Actual | | | | | |
| G | | | Target >= | | | | | |

| | | | | | | | | |
|---|--|--|--------------|--|--|--|--|--|
| G | | | Actual | | | | | |
| H | | | Target >= | | | | | |
| H | | | Actual | | | | | |
| I | | | Target >= | | | | | |
| I | | | Actual | | | | | |
| J | | | Target >= | | | | | |
| J | | | Actual | | | | | |
| K | | | Target >= | | | | | |
| K | | | Actual | | | | | |
| L | | | Target >= | | | | | |
| L | | | Actual | | | | | |

Targets

| | Group | Group Name | 2018 | 2019 |
|---------|-------|-------------|--------|--------|
| Reading | A >= | Grades 3-8 | 17.40% | 18.30% |
| Reading | B >= | Grades 9-10 | 11.70% | 12.41% |
| Reading | C >= | | | |
| Reading | D >= | | | |
| Reading | E >= | | | |
| Reading | F >= | | | |
| Reading | G >= | | | |
| Reading | H >= | | | |
| Reading | I >= | | | |
| Reading | J >= | | | |
| Reading | K >= | | | |
| Reading | L >= | | | |
| Math | A >= | Grades 3-8 | 17.88% | 18.88% |
| Math | B >= | Grades 9-10 | 4.81% | 5.41% |
| Math | C >= | | | |
| Math | D >= | | | |
| Math | E >= | | | |
| Math | F >= | | | |
| Math | G >= | | | |
| Math | H >= | | | |
| Math | I >= | | | |
| Math | J >= | | | |
| Math | K >= | | | |
| Math | L >= | | | |

Targets: Description of Stakeholder Input

XXX

In FFY 2018, Utah implemented new general education assessments for students in grades 3-10, prompting the need to set new baselines and targets. Utah now has two different vendors for the general education assessment; one vendor provides the statewide assessment for students in grades 3-8 called Readiness, Improvement, Success and Empowerment (RISE) and another vendor for students in grades 9-10 called Utah Aspire Plus.

Utah's new RISE assessment is delivered on a new platform and is a multi-stage adaptive assessment where the previous State Assessment of Growth and Excellent (SAGE) assessment was an item-adaptive assessment. The new Utah Aspire Plus assessment for students in grades 9-10 is an innovative new hybrid assessment, where half of the items are Utah developed, and the other half are ACT Aspire Plus items. Additionally, Utah Aspire Plus is delivered through a new platform, is a fixed-form assessment, has an increased number of accommodations to better align with ACT, and is a timed assessment.

During FFY 2018, in preparation for the Annual Performance Report (APR) and implementation and evaluation of the State Systemic Improvement Plan (SSIP), a stakeholder feedback committee was created and then met to discuss Utah's new baseline results and proposed targets. The committee members were Special Education Directors from large, small, and rural school districts along with some charter school Special Education Directors. The committee evaluated multiple data sets and had robust conversations to ensure that the new targets are not only realistic to achieve but also maintain high expectations for students with disabilities before advising on new targets. The Utah State Board of Education's (USBE's) goal was to set rigorous but realistic targets, this was done by using trend data and appropriate standard deviations calculations. Research suggests that "effect sizes of 0.25 standard deviations are considered to be substantively important", therefore; the stakeholder committee advised Utah to use the set of targets that will allow for achievement of a total of a 0.25 standard deviation increase at the end of ten years, which is the calculation Utah has chosen.

Utah values stakeholder input and solicits ongoing feedback. The APR and the implementation and evaluation of the SSIP, requirements, progress, and indicator results and new targets were shared with local education agency (LEA) Special Education Directors, the Utah Special Education Advisory Panel (USEAP), and LEA Assessment Directors. APR information, including targets, is also widely shared with the public during USBE full Board and committee meetings, emails, and social media. The USBE is utilizing the Collaboration Continuum and Design Thinking as a methodology to increase collaboration across the USBE and public education.

Utah has documented new base lines and proposed targets for FFY 2019.

FFY 2018 Data Disaggregation from EDFacts

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

YES

Data Source:

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

Date:

12/11/2019

Reading Proficiency Data by Grade

| Grade | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | HS |
|---|-------|-------|-------|-------|-------|-------|---|-------|----|----|----|
| a. Children with IEPs who received a valid score and a proficiency was assigned | 7,687 | 7,753 | 7,504 | 6,911 | 6,059 | 5,375 | 0 | 4,170 | | | |
| b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 1,670 | 1,612 | 1,300 | 929 | 553 | 446 | 0 | 221 | | | |
| c. IEPs in regular assessment with accommodations scored at or above proficient against grade level | 1 | 2 | 2 | 3 | 9 | 2 | 0 | 99 | | | |
| f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level | 70 | 88 | 94 | 93 | 151 | 159 | 0 | 168 | | | |

Data Source:

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

Date:

12/11/2019

Math Proficiency Data by Grade

| Grade | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | HS |
|---|-------|-------|-------|-------|-------|-------|---|-------|----|----|----|
| a. Children with IEPs who received a valid score and a proficiency was assigned | 7,686 | 7,739 | 7,493 | 6,868 | 5,928 | 5,234 | 0 | 4,092 | | | |
| b. IEPs in regular assessment with no accommodations | 2,016 | 1,722 | 1,449 | 694 | 634 | 425 | 0 | 108 | | | |

| Grade | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | HS |
|---|----|-----|----|----|----|----|---|----|----|----|----|
| scored at or above proficient against grade level | | | | | | | | | | | |
| c. IEPs in regular assessment with accommodations scored at or above proficient against grade level | 1 | 3 | 2 | 1 | 5 | 2 | 0 | 53 | | | |
| f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level | 69 | 109 | 58 | 61 | 30 | 42 | 0 | 36 | | | |

FFY 2018 SPP/APR Data: Reading Assessment

| Group | Group Name | Children with IEPs who received a valid score and a proficiency was assigned | Number of Children with IEPs Proficient | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|-------|-------------|--|---|---------------|-----------------|---------------|------------|-------------|
| A | Grades 3-8 | 41,289 | 7,184 | 15.95% | 17.40% | 17.40% | Met Target | No Slippage |
| B | Grades 9-10 | 4,170 | 488 | 10.13% | 11.70% | 11.70% | Met Target | No Slippage |
| C | | | | | | | | |
| D | | | | | | | | |
| E | | | | | | | | |
| F | | | | | | | | |
| G | | | | | | | | |
| H | | | | | | | | |
| I | | | | | | | | |
| J | | | | | | | | |
| K | | | | | | | | |
| L | | | | | | | | |

| Group | Group Name | Reasons for slippage, if applicable |
|-------|-------------|-------------------------------------|
| A | Grades 3-8 | XXX |
| B | Grades 9-10 | XXX |
| C | | XXX |
| D | | XXX |
| E | | XXX |
| F | | XXX |
| G | | XXX |
| H | | XXX |
| I | | XXX |
| J | | XXX |
| K | | XXX |
| L | | XXX |

FFY 2018 SPP/APR Data: Math Assessment

| Group | Group Name | Children with IEPs who received a valid score and a proficiency was assigned | Number of Children with IEPs Proficient | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|-------|-------------|--|---|---------------|-----------------|---------------|------------|-------------|
| A | Grades 3-8 | 40,948 | 7,323 | 18.41% | 17.88% | 17.88% | Met Target | No Slippage |
| B | Grades 9-10 | 4,092 | 197 | 5.91% | 4.81% | 4.81% | Met Target | No Slippage |
| C | | | | | | | | |
| D | | | | | | | | |
| E | | | | | | | | |
| F | | | | | | | | |
| G | | | | | | | | |
| H | | | | | | | | |
| I | | | | | | | | |
| J | | | | | | | | |
| K | | | | | | | | |
| L | | | | | | | | |

| Group | Group Name | Reasons for slippage, if applicable |
|-------|-------------|-------------------------------------|
| A | Grades 3-8 | XXX |
| B | Grades 9-10 | XXX |
| C | | XXX |
| D | | XXX |
| E | | XXX |
| F | | XXX |
| G | | XXX |
| H | | XXX |
| I | | XXX |
| J | | XXX |
| K | | XXX |
| L | | XXX |

Regulatory Information

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

Public Reporting Information

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

Each school's participation rate is posted on their individual school report card available on the Utah School Report Card (<https://utahschoolgrades.schools.utah.gov/>) website.

Provide additional information about this indicator (optional)

3C - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

3C - OSEP Response

3C - Required Actions

Indicator 4A: Suspension/Expulsion

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

Results Indicator: Rates of suspension and expulsion:

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

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

Data Source

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

Measurement

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

Include State's definition of "significant discrepancy."

Instructions

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

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

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

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

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

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

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

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

4A - Indicator Data

Historical Data

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

Targets

| FFY | 2018 | 2019 |
|-----------|-------|-------|
| Target <= | 0.00% | 0.00% |

Targets: Description of Stakeholder Input

XXX

During FFY 2018, in preparation for the APR and the State Systemic Improvement Plan (SSIP) report submissions, the Utah State Board of Education Special Education Section (USBE SES) staff shared data and target information with myriad stakeholder groups:

- * LEA Special Education Directors
- * Utah Special Education Advisory Panel members
- * USBE Committees
- * Utah Legislative Committees
- * Utah Parent Center staff
- * LEA Curriculum and Assessment Directors

- * LEA Preschool Coordinators
- * LEA administrators (including Superintendents, Charter School Directors, and building administrators,)
- * Staff from relevant special education, school psychology, and speech pathology programs at Utah Institutes of Higher Education
- * Baby Watch/Early Intervention (Utah's Part C agency)
- * Agencies that provide services to students with disabilities (such as Vocational Rehabilitation, Juvenile Justice Services, the Division of Child and Family Services, the Department of Health, etc.)
- * Utah Educators

Further, APR information is widely share with the public during USBE meetings, newsletter emails, and on social media. Utah values stakeholder engagement and input and solicit ongoing feedback and review not only for the implementation and evaluation of the APR and the SSIP but also the data analysis and improvement planning across special education programs, USBE Strategic Plan improvement initiatives and the entire USBE system. The USBE is utilizing the Collaboration Continuum as well as Design Thinking as strategies to increase collaboration across the USBE and public education.

FFY 2018 SPP/APR Data

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

YES

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

21

| Number of districts that have a significant discrepancy | Number of districts that met the State's minimum n size | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|---|---------------|-----------------|---------------|------------|-------------|
| 0 | 133 | 0.00% | 0.00% | 0.00% | Met Target | No Slippage |

Provide reasons for slippage, if applicable

XXX

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

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

State's definition of "significant discrepancy" and methodology

The USBE uses the "State-bar" method for defining significant discrepancy. The FFY 2017 (school year (SY) 2017-2018) State rate for suspending/expelling students with disabilities among LEAs in the State for more than ten days is 0.14%. The USBE set the "State-bar" as five percentage points higher than the State rate. Thus, any school district/charter school that suspends or expels 5.14% or more of its students with disabilities for more than ten days is flagged for significant discrepancy. There must be an "n" size of at least 30 students with disabilities in the LEA in the denominator of a suspension rate for it to be flagged. Of the 154 LEAs in SY 2017-2018, 133 met the minimum n size of 30. Of the 21 that did not meet the minimum n size, all but one had a 0% suspension rate (one LEA had a suspension rate of below 5%). Note that across the entire state, only 108 students with disabilities were suspended for more than 10 days in SY 2017-2018.

Provide additional information about this indicator (optional)

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

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

No LEAs were flagged for significant discrepancy. Thus no review of policies, procedures, and practices was required in FFY 2018 related to Indicator 4A.

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

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

XXX

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

XXX

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

4A - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

4A - OSEP Response

4A - Required Actions

Indicator 4B: Suspension/Expulsion

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

Results Indicator: Rates of suspension and expulsion:

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

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

Data Source

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

Measurement

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

Include State's definition of "significant discrepancy."

Instructions

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

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

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

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

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

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

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

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

Targets must be 0% for 4B.

4B - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below:

Historical Data

| | | | | | |
|-----------------|-------------|-------------|-------------|-------------|-------------|
| Baseline | 2010 | 0.00% | | | |
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

Targets

| FFY | 2018 | 2019 |
|--------|------|------|
| Target | 0% | 0% |

FFY 2018 SPP/APR Data

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

YES

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

31

| Number of districts that have a significant discrepancy, by race or ethnicity | Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements | Number of districts that met the State's minimum n size | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|---|---|---------------|-----------------|---------------|------------|-------------|
| 0 | 0 | 123 | 0.00% | 0% | 0.00% | Met Target | No Slippage |

Provide reasons for slippage, if not applicable

XXX

Were all races and ethnicities included in the review?

YES

State's definition of "significant discrepancy" and methodology

The USBE uses the "State-bar" method for defining significant discrepancy. The FFY 2017 (school year (SY) 2017-2018) State rate for suspending/expelling students with disabilities among LEAs in the State for more than ten days is 0.14%. The USBE set the "State-bar" as five percentage points higher than the State rate. Thus, any school district/charter school that suspends or expels 5.14% or more of its students with disabilities for more than ten days is flagged for significant discrepancy. There must be an "n" size of at least 30 students with disabilities in the LEA in the denominator of a suspension rate for it to be flagged. Of the 154 LEAs in SY 2017-2018, 123 met the minimum n size of 30. Note that across the entire state, only 108 students with disabilities were suspended for more than 10 days in SY 2017-2018.

Provide additional information about this indicator (optional)

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

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

No LEAs were flagged for significant discrepancy. Thus, no review of policies, procedures, and practices was required in FFY 2018 related to Indicator 4A.

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

If YES, select one of the following:

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

XXX

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

XXX

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

4B - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

4B - OSEP Response

4B- Required Actions

Indicator 5: Education Environments (children 6-21)

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

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

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

5 - Indicator Data

Historical Data

| | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|----------|-----------|--------|--------|--------|--------|--------|
| A | 2005 | Target >= | 56.81% | 57.23% | 57.66% | 58.09% | 58.53% |
| A | 48.68% | Data | 56.81% | 58.11% | 60.45% | 61.57% | 63.47% |
| B | 2005 | Target <= | 13.57% | 13.50% | 13.43% | 13.36% | 13.29% |
| B | 14.72% | Data | 13.57% | 12.37% | 11.37% | 10.68% | 10.26% |
| C | 2005 | Target <= | 3.00% | 3.00% | 3.00% | 3.00% | 3.00% |
| C | 3.56% | Data | 2.59% | 2.58% | 2.49% | 2.61% | 2.63% |

Targets

| FFY | 2018 | 2019 |
|-------------|--------|--------|
| Target A >= | 58.97% | 59.41% |
| Target B <= | 13.22% | 13.15% |
| Target C <= | 3.00% | 3.00% |

Targets: Description of Stakeholder Input

XXX

Targets were developed based on historical data and targets, in consultation with the USBE SES statistician, and subsequently reviewed and adopted by Utah State Board of Education (USBE) Special Education Section (SES) staff, the Utah Special Education Advisory Panel (USEAP), and LEA Special Education Directors during a Utah State Special Education Administration Meeting (USEAM). During FFY 2018, in preparation for the Annual Performance Report (APR) and the State System Improvement Plan (SSIP), requirements, progress, and indicator results continued to be shared with LEA Special Education Directors and Institute of Higher Education (IHE) personnel. APR information is widely shared with the public during Utah State Board of Education (USBE) full Board and committee meetings, via email, and on social media. Utah values stakeholder input and solicits ongoing feedback and review not only for the implementation and evaluation of the SSIP and revision to targets in the APR, but also for data analysis and improvement planning across systems. The USBE is utilizing Design Thinking as a process to increase interagency collaboration and works actively with stakeholders and the Utah Parent Center (UPC) in this process. LEA Special Education Directors and their teams also participate in data drills annually where indicator results are shared and reviewed. Utah LEAs continue to work to increase the percent of students with disabilities receiving most of their services in general education settings with supports through co-teaching and ongoing collaboration between general and special education teacher. Utah continues to meet or exceed targets in Indicator 5. Utah's data suggests that support for both teachers and students has increased in these settings through the development of tiered instruction framework documents, a deeper understanding of specially designed instruction and related services and supports, as well as targeted professional development at the state and LEA level supporting the implementation of a multi-tiered system of supports (MTSS). Utah has 34 LEAs participating in the State Personnel Development Grant (SPDG) MTSS grant with a focus on increasing access and outcomes for students. Targets were not amended for FFY 2018, but the statistical analyses for target setting used for the previous five years was extended to determine the targets for FFY 2019.

Populated Data

| Source | Date | Description | Data |
|---|------------|---|--------|
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/11/2019 | Total number of children with IEPs aged 6 through 21 | 75,791 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/11/2019 | A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day | 49,352 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/11/2019 | B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day | 7,360 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/11/2019 | c1. Number of children with IEPs aged 6 through 21 in separate schools | 1,898 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/11/2019 | c2. Number of children with IEPs aged 6 through 21 in residential facilities | 29 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/11/2019 | c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements | 98 |

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

NO

Provide an explanation below

FFY 2018 SPP/APR Data

| | Number of children with IEPs aged 6 through 21 served | Total number of children with IEPs aged 6 through 21 | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|---|--|---------------|-----------------|---------------|------------|-------------|
| A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day | 49,352 | 75,791 | 63.47% | 58.97% | 65.12% | Met Target | No Slippage |
| B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day | 7,360 | 75,791 | 10.26% | 13.22% | 9.71% | Met Target | No Slippage |
| C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 2,025 | 75,791 | 2.63% | 3.00% | 2.67% | Met Target | No Slippage |

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

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

Use a different calculation methodology (yes/no)

NO

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

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

Provide additional information about this indicator (optional)

5 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

5 - OSEP Response

5 - Required Actions

Indicator 6: Preschool Environments

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

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

6 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below.

Historical Data

| | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|----------|-----------|--------|--------|--------|--------|--------|
| A | 2011 | Target >= | 33.02% | 33.22% | 33.42% | 33.62% | 33.82% |
| A | 36.31% | Data | 33.02% | 32.37% | 35.37% | 37.19% | 39.90% |
| B | 2011 | Target <= | 43.76% | 43.56% | 43.36% | 43.16% | 42.96% |
| B | 41.36% | Data | 43.76% | 44.71% | 40.95% | 38.36% | 34.68% |

Targets

| FFY | 2018 | 2019 |
|-------------|--------|--------|
| Target A >= | 36.32% | 36.52% |
| Target B <= | 41.35% | 41.15% |

Targets: Description of Stakeholder Input

XXX

Targets were developed based on historical data, historical targets, and in consultation with the USBE SES statistician, and subsequently reviewed and adopted by Utah State Board of Education (USBE) Special Education Section (SES) staff, the Utah Special Education Advisory Panel (USEAP), and LEA Special Education Directors and Institute of Higher Education (IHE) personnel during a Utah State Special Education Administrator Meeting (USEAM). In addition, for Indicator 6, LEA Preschool Coordinators reviewed the proposed targets and provided input. Stakeholders agreed with the proposed targets from FFY 2013 through 2017, but due to the OSEP requirement that the FFY 2018 target show improvement over baseline, the FFY 2018 targets were adjusted to meet that requirement during FFY 2013.

APR information is widely shared with the public during Utah State Board of Education (USBE) full Board and committee meetings, via email, and on social media. Utah values stakeholder input and solicits ongoing feedback and review not only for the implementation and evaluation of the SSIP and revision to targets (as needed) in the APR, but also for data analysis and improvement planning across systems.

Targets were not amended for FFY 2018, but the statistical analyses for target setting used for the previous five years was extended to determine the targets for FFY 2019.

Prepopulated Data

| Source | Date | Description | Data |
|--|------------|--|--------|
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/11/2019 | Total number of children with IEPs aged 3 through 5 | 10,741 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/11/2019 | a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 5,165 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/11/2019 | b1. Number of children attending separate special education class | 2,807 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/11/2019 | b2. Number of children attending separate school | 254 |
| SY 2018-19 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613) | 07/11/2019 | b3. Number of children attending residential facility | 0 |

FFY 2018 SPP/APR Data

| | Number of children with IEPs aged 3 through 5 served | Total number of children with IEPs aged 3 through 5 | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|--|---|---------------|-----------------|---------------|------------|-------------|
| A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 5,165 | 10,741 | 39.90% | 36.32% | 48.09% | Met Target | No Slippage |
| B. Separate special education class, separate school or residential facility | 3,061 | 10,741 | 34.68% | 41.35% | 28.50% | Met Target | No Slippage |

Use a different calculation methodology (yes/no)

NO

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

Provide reasons for slippage for A

| Part | Reasons for slippage, if applicable |
|------|-------------------------------------|
| A | XXX |
| B | XXX |

Provide additional information about this indicator (optional)

6 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

6 - OSEP Response

6 - Required Actions

Indicator 7: Preschool Outcomes

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

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

Data Source

State selected data source.

Measurement

Outcomes:

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

Progress categories for A, B and C:

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

Summary Statements for Each of the Three Outcomes:

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

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

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

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

Instructions

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

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

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

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

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

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

7 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below.

Historical Data

| | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|----|----------|--------------|--------|--------|--------|--------|--------|
| A1 | 2008 | Target >= | 90.52% | 90.72% | 90.92% | 91.12% | 91.32% |
| A1 | 95.09% | Data | 90.52% | 87.95% | 88.21% | 87.97% | 89.28% |
| A2 | 2008 | Target >= | 51.20% | 51.40% | 51.60% | 51.80% | 52.00% |
| A2 | 52.92% | Data | 51.20% | 59.22% | 59.03% | 59.41% | 61.26% |
| B1 | 2008 | Target >= | 89.96% | 90.16% | 90.36% | 90.56% | 90.76% |
| B1 | 93.20% | Data | 89.96% | 87.17% | 87.21% | 86.93% | 88.34% |
| B2 | 2008 | Target >= | 44.79% | 44.99% | 45.19% | 45.39% | 45.59% |
| B2 | 48.70% | Data | 44.79% | 51.24% | 52.69% | 51.79% | 53.64% |
| C1 | 2008 | Target >= | 90.70% | 90.90% | 91.10% | 91.30% | 91.50% |
| C1 | 93.91% | Data | 90.70% | 90.51% | 88.98% | 88.87% | 90.83% |
| C2 | 2008 | Target >= | 62.97% | 63.17% | 63.37% | 63.57% | 63.77% |
| C2 | 67.20% | Data | 62.97% | 71.95% | 71.43% | 71.57% | 71.68% |

Targets

| FFY | 2018 | 2019 |
|--------------|--------|--------|
| Target A1 >= | 95.10% | 95.30% |
| Target A2 >= | 52.93% | 53.13% |
| Target B1 >= | 93.21% | 93.41% |
| Target B2 >= | 48.71% | 48.91% |
| Target C1 >= | 93.92% | 94.12% |
| Target C2 >= | 67.21% | 67.41% |

Targets: Description of Stakeholder Input

XXX

Targets were developed after a data analysis and in consultation with the Utah State Board of Education (USBE) Special Education Section (SES) statistician, and subsequently reviewed and adopted by USBE SES staff, the Utah Special Education Advisory Panel (USEAP), Institutes of Higher Education (IHEs), and local education agency (LEA) Special Education Directors during a Utah State Special Education Administrator Meeting (USEAM). In addition, LEA Preschool Coordinators reviewed the proposed targets for the federal fiscal year (FFY) 2018 Annual Performance Report (APR) and provided input. Stakeholders agreed with the proposed targets from FFY 2013 through 2017, but due to the OSEP requirement that the FFY 2018 target show improvement over baseline, the FFY 2018 targets were adjusted to meet that requirement during FFY 2013.

APR information is widely shared with the public during USBE full Board and committee meetings, via email, and on social media. Utah values stakeholder input and solicits ongoing feedback and review not only for the revision of targets in the APR, but also for data analysis and improvement planning across systems.

Targets were not amended for FFY 2018, but the statistical analyses for target setting used for the previous five years was extended to determine the targets for FFY 2019.

FFY 2018 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed

3,724

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

| | Number of children | Percentage of Children |
|---|--------------------|------------------------|
| a. Preschool children who did not improve functioning | 13 | 0.35% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 337 | 9.05% |

| | Number of children | Percentage of Children |
|--|--------------------|------------------------|
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 1,179 | 31.66% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1,614 | 43.34% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 581 | 15.60% |

| | Numerator | Denominator | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|-----------|-------------|---------------|-----------------|---------------|---------------------|-------------|
| A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i> | 2,793 | 3,143 | 89.28% | 95.10% | 88.86% | Did Not Meet Target | No Slippage |
| A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i> | 2,195 | 3,724 | 61.26% | 52.93% | 58.94% | Met Target | No Slippage |

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

| | Number of Children | Percentage of Children |
|---|--------------------|------------------------|
| a. Preschool children who did not improve functioning | 17 | 0.46% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 386 | 10.37% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 1,441 | 38.69% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1,633 | 43.85% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 247 | 6.63% |

| | Numerator | Denominator | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|-----------|-------------|---------------|-----------------|---------------|---------------------|-------------|
| B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i> | 3,074 | 3,477 | 88.34% | 93.21% | 88.41% | Did Not Meet Target | No Slippage |
| B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i> | 1,880 | 3,724 | 53.64% | 48.71% | 50.48% | Met Target | No Slippage |

Outcome C: Use of appropriate behaviors to meet their needs

| | Number of Children | Percentage of Children |
|---|--------------------|------------------------|
| a. Preschool children who did not improve functioning | 14 | 0.38% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 280 | 7.52% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 804 | 21.59% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 1,802 | 48.39% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 824 | 22.13% |

| | Numerator | Denominator | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|-----------|-------------|---------------|-----------------|---------------|---------------------|-------------|
| C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. | 2,606 | 2,900 | 90.83% | 93.92% | 89.86% | Did Not Meet Target | No Slippage |
| C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. | 2,626 | 3,724 | 71.68% | 67.21% | 70.52% | Met Target | No Slippage |

| Part | Reasons for slippage, if applicable |
|------|-------------------------------------|
| A1 | XXX |
| A2 | XXX |
| B1 | XXX |
| B2 | XXX |
| C1 | XXX |
| C2 | XXX |

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

YES

Please explain why the State did not include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years.

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

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

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

YES

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

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

Data is gathered through the statewide Utah Program Improvement Planning System for Special Education (UPIPS). USBE SES utilizes this website to collect compliance, fiscal and other LEA data. LEAs and the USBE SES can generate reports on the compliance data collected. These data and reports are used in the UPIPS on-site monitoring process, as well as the APR. The UPIPS system has an assigned section titled, Utah Preschool Outcomes

Data (UPOD), for collecting Indicator 7 preschool outcome data. Teachers collect and enter entry and exit outcome scores into UPOD when a child enters preschool and when the child exits preschool services, such as when the child transitions from preschool to kindergarten. The LEA report section provides LEA-specific preschool outcome data as well as overall statewide preschool outcome data with "n" sizes and percentages that are transferred to the APR.

Provide additional information about this indicator (optional)

7 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

7 - OSEP Response

7 - Required Actions

Indicator 8: Parent involvement

Instructions and Measurement

Monitoring Priority: FAPE in the LRE

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

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

Data Source

State selected data source.

Measurement

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

Instructions

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

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

Provide the actual numbers used in the calculation.

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

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

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

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

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

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

8 - Indicator Data

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

Targets: Description of Stakeholder Input

XXX

The targets were developed in consultation with the USBE Special Education Section (SES) statistician and subsequently reviewed and adopted by USBE SES staff, the Utah Special Education Advisory Panel (USEAP), and LEA Special Education Directors. During FFY 2016, in preparation for the Annual Performance Report (APR) and the State Systemic Improvement Plan (SSIP), requirements, progress, and indicator results continued to be shared with LEA Special Education Directors. APR information is widely shared with the public during USBE full Board and committee meetings and via emails and social media. Utah values stakeholder input and solicits ongoing feedback and review, not only for the implementation and evaluation of the SSIP and revision to targets (as needed) in the APR, but also for data analysis and improvement planning across systems. The USBE is utilizing the Collaboration Continuum and Design Thinking as methodologies to increase collaboration across the USBE and public education. Stakeholder groups continue to be pleased with the brief and more focused parent survey and feel that the proposed targets are appropriate, especially in consideration of national and Utah data trends. Targets were not amended for FFY 2018, but the statistical analyses for target setting used for the previous three years was extended to determine the targets for FFY 2019.

Historical Data

| Baseline | 2015 | 79.52% | | | |
|-----------|--------|--------|--------|--------|--------|
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target >= | 86.04% | 89.92% | 79.52% | 79.52% | 79.62% |
| Data | 86.06% | 86.04% | 79.52% | 76.82% | 79.65% |

Targets

| FFY | 2018 | 2019 |
|-----------|--------|--------|
| Target >= | 80.52% | 81.33% |

FFY 2018 SPP/APR Data

| Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities | Total number of respondent parents of children with disabilities | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|--|---------------|-----------------|---------------|---------------------|----------|
| 1,066 | 1,360 | 79.65% | 80.52% | 78.38% | Did Not Meet Target | Slippage |

The number of parents to whom the surveys were distributed.

7,449

Percentage of respondent parents

18.26%

Provide reasons for slippage, if applicable

This year's Parent Involvement Percentage (78.35%) is slightly lower than last year's (79.63%). Although this isn't a statistically significant decrease, the Utah State Board of Education (USBE) takes the results very seriously and thus, considered various reasons for the decrease. One possibility is that a different group of local education agencies (LEAs) completed the survey this year than last. Each year, the four largest LEAs in Utah complete the parent survey and all other LEAs are assigned to complete the survey on an every-other-year basis. While the results in any given year are representative of the state as a whole, differences in LEAs may result in slight year-to-year fluctuations.

Another possible reason for the decrease could be due to the slightly reduced response rate from school year (SY) 2017-2018 (21.61%) to SY 2018-2019 (18.32%). This is the first year the response rate on the parent survey has been below 20%. USBE prides itself on getting response rates above 20% (for ten years) and is working with stakeholders to determine why the response rate fell below 20% this year.

In drilling down into the survey data to determine why the Parent Involvement Percentage decreased, USBE examined the percentage of parents who agreed to each item in SY 2017-2018 and in SY 2018-2019. The four items that showed the largest decrease in agreement levels are presented in the attached table.

Each LEA gets a very detailed report of its survey results. Each LEA is encouraged to look at these items, as well as other items, to determine what actions it can take to increase parent agreement. LEAs identified as not meeting the target on Indicator 8 are notified in the school year after families take the survey. Technical assistance (TA) support is provided to these LEAs via one-on-one meetings with the USBE Family Engagement Specialist, check-ins throughout the year via phone, and information about the menu of evidence-based strategies that can be used to support families. LEA Special Education Directors create two to three goals based on lowest scoring Indicator 8 items and can either utilize suggested evidence-based strategies to meet the goals or come up with strategies tailored to fit their community's family engagement needs. Goals and strategies are discussed during check-in phone calls. Additionally, the USBE Family Engagement Specialist is also available for any support via email or phone call at any time. Indicator 8 training is provided to new LEA Special Education Directors at USBE's Strong Start training and Results Driven Accountability TA meetings to LEAs not meeting the target.

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

All parents receive the same survey and parents do not report whether their student is a preschool or a school age student. The data is aggregated to determine the state rate for Indicator 8.

Historical Data

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

Targets

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

FFY 2018 SPP/APR Data: Preschool Children Reported Separately

| | Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities | Total number of respondent parents of children with disabilities | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|-------------------|---|---|----------------------|------------------------|----------------------|---------------|-----------------|
| Preschool | XXX | XXX | XXX | XXX | XXX | XXX | XXX |
| School age | XXX | XXX | XXX | XXX | XXX | XXX | XXX |

Provide reasons for slippage, if applicable

XXX

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

XXX

Percentage of respondent School-Age parents

XXX

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

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

For those LEAs that have more than 100 students, a sample of parents was chosen to receive the survey. The population was stratified by grade, race/ethnicity, primary disability, and gender to ensure representativeness of the resulting sample. When calculating state-level results, responses were weighted by the student population size (e.g., an LEA that had four times as many students with disabilities as another LEA will receive four times the weight in computing overall state results). Note: The number of respondents who reported that the school facilitated parent involvement and the total number of respondents aren't whole numbers because weighting data often results in fractional weights.

| | Yes / No |
|---|-----------------|
| Was a survey used? | YES |
| If yes, is it a new or revised survey? | NO |
| If yes, provide a copy of the survey. | XXX |
| The demographics of the parents responding are representative of the demographics of children receiving special education services. | YES |

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

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

The representativeness of the survey was assessed by comparing the demographic characteristics of the students whose parents responded to the survey to the demographic characteristics of all students with disabilities. This comparison indicates the results are representative (1) by geographic region where the student attends school; (2) by the grade level of the student; and (3) by the primary disability of the student. For example, 27.00% of the parents who returned a survey are parents of a student with a communication disorder and 25.00% of students with disabilities in the entire sample

have a communication disorder.

This analysis showed that response rates varied by race/ethnicity. For example, 84.00% of parent respondents had a student with a race/ethnicity of white, whereas 72.00% of students with disabilities are white; 10.00% of parent respondents had a student with a race/ethnicity of Hispanic, whereas 21.00% of the students with disabilities are Hispanic. USBE will investigate ways to increase the response rate of Hispanic students in the 2019-2020 school year.

Provide additional information about this indicator (optional)

Utah appreciated the technical assistance (TA) received in the 2018-2019 school year related to meaningful parent engagement in the special education process. USBE's Family Engagement Specialist is the team lead on a fellowship hosted by the Flamboyant Foundation based in Washington D.C. The Specialist then provided similar technical assistance and professional development to the nine LEA Special Education Directors who did not meet the Indicator 8 target. Furthermore, USBE continues to work in conjunction with the Utah Parent Center (Utah's OSEP-funded Parent Training and Information Center) in collecting and analyzing data and then creating technical assistance and professional development to address needs.

8 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

8 - OSEP Response

8 - Required Actions

Indicator 9: Disproportionate Representation

Instructions and Measurement

Monitoring Priority: Disproportionality

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

9 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below.

Historical Data

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

Targets

| FFY | 2018 | 2019 |
|--------|------|------|
| Target | 0% | 0% |

FFY 2018 SPP/APR Data

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

YES

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

41

| Number of districts with disproportionate representation of racial and ethnic groups in special education and related services | Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification | Number of districts that met the State's minimum n and/or cell size | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|---|---|---------------|-----------------|---------------|------------|-------------|
| 0 | 0 | 115 | 0.00% | 0% | 0.00% | Met Target | No Slippage |

Provide reasons for slippage, if applicable

XXX

Were all races and ethnicities included in the review?

YES

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

For Indicator 9, 156 LEAs are included in the analysis during school year (SY) 2018-2019. Of these 156 LEAs, 115 LEAs met the minimum "n" requirements of at least 10 students with disabilities at least one time for a Final Risk Ratio to be calculated. (For each LEA, in theory, seven risk ratios could be calculated—one for each racial/ethnic group.) Many LEAs in Utah have between zero and five students with a disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated. (Note: The number of LEAs for Indicators 4A and 4B is 154; the number of LEAs for Indicators 9 and 10 is 156. This is because Indicators 4A and 4B are using SY 2017-2018 data, while Indicators 9 and 10 use 2018-2019 data. Utah's number of LEAs increased due to the addition of new public charter schools).

Disproportionate representation is defined as a Final Risk Ratio of 3.00 or above. Once a ratio is flagged for suspected disproportionate representation, the policies, procedures, and practices of that LEA are reviewed to determine if the suspected disproportionate representation is due to inappropriate identification.

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.

During FFY 2018, there were no LEAs flagged as having a Weighted Risk Ratio above the cut score of 3.00, so no review was conducted.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

9 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

9 - OSEP Response

9 - Required Actions

Indicator 10: Disproportionate Representation in Specific Disability Categories

Instructions and Measurement

Monitoring Priority: Disproportionality

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

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

Data Source

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

Measurement

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

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

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

Instructions

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

States are not required to report on underrepresentation.

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

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

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

Targets must be 0%.

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

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

10 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below

Historical Data

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

Targets

| FFY | 2018 | 2019 |
|--------|------|------|
| Target | 0% | 0% |

FFY 2018 SPP/APR Data

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

YES

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

85

| Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories | Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification | Number of districts that met the State's minimum n and/or cell size | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|---|---|---------------|-----------------|---------------|------------|-------------|
| 6 | 0 | 71 | 0.00% | 0% | 0.00% | Met Target | No Slippage |

Provide reasons for slippage, if applicable

XXX

Were all races and ethnicities included in the review?

YES

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

For Indicator 10, 156 LEAs are included in the analysis during 2018-2019. Of these 156 LEAs, 71 LEAs met the minimum "n" requirements of at least 10 students with disabilities with a given disability at least one time for a Final Risk Ratio to be calculated. (For each LEA, in theory, 42 risk ratios could be calculated—one for each of the seven racial/ethnic groups times the six primary disability categories.) Many LEAs in Utah have between zero and five students with a particular disability of a particular race/ethnicity. Thus, very small numbers prevent reliable and meaningful risk ratios from being calculated. (Note: The number of LEAs for Indicators 4A and 4B is 154; the number of LEAs for Indicators 9 and 10 is 156. This is because Indicators 4A and 4B are using 2017-2018 data, while Indicators 9 and 10 use 2018-2019 data. Utah's number of LEAs increased due to the addition of new public charter schools).

Disproportionate representation is defined as a Final Risk Ratio of 3.00 or above. Once a ratio is flagged for suspected disproportionate representation, the policies, procedures, and practices of that LEA are reviewed to determine if the suspected disproportionate representation is due to inappropriate identification.

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

During FFY 2018, there were six LEAs flagged as having a Weighted Risk Ratio above the cut score of 3.00. Each of these LEAs was required to submit documentation of its policies, procedures, and practices. A careful review was conducted by the State to verify there was no over-representation of any racial/ethnic groups in specific disability categories due to inappropriate identification. Utah Program Improvement Planning System (UPIPS) monitoring data were also reviewed during this process. This included student record reviews and evaluation and identification procedures, as well as interviews with teachers, administrators, parents, and students. No disproportionate representation was found to be occurring in these LEAs based upon this review of policies, procedures, and practices, as required in §300.600(d)(3).

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

10 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

10 - OSEP Response

10 - Required Actions

Indicator 11: Child Find

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

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

Targets must be 100%.

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

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

11 - Indicator Data

Historical Data

| Baseline | 2005 | 76.00% | | | |
|----------|--------|--------|--------|--------|---------|
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 99.65% | 99.47% | 99.28% | 99.60% | 100.00% |

Targets

| FFY | 2018 | 2019 |
|--------|------|------|
| Target | 100% | 100% |

FFY 2018 SPP/APR Data

| (a) Number of children for whom parental consent to evaluate was received | (b) Number of children whose evaluations were completed within 60 days (or State-established timeline) | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|--|---------------|-----------------|---------------|---------------------|----------|
| 1,215 | 1,169 | 100.00% | 100% | 96.21% | Did Not Meet Target | Slippage |

Provide reasons for slippage

Previous FFY reporting allowed local education agencies (school districts and charter schools) (LEAs) three weeks to make corrections. At the end of the three weeks, the percent correct was the percent reported in the APR. During the OSEP technical assistance webinar in December 2019 and follow-up technical assistance, the USBE SES was made aware that any noncompliance found should be reported. Utah understands that the LEA can make corrections before issuing findings.

Of note, LEAs were able to make immediate corrections of Indicator 11 noncompliance. At the end of three weeks, the cumulative percentage of compliance for LEAs in Utah was 99.34%.

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

46

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

Of the 1,215 reviewed special education files, 1,169 students had eligibility determinations completed within the State-required timeline of 45 school days. Forty-six students in 20 LEAs had assessments completed beyond the 45-school day timeline. These assessments were not completed within the required timelines due to teacher noncompliance.

Sixteen LEAs immediately completed correction of noncompliance and submitted documentation that was reviewed and verified. No findings were issued to these LEAs.

The other four LEAs were issued a finding of noncompliance specific to the length of time to complete the initial evaluation. The number of files completed within the timeline in these four LEAs was less than 95% (i.e., 93.3%, 92.9%, 91.2%, and 86.7%). The letters of findings and corrective action plans for each LEA can be provided upon request.

Indicate the evaluation timeline used:

The State established a timeline within which the evaluation must be conducted

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

Utah State Board of Education Special Education Rule II.D. states that the initial evaluation must be conducted within 45 school days of receiving parental or adult student consent for the evaluation.

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

State monitoring

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

During the 2018–19 school year, a sampling of files of students aged 3 through 21 who received an initial evaluation were reviewed through onsite visits and the State dispute resolution process for Indicator 11 (as part of the general supervision system). The files reviewed came from 84 LEAs.

Compliance monitoring is administered within the framework of supporting positive results for students with disabilities. The Utah State Board of Education Special Education Section (USBE SES) continuous improvement monitoring system (Utah Program Improvement Planning System) (UPIPS) is based on the concept that monitoring is an ongoing process. UPIPS includes an annual USBE SES review of each LEA's performance in a variety of pre-identified areas (e.g., timeliness of data and fiscal reports, the LEA's Program Improvement Plan [PIP] and use of internal monitoring for compliance). Indicators related to compliance with IDEA and USBE Special Education Rules and student outcomes/results are also reviewed in UPIPS. LEAs are assigned a risk score in each of the pre-identified areas and indicators based on their data in each area. After risk scores have been assigned, LEAs are assigned a Program Implementation Monitoring Tier (i.e., Supporting, Guiding, Assisting, Coaching, or Directing) which includes a package of supports and activities (including monitoring) for each LEA based on the LEA's level of identified need. The USBE SES's Results-Driven Accountability process and continuous-improvement monitoring system reflect the State's intent to emphasize a data-driven, systemic approach to compliance as well as improvement of outcomes for students with disabilities. Previous UPIPS implementation has been generally effective in assisting LEAs in maintaining procedural compliance with federal and state regulations and has also resulted in increased LEA commitment to the monitoring process.

UPIPS continues to provide a focus on LEA performance on USBE Annual Performance Report (APR) Indicators, as well as additional levels of USBE support for LEAs with continuing uncorrected compliance issues which have not been corrected in one year, creating a process that is differentiated by results.

This differentiation includes the level of monitoring by the USBE according to the LEA's identified level of need. Methods and procedures used to implement UPIPS are consistent, but flexible, in order to adapt to the individual needs of students, educational settings, and administrative realities. While continuing the monitoring of IDEA compliance, renewed focus is on the systematic evaluation of the impact of special education services on student achievement. Thus, this model has shifted from the previous emphasis of episodic procedural monitoring to one of active strategic planning and continuous improvement within the framework of compliance and student results.

The USBE SES considers LEAs substantially compliant, relative to each compliance indicator, if the LEA's data indicate a very high level of compliance (generally 95% or above) (OSEP Memo 09-02). LEAs below 95% on Indicator 11 are issued a finding of noncompliance. A finding is a written notification from the State (i.e., USBE) to an LEA that contains the State's conclusion that the LEA program is in noncompliance and includes the citation of the statute or regulation and a description of the data supporting the conclusion. Written notifications of findings occur as soon as possible. Except for findings identified through State complaints or due process hearings, individual instances of noncompliance in an LEA involving the same legal requirement under IDEA and USBE Special Education Rules are grouped together as one finding.

An LEA will have multiple findings of noncompliance for the same time period if the LEA is noncompliant with more than one legal requirement. Upon written notification of noncompliance from the USBE SES, the LEA must correct the noncompliance in its policies, procedures, and practices as soon as possible, but no later than one year from identification. LEAs must demonstrate that all instances of noncompliance in each individual student file are corrected (Prong 1 of the OSEP Memo 09-02). LEAs that have findings of noncompliance are required to document additional professional development on the regulatory requirements and submit additional monitoring data which demonstrate correction of the noncompliance in LEA policies, procedures, and practices (Prong 2 of the OSEP Memo 09-02), including completion of overdue evaluation(s), Individualized Education Programs (IEPs), etc.

LEAs whose PIPs do not result in correction of the noncompliance within one year receive enforcement actions from the USBE SES; actions are selected to target the root cause/reason of the continuing noncompliance. Most common enforcement actions include required technical assistance, additional LEA professional development, and delay of IDEA funds. Correction occurs when the LEA revises noncompliant policies, procedures, and practices and the USBE SES verifies the correction and notifies the LEA of the correction.

In the process of determining that an LEA has corrected noncompliance on Indicator 11, the USBE SES follows guidance provided in OSEP Memo 09-02. This includes 1) accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, and the root cause of the noncompliance; 2) requiring the correction of LEA noncompliance in the policies, procedures, and practices that contributed to or resulted in the noncompliance; and 3) determining that the LEA is correctly implementing the specific regulatory requirements of IDEA, including the correction of noncompliance in conformance with OSEP Memo 09-02, based upon the USBE SES's review of updated data collected

from subsequent onsite monitoring. While a sample of files are reviewed to determine ongoing LEA compliance with all specific regulatory requirements of IDEA, each file with noncompliance is also reviewed to ensure correction at the individual student level. Targeted technical assistance will continue to be provided to achieve the target of 100%.

Provide additional information about this indicator (optional)

During the 2017-2018 school year, 372 files were reviewed. During the 2018-2019 school year, the number of files reviewed increased by over 300% to 1,215. USBE SES is reviewing for Indicator 11 in each LEA every other year and annually in the four largest LEAs in the state.

During each file review, the LEA is encouraged to invite staff to participate and receive technical assistance during the review process.

Correction of Findings of Noncompliance Identified in FFY 2017

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

FFY 2017 Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

11 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

11 - OSEP Response

11 - Required Actions

Indicator 12: Early Childhood Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

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

Measurement

- # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- # of those found eligible who have an IEP developed and implemented by their third birthdays.
- # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.

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

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

Instructions

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

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

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

Targets must be 100%.

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

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

12 - Indicator Data

Not Applicable

Select yes if this indicator is not applicable.

NO

Provide an explanation of why it is not applicable below.

Historical Data

| Baseline | 2005 | 85.80% | | | |
|----------|--------|--------|--------|--------|--------|
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 99.75% | 99.77% | 99.90% | 99.74% | 99.84% |

Targets

| FFY | 2018 | 2019 |
|--------|------|------|
| Target | 100% | 100% |

FFY 2018 SPP/APR Data

| | |
|---|-------|
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination. | 2,733 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday. | 517 |
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays. | 2,104 |

| | |
|---|----|
| d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied. | 81 |
| e. Number of children who were referred to Part C less than 90 days before their third birthdays. | 23 |
| f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option. | 0 |

| | Numerator (c) | Denominator (a-b-d-e-f) | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|------------------|----------------------------|------------------|--------------------|------------------|---------------------|-------------|
| Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. | 2,104 | 2,112 | 99.84% | 100% | 99.62% | Did Not Meet Target | No Slippage |

Provide reasons for slippage, if applicable

XXX

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

8

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.

LEA 1: The LEA had 64 transitions of which two were late resulting in a compliance rate of 93.55%. Based on a review of why the files were late, the LEA reported that one child's file was delayed as the child's 3rd birthday occurred in the summer. The IEP was completed four days after the child's 3rd birthday. The second file was late because the LEA wanted to acquire more testing before determining eligibility. Eligibility was determined and the IEP was developed 29 days after the child's 3rd birthday. To correct this, the LEA now schedules evaluation appointments earlier with families transitioning from Part C to ensure testing is completed, eligibility is determined, and an IEP developed prior to the child's 3rd birthday. In the past, the evaluations were scheduled close to a child's 3rd birthday which didn't allow for additional time if more testing was needed. The LEA also now schedules multiple evaluation sessions in the summer to ensure the transition process is completed within timelines for children with summer birthdays.

LEA 2: The LEA had 286 transitions of which one was late resulting in a compliance rate of 99.47%. Based on a review of why the file was late, the LEA reported that the LEA was waiting for the Part C agency to hold a transition meeting and the child's file was overlooked while waiting for the transition meeting. Later it was discovered that the Part C agency had scheduled a transition meeting, but the parents did not attend, and the LEA was not notified. Thus, the child was not identified, and an evaluation was not scheduled prior to the child's 3rd birthday. The LEA realized the error when the child was referred from Head Start after the child's 3rd birthday. The LEA tried contacting the family multiple times to schedule an evaluation testing date, which delayed eligibility and the development of the IEP. Eligibility was determined and an IEP was developed 492 days after the child's 3rd birthday. To correct this, the LEA is not waiting for notification from the Part C agency regarding transition meetings, rather when a referral is received through the electronic system, the LEA now contacts the family to start the transition process, including scheduling evaluation testing dates. The LEA has also provided training with all staff on Part C to B transition requirements, including timelines. Lastly, the LEA has implemented new tracking systems to ensure timelines are met.

LEA 3: The LEA had 106 transitions of which one was late resulting in a compliance rate of 98.28%. Based on a review of why the file was late, the LEA reported that eligibility was determined prior to the child's 3rd birthday, but then the file was given to the neighborhood school as the Speech Language Pathologist (SLP) at that school requested to write the IEP. The SLP did not complete the IEP prior to the child's 3rd birthday. The IEP was completed two days after the child's 3rd birthday. To correct this, the LEA now determines eligibility and IEPs are developed at the early learning center instead of sending files to schools to complete the IEPs. The LEA has also provided training on Part C to B transition requirements and timelines with all staff.

LEA 4: The LEA had 100 transitions of which one was late resulting in a compliance rate of 98.46%. Based on a review of why the file was late, the LEA reported that more testing information was needed, including an observation by a school psychologist at the child's Head Start classroom. The IEP was completed two days after the child's 3rd birthday. To correct this, the LEA created a transition specialist position. This person attends all the transition meetings and keeps track of all the children transitioning from Part C. A system has been established to collect information on who will be transitioning from Part C, to check for new referrals, and to send the files to the special education teachers several weeks before the child's 3rd birthday.

LEA 5: The LEA had 67 transitions of which one was late resulting in a compliance rate of 97.30%. Based on a review of why the file was late, the LEA reported that more testing was needed to determine eligibility and services. The child also had several health issues which delayed the collection of additional testing information. The IEP was completed 72 days after the child's 3rd birthday. Additionally, the LEA hired a new Preschool Coordinator and the new Coordinator did not realize the file was late. To correct this, the LEA created a new Preschool Transition Specialist position in which one staff member attends transition meetings and schedules testing with the family and the LEA evaluation team. These appointments are often now scheduled at the transition meeting with the family. Additionally, this individual follows up with all team members (including parents) to ensure IEPs are completed by the child's 3rd birthday.

LEA 6: The LEA had 21 transitions of which two were late resulting in a compliance rate of 88.24%. Based on a review of why the files were late, one team wanted more assessments completed in a natural preschool environment prior to determining eligibility and completing the IEP as the child had multiple health issues and cognitive needs. The child attended a special education preschool program as part of the evaluation process, but the IEP was not developed until 46 days after the child's 3rd birthday. The teachers were not aware of the requirement that the IEP had to be developed prior to the child's 3rd birthday. The second file was late due to lack of coordination after the transition meeting with the SLP who would provide services to the child. Paperwork was misplaced and the IEP was not completed until 14 days after the child's 3rd birthday. To correct these issues, the LEA provided training to all staff (including teachers and SLPs) regarding timelines and requirements for children transition from Part C. The LEA also assigned one staff member as the Lead Transition Coordinator. This person attends all transition meetings and directly works with the LEA staff to ensure IEPs are completed by the child's 3rd birthday.

LEA 6: The LEA had 21 transitions of which two were late resulting in a compliance rate of 88.24%. Based on a review of why the files were late, one team wanted more assessments completed in a natural preschool environment prior to determining eligibility and completing the IEP as the child had multiple health issues and cognitive needs. The child attended a special education preschool program as part of the evaluation process, but the IEP was not developed until 46 days after the child's 3rd birthday. The teachers were not aware of the requirement that the IEP had to be developed prior to the child's 3rd birthday. The second file was late due to lack of coordination after the transition meeting with the SLP who would provide services to the child. Paperwork was misplaced and the IEP was not completed until 14 days after the child's 3rd birthday. To correct these issues, the LEA provided training to all staff (including teachers and SLPs) regarding timelines and requirements for children transition from Part C. The LEA also assigned one staff member as the Lead Transition Coordinator. This person attends all transition meetings and directly works with the LEA staff to ensure IEPs are completed by the child's 3rd birthdays.

Attach PDF table (optional)

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

State database that includes data for the entire reporting year

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

The Statewide database Transition from Early Intervention Data Input (TEDI) has been fully operational since FFY 2009. TEDI accesses the Part C Statewide database daily to obtain a list of all children that meet four criteria: child is 27 months old, has not opted out, is actively enrolled, and is considered potentially eligible for Part B. Each child's data are transferred to TEDI with the child's demographic information. As the Part C database transfers a child into TEDI, TEDI then accesses the USBE's Statewide Student Identifier System (SIS) to provide that child with a unique identification number that will continue with that child throughout his/her public education experience in Utah. To ensure confidentiality, individual child-level data are only available to school personnel with the appropriate permissions within TEDI.

TEDI provides an up-to-date status of the Part C to Part B Transition meeting, the date of the child's third birthday, and whether the child was found eligible or not eligible. The Part C database and the Part B database (TEDI) provide data back and forth on a daily basis. Before a child's file can be closed out in Part C, the provider is required to reconcile data that has come from TEDI to ensure that the exit reason is accurately recorded for each child that has been referred to Part B.

TEDI provides the USBE SES and the LEAs with the necessary census data to ensure timely transitions from Part C to Part B. These transition data were collected from July 1, 2018 through June 30, 2019. In the process of reviewing school LEA data on this Indicator, the USBE SES followed guidance provided in the Office of Special Education Programs (OSEP) 09-02 Memo. Noncompliance with timelines for Indicator 12 (34 CFR §300.124) is identified during an annual review of the TEDI statewide database by the USBE SES and included with general supervision data.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2017

| Findings of Noncompliance Identified | Findings of Noncompliance Verified as Corrected Within One Year | Findings of Noncompliance Subsequently Corrected | Findings Not Yet Verified as Corrected |
|--------------------------------------|---|--|--|
| 3 | 3 | 0 | 0 |

FFY 2017 Findings of Noncompliance Verified as Corrected

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

In FFY 2017, three children, one each from three different LEAs, were not evaluated and determined eligible or ineligible for special education by their third birthdays. The USBE SES issued the LEAs a written finding of noncompliance. The USBE SES met with each LEA and verified that each individual case of noncompliance was corrected to ensure were evaluated for special education eligibility as soon as possible, and in no case later than one year. Additionally, the USBE SES completed a fidelity checklist of the transition process with each LEA to ensure the regulatory requirements were correctly implemented. Finally, the USBE SES reviewed additional files from each LEA to determine that each LEA was correctly implementing the regulatory requirements.

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

In FFY 2017, three children, one each from three different LEAs, were not evaluated and determined eligible or ineligible for special education by their third birthdays. The USBE SES issued the LEAs a written finding of noncompliance. The USBE SES met with each LEA and verified that each individual case of noncompliance was corrected to ensure were evaluated for special education eligibility as soon as possible, and in no case later than one year. Additionally, the USBE SES completed a fidelity checklist of the transition process with each LEA to ensure the regulatory requirements were correctly implemented. Finally, the USBE SES reviewed additional files from each LEA to determine that each LEA was correctly implementing the regulatory requirements.

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

12 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

12 - OSEP Response

12 - Required Actions

Indicator 13: Secondary Transition

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Data Source

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

Measurement

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

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

Instructions

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

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

Targets must be 100%.

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

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

13 - Indicator Data

Historical Data

| Baseline | 2009 | 54.67% | | | |
|----------|--------|--------|--------|--------|--------|
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 98.12% | 99.75% | 92.41% | 92.07% | 88.40% |

Targets

| FFY | 2018 | 2019 |
|--------|------|------|
| Target | 100% | 100% |

FFY 2018 SPP/APR Data

| Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition | Number of youth with IEPs aged 16 and above | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|---|---------------|-----------------|---------------|---------------------|----------|
| 195 | 491 | 88.40% | 100% | 39.71% | Did Not Meet Target | Slippage |

Provide reasons for slippage, if applicable

Previous FFY reporting allowed the local education agencies (LEAs) three weeks to make corrections. At the end of the three weeks, the percent correct was the percent reported in the APR. During the OSEP technical assistance webinar in December 2019 and follow up technical assistance, Utah was made aware that any noncompliance found should be reported. Utah understands that the LEA can make corrections before issuing findings.

Of note, LEAs were able to make immediate corrections of Indicator 13 noncompliance. At the end of three weeks the cumulative percentage of compliance for fifty-two LEAs in Utah was 96.13%.

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

State monitoring

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

Data for Indicator 13 is collected through onsite visits by Utah State Board of Education special education section (USBE SES) staff and contracted monitors. Monitors conduct file reviews using the online system connected to the Utah State Program Improvement Planning System (UPIPS). Ninety-four local education agencies (LEAs) were visited this reporting year through full monitoring visits or as part of the Indicator 13 sampling rotation. Fifty-one LEAs provided 491 files including data for youth aged 16 and above with individualized education programs (IEPs). Of the 491 IEPs reviewed, 195 or 39.71%, met state requirements. As a result of IEPs identified as noncompliant, six LEAs were issued written findings of noncompliance in FFY 2018. Forty-six LEAs provided immediate corrections of noncompliance that was verified by USBE SES Staff. These LEAs were not issued findings.

Indicator 13 monitoring is one indicator USBE reviews to determine LEA’s performance in a variety of pre-identified areas and indicators that cover compliance and student outcomes systemwide. As part of this overall review, LEAs are assigned a specific risk score for Indicator 13. The risk range is one through five, with five designating high risk. LEAs are given a risk score of five if the compliance is ten percentage points or more below state target.

LEAs with a high-risk score for Indicator 13 were targeted this school year with professional learning and coaching. Between February and December 2019, USBE delivered 26 trainings to LEAs on Indicator 13. A total of 240 Special Education teachers and case managers received instruction during the three-hour training in the transition components of the IEP and had opportunities for practice during the training using their own files. Two LEAs requested training on Transition Assessments only (they had previously received the same training as all the other LEAs in a prior year). Coaching beyond the training is offered to each LEA. Two LEAs have requested additional coaching.

LEAs are provided an overall risk score for all pre-identified areas and indicators. The risk score places the LEA in a Program Implementation Monitoring Tier (i.e., Supporting, Guiding, Assisting, Coaching, and Directing) which includes a package of supports and activities based on the level of identified need overall. UPIPS continuous monitoring system reflects Utah’s intent to emphasize a data-driven, systemic approach to compliance as well as improvement outcomes for youth with disabilities. UPIPS implementation has been effective in assisting LEAs in maintaining procedural compliance with federal and state regulations and resulted in increased LEA commitment to the monitoring process.

UPIPS determines the level of comprehensive monitoring based on LEA overall risk. Twenty to twenty-five LEAs are selected each year for comprehensive monitoring. While continuing the monitoring of the Individuals with Disabilities Education Act (IDEA) compliance, UPIPS focuses on a systematic evaluation of the impact of special education services on student achievement. The model has moved from episodic monitoring to an active strategic plan and continuous improvement with the framework of compliance and student results.

In addition to comprehensive monitoring of twenty to twenty-five LEAs, each LEA is visited every other year for file reviews on Indicator 13 and the four largest LEAs are reviewed annually. The impact of consistent file reviews has targeted needs across the state related to Indicator 13. This data has provided insight and supported professional learning and coaching approaches.

USBE SES follows guidance provided in the OSEP 09-02 Memorandum. This includes accounting for all instances of noncompliance, identifying where the noncompliance occurred, the percentage level of noncompliance, determining the root cause of noncompliance, requiring correction of LEA noncompliance in policies, procedures, and practices that contributed to the noncompliance, and determining that the LEA is correctly implementing the specific regulatory requirements of IDEA. A sample of files were reviewed to determine ongoing LEA compliance with specific regulatory requirements of IDEA, each file with noncompliance was also reviewed to ensure correction at the individual student level.

As uncorrected noncompliance is identified, it is reported as a finding. The finding is provided to the LEA as a written notification included that State’s conclusion that the program is noncompliant, the regulation, and a description supporting the conclusion. Written notification is provided within six weeks of the discovery. Findings related to transition are grouped into one finding including all transition related regulations. An LEA may have multiple findings of noncompliance for the same time period if the LEA is noncompliant in more than one legal requirement. Upon written notification of noncompliance, the LEA must correct noncompliance as soon as possible, but in no case later than one year from identification. LEAs must demonstrate that all instances of noncompliance in each individual student file are corrected (Prong 1 of the OSEP 09-02 Memorandum). LEAs are required to write a program improvement plan to address their process for ensuring that the regulatory requirements are being implemented correctly throughout the LEA. LEAs that have findings of noncompliance are required to document additional professional development on regulatory requirements and submit additional monitoring data demonstrating correction of noncompliance in the LEA policies, procedures, and practices (Prong 2 of the OSEP 09-02 Memorandum). LEAs unable to correct compliance within one year receive enforcement actions from USBE SES. Enforcement actions are selected to target the root cause of continuing noncompliance. Most common enforcement actions include required technical assistance, additional professional learning, and delay of the receipt of IDEA funds. Correction occurs when the LEA revises noncompliant policies, procedures, and practices as verified by USBE. USBE notifies the LEA when correction is completed.

Targeted technical assistance will continue in order to achieve the target of 100%. Data indicates Utah continues efforts toward improvement in meeting compliance requirements for Indicator 13. The increased compliance in FFY2018 for Indicator 13 indicates increased efforts by USBE and LEAs across Utah to better understand and implement transition planning for Utah students.

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

If no, please explain

Utah lowered the age for transition planning to 14 in 2016. USBE SES has been working to increase professional understanding and implementation of transition planning since that time. As outlined above, 26 trainings to 240 special education teachers on Indicator 13 were conducted between February and December 2019. All training focused on students 14 and above. USBE SES determined that LEAs should have some time to implement changes as required by state regulatory requirements. In FFY 2019, Utah intends to include data for students 14 and older in the annual performance report.

Provide additional information about this indicator (optional)

As Utah’s annual determination is Needs Assistance, we appreciate the opportunity to receive national technical assistance. Utah received technical assistance from the National Technical Assistance Center on Transition (NTACT) on Indicator 13 during Utah’s Annual Transition Institutes from June Gothberg (2014-2018).

During the 2019 Utah Annual Transition Institute, 239 total participants representing 49 LEAs attended. Nine teams were new LEAs and 40 were returning LEA teams. Presenters covered three blocks of learning in four sessions.

NTACT staff provided support before, during and after the institute to LEA teams. NTACT conducted the pre-institute facilitator and team leader trainings. NTACT has continued to provide support with the continued team leader Virtual Community of Practice Sessions by participating and contributing content. These sessions are held post – institute with a total of four sessions between last year’s Institute and the next year’s Institute. Support is provided to team leaders to implement the plans created by their LEA teams.

The Utah Annual Transition Institute evaluation survey results of the 2019 included the following:

88% of respondents reported an increase in their knowledge in transition overall.

81% of respondents reported an increase in knowledge of strategies to involve students in transition planning.

Team Leaders were offered a financial incentive in 2019 if certain expectations were met in implementing transition plans. Signed agreements were submitted by 32 team leaders, representing 64% of the total teams. A total of 23 LEAs met the requirements and submitted completed plans by the end of the time frame.

Correction of Findings of Noncompliance Identified in FFY 2017

| Findings of Noncompliance Identified | Findings of Noncompliance Verified as Corrected Within One Year | Findings of Noncompliance Subsequently Corrected | Findings Not Yet Verified as Corrected |
|--------------------------------------|---|--|--|
| 6 | 6 | 0 | 0 |

FFY 2017 Findings of Noncompliance Verified as Corrected

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

In FFY 2017, six LEAS were written findings of noncompliance for Indicator 13. USBE SES verified that LEA corrected individual noncompliance in each IEP. Additionally, USBE SES verified LEAs were correctly implementing specific regulatory requirements of 34 CFR §300.320 by reviewing the LEA program improvement plan to address transition policies, procedures, and practices. LEAs provided additional files for review by USBE SES to ensure a systemic implementation of updated policies, procedures, practices and a compliant understanding of regulatory requirements in developing transition plans.

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

In FFY 2017, six LEAS were written findings of noncompliance for Indicator 13. USBE SES verified that LEA corrected individual noncompliance in each IEP. Additionally, USBE SES verified LEAs were correctly implementing specific regulatory requirements of 34 CFR §300.320 by reviewing the LEA program improvement plan to address transition policies, procedures, and practices. LEAs provided additional files for review by USBE SES to ensure a systemic implementation of updated policies, procedures, practices and a compliant understanding of regulatory requirements in developing transition plans.

FFY 2017 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Correction of Findings of Noncompliance Identified Prior to FFY 2017

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

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

Findings of Noncompliance Verified as Corrected

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

XXX

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

XXX

Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

XXX

13 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

13 - OSEP Response

13 - Required Actions

Indicator 14: Post-School Outcomes

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

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

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

Data Source

State selected data source.

Measurement

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

Instructions

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

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

I. Definitions

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

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

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

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

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

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

II. Data Reporting

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

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

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

III. Reporting on the Measures/Indicators

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

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

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

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

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

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

14 - Indicator Data

Historical Data

| | Baseline | FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|----------|-----------|--------|--------|--------|--------|--------|
| A | 2009 | Target >= | 24.50% | 25.25% | 26.00% | 27.50% | 28.25% |
| A | 27.56% | Data | 24.50% | 20.82% | 19.35% | 20.74% | 20.24% |
| B | 2009 | Target >= | 67.67% | 70.67% | 72.67% | 75.67% | 78.67% |
| B | 54.25% | Data | 67.67% | 65.35% | 64.63% | 66.82% | 68.77% |
| C | 2009 | Target >= | 81.83% | 84.83% | 87.83% | 90.83% | 93.83% |
| C | 71.84% | Data | 81.83% | 79.72% | 79.46% | 82.63% | 84.32% |

FFY 2018 Targets

| FFY | 2018 | 2019 |
|-------------|--------|--------|
| Target A >= | 29.00% | 29.75% |
| Target B >= | 81.67% | 85.07% |
| Target C >= | 96.83% | 99.83% |

Targets: Description of Stakeholder Input

XXX

Targets were developed in consultation with the Utah State Board of Education (USBE) Special Education Section (SES) statistician and subsequently reviewed and adopted by USBE SES staff, the Utah Special Education Advisory Panel (USEAP), and LEA Special Education Directors during a Utah State Special Education Administrator Meeting (USEAM) meeting. Data from previous years were analyzed to determine patterns of improvement or slippage over time in each target area. Based on this analysis, the focus for improvement will be in the following priority: decrease in number of youth who are unengaged or under engaged in postsecondary education/training, and employment by increasing the number of youth completing at least one term of postsecondary education and increasing the number of youth meeting all requirements of competitive employment during FFY 2018, in preparation for the APR and the SSIP, requirements, progress, and indicator results continued to be shared with LEA Special Education Directors. This information was also presented at quarterly meetings of the USEAP. Annual Indicator data are widely shared with the public during USBE full Board and committee meetings, via email, and on social media. Utah values stakeholder input and solicits ongoing feedback and review not only for the implementation and evaluation of the SSIP and revision to targets (as needed) in the APR, but also for data analysis and improvement planning across systems. The USBE is utilizing the Collaboration Continuum and Design Thinking as a methodology to increase collaboration across the USBE and public education.

Targets were not amended for FFY 2018 but the statistical analyses for target setting used for the previous five years was extended

FFY 2018 SPP/APR Data

| | |
|--|-------|
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 1,830 |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school | 359 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school | 878 |
| 3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed) | 133 |

| | |
|--|-----|
| 4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). | 174 |
|--|-----|

| | Number of respondent youth | Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|--|----------------------------|--|---------------|-----------------|---------------|---------------------|-------------|
| A. Enrolled in higher education (1) | 359 | 1,830 | 20.24% | 29.00% | 19.62% | Did Not Meet Target | No Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 1,237 | 1,830 | 68.77% | 81.67% | 67.60% | Did Not Meet Target | Slippage |
| C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4) | 1,544 | 1,830 | 84.32% | 96.83% | 84.37% | Did Not Meet Target | No Slippage |

| Part | Reasons for slippage, if applicable |
|------|--|
| A | XXX |
| B | <p>The decrease in higher education enrollment may be due to the rising cost of higher education, as well as a strong Utah job market and low unemployment rate. We have seen an increase in technical college enrollment this year which may be affecting two- and four-year college enrollment rates.</p> <p>The data show there was an increase in enrollment in short term education, training, and apprenticeships. The slippage in Indicator 14B may be due to the factors stated above. The data show that 75% of students surveyed had paid employment for over 90 days compared with 74% in FFY 2017. Sixty percent of students met the criteria for "competitive employment" for FFY 2018. Other students counted in paid employment met the criteria for "some other employment" such as self-employed or family business, which is captured in Indicator 14 c.</p> |
| C | XXX |

Please select the reporting option your State is using:

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

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

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

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

| | |
|-------------------------------------|-----------------|
| | Yes / No |
| If yes, attach a copy of the survey | XXX |

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

See attachment.

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

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

Provide additional information about this indicator (optional)

As Utah's annual determination is Needs Assistance, we appreciate the opportunity to receive national technical assistance (TA). Utah received TA from the National Technical Assistance Center on Transition (NTACT) on Indicators 13 & 14 during Utah's annual Transition Institutes from 2014-2019. There were 57 LEAs who participated in Utah's Transition Institute in 2018 and 42 LEAs who participated in 2019. Utah is also participating in quarterly NTACT Rural states webinar trainings. The USBE SES Transition Specialist is receiving ongoing technical assistance from June Gothberg, Paula Kohler, Jennifer Coyle, and Jacqueline Hyatt at NTACT. The USBE SES Transition Specialist attended the NTACT Capacity Building Institutes in 2015-2019, including attendance at the Division on Career Development and Transition (DCDT) of the Council for Exceptional Children mid-year cadre meetings with NTACT. Utah is receiving ongoing Indicator 14 TA from Mary Kampa, the Transition Improvement Grant Post School Outcomes Coordinator and Utah's post school outcomes survey contractor. Utah has increased its survey response rate from 29% in 2017 to 39% in 2019 by providing targeted training and coaching to LEAs regarding Indicator 14.

14 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

14 - OSEP Response

14 - Required Actions

Indicator 15: Resolution Sessions

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

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

15 - Indicator Data

Select yes to use target ranges

Target Range not used

Prepopulated Data

| Source | Date | Description | Data |
|---|------------|--|------|
| SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/11/2019 | 3.1 Number of resolution sessions | 8 |
| SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/11/2019 | 3.1(a) Number resolution sessions resolved through settlement agreements | 4 |

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

YES

Provide an explanation below.

The number of resolution sessions is nine (not eight). It was our original understanding that the resolution session took place in July 2019; however, upon further investigation after the reporting period had closed, we learned it had taken place several days prior to the June 30, 2019 deadline and, therefore, should have been reported in the EMAPS survey for this Indicator.

Targets: Description of Stakeholder Input

XXX

During FFY 2018, in preparation for the APR and the State Systemic Improvement Plan (SSIP) report submissions, the Utah State Board of Education Special Education Section (USBE SES) staff shared data and target information with myriad stakeholder groups:

- * LEA Special Education Directors
- * Utah Special Education Advisory Panel members
- * USBE Committees
- * Utah Legislative Committees
- * Utah Parent Center staff
- * LEA Curriculum and Assessment Directors
- * LEA Preschool Coordinators
- * LEA administrators (including Superintendents, Charter School Directors, and building administrators,)
- * Staff from relevant special education, school psychology, and speech pathology programs at Utah Institutes of Higher Education
- * Baby Watch/Early Intervention (Utah's Part C agency)
- * Agencies that provide services to students with disabilities (such as Vocational Rehabilitation, Juvenile Justice Services, the Division of Child and Family Services, the Department of Health, etc.)
- * Utah Educators

Further, APR information is widely share with the public during USBE meetings, newsletter emails, and on social media. Utah values stakeholder engagement and input and solicit ongoing feedback and review not only for the implementation and evaluation of the APR and the SSIP but also the data analysis and improvement planning across special education programs, USBE Strategic Plan improvement initiatives and the entire USBE system. The USBE is utilizing the Collaboration Continuum as well as Design Thinking as strategies to increase collaboration across the USBE and public education.

Historical Data

| | | | | | |
|-----------------|-------------|-------------|-------------|-------------|-------------|
| Baseline | 2005 | 100.00% | | | |
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target >= | | | | | |
| Data | | 0.00% | 100.00% | 0.00% | 66.67% |

Targets

| | | |
|------------|-------------|-------------|
| FFY | 2018 | 2019 |
| Target >= | 0.00% | 40.00% |

FFY 2018 SPP/APR Data

| 3.1(a) Number resolutions sessions resolved through settlement agreements | 3.1 Number of resolutions sessions | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|------------------------------------|---------------|-----------------|---------------|------------|-------------|
| 4 | 9 | 66.67% | 0.00% | 44.44% | Met Target | No Slippage |

Targets

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

FFY 2018 SPP/APR Data

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

Provide reasons for slippage, if applicable

XXX

Provide additional information about this indicator (optional)

In August 2018, the USBE hosted a free annual law conference that almost 1,000 Utah educators and administrators attended to receive up-to-date information on IDEA requirements, including information related to dispute resolution, family engagement, and compliant practices. The USBE also provides ongoing information regarding current trends in dispute resolution data as well as technical assistance (TA) to address recurring issues/noncompliance at quarterly meetings with state special education directors. Through a partnership with Utah's Parent Training and Information Center, the Utah Parent Center (UPC), families can access Parent Consultants who can assist in resolving disputes with LEAs in an informal way through communication, IEP meeting preparation and attendance, etc.

15 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

15 - OSEP Response

15 - Required Actions

Indicator 16: Mediation

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Data Source

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

Measurement

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

Instructions

Sampling is not allowed.

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

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

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

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

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

16 - Indicator Data

Select yes to use target ranges

Target Range not used

Prepopulated Data

| Source | Date | Description | Data |
|---|------------|---|------|
| SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/11/2019 | 2.1 Mediations held | 16 |
| SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/11/2019 | 2.1.a.i Mediations agreements related to due process complaints | 2 |
| SY 2018-19 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/11/2019 | 2.1.b.i Mediations agreements not related to due process complaints | 9 |

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

NO

Provide an explanation below

Targets: Description of Stakeholder Input

XXX

During FFY 2018, in preparation for the APR and the State Systemic Improvement Plan (SSIP) report submissions, the Utah State Board of Education Special Education Section (USBE SES) staff shared data and target information with myriad stakeholder groups:

- * LEA Special Education Directors
- * Utah Special Education Advisory Panel members
- * USBE committees
- * Utah Legislative Committees
- * Utah Parent Center staff
- * LEA Curriculum and Assessment Directors
- * LEA Preschool Coordinators
- * LEA administrators (including Superintendents, Charter School Directors, and building administrators,)
- * Staff from relevant special education, school psychology, and speech pathology programs at Utah Institutes of Higher Education
- * Baby Watch/Early Intervention (Utah's Part C agency)
- * Agencies that provide services to students with disabilities (such as Vocational Rehabilitation, Juvenile Justice Services, the Division of Child and Family Services, the Department of Health, etc.)
- * Utah Educators

Further, APR information is widely share with the public during USBE meetings, newsletter emails and on social media. Utah values stakeholder engagement and input and solicit ongoing feedback and review not only for the implementation and evaluation of the APR and the SSIP but also the data analysis and improvement planning across special education programs, USBE Strategic Plan improvement initiatives and the entire USBE system. The USBE is utilizing the Collaboration Continuum as well as Design Thinking as strategies to increase collaboration across the USBE and public education.

Historical Data

| | | | | | |
|-----------------|-------------|-------------|-------------|-------------|-------------|
| Baseline | 2005 | 87.50% | | | |
| FFY | 2013 | 2014 | 2015 | 2016 | 2017 |
| Target >= | | | | 90.00% | 90.00% |
| Data | 100.00% | 100.00% | 87.50% | 100.00% | 90.00% |

Targets

| | | |
|------------|-------------|-------------|
| FFY | 2018 | 2019 |
| Target >= | 90.00% | 60.00% |

FFY 2018 SPP/APR Data

| 2.1.a.i Mediation agreements related to due process complaints | 2.1.b.i Mediation agreements not related to due process complaints | 2.1 Number of mediations held | FFY 2017 Data | FFY 2018 Target | FFY 2018 Data | Status | Slippage |
|---|---|--|------------------|-----------------|---------------|------------------------|----------|
| 2 | 9 | 16 | 90.00% | 90.00% | 68.75% | Did Not Meet Target | Slippage |

Targets

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

FFY 2018 SPP/APR Data

| 2.1.a.i Mediation agreements related to due process complaints | 2.1.b.i Mediation agreements not related to due process complaints | 2.1 Number of mediations held | FFY 2017 Data | FFY 2018 Target (low) | FFY 2018 Target (high) | FFY 2018 Data | Status | Slippage |
|--|--|--|------------------|--------------------------|---------------------------|------------------|--------|----------|
| XXX | XXX | XXX | XXX | XXX | XXX | XXX | XXX | XXX |

Provide reasons for slippage, if applicable

The Utah State Board of Education's (USBE's) rate of mediation agreements decreased from 90.00% in FFY 2017 to 68.75% in FFY 2018, which demonstrates slippage. However, the USBE thinks the decrease is less related to actual slippage than to the setting of an overly ambitious target for FFY 2018.

Historically speaking, the USBE was not required to set a target for Indicator 16 until FFY 2016, which it set at 90%. During state fiscal year (SFY) 2017, the USBE held ten mediation sessions, all ten of which resulted in mediation agreements. In SFY 2018, the USBE again held ten mediation sessions, nine of which resulted in mediation. In SFY 2019, the USBE held 16 mediation sessions, eleven of which resulted in mediation agreements; this data for FFY 2018 reflects a 68.75% measurement. Turning to SFY 2020, as of January 14, 2020, the USBE has held three mediation sessions, two of which resulted in mediation agreements. Taking this data to its logical conclusion, the only way in which the USBE can meet its current target of 90% is if the USBE holds seven additional mediation sessions that all result in a mediation agreement.

The USBE has a very low mediation rate and has averaged fewer than eight mediation sessions per year over the past five years. In fact, in SFY 2018, Utah had the second lowest Total Dispute Resolution by State per 10,000 Children. Due to our low mediation request rate, the practical result of a 90% target is that, on average, essentially every mediation would have to result in a mediation agreement for the USBE to meet this goal.

To set an appropriate target, the USBE surveyed Indicator 16 targets and data for all 50 states and outlying territories. The survey revealed that the USBE's FFY 2018 target of 90% for Indicator 16 is tied for the third highest in the nation. The USBE reviewed the ten states with the lowest Total Dispute Resolution by State per 10,000 children. A review of this data in conjunction with the USBE's mediation figures tend to show 60% is a more appropriate and realistically ambitious target for FFY 2019. Where factors are in the USBE's control (e.g., the retention and training of skilled, knowledgeable mediators, timely responses to requests for mediation, establishing communication among the parties, etc.), the USBE meets the high standards that it sets for itself. However, while the USBE strives to have every mediation result in a mediation agreement, there are many factors in any given mediation session that are outside of the USBE's control. Reconsidering and re-configuring this target puts the USBE in a more realistic framework to measure its successes and opportunities for improvement.

Therefore, the USBE is requesting to set an updated FFY 2019 target of 60% for its Part B SPP/APR Indicator 16.

Provide additional information about this indicator (optional)

In August 2018, the USBE hosted a free annual law conference that almost 1,000 Utah educators and administrators attended to receive up-to-date information on IDEA requirements, including information related to dispute resolution, family engagement, and compliant practices. The USBE also provides ongoing information regarding current trends in dispute resolution data as well as technical assistance (TA) to address recurring issues/noncompliance at quarterly meetings with state special education directors. Through a partnership with Utah's Parent Training and Information Center, the Utah Parent Center (UPC), families can access Parent Consultants who can assist in resolving disputes with LEAs in an informal way through communication, IEP meeting preparation and attendance, etc.

16 - Prior FFY Required Actions

None

Response to actions required in FFY 2017 SPP/APR

16 - OSEP Response

16 - Required Actions

Certification

Instructions

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

Certify

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

Select the certifier's role:

Designated by the Chief State School Officer to certify

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

Name:

Leah Voorhies

Title:

Assistant Superintendent of Student Support (State Director of Special Education)

Email:

leah.voorhies@schools.utah.gov

Phone:

8015387898

Submitted on:

02/03/20 2:54:52 PM