

LEA Special Education Determination (LSED)

The U.S. Department of Education Office of Special Education Programs (OSEP) requires states to make annual determinations on the performance of each Local Education Agency (LEA) in implementing the requirements and purposes of IDEA – Part B, regarding the provision of special education and related services.

Determinations are a way of designating the status of LEAs into one of four categories as outlined in [34 CFR §300.603](#). These categories are:

Meets Requirements (MR) Needs Assistance (NA) Needs Intervention (NI) Needs Substantial Intervention (NSI)

Special education determinations are based upon the most recent data filed with the Office of Special Education Programs (OSEP) for Vermont’s State Performance Plan/Annual Performance Report (SPP/APR). States must use the indicator targets established in the State Performance Plan (SPP) under [34 CFR §300.601](#) and the priority areas described in [34 CFR §300.600\(d\)](#) to analyze the performance of each LEA. Following OSEP’s lead, Vermont is implementing an accountability system under the IDEA known as Results Driven Accountability (RDA), which shifts efforts for accountability from a primary emphasis on compliance to a framework that focuses on improved results for students with disabilities, while continuing to ensure compliance with the requirements found in IDEA.

Calculating Determinations

In making determinations, Vermont’s system incorporates factors for compliance and results indicators as reported to OSEP in the SPP/APR. The focus areas for LEA Special Education Determinations are influenced by the focus areas in OSEP’s State Determination for the same timeframe and are derived using similar criteria to that which OSEP uses for State determinations. Calculations are based on individual LEA performance toward achieving state targets and are aligned with local annual performance reports for the same time period.

The Part B compliance indicators measure LEA performance related to suspension and expulsion, disproportionate representation, child find activities, and transitions of students with disabilities (both C to B and post-secondary transitions). Compliance indicators (4, 9/10, 11, 12, 13) will only receive points for *meets target* or *did not meet target*. The Part B results indicators measure LEA performance on APR indicators related to graduation rate, performance and participation on statewide assessments including the alternate assessment (grades 3-9), educational environment for both school age and preschool students (ages 3-21), and preschool outcomes (ages 3-5). Results areas may be awarded partial points for making progress toward state targets. In addition, determinations may also be made in general supervision performance measures related to compliance on annual date reviews for IEPs and triennial evaluations, timely and accurate data reporting, fiscal/grantee pre-award risk rating, dispute resolutions, and timely resolution on findings of noncompliance.

Technical Assistance, Improvement, Correction, Incentives and Sanctions

In addition, [34 CFR §300.604](#) outlines enforcement actions related to the above categories and the State Education Agency (SEA or AOE) will use these enforcement activities when developing differentiated monitoring and supports for LEAs based upon their determination category. IDEA identifies specific technical assistance or enforcement actions that must occur under specific circumstances when LEAs are not determined to “meet requirements”. If the LEA “needs assistance” for two consecutive years, the State must take one or more enforcement actions, including, among others, requiring the LEA to access technical assistance, designating the LEA as a high-risk grantee, or directing the use of LEA funds to the area(s) where the LEA

needs assistance. If the LEA “needs intervention” for three consecutive years, the State must take one or more enforcement actions, including among others, requiring a corrective action plan or compliance agreement, or withholding further payments to the LEA. Any time the LEA “needs substantial intervention” the State must take immediate enforcement action, such as withholding funds or referring the matter to the State’s legal team for appropriate enforcement.

For additional information on Vermont’s General Supervision and Monitoring System, please visit our [website](#).

The following is a list of each LEA’s performance in meeting the requirements of IDEA Part B which serves students with disabilities, ages 3 through 21. Determinations are based on data collected for SY2019-2020.

Meets Requirements

Addison Northwest SD	Franklin West SU	Orleans Southwest SU
Caledonia Central SU	Grand Isle SU	SAU 70-Norwich/Hanover SU
Champlain Valley SD	Greater Rutland County SU	St Johnsbury SD
Chittenden East / MT.	Harwood Unified Union SD	Washington Central SU
Mansfield SU	Lamoille North SU	Windsor Central SU
Colchester SD	Lamoille South UUSD	Winooski SD
Essex North SU	Maple Run SD	
Essex-Westford UUSD	Mill River Unified Union SD	
Franklin Northwest/	Montpelier Roxbury SD	
Missisquoi SU	Orange East SU	

Needs Assistance

Addison Central SD	Franklin NE SU	Rutland NE SU
Addison Rutland / Slate Valley SU	Hartford SD	South Burlington SD
Barre USD	Kingdom East SD	Southwest Vermont SU
Battenkill Valley SU	Milton SD	Two Rivers SU
Bennington Rutland SU	Mt Abraham USD	White River Valley SU
Burlington SD	Orange Southwest SU	Windham Central SU
Central Vermont SU	Orleans Central SU	Windham NESU
	Rivendell Interstate SD	Windham SESU

Needs Intervention

North Country SU	Springfield SD	Windsor SE SU
Rutland City SD	Windham Southwest SU	

Needs Substantial Intervention

None

Contact Information: If you have questions about this document or would like additional information, please contact: General Supervision and Monitoring, Student Support Services Division at AOE.SpecialEdMonitoringGroup@vermont.gov.