

## **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 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, in FFY2020 Vermont’s system incorporates factors for compliance indicators as reported to OSEP in the SPP/APR. Additionally, other compliance measures including general supervision requirements were included, as well as Indicator 17 for voluntary participation in the State Systemic Improvement Plan. 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. Vermont’s FFY2020 criteria for LEA determinations are outlined:

<b>Determination</b>	<b>Meets Requirements</b>	<b>Needs Assistance</b>	<b>Needs Intervention</b>	<b>Needs Substantial Intervention</b>
Vermont’s criteria for LEA determinations	≥80%	60-79%	40-59%	<40%

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:

### **Contact Information:**

If you have questions about this document or would like additional information please contact:

The [Special Education Monitoring Team](#).

- Graduation rate
- Dropout rate
- Performance and participation on statewide assessments including the alternate assessment (grades 3-9)
- Gap in proficiency rates for children with IEPs
- All students against grade-level academic achievement standards (grades 3-9)
- Respective educational environments for both school age and preschool students (ages 3-21)
- Preschool outcomes (ages 3-5)
- Parent involvement
- Post-school outcomes

In FFY2020, Part B results indicators are reported, however, not factored into calculations for determinations. Bonus points will be awarded for participation in the Statewide Systemic Improvement Plan (SSIP). 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.

Areas listed as NA indicate data not available and might occur because:

- The LEA does not have data generated for this indicator;
- LEA was not in that year's monitoring cycle; and
- The LEA number of students for this indicator is fewer than Vermont's minimum n-size.
- For FFY2020 (SY2020-2021), performance indicators are listed as NA (see description below).

Beginning with FFY2018 (SY2018-2019), both compliance and results indicators were given equal weight in making the LEA Special Education Determination. Beginning with FFY2019 (SY2019-2020), determinations also included accountability for general supervision requirements. For FFY2020 (SY2020-2021), the Vermont Agency of Education made simplified determinations for LSEDs, using only compliance measures over the more robust set (compliance and performance) used in the recent past.

### **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 or Agency of Education (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 AOE 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 AOE 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 AOE 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 Central SU	Hartford SD	SAU 70
Addison Northwest SU	Harwood Unified Union SD	Slate Valley Unified Union SD
Barre SU	Lamoille North SU	South Burlington SD
Bennington Rutland SU	Lamoille South SU	St Johnsbury SD
Burlington SD	Mill River Unified Union SD	Washington Central SU
Caledonia Central SU	Milton SD	Windham Northeast SU
Champlain Valley SD	Mt. Mansfield UUSD	Windham Southeast SU
Essex North SU	North Country SU	Windsor Central SU
Franklin Northeast SU	Rivendell Interstate SD	
Franklin West SU	Rutland City SD	
Greater Rutland County SU	Rutland Northeast SU	

**Needs Assistance**

Battenkill Valley SU	Montpelier Roxbury SD	Southwest Vermont SU
Central Vermont SU	Mt Abraham Unified SD	Two Rivers SU
Essex-Westford SD	Orange East SU	Windham Central SU
Kingdom East SD	Orange Southwest SU	Windham Southwest SU
Maple Run SD	Orleans Central SU	Windsor Southeast SU
Missisquoi Valley SD	Orleans Southwest SU	Winooski SD

**Needs Intervention**

Colchester SD  
Grand Isle SU  
White River Valley SU  
Springfield SD

**Needs Substantial Intervention**

None