Kentucky's IDEA General Supervision System

What You Need to Know, but Have Been Afraid to Ask!

9/4/2019

Session Objectives

By the end of this session, participants will understand:

➢ **What General Supervision is and why it is necessary**

➢ **Methods KDE uses to provide General Supervision**

➢ **Overview of monitoring processes from the past through today**

Why does KDE have to provide General Supervision to districts?

The IDEA states at [20 USC 1416 (a)(2)](#) the primary focus of federal and state monitoring activities shall be on:

- ➢ Improving educational results and functional outcomes for all children with disabilities; and,

- ➢ Ensuring States meet the **program requirements** under this part, with particular emphasis on those requirements that are *most closely related to improving educational results for children with disabilities.*

IDEA General Supervision
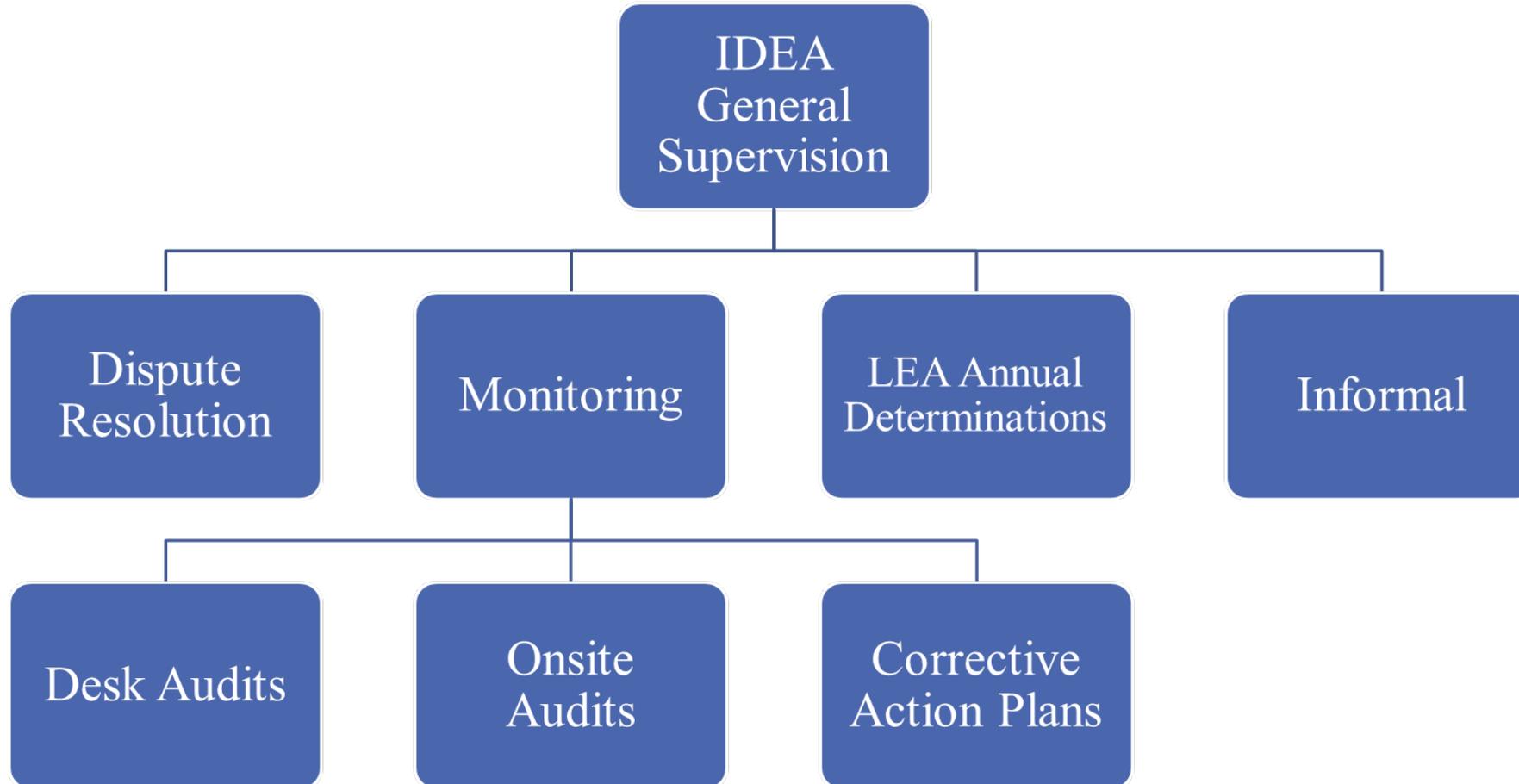
What elements are included in the KDE's system for General Supervision?

▶ Training and technical assistance

▶ Dispute Resolution (formal complaints, mediation, due process hearings)

▶ State Performance Plan (SPP) desk audits

▶ Annual Performance Report (APR) and Public Reporting

What elements are included in the KDE's system for General Supervision?

- LEA Annual Determinations
- Data collection and reporting
- IDEA finance audits
- **Onsite and offsite monitoring**
- **Focused monitoring**

All of these "puzzle pieces" fit together to provide an overall process for General Supervision

History of monitoring

Question: Does the "old" system of compliance monitoring matter?

Answer: Yes, it does. Understanding the changes in the Office of Special Education Programs' (OSEP) and the KDE's monitoring systems is important to the KDE in making present and future decisions.

History of monitoring

▶ During the 1990's the KDE used a strict compliance model with 272 data points reviewed for each district visited.

▶ Until the early 2000s OSEP oversaw states' IDEA compliance by conducting periodic onsite visits.

▶ In 2004, the KDE developed a parallel process for monitoring districts.

History of Monitoring

- All districts were monitored on a five-year cycle with 20% of the districts in each phase of the cycle.

  - First year - "self-study" year to prepare for the visit (facilitated by eight regional exceptional children consultants)

  - Second year – Onsite visit, report, develop corrective action Plan (CAP)

  - Third year – Implement and close CAP

  - Fourth year – "Whew, glad this is all over…"

  - Fifth year – Start over (next self-study)

History of Monitoring

▶ **In its early efforts of school district oversight, Kentucky did not:**

- **Distinguish between major and minor violations of the law**

- **Look at student outcomes**

The Old System

- Was time consuming

- Was costly

- Did not lead to better outcomes

Time for Change

- The U.S. Department of Education (USED) received criticism from Congress about IDEA monitoring during the late 1990's.

- The main criticism was students with IEPs had not improved their performance during 25 plus years under the IDEA.

Transition to a New System

▶ In the early 2000s OSEP developed a self-assessment document each state was required to complete. This was based on areas OSEP believed were most important in achieving outcomes for students with IEPs.

▶ When the IDEA was reauthorized in 2004 the SPP became the method by which OSEP primarily monitors states.

Results Driven Accountability (RDA)

▶ **OSEP will target its work and investments to best support States in improving results for infants, toddlers, children and youth with disabilities.**

SPP Indicators

▸ **Indicator 1 – Graduation rate**

▸ **Indicator 2 – Drop-out rate**

▸ **Indicator 3 – Proficiency in reading and math**

- **3B – Inclusion of students with IEP in statewide testing (95%)**

- **3C – Proficiency for students with IEPs**

SPP Indicators

▸ **Indicator 4 – Significant discrepancy in suspension/expulsion of out-of-school removals greater than 10 days**

- **4A – Significant discrepancy in suspension/ of students with IEPs for more than 10 days**

- **4B – Significant discrepancy in suspension/expulsion of students with IEPs by race/ethnicity due to policies, procedures or practices that violate the IDEA (100%)**

SPP Indicators

▶ **Indicator 5 – Least Restrictive Environment (ages 3-5)**

▶ **Indicator 6 – Least Restrictive Environment (ages 6-21)**

▶ **Indicator 7 – Preschool student outcomes**

▶ **Indicator 8 – Parent Involvement**

SPP Indicators

▶ **Indicator 9 – Disproportionate representation in special education of students by racial/ethnic groups (100%)**

▶ **Indicator 10 – Disproportionate representation in certain categories of disabilities by racial/ethnic groups (100%)**
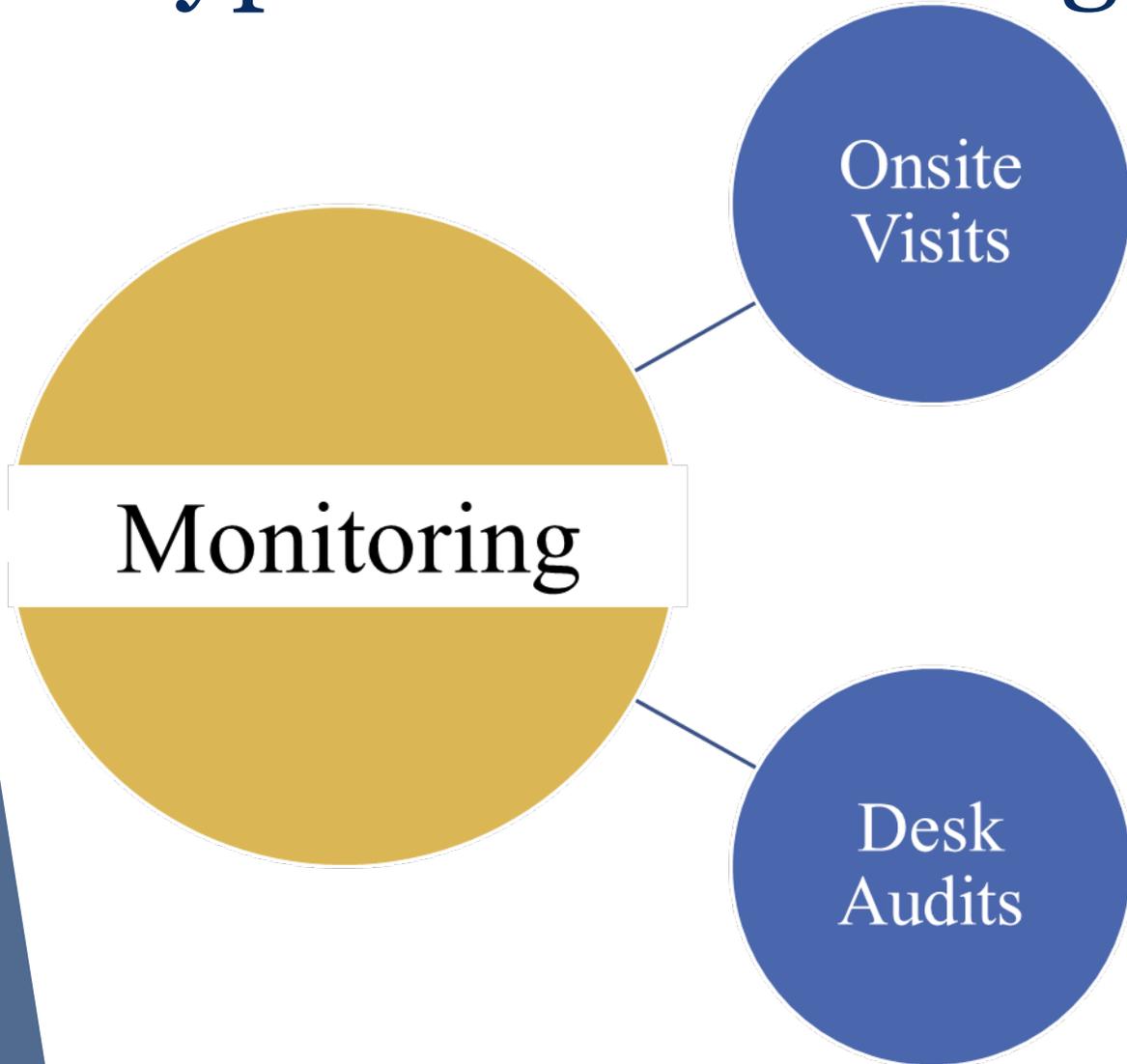
▶ **Indicator 11 – Timely initial evaluation (100%)**

SPP Indicators

- **Indicator 12 – Timely transition from the Part C program (First Steps) to preschool (100%)**

- **Indicator 13 - Secondary transition (100%)**

- Indicator 14 – Post-school outcomes

Types of Monitoring

Onsite Visits

- Consolidated
- Special
- Corrections
- Management

Monitoring

Desk Audits

- Indicator 4
- Indicator 9
- Indicator 10
- Indicator 11
- Indicator 13
- Participation Guidelines

SPP Data Collection and Verification for Compliance Indicators

▸ **A more complex desk audit process is used for Indicators 4B, 9 and 10.**

- Using Section 618 data, the OSEEL data manager uses formulas to calculate discrepancies in discipline data and identification rates for students by racial/ethnicity groups.

- Desk audits are conducted for districts that were determined to have discrepancies by race/ethnicity in disciplinary removals or identification rates in special education or by categorial area(s).

SPP Data Collection and Verification for Outcome Indicators

- States collect and compile Section 618 data from local school districts.

- States use Section 618 data to set baseline and project annual targets.

- OSEP populates the APR with each state's Section 618 data.

- States then examine their APR data to determine if they have met each target.

SPP Data Collection and Verification for Outcome Indicators

▸ In Kentucky the **OSEEL** data manager reviews district submissions of Section 618 data.

▸ If errors or inconsistencies are noted, the data manager contacts the district to verify and ensure errors are corrected.

SPP Data Collection and Verification for Outcome Indicators

▶ **Section 618 data used as the data sources for the SPP outcome indicators are:**

- Child Count
- Educational Environments
- Exiting
- Discipline
- Assessment

Data Sources for the KDE's SPP Indicators

- **OSEEL**
  - Graduation and dropout rates *(Indicators 1 and 2)*
  - Suspensions of more than 10 days/expulsions *(Indicator 4A)*
  - Least restrictive environment (LRE) for elementary and secondary students *(Indicator 5)*
  - LRE for preschool students *(Indicator 6)*
- **Office of Assessment and Accountability**
  - District proficiency rates for students with IEPs *(Indicator 3C)*
- **Human Development Institute (HDI) at the University of Kentucky**
  - Preschool outcome data *(Indicator 7)*
  - Parent involvement survey data *(Indicator 8)*
  - Post-school outcome data *(Indicator 14)*

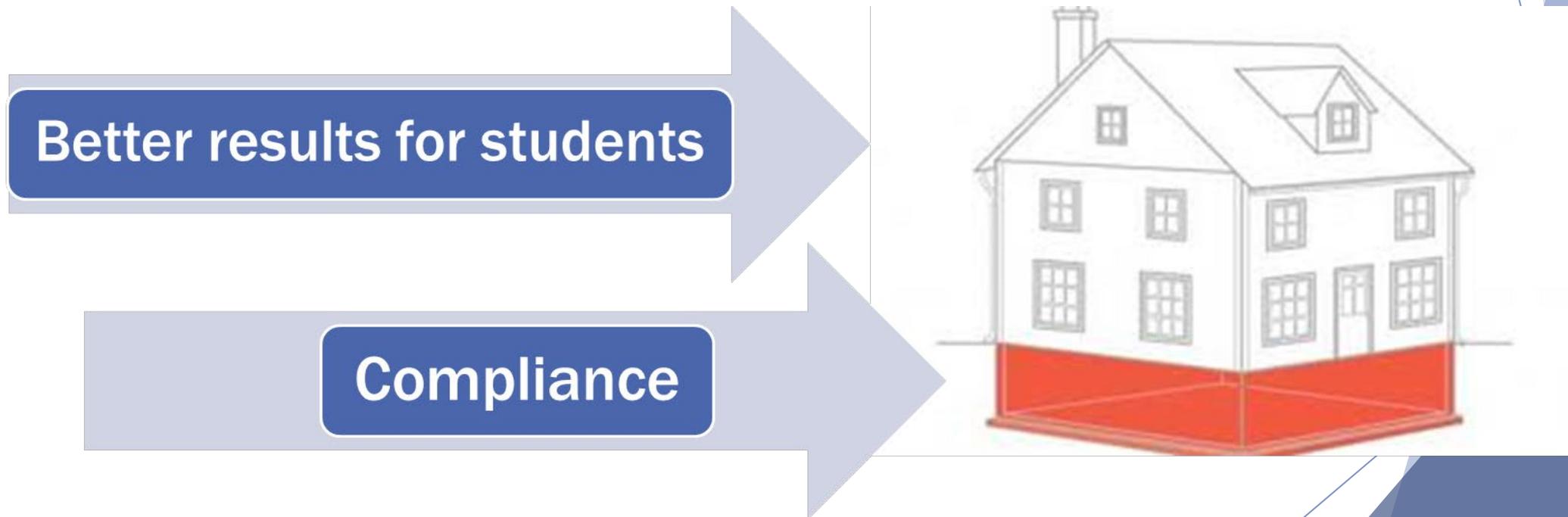# Monitoring for Results

- As OSEP's monitoring practices have changed over the years since the last IDEA reauthorization in 2004, the KDE has likewise implemented corresponding changes to be aligned with OSEP practices.

- Currently, the Division of IDEA Monitoring and Results (DIMR) is utilizing a monitoring system to determine compliance by school districts using methods to support the goal of improving educational results and functional outcomes for all students with IEPs.

We can liken monitoring for compliance only versus student outcomes to building a house representing student results.

Compliance is the basic floor or foundation necessary to lead to better results for students.

Better results for students

Compliance

Monitoring for Results

▸ **Focused monitoring versus monitoring for Compliance**

"If everything is important, nothing is important".

— Sammie Lambert

Other Things You Need to Know

▶ **Focused monitoring helped resolve the issues KDE had with limited staff and resources.**

▶ **KDE continues to look for ways to improve monitoring and also increase results for students with disabilities**

▶ **The "Rethink Special Education" Initiative through USED will likely spark changes in special education monitoring as the initiative unfolds.**

Other Things You Need to Know

▶ The process for 2019-20 State Consolidated Monitoring (SCM) is underway

▶ **When districts are selected, superintendents will be notified.**

▶ **DIMR will provide follow up and additional information pertaining to IDEA monitoring soon after.**

▶ **A session on CAP development and management follows later today.**

Questions?

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