

# **STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B**

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

**For reporting on  
FFY 2021**

**Vermont**



**PART B DUE February 1, 2023**

**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

The Secretary and the Deputy Secretary for the Vermont Agency of Education (VT AOE) provide direction to the Student Support Services Division which is composed of the Special Education, Vermont Multi-Tiered System of Support (VTmtss), and Early Education Teams. These teams work in collaboration to provide leadership, oversight, technical assistance, and support for building capacity at the Local Education Agency (LEA) level to meet state and federal requirements for special education, and assessment, and providing direct support services for students PreK-12 in Vermont schools.

The VT AOE Special Education Team is generally comprised of a State Director, an Assistant State Director, six program staff, a part-time phone support provider, a Monitoring Program Manager and one compliance monitor, who provide the field with technical assistance, professional development, compliance oversight, and continuous improvement support. The Special Education Monitoring staff reviews ongoing regulatory compliance submissions and addresses noncompliance with the field utilizing integrated monitoring activities. Issues, concerns, and findings are shared with the Special Education Programming staff, who identify and design universal, targeted, and intensive technical assistance (TA) in response to statewide LEA needs. During the writing of the FFY21 SPPAPR, the Special Education State Director position is vacant, responsibilities have been assumed by the director of the Student Services Division and the Interim State Director. The VT AOE Special Education team is filling open positions including a program staff member with a focus on assessment.

The entire Special Education Team (Team) meets weekly to share information and engage in problems of practice related to supporting LEAs, parents/families, and other community partners and organizations. The Team also reviews patterns and trends across multiple data sources, to drive priority setting, and spotlight current and anticipated concerns within the field during quarterly Data Retreats. In addition to the weekly meetings, the Team meets monthly with representatives from other teams/divisions at VT AOE including Data, Fiscal, Early Learning, Assessment, and the Interagency Coordinator (responsible for residential/independent school placement concerns for students with disabilities). These meetings follow the same format as the weekly Team meetings and include topics that span multiple divisions with these cross-team discussions leading to collaborative solutions and action items.

The Special Education Team is also actively engaged in collaboration in agency-wide programmatic activities such as reviewing data related to Vermont's Every Student Succeeds Act (ESSA) State Plan, participating in school and LEA-level continuous improvement conversations, serving on internal teams that coordinate responses to state law and policy, advising on independent school rate setting and multi-tiered system of supports, as well as spearheading technical assistance and supports related to IDEA B requirements. Members of the Special Education Team also engage and collaborate regularly with statewide agencies and have an active voice on the Interagency Core Team (i.e., VT AOE, Dept. of Labor, Division of Vocational Rehabilitation, Developmental Services), State Rehabilitation Council, Vermont Special Education Advisory Panel, State Advisory Council on Literacy, and Vermont Interagency Coordinating Council among others.

#### ACT 173

Vermont's Act 173 was passed during FFY2017 and shifted education funding from a reimbursement model to a census-based model. As a result of Act 173, and under the direction of the VT AOE Secretary, the Special Education Team serves in a leadership capacity with other VT AOE Divisions in developing guidance and resources supporting Educational Support Teams (EST), local comprehensive assessment systems (LCAS), coordinated curriculum (CC), needs-based professional learning (NBPL) systems, and an Act 173 Evaluation Plan. Although the work of Act 173 was complicated somewhat in light of the pandemic, its influence on IDEA B program work has been substantial and has led to a deeper review of current statewide LEA practices, and new applications of APR data to inform local systems improvement work. It is important to note that as a result of Vermont's State Board of Education Special Education Rules being opened to prepare for a change to the funding model, and in response to public comment, several programmatic rules changed, as of May 13, 2021. These program rule changes consist of: removing the discrepancy model for SLD determinations, removing restrictive criteria for determining adverse effect, adding a definition of functional skills as a basic skill areas, ensuring pertinent data are used for developing IEP goals, including a Parent Input section in IEP documents, aligning Vermont's definition of special education services to the federal definition, clarifying requirements for Early Childhood Special Education LRE, and aligning Early Childhood Special Education IEP components to early childhood outcomes. Several of these rule changes went into effect July 1, 2022, while the implementation of the adverse effect, specific learning disability, and functional skills changes were delayed by the legislature until July 1, 2023. The VT AOE Special Education Team continues to identify Act 173 implementation support to be a top priority for this calendar year, and produces webinars, resources, live office hours, and individual support to LEAs.

#### SPP/APR Approach

The State Director has reached out to OSEP-funded National TA providers to inform and support these efforts. The VT AOE continues to develop its new approach (effective FFY18) to our SPP/APR coordination and reporting. All members of the Special Education Team are involved in SPP/APR data analysis and report writing, under the joint leadership of the State Director, Assistant Director, and the IDEA Part B Data Manager. Weekly meetings occur with the SPP/APR Coordinator, indicator stewards, and Data Team to review improvement activities and data to help determine the efficacy of our programmatic work.

#### Rule Changes

In order to support the implementation of Act 173, and in particular, the special education rule changes scheduled to take effect in July of 2022 and 2023, the Agency of Education and Student Supports Division offer a series of supports. The rule changes website includes webinars, guidance documents, and tools detailing expectations and impacts for education in Vermont, which can be found at <https://education.vermont.gov/student-support/vermont-special-education/rule-changes>

In Vermont, the ongoing effects of the pandemic continue to prove challenging and novel, presenting a myriad of opportunities to engage in problem-

solving and resource-sharing with schools statewide. The pandemic also spotlighted our critical school staffing shortage areas, and VT AOE has responded with rigorous efforts to address the recruitment and retention of teachers. Those efforts include the development of additional pathways to attain provisional special education certification, and the development and early implementation of a mentoring model to address the needs of new special education teachers.

VT AOE maintains a website dedicated to special education services which can be found at <https://education.vermont.gov/student-support/vermont-special-education>

#### **Additional information related to data collection and reporting**

As part of a comprehensive and robust General Supervision System, our data inform the work of the VT AOE Special Education Team. The data contained in this SPP/APR were obtained through the following collection methods:

Note that some indicators utilize data from more than one source and are listed multiple times.

#### **Formal Data Collections:**

- DC#06/Fall Student Census (Indicators 9, and 10)
- DC#04/End of Year Census (Indicator 4. Some indicator 3 inputs.)
- Child Count (Indicators 1, 2, 5, 6, 7, 8, 9, 10, and 14. Some indicator 3 inputs.)
- Child Count Exiting (Indicators 1, 2, 7, and 14)

#### **Surveys:**

- Parent Involvement Survey (Indicator 8)
- Post-Secondary Outcomes Survey (Indicator 14)

#### **Other Data Sources:**

- Monitoring Cycle (Indicators 11, 12, 13)
- Assessment Extracts (Indicator 3)
- Dispute Records (Indicators 15, 16)
- Fidelity of teaching mathematics practices (indicator 17)
- Mathematics instruction Professional development feedback (indicator 17)
- Coaching impact for participating LEAs (indicator 17)

There continues to be collaborative and interactive meetings among the VT AOE Special Education Team and members of Data, Finance, and other VT AOE areas to understand data sources, and analyze patterns and trends to determine unmet needs, targeted technical assistance, need for policy and/or guidance, and improvement activities at the VT AOE and LEA levels. Examples of this work include the Data Quarterly meetings, the SPP/APR Weekly Work Sessions, Bi-Weekly Data Work Group, and the OSEP State Determination Task Force.

#### **Number of Districts in your State/Territory during reporting year**

52

#### **General Supervision System:**

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

Vermont Agency of Education's (VT AOE) revised General Supervision System reflects the commitment to providing leadership and oversight, to ensure all students have equitable access to educational opportunities. This system frames compliance and improvement conversations with LEAs, with the goal of ensuring that each and every student is receiving a free and appropriate public education. The purpose of our general supervision system is to ensure LEAs appropriately implement the IDEA and Vermont Special Education Rules and improve outcomes for students with disabilities.

Our system comprises eight components that interface, intersect, and inform each other on a frequent basis: integrated monitoring activities, state performance plan and improvement activities, fiscal, data, effective policies, practices and procedures, targeted technical assistance, improvement/corrections/sanctions, and dispute resolutions.

Integrated Monitoring Activities: VT AOE's current system verifies LEA compliance with federal and state regulations to improve services and results for students with disabilities. Monitoring activities include continuous examination of performance for compliance and for results. VT AOE's differentiated monitoring process determines areas of an LEA's special education practices that require change in fiscal and program management and ensures that students in each LEA receive FAPE in the least restrictive environment (LRE). LEAs can expect a variety of technical assistance and support based on LEA special education determination (LSED) status and monitoring activities.

LEAs are divided into 3 publicly listed cohorts for mandatory cyclic monitoring every 3 years, regardless of their status. VT AOE policy is for data to be collected within a state-developed monitoring system. Special Education Program Monitoring activities open each September, with submissions due on February 15. Review of submissions are conducted February through May, and at the end of each monitoring cycle, VT AOE notifies LEAs of final compliance standings in a summary of results report that includes details on both student-level and systems-level issues of noncompliance. Districts that do not meet 100% compliance enter an escalated Selective Monitoring status for the respective indicator(s)/element(s), and the results are factored into the LEAs determination status.

State Performance Plan and Improvement Activities: The VT AOE is committed to messaging the SPP to the field, and holds conversations with special education partners, including the Vermont Special Education Advisory Panel, about their role in general supervision. VT AOE meets weekly as an SPP/APR Workgroup team of assigned staff coordinating the work.

Fiscal: The VT AOE's finance team monitors expenditures and updates and revises policies, procedures, and practices that support monitoring for the distribution and use of funds. Uniform guidance is disseminated to the field; dedicated staff provide technical assistance to LEAs and manage grants through VT AOE's central Grants Management System (GMS). The VT AOE uses a risk assessment tool to assess subrecipients. Finance staff utilizes monitoring activities such as desk audits, the collection of assurances, program reviews, single audit reviews, desk reviews, frequent financial reporting, and site visits, to verify appropriate expenditure of funds. To make this determination, fiscal and program teams consider variables including risk assessments, the complexity of program requirements, and the scope of the review. During reviews, VT AOE staff request LEA's fiscal or programmatic documentation, to determine that fiscal spending aligns with funding restrictions and the grant agreement. Findings are communicated to subrecipients, which are required to address noncompliance through corrective actions tracked to completion by the finance team. Final fiscal reports are shared with the Special Education Team. A designated staff member meets weekly with the Director, biweekly with a combination of Special Education Team and Data Team staff, and monthly with the entire Special Education team.

Data on Processes and Results: Data for many Special Education Team activities are collected, verified, and reported by the VT AOE's Data Management and Analysis Division (DMAD). DMAD team members responsible for Special Education data include a Federal and Special Education Data Director and an IDEA Data Analyst. DMAD staff and Special Education Team members collaborate on every indicator to refine data collection, reporting, and analytic practices and evaluate the impact of technical assistance. DMAD and Assessment staff present data at each Data Quarterly meeting with the Special Education Team.

Dispute Resolution: Dispute Resolution is led by the VT AOE Legal Division, which works in collaboration with Special Education Team staff to offer a mediation and due process hearing system, and an administrative state complaint process. The Team reviews dispute resolution data to identify issues related to LEA performance, and to inform monitoring and technical assistance activities. There are ongoing and frequent interactions and collaboration among Legal, Special Education, Data, and Finance staff concerning meeting the unmet needs of the State.

Policies and Procedures: The VT AOE focuses on translating existing policies into guidance for schools and families to utilize to ensure FAPE in the LRE to the greatest extent possible. VT AOE rules, policies, practices, and procedures are aligned with the Individuals with Disabilities Education Act (IDEA). We check for LEA alignment with LEA policies, we look for the extent to which those policies, procedures, and practices are designed and implemented to improve results for children and youth with disabilities.

Improvement, Corrections, Incentives, and Sanctions: The AOE deploys Collaborative Improvement Plan and Corrective Action Plan templates for LEAs in Needs Intervention, aimed at grounding improvement activities from factors derived using root cause analyses. This work involves the collaboration of Special Education Team, Finance, Data, and Legal utilizing the other components of the general supervisions system such as integrated monitoring, targeted technical assistance, and effective policies.

Technical Assistance and Professional Development: As part of this system, the VT AOE provides advisement, assistance, training, information, and professional development resources to guide LEAs, schools, and parents in the implementation of the IDEA and the provision of special education services. The technical assistance and professional development are informed by data from multiple sources including Child Count and state monitoring, improvement activities, corrective action plans, policies, and the State Performance Plan. Staff providing technical assistance around the SPP/APR have developed a library of resources as part of universal TA efforts.

Priority areas identified include closing the achievement gap, messaging and training around significant disproportionality, addressing critical shortage areas for special education personnel, and ensuring the General Supervision System connects all the Divisions and departments together.

Additional information on the VT AOE's general supervision and monitoring activities may be found at: <https://education.vermont.gov/student-support/vermont-special-education/general-supervision-and-monitoring-system>

#### **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.**

The VT AOE Special Education Program staff collaborate with monitoring staff sharing patterns and trends occurring in the field. Program staff offer direct support to the field, focusing their work on unmet LEA needs, and sustaining best practices for children and youth with disabilities. Additionally, Program staff participate in on-site monitoring teams or support data/evidence reviews and Monitoring staff assist in the provision of TA as appropriate. The program staff has divided the state into regions, in which a program staff member attends regional meetings of LEA Special Education administrators and provide direct support. The VT AOE Early Childhood Special Education Team is comprised of special education specialists who also reside on the Early Education team and provide ongoing technical assistance and support throughout the state to all public and private early childhood programs.

Findings of noncompliance identified during technical assistance are made as soon as they are identified. Once identified noncompliance written notification is sent to the LEA as soon as possible including the citation for the requirement(s) with which the program is noncompliant and a requirement that the LEA correct the noncompliance as soon as possible, and in no case more than one year after the date of the notification. We notify each LEA when correction of noncompliance has been verified. Verification of the correction of noncompliance occurs no later than one year from the date of the written notification of findings of noncompliance. A state may issue the notice of correction beyond the one-year timeline.

Close collaboration between the VT AOE Special Education Team is common with multiple divisions and teams at VT AOE. Collaboration is not limited to the Finance and Data Divisions, but relationships have been developed with representatives of the other teams in the Student Support Division (Early Education, Multi-Tiered Systems of Support), the Federal Student Education Programs Division (Title funding staff members and Interagency Coordinator), the Education Quality Division (independent school coordinator, licensing and school improvement specialists), and the Student Pathways Division (general education staff). The VT AOE Special Education Team is an active part of the cross-team and cross-division collaboratives in order to ensure that technical assistance and professional learning provided in support of IDEA and state rules and regulations are aligned across state initiatives. These activities are designed to ensure access, opportunity, and equity with the goal of improving student outcomes.

VT AOE teams work together to develop a network of consultants with expertise in providing support to schools in implementing evidence-based practices, school-wide improvement models, and prevention models to improve instruction and learning for every student in Vermont.

The VT AOE Special Education Team provides a range of professional development and technical assistance activities to LEAs, professionals, and families with the intention improving student outcomes and compliance with IDEA. Technical assistance and professional learning are provided by the special education program team staff at three levels of engagement, universal, targeted, and intensive.

Universal resources are available to all LEAs, professional staff and families. Universal TA is based on statewide priorities identified through quarterly data meetings, input from the field, and OSEP communications. Resources for the field can be found posted on our website at <https://education.vermont.gov/special-education-resources-special-educators-and-administrators> . Technical assistance requests and professional development are found at <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development> including a resource library.

Targeted Technical Assistance is offered individually to LEAs based on the results of a targeted monitoring activity, performance on Local Special Education Determinations (LSED), participation in SSIP, or performance on other federal program requirements, which generally require short-term engagement between LEA and the VT AOE Special Education Team to improve student outcomes. Targeted technical assistance is also offered when LEAs complete the Professional Development request form found at <https://education.vermont.gov/webform/special-education-professional-development-request-form> . The specific nature of the technical assistance will depend on the urgency or severity of identified need but could include remote or in-person coaching, targeted workshops, webinars, and office hours.

Intensive technical assistance is required for a small number of LEAs based on the results of noncompliance and/or performance issues supported by multiple data sources, often as a result of a targeted monitoring activity or the annual assignment of Needs Intervention/Needs Substantial Intervention status or from an administrative compliant and due process hearing. Intensive TA may require sustained and in-depth engagement between LEA and VT AOE Special Education Team to improve student outcomes. These supports are coordinated and/or delivered to the LEA by special education and extended special education staff members as part of a LEA improvement or corrective action plan. The specific nature of the intensive technical assistance depends on the urgency or severity of identified need but could include remote or in-person coaching, targeted workshops, webinars, and office hours. TA plans are developed for LEAs that have the need and capacity to engage in an ongoing, deep systems transformation endeavor with VT AOE. This category of TA is designed to result in changes to policy, program, practice, or operations that support increased LEA capacity and/or improved outcomes at multiple systems levels. Any LEA with a Needs Intervention or Needs Substantial Intervention Determination from VT AOE is offered Intensive TA, which is customized for each LEA and described in a collaboratively developed Intensive TA Plan. Additionally, the State may also engage in Intensive TA based on an intake process that includes collaboratively assessing with the LEA, their needs and readiness to engage in Intensive TA.

#### **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 children with disabilities.**

The VT AOE Special Education Team reviews data and findings from integrated monitoring activities, field reviews and site visits; reflects on statewide feedback collected informally and through regional events like regional meetings with LEA Special Education Directors; evaluates technical assistance requests; and conducts research on national trends in special education. Based on these data, the team outlines a plan for professional development and establishes a calendar of implementation and data-based decision making. Throughout the process, there is an emphasis on utilizing principles of implementation science with respect to program design and evaluation.

The AOE has a list of vetted TA providers, and when posting a request for proposals (RFP) providers are required to submit documentation of successful work being sought, as well as credentials. In many cases there is direct observation of provision of services to ensure evidence-based practices are consistent.

VT AOE professional development offerings for this year included but are not limited to:

- Webinars, documents, guidance and office hours related to Vermont's special education rule changes
- Educational Benefit Training,
- Statewide training on specific indicators
- IEP Goal Writing,
- PBIS and Social Emotional Supports,
- Universal Resources Website Library,
- Targeted technical assistance for districts in Needs Intervention.
- Restraint and Seclusion, and
- Disproportionality, Professional Learning Sessions on Discipline for students with disabilities,
- Inclusive Practices
- Universal Design for Learning
- Writing Effective State Performance Plans
- Making and Implementing Participation and Accommodations Decisions for English Learners with Disabilities
- Formative Assessment in Remote Learning
- Alternate Assessments
- Requirements for Post-Secondary Transition

The VT AOE partnered with VTmtss team to provide intensive TA to districts, ranging from our largest district revising its system in response to monitoring findings to co-presenting on the intersectionality of MTSS and special education. The VT AOE provides supports, leadership, oversight, and expertise for the Vermont Positive Behavioral Intensive Supports (VTPBIS) Summer Institute in June and our VTPBIS Annual Forum in August.

The VT AOE works with OSEP-funded national Technical Assistance Providers to inform and improve our practices. VT AOE receives feedback on guidance, tools, and materials prior to statewide dissemination. OSEP-funded national providers deliver technical assistance to the VT AOE through facilitating large stakeholder meetings, conducting stakeholder input activities, and compiling and analyzing input. The centers and staff provide insight on special education data collection and analysis and provide other technical assistance as needed. From the technical assistance provided to the VT AOE from these OSEP-funded national providers, VT AOE has created guidance documents, analyzed data and provided technical assistance to local education agency staff. These OSEP-funded national providers include but are not limited to National Center for Systemic Improvement (NCSI), The Center for Appropriate Dispute Resolution in Special Education (CADRE), Center for IDEA Fiscal reporting (CIFR), IDEA Data Center (IDC), IRIS, Institute of Education Science (IES), Early Childhood Personnel Center, National Center for Pyramid Model Innovations, National Technical Assistance Center on Transition (NTACT) Center for IDEA Early Childhood Data Systems (DaSY), and the National Center on Intensive Intervention. VT AOE has been a member of the Results-Based Accountability Cross-State Learning Collaborative and the Evidence Based Practice Cross Learning Collaborative through NCSI. VT AOE also attend the SSIP Data Quality Peer Group hosted by IDC and IDC's monthly Technical Assistance calls.

Due to the impacts of the COVID-19 pandemic, the VT AOE immediately sought out assistance on the development of programs aimed at addressing the critical shortage of Special Educators in Vermont. Through the work with Collaboration for Effective Educator Development, Accountability, and Reform (CEEDAR) and AmeriCorps, the VT AOE has implemented an emergency New Special Educators mentoring project.

#### **Broad Stakeholder Input:**

#### **The mechanisms for soliciting broad stakeholder input on the State's targets in the SPP/APR and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 17, the State's Systemic Improvement Plan (SSIP).**

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

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

YES

**Number of Parent Members:**

11

**Parent Members Engagement:**

**Describe how the parent members of the State Advisory Panel, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

Parent Members of the State Advisory Panel engaged with other Panel members and AOE staff in looking at current and historical data related to the SPP/APR. This elicited the request for additional data sources and spurred recommendations from the Panel on areas of unmet need and suggestions for improvement efforts. AOE staff who were experts in data and who represented the indicator being presented attended monthly meetings with the Panel to ensure they were confident with the task at hand. The Panel has been instrumental in advising on changes to instruments and methodologies. Parent Center Staff, are part of the State Advisory panel. Additionally, members of the Vermont Family Network meet quarterly with the State Director to discuss concerns and needs of families and identify ways the VFN can partner and collaborate with the AOE on statewide initiatives. As appropriate, data sources are used to ground the conversation. For target setting, a public webpage was developed and promoted so parents from local and statewide advocacy and advisory committees and individual parents can engage in setting targets, analyzing data, developing, and recommending improvement strategies and evaluating progress. The target setting webpage can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>, which includes a link to the webpage that houses Vermont's SPP/APR reports, which can be found at <https://education.vermont.gov/data-and-reporting/school-reports/special-education-reports>

**Activities to Improve Outcomes for Children with Disabilities:**

**The activities conducted to increase the capacity of diverse groups of parents to support the development of implementation activities designed to improve outcomes for children with disabilities.**

The Special Education Advisory Panel has a membership committee dedicated to maintaining 51% parent membership and is recruiting for diversity. As an incentive to participate, parents receive a \$50 stipend per meeting, including subcommittee meetings. The AOE supports membership recruitment through advertisements in its Weekly Field Memo and a monthly communication called The Nuggets. The Panel receives annual training on its role, mission, vision, and data literacy through WestEd and was featured on a national webinar in September 2021. The Panel is effective in identifying needs to improve their capacity to serve as AOE advisors and has a budget to draw from. In order to accommodate individuals who cannot access technology during virtual meeting sessions, members or AOE staff physically open a meeting room with technology during virtual meetings. The Panel has moved to night-time meetings to better accommodate parents. An annual full day in-person training retreat was held in September of 2022 with facilitation by an NCSI TA provider on the function and roles of SEAP members. The AOE staff routinely partner with the Vermont Family Network to offer training and information sessions with families or with school staff concerning the needs of families. The AOE recently contracted with VFN to develop training materials for new special educators on how to support and build capacity with parents and families.

**Soliciting Public Input:**

**The mechanisms and timelines for soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

Beginning in January 2021, the Special Education Advisory Panel (SEAP) received an introduction to SPP/APR using FFY 2019 data, February 2021 changes to the SPP/APR FFY20-25 package, data sources and calculations. VT AOE continued monthly meetings with the SEAP to review specific indicator data, disaggregated data, data source and measurement of the indicator, improvement activities and long-term considerations for evaluating indicator progress. VT AOE provided information, resources along with direct links to SPP/APR target setting webpage, SPP/APR reports, and data request form for further data needs. The SEAP not only contemplated targets but began making recommendation on improvement activities from their representative perspectives. The SEAP unanimously approved their recommendations on November 17, 2021 and submitted to the AOE. For the Vermont Council of Special Education Administrators, the VT AOE presented on June 2021 regarding the target setting process and provided information and resources along with direct links to the SPP/APR target setting webpage. VT AOE subsequently reached out for further input from VCSEA and the Executive Director. On December 21, 2021 the Executive Director of VCSEA accepting of the targets for the SPP/APR FFY20-25 package. For the Vermont Family Network, the VT AOE began soliciting feedback and provided information and resources along with direct links to the SPP/APR target setting webpage. The VFN is represented on the Special Education Advisory Panel and on December 2, 2021 agreed with the

recommendations put forth by SEAP. The AOE Team evaluated progress each month with the SPP/APR and data indicator report out to the Special Education Team. Progress was also monitored as part of the Biweekly Data Team meeting. AOE leadership was consulted at the beginning and at the end of the project.

#### **Making Results Available to the Public:**

##### **The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public.**

The opportunity for public input closed November 15, 2021 after ten months of target setting activities. VT AOE analyzed all community partner input and review with internal staff, then made recommendations to the Secretary and Deputy Secretary of Education. Proposed targets were agreed upon, which were shared at an internal team meeting. Proposed targets were shared with special education directors, VCSEA, VFN and SEAP for final comments. The final targets were presented as part of LEA Directors' Bi-weekly Check-In January 2022 and sent to SEAP, VCSEA, and VFN in January 2022. A memo from the Secretary of Education describing the background of the SPP/APR, the target setting process and the targets for results and compliance indicators can be found at <https://education.vermont.gov/documents/memo-french-spp-arpr-indicator-targets>. Final Indicator targets for the FFY20-25 package are publicly posted at <https://education.vermont.gov/student-support/vermont-special-education/compliance-and-monitoring/apr-indicator-list-and-descriptions>

Improvement activities for each Indicator will be articulated throughout the 2023 Calendar Year through frequent SPP/APR meetings among AOE staff. VT AOE staff and stakeholders analyzes and reviews all indicator data. In FFY21 VT AOE provided technical assistance sessions and documents related to indicators 11 and 13. VT AOE provided updated special education forms impacting indicators 5, 11 and 13. VT AOE also has updated Indicator 17 participation requirements. VT AOE is investigating and planning technical assistance for LEAs regarding indicator 1, 2 and 14.

#### **Reporting to the Public**

**How and where the State reported to the public on the FFY 2020 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 2020 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/APR, including any revision if the State has revised the targets that it submitted with its FFY 2020 APR in 2022, is available.**

Vermont LEA SPP/APR reports are located here under Local Annual Performance Reports: <https://education.vermont.gov/data-and-reporting/school-reports/special-education-reports>

#### **Intro - Prior FFY Required Actions**

The State's IDEA Part B determination for both 2021 and 2022 is Needs Assistance. In the State's 2022 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 2021 SPP/APR submission, due February 1, 2023, 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.

#### **Response to actions required in FFY 2020 SPP/APR**

The VT AOE works with OSEP-funded national Technical Assistance Providers to inform and improve our practices. VT AOE receives feedback on guidance, tools, and materials prior to statewide dissemination. OSEP-funded national providers deliver technical assistance to the VT AOE through facilitating large stakeholder meetings, conducting stakeholder input activities, and compiling and analyzing input. The centers and staff provide insight on special education data collection and analysis and provide other technical assistance as needed. From the technical assistance provided to the VT AOE from these OSEP-funded national providers, VT AOE has created guidance documents, analyzed data and provided technical assistance to local education agency staff. These OSEP-funded national providers include but are not limited to National Center for Systemic Improvement (NCSI), The Center for Appropriate Dispute Resolution in Special Education (CADRE), Center for IDEA Fiscal reporting (CIFR), IDEA Data Center (IDC), IRIS, Institute of Education Science (IES), Early Childhood Personnel Center, National Center for Pyramid Model Innovations, National Technical Assistance Center on Transition (NTACT) and the Center for IDEA Early Childhood Data Systems (DaSY), National Center on Intensive Intervention. VT AOE has been a member of the Results-Based Accountability Cross-State Learning Collaborative and the Evidence Based Practice Cross Learning Collaborative through NCSI. VT AOE also attend the SSIP Data Quality Peer Group hosted by IDC and IDC's monthly Technical Assistance calls.

#### **Intro - OSEP Response**

The State's determinations for both 2021 and 2022 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 24, 2022 determination letter informed the State that it must report with its FFY 2021 SPP/APR submission, due February 1, 2023, 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. The State provided the required information.

#### **Intro - Required Actions**

The State's IDEA Part B determination for both 2022 and 2023 is Needs Assistance. In the State's 2023 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 2022 SPP/APR submission, due February 1, 2024, 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.

# Indicator 1: Graduation

## Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) exiting special education due to graduating 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 under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

### Measurement

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

### Instructions

*Sampling is not allowed.*

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 2021 SPP/APR, use data from 2020-2021), and compare the results to the target. Provide the actual numbers used in the calculation.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma. If the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma are different, please explain.

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	77.73%

FFY	2016	2017	2018	2019	2020
Target >=	86.00%	86.00%	86.00%	86.00%	77.00%
Data	80.77%	82.14%	79.88%	82.91%	77.73%

### Targets

FFY	2021	2022	2023	2024	2025
Target >=	77.00%	79.00%	81.00%	83.00%	85.00%

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State’s targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont’s FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont’s Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State’s targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the



benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

- VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –
- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
  - Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
  - Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
  - Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Prepopulated Data**

Source	Date	Description	Data
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	682
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	4
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	9
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	167

**FFY 2021 SPP/APR Data**

Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
682	862	77.73%	77.00%	79.12%	Met target	No Slippage

**Graduation Conditions**

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma.**

In Vermont, each high school creates their own local proficiency-based graduation requirements (PBGRs). PBGRs are set of content knowledge and skills connected to state standards that have been determined to qualify a student for earning a high school diploma. Vermont’s Education Quality Standards (EQS) require that schools’ graduation requirements be rooted in demonstrations of student proficiency, as opposed to time spent in classrooms. A Vermont Portrait of a Graduate (PoG) clarifies the expectations for College and Career Readiness as described in the Vermont Education Quality Standards. It specifies the cognitive, personal, and interpersonal skills and abilities that students should be able to demonstrate upon graduation.

In situations where a student’s disability is impacting their access to the graduation requirements, IEP teams have the flexibility to improve how that student accesses the proficiency-based graduation requirements. This allows for some modifications of the performance indicators – that is, how the student will showcase they have met the proficiency-based graduation requirements. This system was developed with key VT education experts as well as NTACT and some other OSEP designated TA providers. For more information on the PBGR Access Plan system please visit: <https://education.vermont.gov/sites/aoe/files/documents/edu-proficiency-based-graduation-requirements-pbgr-access-plan.pdf>

**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

**Provide additional information about this indicator (optional)**

VT AOE created the Proficiency-Based Graduation Requirements (PBGR) – Access Plan in order to help LEAs make the graduation requirements accessible for all students including those with intensive needs. The PGBR-Access Plan can be found at <https://education.vermont.gov/documents/eduproficiency-based-graduation-requirements-pbgr-access-plan>

VT AOE provided guidance around participation in graduation ceremonies for students who have extended education access due to their disability on July 31, 2020, it can be found at <https://education.vermont.gov/documents/participation-in-graduation-activities-for-students-eligible-for-special-education>

VT AOE maintains and updates a webpage for resources related to graduation for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-1>

**1 - Prior FFY Required Actions**

None

**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 who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

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 FS009.

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

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 exited special education (ages 14-21) in the denominator.

#### Instructions

*Sampling is not allowed.*

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 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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.

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.

Provide a narrative that describes what counts as dropping out for all youth. Please explain if there is a difference between what counts as dropping out for all students and what counts as dropping out for students with IEPs.

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	20.31%

FFY	2016	2017	2018	2019	2020
Target <=	3.25%	3.25%	3.20%	3.20%	20.00%
Data	1.81%	4.17%	3.05%	3.35%	20.31%

### Targets

FFY	2021	2022	2023	2024	2025
Target <=	20.00%	18.00%	17.00%	16.00%	15.00%

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of

implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

- VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –
- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
  - Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
  - Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
  - Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Prepopulated Data**

Source	Date	Description	Data
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	682
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	4
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	9
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	167

**FFY 2021 SPP/APR Data**

Number of youth with IEPs (ages 14-21) who exited special education due to dropping out	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
167	862	20.31%	20.00%	19.37%	Met target	No Slippage

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

Vermont defines drop outs as students who were enrolled at the start of the reporting period, were not enrolled at the end of the reporting period, and did not exit the education system through any of the other exit reasons. This includes dropouts, runaways, expulsions, status unknown, and students who moved and are not known to be continuing in another educational program. Students with 10 consecutive days of unexcused absences are included in the report as dropouts.

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

YES

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

Vermont defines drop outs as students who were enrolled at the start of the reporting period, were not enrolled at the end of the reporting period and did not exit special education through any of the other exit reasons. This includes dropouts, runaways, expulsions, status unknown, and students who moved and are not known to be continuing in another educational program. Students with 10 consecutive days of unexcused absences are included in the report as dropouts. For students with a documented medical or mental health issue that requires them to be given homebound services for more than 10 days, they are not counted as dropping out.

**Provide additional information about this indicator (optional)**

The VT AOE created and facilitated the implementation of the high school completion program which is a highly flexible personalized plan for graduation. It continues to be a solution for some students who may otherwise dropout. VT AOE also created the graduation readiness tool for IEP teams. This tool facilitates an IEP team discussion (annually beginning in freshman year) on student engagement across all areas of secondary transition planning. The tool also allows the IEP team to quantify the level of student access across many different areas pertinent to successful transition planning. The graduation readiness tool is on the AOE website in the secondary transition section in the resources for special educators section, this can be found at <https://education.vermont.gov/documents/vermont-graduation-readiness-tool>

The VT AOE Special Education Team partners with the VT AOE Student Pathways Division and continues efforts to look at ways of measuring student engagement as an effort to find correlation with drop out/retention and ultimately lower the dropout rate.

VT AOE maintains and updates a webpage for resources related to dropout for special education administrators and educators which can be found at <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-2>

**2 - Prior FFY Required Actions**

None

**2 - OSEP Response**

**2 - Required Actions**

## Indicator 3A: Participation for Children with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

#### Data Source

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

#### Measurement

A. 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. Calculate separately for grades 4, 8, and high school. 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 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, & high school. Account for ALL children with IEPs, in grades 4, 8, and high school, 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.

### 3A - Indicator Data

#### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	96.50%
Reading	B	Grade 8	2018	94.00%
Reading	C	Grade HS	2018	86.80%
Math	A	Grade 4	2018	96.60%
Math	B	Grade 8	2018	94.30%
Math	C	Grade HS	2018	86.80%

#### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%	95.00%
Reading	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%	95.00%
Reading	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%	95.00%
Math	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%	95.00%
Math	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%	95.00%
Math	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%	95.00%

**Targets: Description of Stakeholder Input**

VT AOE solicited broad stakeholder input on the State’s targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont’s FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont’s Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State’s targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

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VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

04/05/2023

**Reading Assessment Participation Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,122	1,187	1,155
b. Children with IEPs in regular assessment with no accommodations	634	681	657
c. Children with IEPs in regular assessment with accommodations	370	371	250
d. Children with IEPs in alternate assessment against alternate standards	75	49	46

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

04/05/2023

**Math Assessment Participation Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,124	1,187	1,157
b. Children with IEPs in regular assessment with no accommodations	580	522	571

c. Children with IEPs in regular assessment with accommodations	427	532	330
d. Children with IEPs in alternate assessment against alternate standards	75	51	43

\*The children with IEPs count excludes children with disabilities who were reported as exempt due to significant medical emergency in row a for all the prefilled data in this indicator.

**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	1,079	1,122	90.16%	95.00%	96.17%	Met target	No Slippage
B	Grade 8	1,101	1,187	83.75%	95.00%	92.75%	Did not meet target	No Slippage
C	Grade HS	953	1,155	73.83%	95.00%	82.51%	Did not meet target	No Slippage

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	1,082	1,124	90.62%	95.00%	96.26%	Met target	No Slippage
B	Grade 8	1,105	1,187	82.68%	95.00%	93.09%	Did not meet target	No Slippage
C	Grade HS	944	1,157	73.04%	95.00%	81.59%	Did not meet target	No Slippage

**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.**

Vermont's practice is, to the extent possible, to provide public reports of assessment results for students with disabilities in the same place as it provides comparable data for nondisabled students. Please see the following areas of our website (see below) for:

- (1) the number of children with disabilities participating in
  - (a) regular assessments with and without accommodations: <https://education.vermont.gov/data-and-reporting/school-reports/special-education-reports> (under the "Assessment Report" heading.)
  - (b) alternate assessments aligned with alternate achievement standards: <https://schoolsnapshot.vermont.gov/> (For each school, select "Academic Proficiency," "Additional Information," and View "AA-AAAS Assessed Students.")
- (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children on those assessments: <https://education.vermont.gov/data-and-reporting/vermont-education-dashboard> (Select "Assessment," select a school, year and test, then select the school results question "Differences in achievement by disability status?")

**Provide additional information about this indicator (optional)**

The VT AOE Assessment team holds monthly virtual Town Halls for District Test Administrators and Alternate Assessment District Test Administrators on testing updates and provides time for general questions and answers from the field. The Assessment teams also published a monthly newsletter with testing updates and links to manuals and professional development. The VT AOE maintains and updates a webpage for resources related to assessment for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-3>



**3A - Prior FFY Required Actions**

None

**3A - OSEP Response**

**3A - Required Actions**

## Indicator 3B: Proficiency for Children with IEPs (Grade Level Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level 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 FS175 and 178.

### Measurement

B. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. 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 3B: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the regular assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 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.

## 3B - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	12.80%
Reading	B	Grade 8	2018	9.50%
Reading	C	Grade HS	2018	10.80%
Math	A	Grade 4	2018	12.40%
Math	B	Grade 8	2018	5.90%
Math	C	Grade HS	2018	3.10%

### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	12.80%	12.80%	13.80%	13.80%	14.80%
Reading	B >=	Grade 8	9.50%	9.50%	10.50%	10.50%	11.50%
Reading	C >=	Grade HS	10.80%	10.80%	11.80%	11.80%	12.80%
Math	A >=	Grade 4	12.40%	12.40%	13.40%	13.40%	14.40%
Math	B >=	Grade 8	5.90%	5.90%	6.90%	6.90%	7.90%
Math	C >=	Grade HS	3.10%	3.10%	4.10%	4.10%	5.10%

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective

of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,004	1,052	907
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	74	58	66
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	35	15	13

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,007	1,054	901
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	77	17	23

c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	19	7	3
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**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	109	1,004	11.22%	12.80%	10.86%	Did not meet target	No Slippage
B	Grade 8	73	1,052	7.91%	9.50%	6.94%	Did not meet target	Slippage
C	Grade HS	79	907	9.14%	10.80%	8.71%	Did not meet target	Slippage

**Provide reasons for slippage for Group B, if applicable**

Based on a comprehensive review of data generated from Vermont’s administration of statewide assessments in FFY2020 and FFY2021, VT AOE leadership and subject matter experts recommended against using FFY2020 data as a comparison due to lower participation related to the COVID-19 pandemic, which disproportionately affected students with IEPs. Extraordinary circumstances led to a range of factors that make FFY2020 results statistically invalid when compared across years, including FFY2021. This recommendation encompasses all grade levels and subject matters. For a detailed discussion of these concerns, please see the VT AOE press release regarding 2021 Statewide Assessment Results at <https://education.vermont.gov/press-release/vermont-agency-of-education-releases-2021-statewide-assessment-results> and 2022 Statewide Assessment Results at <https://education.vermont.gov/press-release/preliminary-2022-statewide-assessment-results>

In addition to factors surrounding the administration of assessments and Education Recovery work, VT AOE has reviewed Grade 8 Reading results in context with the broader picture for all students. VT AOE found that just as Grade 8 Reading proficiency fell for students with IEPs, it fell for all students tested against grade-level standards as well.

**Provide reasons for slippage for Group C, if applicable**

Based on a comprehensive review of data generated from Vermont’s administration of statewide assessments in FFY2020 and FFY2021, VT AOE leadership and subject matter experts recommended against using FFY2020 data as a comparison due to lower participation related to the COVID-19 pandemic, which disproportionately affected students with IEPs. Extraordinary circumstances led to a range of factors that make FFY2020 results statistically invalid when compared across years, including FFY2021. This recommendation encompasses all grade levels and subject matters. For a detailed discussion of these concerns, please see the VT AOE press release regarding 2021 Statewide Assessment Results at <https://education.vermont.gov/press-release/vermont-agency-of-education-releases-2021-statewide-assessment-results> and 2022 Statewide Assessment Results at <https://education.vermont.gov/press-release/preliminary-2022-statewide-assessment-results>

In addition to factors surrounding the administration of assessments and Education Recovery work, VT AOE has reviewed Grade 9 Reading results in context with the broader picture for all students. VT AOE found that just as Grade 9 Reading proficiency fell for students with IEPs, it fell for all students tested against grade-level standards as well.

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	96	1,007	8.46%	12.40%	9.53%	Did not meet target	No Slippage
B	Grade 8	24	1,054	4.12%	5.90%	2.28%	Did not meet target	Slippage
C	Grade HS	26	901	1.79%	3.10%	2.89%	Did not meet target	No Slippage

**Provide reasons for slippage for Group B, if applicable**

Based on a comprehensive review of data generated from Vermont’s administration of statewide assessments in FFY2020 and FFY2021, VT AOE leadership and subject matter experts recommended against using FFY2020 data as a comparison due to lower participation related to the COVID-19 pandemic, which disproportionately affected students with IEPs. Extraordinary circumstances led to a range of factors that make FFY2020 results statistically invalid when compared across years, including FFY2021. This recommendation encompasses all grade levels and subject matters. For a detailed discussion of these concerns, please see the VT AOE press release regarding 2021 Statewide Assessment Results at <https://education.vermont.gov/press-release/vermont-agency-of-education-releases-2021-statewide-assessment-results> and 2022 Statewide

Assessment Results at <https://education.vermont.gov/press-release/preliminary-2022-statewide-assessment-results>

In addition to factors surrounding the administration of assessments and Education Recovery work, VT AOE has reviewed Grade 8 Math results in context with the broader picture for all students. VT AOE found that just as Grade 8 Math proficiency fell for students with IEPs, it fell for all students tested against grade-level standards as well.

### **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.**

Vermont's practice is, to the extent possible, to provide public reports of assessment results for students with disabilities in the same place as it provides comparable data for nondisabled students. Please see the following areas of our website for:

(1) the number of children with disabilities participating in

(a) regular assessments with and without accommodations: <https://education.vermont.gov/data-and-reporting/school-reports/special-education-reports> (under the "Assessment Report" heading.)

(b) alternate assessments aligned with alternate achievement standards: <https://schoolsnapshot.vermont.gov/> (For each school, select "Academic Proficiency," "Additional Information," and View "AA-AAAS Assessed Students.")

(2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children on those assessments: <https://education.vermont.gov/data-and-reporting/vermont-education-dashboard> (Select "Assessment," select a school, year and test, then select the school results question "Differences in achievement by disability status?")

#### **Provide additional information about this indicator (optional)**

The VT AOE Assessment team holds monthly virtual Town Halls for District Test Administrators and Alternate Assessment District Test Administrators on testing updates and provides time for general questions and answers from the field. The Assessment teams also published a monthly newsletter with testing updates and links to manuals and professional development. The VT AOE maintains and updates a webpage for resources related to assessment for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-3>

### **3B - Prior FFY Required Actions**

None

### **3B - OSEP Response**

### **3B - Required Actions**

## Indicator 3C: Proficiency for Children with IEPs (Alternate Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level 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 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 for the alternate assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. 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 children with IEPs on the alternate assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 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

#### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	55.40%
Reading	B	Grade 8	2018	54.40%
Reading	C	Grade HS	2018	46.50%
Math	A	Grade 4	2018	45.60%
Math	B	Grade 8	2018	37.10%
Math	C	Grade HS	2018	42.20%

#### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	55.40%	57.00%	59.00%	61.00%	63.00%
Reading	B >=	Grade 8	54.40%	56.40%	58.40%	60.40%	62.40%
Reading	C >=	Grade HS	46.50%	48.50%	50.50%	52.50%	54.50%
Math	A >=	Grade 4	45.60%	47.60%	49.60%	51.60%	51.60%
Math	B >=	Grade 8	39.10%	41.10%	43.10%	45.10%	47.10%
Math	C >=	Grade HS	44.20%	46.20%	48.20%	50.20%	52.20%

**Targets: Description of Stakeholder Input**

VT AOE solicited broad stakeholder input on the State’s targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont’s FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont’s Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State’s targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1,2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators, Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	75	49	46
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	46	22	35

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	75	51	43
b. Children with IEPs in alternate assessment against alternate	42	9	11



standards scored at or above proficient			
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**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	46	75	51.61%	55.40%	61.33%	Met target	No Slippage
B	Grade 8	22	49	43.75%	54.40%	44.90%	Did not meet target	No Slippage
C	Grade HS	35	46	64.00%	46.50%	76.09%	Met target	No Slippage

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	42	75	52.38%	45.60%	56.00%	Met target	No Slippage
B	Grade 8	9	51	29.79%	39.10%	17.65%	Did not meet target	Slippage
C	Grade HS	11	43	36.73%	44.20%	25.58%	Did not meet target	Slippage

**Provide reasons for slippage for Group B, if applicable**

Based on a comprehensive review of data generated from Vermont's administration of statewide assessments in FFY2020 and FFY2021, VT AOE leadership and subject matter experts recommended against using FFY2020 data as a comparison due to lower participation related to the COVID-19 pandemic, which disproportionately affected students with IEPs. Extraordinary circumstances led to a range of factors that make FFY2020 results statistically invalid when compared across years, including FFY2021. This recommendation encompasses all grade levels and subject matters. For a detailed discussion of these concerns, please see the VT AOE press release regarding 2021 Statewide Assessment Results at <https://education.vermont.gov/press-release/vermont-agency-of-education-releases-2021-statewide-assessment-results> and 2022 Statewide Assessment Results at <https://education.vermont.gov/press-release/preliminary-2022-statewide-assessment-results>

In addition to factors surrounding the administration of assessments and Education Recovery work, VT AOE has reviewed Grade 8 Math results on the VT Alt Assessment. The number of students taking the alternate assessment in Vermont is very small, fewer than 50 students in grade 8 statewide, making comparisons across years difficult. In Grade 8, participation in the alternate assessment for math remained lower than was typical before the COVID-19 pandemic. Another possible explanation for the reduction in the number of students participating in the alternate assessment might be VT AOE's continued work on standardizing the qualification criteria for participating in the Alternate assessment in light of the 1% threshold waiver.

**Provide reasons for slippage for Group C, if applicable**

Based on a comprehensive review of data generated from Vermont's administration of statewide assessments in FFY2020 and FFY2021, VT AOE leadership and subject matter experts recommended against using FFY2020 data as a comparison due to lower participation related to the COVID-19 pandemic, which disproportionately affected students with IEPs. Extraordinary circumstances led to a range of factors that make FFY2020 results statistically invalid when compared across years, including FFY2021. This recommendation encompasses all grade levels and subject matters. For a detailed discussion of these concerns, please see the VT AOE press release regarding 2021 Statewide Assessment Results at <https://education.vermont.gov/press-release/vermont-agency-of-education-releases-2021-statewide-assessment-results> and 2022 Statewide Assessment Results at <https://education.vermont.gov/press-release/preliminary-2022-statewide-assessment-results>

In addition to factors surrounding the administration of assessments and Education Recovery work, VT AOE has reviewed Grade 9 Math results on the VT Alt Assessment. The number of students taking the alternate assessment in Vermont is very small, fewer than 50 students in grade 9 statewide, making comparisons across years difficult. In Grade 9, participation in the alternate assessment decreased from FFY2020 to FFY2021, as did the number of students achieving proficiency. Both decreases were below 11, the threshold for data suppression in Vermont state rules. A possible explanation for the reduction in the number of students participating in the alternate assessment might be VT AOE's continued work on standardizing the qualification criteria for participating in the Alternate assessment in light of the 1% threshold waiver.

### **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.**

Vermont's practice is, to the extent possible, to provide public reports of assessment results for students with disabilities in the same place as it provides comparable data for nondisabled students. Please see the following areas of our website for:

(1) the number of children with disabilities participating in

(a) regular assessments with and without accommodations: <https://education.vermont.gov/data-and-reporting/school-reports/special-education-reports> (under the "Assessment Report" heading.)

(b) alternate assessments aligned with alternate achievement standards: <https://schoolsnapshot.vermont.gov/> (For each school, select "Academic Proficiency," "Additional Information," and View "AA-AAAS Assessed Students.")

(2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children on those assessments: <https://education.vermont.gov/data-and-reporting/vermont-education-dashboard> (Select "Assessment," select a school, year and test, then select the school results question "Differences in achievement by disability status?")

**Provide additional information about this indicator (optional)**

The VT AOE Assessment team holds monthly virtual Town Halls for District Test Administrators and Alternate Assessment District Test Administrators on testing updates and provides time for general questions and answers from the field. The Assessment teams also published a monthly newsletter with testing updates and links to manuals and professional development. The VT AOE maintains and updates a webpage for resources related to assessment for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-3>

### **3C - Prior FFY Required Actions**

None

### **3C - OSEP Response**

### **3C - Required Actions**

### Indicator 3D: Gap in Proficiency Rates (Grade Level Academic Achievement Standards)

#### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

#### Data Source

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

#### Measurement

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children 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 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children 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.

### 3D - Indicator Data

#### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	37.90
Reading	B	Grade 8	2018	43.38
Reading	C	Grade HS	2018	45.78
Math	A	Grade 4	2018	34.17
Math	B	Grade 8	2018	34.07
Math	C	Grade HS	2018	31.82

#### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A <=	Grade 4	37.90	37.90	36.90	36.90	35.90
Reading	B <=	Grade 8	43.40	43.40	42.40	42.40	41.40
Reading	C <=	Grade HS	45.80	45.80	44.80	44.80	43.80
Math	A <=	Grade 4	34.20	34.20	33.20	33.20	32.20
Math	B <=	Grade 8	34.10	34.10	33.10	33.10	32.10
Math	C <=	Grade HS	31.80	31.80	30.80	30.80	29.80

#### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the

SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators, Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

#### FFY 2021 Data Disaggregation from EDFacts

##### Data Source:

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

##### Date:

04/05/2023

#### Reading Assessment Proficiency Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	5,502	5,667	5,601
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,004	1,052	907
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	2,371	2,411	2,557
d. All students in regular assessment with accommodations scored at or above proficient against grade level	47	23	18
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	74	58	66
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	35	15	13

##### Data Source:

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

##### Date:

04/05/2023

#### Math Assessment Proficiency Data by Grade

Group	Grade 4	Grade 8	Grade HS
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a. All Students who received a valid score and a proficiency was assigned for the regular assessment	5,498	5,674	5,575
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,007	1,054	901
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	2,083	1,613	1,449
d. All students in regular assessment with accommodations scored at or above proficient against grade level	21	8	4
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	77	17	23
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	19	7	3

**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic standards	Proficiency rate for all students scoring at or above proficient against grade level academic standards	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	10.86%	43.95%	33.48	37.90	33.09	Met target	No Slippage
B	Grade 8	6.94%	42.95%	43.63	43.40	36.01	Met target	No Slippage
C	Grade HS	8.71%	45.97%	45.40	45.80	37.26	Met target	No Slippage

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	9.53%	38.27%	29.00	34.20	28.74	Met target	No Slippage
B	Grade 8	2.28%	28.57%	27.81	34.10	26.29	Met target	No Slippage
C	Grade HS	2.89%	26.06%	28.24	31.80	23.18	Met target	No Slippage

**Provide additional information about this indicator (optional)**

The VT AOE Assessment team holds monthly virtual Town Halls for District Test Administrators and Alternate Assessment District Test Administrators on testing updates and provides time for general questions and answers from the field. The Assessment teams also published a monthly newsletter with testing updates and links to manuals and professional development. The VT AOE maintains and updates a webpage for resources related to assessment for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-3>

**3D - Prior FFY Required Actions**

None

**3D - OSEP Response**

### 3D - 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 local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, 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

**Measurement**

Percent

**Instructions**

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, LEAs 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 LEAs 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 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) 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.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n and/or cell 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 LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, 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 (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 2021 SPP/APR, the data for FFY 2020), 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 Year	Baseline Data
2005	1.67%

FFY	2016	2017	2018	2019	2020
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

**Targets**

FFY	2021	2022	2023	2024	2025
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%

**Targets: Description of Stakeholder Input**

VT AOE solicited broad stakeholder input on the State’s targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont’s FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont’s Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State’s targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators, Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**FFY 2021 SPP/APR Data**

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

NO

Number of LEAs that have a significant discrepancy	Number of LEAs in the State	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	53	0.00%	0.00%	0.00%	Met target	No Slippage

**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**

Vermont defines a significant discrepancy by comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State as described in the Measurement Table. An LEA is found to have a significant discrepancy if the number of students experiencing out-of-school suspension/expulsions greater than 10 days is more than 3.00 percent of that LEA’s total special education population. The out-of-school suspension/expulsion rate is derived from the total number of out-of-school suspension/expulsions more than 10 days for special education students in an LEA (numerator) divided by the total number of special education students in the LEA (denominator). Only children with IEPs are considered. The information for the numerator in the LEA calculations was sourced from the “Children with Disabilities (IDEA) Suspensions/Expulsions” EdFacts file for school year 2020-2021. The information for the denominator in the LEA calculations was sourced from the “Children with Disabilities (IDEA) School Age” and “Children with Disabilities (IDEA) Early Childhood” EdFacts files for the school year 2020-2021.

The baseline data for this indicator is from FFY2005; Vermont set the bar in that baseline year and has not changed it. During the baseline year when the 3.00 percent bar was set, Vermont’s state-level rate of out-of-school suspensions and expulsions greater than ten days was 0.51 percent; therefore, the bar was equivalent to the state-level rate plus 2 percentage points, rounded to the nearest whole percentage point (2.51 percent rounded up to 3.00 percent). For FFY2021, Vermont’s state-level rate of out-of-school suspension/expulsions greater than ten days was 0.01 percent; therefore, the bar is equivalent to the state-level rate plus 3 percentage points, rounded to the nearest whole percent (3.01 percent rounded down to 3.00 percent).



The above-described method for determining significant discrepancy is accordant with the first variation on the B4A example #1a from the IDC TA Guide Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide, on page 20 ([https://ideadata.org/sites/default/files/media/documents/2017-09/measuring\\_significant\\_discrepancy-an\\_ind.pdf](https://ideadata.org/sites/default/files/media/documents/2017-09/measuring_significant_discrepancy-an_ind.pdf)).

It is important to note that in FFY2021, the data for Indicator 4A were collected during the COVID-19 pandemic (SY2020-2021). Due to the effects of COVID-19 and executive orders issued by the governor, students attended in-person instruction for less than half of the typical number of days in SY2020-2021. There was no nationally accepted definition of suspension or expulsion in the virtual environment. As a result, rates of suspension and expulsion greater than 10 days were extremely low for FFY2021: only two instances statewide, occurring in different LEAs. The rates for both LEAs were under 0.50 percent.

As part of our continuous improvement of processes, VT AOE will continue to engage with IDC technical assistance in FFY2022 to review our methodology using post-COVID suspension and expulsion data. We will evaluate the most effective way to ensure statistical soundness in the context of a small state and small LEAs with low rates of suspension and expulsion.

**Provide additional information about this indicator (optional)**

VT AOE recognizes that the 3.00 percent threshold set for significant discrepancy is many times higher than the state-level rate of out-of-school suspensions and expulsions greater than ten days for FFY2021; however, this is because the bar has been held steady since FFY2005 and because the COVID-19 pandemic resulted in an extremely low suspension and expulsion rate of 0.01 percent in SY2020-2021.

The 3.00 percent threshold ensures that Vermont's smallest district will not be identified with significant discrepancy for a single instance of out-of-school suspension greater than 10 days in a school year, while keeping the threshold equal across all LEAs.

Despite having reached compliance since 1995, VT AOE continues to work at reducing suspensions. During the last legislative session, the governor signed a bill, making it a law, that students under the age of 8 may not be suspended unless their behavior has posed an imminent threat of substantial physical harm to themselves or others. Written guidance has been disseminated and technical assistance provided to spell out exactly what "imminent threat" and substantial "physical harm" mean. Vermont's robust network of positive behavior interventions and supports addresses alternatives to suspension, evidence-based behavior management strategies, and data-based decision making through various trainings, workshops, consultation, and coaching.

VT AOE maintains and updates a webpage for resources related to Suspension/Exclusion for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-4>

**Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 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.**

The Vermont AOE has developed two tools to be used in reviewing LEA's policies, procedures, and practices relating to the development of IEPs, the use of positive behavioral interventions and supports and procedural safeguards. One tool is an LEA self-assessment tool, which can be found at <https://education.vermont.gov/documents/edu-discipline-policies-lea-self-assessment>

The other is to be used by Vermont AOE when conducting such reviews. It may be found here: [https://education.vermont.gov/sites/aoe/files/documents/edu-discipline-policy-review-tool\\_0.pdf](https://education.vermont.gov/sites/aoe/files/documents/edu-discipline-policy-review-tool_0.pdf)

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

**Correction of Findings of Noncompliance Identified in FFY 2020**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4A - Prior FFY Required Actions**

None

**4A - OSEP Response**

The State's chosen methodology results in a threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions of children with IEPs that falls above the median of thresholds used by all States.

#### **4A - Required Actions**

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions is reasonably designed.

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

- A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, 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 LEAs that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of suspensions and expulsions of more than 10 days during the school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, 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 LEAs 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 "significant discrepancy."

#### Instructions

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, LEAs 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 LEAs totally 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 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) 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.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2020-2021 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4B: Provide the following: (a) the number of LEAs that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs; and (b) the number of those LEAs 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 LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, 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 (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 2021 SPP/APR, the data for FFY 2020), 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

### Historical Data

Baseline Year	Baseline Data
2009	0.00%

FFY	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	

#### Targets

FFY	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%

#### FFY 2021 SPP/APR Data

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

YES

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

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Number of LEAs that have a significant discrepancy, by race or ethnicity	Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements	Number of LEAs that met the State's minimum n/cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0	0		0%		N/A	N/A

Were all races and ethnicities included in the review?

YES

#### State's definition of "significant discrepancy" and methodology

Vermont defines a significant discrepancy, by race or ethnicity, by comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State as described in the Measurement Table. VT AOE applies a minimum cell size of 4: In each LEA, race and ethnicity categories in which fewer than 4 students with disabilities experience long-term out-of-school suspensions and expulsions are excluded. Then, VT AOE calculates rates of long term suspension and expulsion disaggregated by race by dividing each LEA's total number of IEP students who were suspended or expelled out of school for greater than 10 days in each race and ethnicity category, by the total number of IEP students in the LEA for that race and ethnicity category. For each LEA, all rates of long-term out-of-school suspensions and expulsions by race and ethnicity are compared to the same threshold of 3.00 percent.

An LEA is found to have a significant discrepancy by race or ethnicity if the number of students in a race or ethnicity group experiencing out-of-school suspensions and expulsions greater than 10 days is more than 3.00 percent of that LEA's special education population in the race or ethnicity group. Only children with IEPs are considered, and the data used is disaggregated by race and ethnicity. All race and ethnicity groups are held to the same 3.00 percent threshold. The out-of-school suspension/expulsion rate is derived from the number of out-of-school suspension/expulsions more than 10 days for special education students in an LEA, disaggregated by race and ethnicity (numerator) divided by the total number of special education students in the LEA, disaggregated by race and ethnicity (denominator). Only children with IEPs are considered. The information for the numerator in the LEA calculations was sourced from the "Children with Disabilities (IDEA) Suspensions/Expulsions" EdFacts file for school year 2020-2021. The information for the denominator in the LEA calculations was sourced from the "Children with Disabilities (IDEA) School Age" and "Children with Disabilities (IDEA) Early Childhood" EdFacts files for the school year 2020-2021.

The baseline data for this indicator is from FFY2009; Vermont set both the minimum cell size and the threshold in that baseline year and has not changed either. During the baseline year when the 3.00 percent bar was set, Vermont's state-level rate of out-of-school suspensions and expulsions greater than ten days was 0.53 percent; therefore, the bar was equivalent to the state-level rate plus 2 percentage points, rounded to the nearest whole percentage point (2.53 percent rounded up to 3.00 percent). For FFY2021, Vermont's state-level rate of out-of-school suspension/expulsions greater than ten days was 0.01 percent; therefore, the bar is equivalent to the state-level rate plus 3 percentage points, rounded to the nearest whole percent (3.01 percent rounded down to 3.00 percent).

The above-described method for determining significant discrepancy is accordant with the first variation on the B4B example #1a from the IDC TA Guide Measuring Significant Discrepancy: An Indicator B4 Technical Assistance Guide, on page 45 ([https://ideadata.org/sites/default/files/media/documents/2017-09/measuring\\_significant\\_discrepancy-an\\_ind.pdf](https://ideadata.org/sites/default/files/media/documents/2017-09/measuring_significant_discrepancy-an_ind.pdf)).

In 53 of 53 districts, all race and ethnicity categories were excluded due to cell size; however, this is not typical. It is important to note that in FFY2021, the data for Indicator 4B were collected during the COVID-19 pandemic (SY2020-2021). Due to the effects of COVID-19 and executive orders issued by the governor, students attended in-person instruction for less than half of the typical number of days in SY2020-2021. There was no nationally accepted definition of suspension or expulsion in the virtual environment. As a result, rates of suspension and expulsion greater than 10 days were extremely low for FFY2021: only two instances statewide, occurring in different LEAs. The rates for both LEAs were under 0.50 percent.

As part of our continuous improvement of processes, VT AOE will continue to engage with IDC technical assistance in FFY2022 to review our methodology using post-COVID suspension and expulsion data. We will evaluate the most effective way to ensure statistical soundness in the context of a small state and small LEAs with low rates of suspension and expulsion.

**Provide additional information about this indicator (optional)**

VT AOE recognizes that the 3.00 percent threshold set for significant discrepancy is many times higher than the state-level rate of out-of-school suspensions and expulsions greater than ten days for FFY2021; however, this is because the bar has been held steady since FFY2005 and because the COVID-19 pandemic resulted in an extremely low suspension and expulsion rate of 0.01 percent in SY2020-2021.

The 3.00 percent threshold ensures that Vermont's smallest district will not be identified with significant discrepancy for a single instance of out-of-school suspension greater than 10 days in a school year in its largest race or ethnicity group, while keeping the threshold equal across all LEAs.

Despite having reached compliance since 1995, VT AOE continues to work at reducing suspensions as well as reducing the success gaps for students of various groups (including race and ethnicity) in rates of suspension.

During the last legislative session, the governor signed a bill, making it a law, that students under the age of 8 may not be suspended unless their behavior has posed an imminent threat of substantial physical harm to themselves or others. Written guidance has been disseminated and technical assistance provided to spell out exactly what "imminent threat" and "substantial physical harm" mean. Vermont's robust network of positive behavior interventions and supports addresses alternatives to suspension, evidence-based behavior management strategies, and data-based decision making through various trainings, workshops, consultation and coaching. Vermont's PBIS network has undergone two years of training, consultation, and coaching with an eye toward equity among races and ethnicities.

VT AOE maintains and updates a webpage for resources related to suspension/exclusion for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-4>

**Review of Policies, Procedures, and Practices (completed in FFY 2021 using 2020-2021 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.**

The Vermont AOE has designed templates to assist with the review of policies, procedures, and practices relating to IEPs, the use of PBIS, and procedural safeguards. The LEA self-assessment of discipline policies can be found at <https://education.vermont.gov/documents/edu-discipline-policies-lea-self-assessment> and the tool used by Vermont AOE when conducting reviews is located at [https://education.vermont.gov/sites/aoe/files/documents/edu-discipline-policy-review-tool\\_0.pdf](https://education.vermont.gov/sites/aoe/files/documents/edu-discipline-policy-review-tool_0.pdf)

There is strong collaboration and alignment among our programming team, our general supervision and monitoring team, and our dispute resolution team. Any time a question regarding noncompliance or an administrative complaint occur, our response is always one of blending technical assistance and professional development with any punitive measures that may occur.

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

**Correction of Findings of Noncompliance Identified in FFY 2020**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4B - Prior FFY Required Actions**

None

**4B - OSEP Response**

In the FFY 2021 SPP/APR the State included none of the State's LEAs in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs. OSEP recognizes the State reported, "VT AOE recognizes that the 3.00 percent threshold set for significant discrepancy is many times higher than the state-level rate of out-of-school suspensions and expulsions greater than ten days for FFY2021; however, this is because the bar has been held steady since FFY2005 and because the COVID-19 pandemic resulted in an extremely low suspension and expulsion

rate of 0.01 percent in SY2020-2021." OSEP reminds the State that if the examination for significant discrepancies, by race and ethnicity, in the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs is not occurring in any meaningful way at the LEA level, OSEP may determine that a State's chosen methodology is not reasonably designed to determine if significant discrepancies, by race and ethnicity, are occurring in the rate of long-term suspensions and expulsions of children with IEPs.

Additionally, the State's chosen methodology results in a threshold for measuring significant discrepancy, by race and ethnicity, in the rate of long-term suspensions and expulsions of children with IEPs that falls above the median of thresholds used by all States.

#### **4B- Required Actions**

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies, by race and ethnicity, are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's LEAs are being examined for significant discrepancy, by race and ethnicity, under the State's chosen methodology; and how the State's threshold for measuring significant discrepancy, by race and ethnicity, in the rate of long-term suspensions and expulsions is reasonably designed.

## Indicator 5: Education Environments (children 5 (Kindergarten) - 21)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and 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

- A. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in kindergarten in this indicator. Five-year-old children with disabilities who are enrolled in preschool programs are included in Indicator 6. 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

Part	Baseline	FFY	2016	2017	2018	2019	2020
A	2020	Target >=	79.00%	79.00%	79.00%	79.00%	80.00%
A	80.22%	Data	76.77%	77.82%	77.86%	78.87%	80.22%
B	2020	Target <=	7.00%	7.00%	7.00%	7.00%	4.50%
B	4.96%	Data	5.15%	4.61%	4.56%	4.48%	4.96%
C	2020	Target <=	3.75%	3.75%	3.75%	3.75%	6.50%
C	6.09%	Data	6.05%	6.03%	6.36%	6.49%	6.09%

### Targets

FFY	2021	2022	2023	2024	2025
Target A >=	80.00%	81.00%	81.00%	82.00%	82.00%
Target B <=	4.50%	4.10%	4.10%	3.80%	3.80%
Target C <=	6.50%	6.25%	6.25%	6.00%	6.00%

#### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and

some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators, Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

- VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –
- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
  - Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
  - Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
  - Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Prepopulated Data**

Source	Date	Description	Data
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	Total number of children with IEPs aged 5 (kindergarten) through 21	14,078
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	11,412
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	668
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools	670
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities	130
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements	21

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

**FFY 2021 SPP/APR Data**

Education Environments	Number of children with IEPs aged 5 (kindergarten) through 21 served	Total number of children with IEPs aged 5 (kindergarten) through 21	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	11,412	14,078	80.22%	80.00%	81.06%	Met target	No Slippage
B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the	668	14,078	4.96%	4.50%	4.74%	Did not meet target	No Slippage



Education Environments	Number of children with IEPs aged 5 (kindergarten) through 21 served	Total number of children with IEPs aged 5 (kindergarten) through 21	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
regular class less than 40% of the day							
C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	821	14,078	6.09%	6.50%	5.83%	Met target	No Slippage

**Provide additional information about this indicator (optional)**

The VT AOE offered four office hour sessions on Child Count reporting in November and December of 2022, to LEAs' personnel who are responsible for submitting child count data to the state.

The VT AOE created School-Aged Educational Environment Calculation Example document which explains that an educational environment represents the setting in which a school aged child (5 in kindergarten to 21) with disabilities has been placed for educational services by their Individualized Education Program (IEP) as determined by their IEP team. Child Count data is reported by a student's educational environment, which represents the setting in which a student with disabilities has been placed for educational services by their IEP. Educators use this document as a guide to calculate a student's educational placement for Child Count. This tool can be found at <https://education.vermont.gov/documents/edu-school-age-educational-environment-calculation-example>

As part of the Bi-weekly director check-in-meetings with all LEA special education directors, the State Director discussed OSEP guidance regarding FAPE in the LRE during the COVID-19 pandemic. FAPE in the LRE information is also posted through multiple channels including the website and monthly communication to the field.

The VT AOE maintains and updates a webpage for resources related to LRE for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-5>

**5 - Prior FFY Required Actions**

None

**5 - OSEP Response**

**5 - Required Actions**

## Indicator 6: Preschool Environments

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program 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.
- C. Receiving special education and related services in the home.

(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

- A. Percent = [(# of children ages 3, 4, and 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 ages 3, 4, and 5 with IEPs)] times 100.
- B. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.
- C. Percent = [(# of children ages 3, 4, and 5 with IEPs receiving special education and related services in the home) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in preschool programs in this indicator. Five-year-old children with disabilities who are enrolled in kindergarten are included in Indicator 5.

States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.

For Indicator 6C: States are not required to establish a baseline or targets if the number of children receiving special education and related services in the home is less than 10, regardless of whether the State chooses to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age. In a reporting period during which the number of children receiving special education and related services in the home reaches 10 or greater, States are required to develop baseline and targets and report on them in the corresponding SPP/APR.

For Indicator 6C: States may express their targets in a range (e.g., 75-85%). 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 IDEA section 618, explain.

## 6 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

### Historical Data – 6A, 6B

Part	FFY	2016	2017	2018	2019	2020
A	Target >=	71.78%	71.78%	71.78%	71.78%	68.00%
A	Data	75.81%	75.61%	73.12%	71.95%	68.70%
B	Target <=	6.19%	6.19%	6.19%	6.19%	0.81%
B	Data	1.00%	0.70%	0.63%	0.38%	0.81%

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and

some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators, Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Targets**

Please select if the State wants to set baseline and targets based on individual age ranges (i.e. separate baseline and targets for each age), or inclusive of all children ages 3, 4, and 5.

Inclusive Targets

Please select if the State wants to use target ranges for 6C.

Target Range not used

**Baselines for Inclusive Targets option (A, B, C)**

Part	Baseline Year	Baseline Data
A	2020	68.70%
B	2020	0.81%
C	2020	8.23%

**Inclusive Targets – 6A, 6B**

FFY	2021	2022	2023	2024	2025
Target A >=	68.00%	69.00%	69.00%	70.00%	70.00%
Target B <=	0.81%	0.71%	0.61%	0.51%	0.51%

**Inclusive Targets – 6C**

FFY	2021	2022	2023	2024	2025
Target C <=	8.23%	8.23%	8.23%	8.23%	8.23%

**Prepopulated Data**

**Data Source:**

SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

07/06/2022

Description	3	4	5	3 through 5 - Total
Total number of children with IEPs	437	576	222	1,235
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	251	408	162	821

Description	3	4	5	3 through 5 - Total
b1. Number of children attending separate special education class	1	4	1	6
b2. Number of children attending separate school	2	5	0	7
b3. Number of children attending residential facility	0	0	0	0
c1. Number of children receiving special education and related services in the home	47	25	13	85

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

**FFY 2021 SPP/APR Data - Aged 3 through 5**

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2020 Data	FFY 2021 Target	FFY 2021 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	821	1,235	68.70%	68.00%	66.48%	Did not meet target	Slippage
B. Separate special education class, separate school or residential facility	13	1,235	0.81%	0.81%	1.05%	Did not meet target	Slippage
C. Home	85	1,235	8.23%	8.23%	6.88%	Met target	No Slippage

**Provide reasons for slippage for Group A aged 3 through 5, if applicable**

The State Target was missed by 1.52 percentage points. VT AOE is exploring hypotheses of why slippage occurred. From 2020 to 2021 the number for 3-, 4-, and 5- year-olds (not in K) receiving special education services decreased by 126 children. (1,361 in 2020 to 1,235 in 2021) with the decline concentrated among 4-year-olds (a decrease of 113 from 689 in 2020 to 576 in 2021). VT AOE's hypotheses of why slippage occurred include this decline in the number of students and the increase of students receiving services through a clinic-based model. School districts have communicated to the AOE that due to shortages of early special educators and related service providers paired with Vermont's large rural regions, more students are receiving IEP services outside of an inclusive regular classroom environment. The 619 Coordinator and Inclusion Coordinator are reaching out to LEAs to delve deeper into the data and explore these hypotheses.

**Provide reasons for slippage for Group B aged 3 through 5, if applicable**

The increase in students receiving services in separate settings increased by 0.24 percentage points. The N number continues to be very small as the students in separate classrooms and separate schools each increased by 1 student. 619 coordinator and Inclusion Coordinator are reaching out to school districts to confirm the accuracy of future data.

**Provide additional information about this indicator (optional)**

Target 6C was met with a decline of students receiving services within the family's home. VT AOE hypothesizes that more students are returning to the classroom after COVID.

Regular monitoring meetings continue with the Part B Data Manager to establish consistent communication and monitoring between the data and programmatic sides of the indicator. Individual TA was administered to Supervisory Unions/ School Districts improve their practices based on current data analysis. For example, SU/SDs not meeting the State target received technical assistance in which a root cause analysis was performed using critical questions. In addition, TA included review of the Preschool Environments Toolkit, Ages 3 through 5 and the ECTA Determining LRE Placements Reference Points and Discussion Prompts document. In November 2022, a live webinar was hosted by the 619 Coordinator and Inclusion Coordinator including review on the purpose and background of Indicator 6, reporting requirements and how to report, and various resources to help teams evaluate and improve their practices and processes. A module and additional resources on Indicator 6 are posted on the Early Education website (<https://education.vermont.gov/student-support/early-education/early-childhood-special-education>). In addition, several open office hours were held for school district personnel to drop by and ask questions regarding Indicator 6 and least restrictive environments.

Vermont currently has an Inclusion Coordinator who is actively involved in the ECTA's Inclusion Community of Practice. The 619 Coordinator attended several Indicator 6 data sessions through NASDSE and ECTA/DaSy in order to improve practice and TA and attended the IDC data meeting in Nashville in the spring and DEC in the fall. Both the 619 Coordinator and Inclusion Coordinator attended the IDIO Conference in Washington, D.C. and NTI. Vermont is an Early MTSS state that supports inclusion and inclusive environments. The 619 Coordinator participates in the ongoing IDC's Data Quality Peer Group on Indicator 6.

The VT AOE maintains and updates a webpage for resources related to preschool environments for special education administrators and educators

which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-6>

**6 - Prior FFY Required Actions**

None

**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

#### Historical Data

Part	Baseline	FFY	2016	2017	2018	2019	2020
A1	2014	Target >=	86.63%	86.63%	87.13%	87.13%	83.67%
A1	86.63%	Data	76.67%	81.75%	NVR	78.34%	83.67%

A2	2014	Target >=	40.91%	40.91%	41.41%	41.41%	48.04%
A2	40.91%	Data	68.75%	48.64%	NVR	48.04%	56.04%
B1	2014	Target >=	87.30%	87.30%	87.80%	87.80%	87.80%
B1	87.30%	Data	80.65%	84.65%	NVR	83.20%	87.16%
B2	2014	Target >=	32.49%	32.49%	32.99%	32.99%	32.40%
B2	32.49%	Data	58.33%	36.05%	NVR	32.40%	36.08%
C1	2014	Target >=	86.00%	86.00%	86.50%	86.50%	86.50%
C1	86.00%	Data	75.00%	85.21%	NVR	78.28%	81.92%
C2	2014	Target >=	54.71%	54.71%	55.21%	55.21%	55.87%
C2	54.71%	Data	76.04%	57.28%	NVR	55.87%	65.15%

### Targets

FFY	2021	2022	2023	2024	2025
Target A1 >=	83.67%	84.67%	85.67%	86.67%	87.67%
Target A2 >=	50.04%	52.04%	54.04%	56.04%	58.04%
Target B1 >=	87.80%	87.80%	87.80%	87.80%	87.80%
Target B2 >=	34.40%	36.40%	38.40%	40.40%	42.40%
Target C1 >=	86.50%	86.50%	86.50%	86.50%	86.50%
Target C2 >=	57.87%	59.87%	61.87%	63.87%	65.87%

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

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- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

FFY 2021 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed

471

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

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	4	0.85%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	51	10.83%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	174	36.94%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	116	24.63%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	126	26.75%

Outcome A	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 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. Calculation: $(c+d)/(a+b+c+d)$	290	345	83.67%	83.67%	84.06%	Met 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. Calculation: $(d+e)/(a+b+c+d+e)$	242	471	56.04%	50.04%	51.38%	Met target	No Slippage

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

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	3	0.64%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	66	14.01%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	247	52.44%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	136	28.87%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	19	4.03%

Outcome B	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 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. Calculation: $(c+d)/(a+b+c+d)$	383	452	87.16%	87.80%	84.73%	Did not meet target	Slippage



Outcome B	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	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>	155	471	36.08%	34.40%	32.91%	Did not meet target	Slippage

**Outcome C: Use of appropriate behaviors to meet their needs**

Outcome C Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	5	1.06%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	52	11.04%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	143	30.36%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	113	23.99%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	158	33.55%

Outcome C	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 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. <i>Calculation: (c+d)/(a+b+c+d)</i>	256	313	81.92%	86.50%	81.79%	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. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	271	471	65.15%	57.87%	57.54%	Did not meet target	Slippage

Part	Reasons for slippage, if applicable
<b>B1</b>	VT AOE hypothesize that the overall decline in children (571 children FFY20 to 471 children FFY21) in Outcome B Progress Category c and d contributed to B1 slippage. The overall decrease in ECSE children was also highly concentrated among 4-year-olds. There were 44 fewer 4-year-olds exited from July 1, 2021 to June 30, 2022 than from July 1, 2020 to June 30, 2021. Additionally, with the buyout of special education platform Goalview, and PCG's struggle to provide EdPlan's ECSE module in time for the end-of-year Child Count last year, LEAs were piecing together separate information sources from their ECSE programs leading to a few children who were initially missed. There are processes designed to mitigate the effect, so this would be a very small impact, but can't be counted out entirely. Furthermore, LEAs report difficulty with staff turnover and shortages especially in the area of Early Special Educators and Related Service Providers. This may have had an impact on teaming and the consistency of ratings which are vital under the Child Outcomes Summary Process which Vermont uses under Indicator 7.
<b>B2</b>	VT AOE hypothesize that the overall decline in children (571 children FFY20 to 471 children FFY21) in Outcome B Progress Category d contributed to B2 slippage. The overall decrease in ECSE children was also highly concentrated among 4-year-olds. There were 44 fewer 4-year-olds exited from July 1, 2021 to June 30, 2022 than from July 1, 2020 to June 30, 2021. Additionally, with the buyout of special education platform Goalview, and PCG's struggle to provide EdPlan's ECSE module in time for the end-of-year Child Count last year, LEAs were piecing together separate information sources from their ECSE programs leading to a few children who were initially missed. There are processes designed to mitigate the effect, so this would be a very small impact, but can't be counted out entirely. Furthermore, LEAs report difficulty with staff turnover and shortages especially in the area of Early Special Educators and Related Service Providers. This may have had an impact on teaming and the consistency of ratings which are vital under the Child Outcomes Summary Process which Vermont uses under Indicator 7.

Part	Reasons for slippage, if applicable
C2	VT AOE hypothesize that the overall decline in children (571 children FFY20 to 471 children FFY21) in Outcome C Progress Category d contributed to C2 slippage. The overall decrease in ECSE children was also highly concentrated among 4-year-olds. There were 44 fewer 4-year-olds exited from July 1, 2021 to June 30, 2022 than from July 1, 2020 to June 30, 2021. Additionally, with the buyout of special education platform Goalview, and PCG's struggle to provide EdPlan's ECSE module in time for the end-of-year Child Count last year, LEAs were piecing together separate information sources from their ECSE module in time for the end-of-year Child Count last year, SD/SUs were piecing together separate information sources from their ECSE programs leading to a few children who were initially missed. There are processes designed to mitigate the effect, so this would be a very small impact, but can't be counted out entirely. Furthermore, LEAs report difficulty with staff turnover and shortages especially in the area of Early Special Educators and Related Service Providers. This may have had an impact on teaming and the consistency of ratings which are vital under the Child Outcomes Summary Process which Vermont uses under Indicator 7.

**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

Sampling Question	Yes / No
Was sampling used?	NO

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

YES

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

Early Childhood Outcomes (ECO) entry, exit and progress data is determined and collected by LEA IEP teams through the IEP process. In 2013, VT AOE began to implement the use of the integrated ECO IEP. Instruments used to gather ECO entry, exit, and progress data are a local IEP decision, however, Teaching Strategies Gold (TSGOLD) is the state approved universal PreK progress monitoring assessment that is required two times per year. VT AOE does not use TSGOLD conversion tables. IEP teams are instructed to use TSGOLD as one source among multiple sources come to consensus; and inform entry, exit and progress data. ECO data is collected via the Child Count data collection two times per year and entered into the Child Outcomes Summary (COS) calculator for SPP APR preparation. VT AOE's ECO Practice and Procedures Manual, along with ECTA resources, provide guidance, tools, and support for IEP teams to make determinations and reporting.

**Provide additional information about this indicator (optional)**

FFY 2021 (471 children) shows an overall decrease of 100 in the number of preschool children aged 3 through 5 with IEPs assessed from previous year FFY 2020 (571 children). Approximately half of the decline was the refinement of our data processes. We adjusted our indicator 7 data preparation practice when we realized it was possible for LEAs to submit ECO data through Child Count for transitions occurring outside of the reporting year. We deleted records not relevant to the reporting year for the FFY21 SPP/APR. Practices have also been put in place to do the same for future collections. There were 44 fewer 4-year-olds exited from July 1,2021 to June 30,2022 than from July 1,2020 to June 30, 2021. As the overall decrease in ECSE children was also highly concentrated among 4-year-olds, that is most likely a big part of the explanation for the drop in children. Additionally, with the buyout of special education platform Goalview, and PCG's struggle to provide EdPlan's ECSE module in time for the end-of-year Child Count last year, LEAs were piecing together separate information sources from their ECSE programs leading to a few children who were initially missed. There are processes designed to mitigate the effect, so this would be a very small impact, but can't be counted out entirely.

A process was put in place by Part B Data Manager to correct impossibles. Regular communication on Indicator 7 continued between the Part B Data Manager and 619 Coordinator to enhance coordination of this indicator. 619 Coordinator and Inclusion Coordinator provided technical assistance to LEAs on appropriate use of the decision tree, ECO Practices and Procedures Manual, and COS Calculation Tool. Monthly meeting calls with Center for IDEA Early Childhood Data Systems (DaSy) and the Early Childhood Technical Assistance Center (ECTA) were attended as were quarterly COS community of practice meetings. The 619 Coordinator and Inclusion Coordinator attended national conferences and weekly/biweekly 619 NASDSE/ECTA meetings. An online slide deck and recording on Indicator 7 was posted on the ECSE webpage for Special Education Directors, Related Specialists, and Administrators on background, important documents, resources, and reporting Early Child Outcomes.

VT AOE maintains and updates a webpage for resources related to preschool outcomes for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-7>

## 7 - Prior FFY Required Actions

None

## 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 and the number of respondent parents. The survey response rate is automatically calculated using the submitted data.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023**, include in the State's analysis the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services. States must consider race/ethnicity. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

If the analysis shows that the demographics of the children for whom 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

Question	Yes / No
Do you use a separate data collection methodology for preschool children?	NO

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SIMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the

target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Historical Data**

Baseline Year	Baseline Data
2020	79.80%

FFY	2016	2017	2018	2019	2020
Target >=	38.12%	38.12%	38.12%	38.12%	79.80%
Data	36.75%	37.03%	34.31%	34.94%	79.80%

**Targets**

FFY	2021	2022	2023	2024	2025
Target >=	79.80%	79.80%	80.80%	81.80%	82.80%

**FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
1,016	1,299	79.80%	79.80%	78.21%	Did not meet target	Slippage

**Provide reasons for slippage, if applicable**

VT AOE and stakeholders aimed high when setting targets. We used the current satisfaction data from our new survey in a year when parents seemingly wanted their voices heard. The 1.6% decrease is concerning, and we might attribute fewer satisfied families to a year of uncertainty with regard to COVID waves (students and teachers out intermittently), or with regard to staffing shortages. Mitigating activities are described later.

**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.**

The same set of 18 statements was sent to all parents preschool through age 21 who had a child with an IEP during the 2021-22 school year. The same analysis of surveys happened for all submissions. Surveys to 14,804 parents of preschool through 12th-grade children were mailed. Included with the survey form was a cover letter and a self-addressed, stamped business reply envelope for the return of the completed survey, the log-in ID number needed to complete the survey via the Internet, as well as the web address of the online survey. Some parents also phoned in their responses.

**The number of parents to whom the surveys were distributed.**

14,804

**Percentage of respondent parents**

8.77%

**Response Rate**

FFY	2020	2021
Response Rate	10.77%	8.77%

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

VT AOE with stakeholders creates and completes strategies that are expected to increase the response rate year over year, particularly for groups that are underrepresented. Within the survey, one statement that provides the VT AOE information on the response rate is: "I was informed about this survey before it arrived", to which more than 63% of respondents said "NO". VT AOE continues to work with stakeholders to determine the best, non-biased mode of reaching families in order to increase response rates for underrepresented groups and total response rate for parents/families of students with disabilities. To increase the response rate year over year, VT AOE collaborates with the survey vendor to ensure that all families are given the

opportunity to respond to the survey. VT AOE continues to work with special educators and directors of LEAs, parent/family groups, and mental health centers to encourage families to participate in the survey. For FFY21, information about the survey was sent to more than 10 designated mental health and family agencies. VT AOE has embarked on a collaborative effort with the Vermont Family Network, Vermont's parent center, and continues to work with the VT Special Education Advisory Panel on analyzing underrepresented groups and develop strategies to ensure accurate representation of families across VT.

VT AOE has also enlisted the collaboration of the agency's Family Engagement Coordinator to assist targeted LEAs with very low response and satisfaction rates. The collaboration across the agency is expected to increase the total response rate year over year.

For FFY22 and future collection, VT AOE is actively working on strategies for groups that are underrepresented, for families of students aged 12-17., VT AOE will update materials related to transition planning to encourage family participation in the survey. For families of students with emotional disturbance, VT AOE will reach out to all designated agencies and independent schools to encourage families to complete the survey; for families of students with specific learning disability, VT AOE will be reaching out to LEAs to target these groups.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of parents of children with disabilities.**

VT AOE analyzed nonresponse bias by comparing the results for underrepresented groups to the results of all respondents. All of the underrepresented groups were less likely to report that schools facilitated parent involvement as a means of improving services and results for children with disabilities. Therefore, it is likely that nonresponse bias had a positive effect on Vermont's rate of parent involvement. Of the underrepresented groups, 72.22% of families of students with emotional disturbance, 73.35% of families of students with specific learning disability, and 74.14% of families of 12-17 year olds on IEPs reported that schools facilitated parent involvement, compared to 78.21% of all respondents.

VT AOE continues to generate root causes that may have prevented families from responding to this year's survey. Families had options for responding by paper/mail, or the internet and were provided with a phone number. Feedback from the State's Advisory Panel was that parents are just so tired of the educational system so at the end of the day they have no time to fill in a survey; that people are leery when receiving something from the state; that parents are not seeing that the survey changes anything or makes a difference; and, that there is a lot of distrust and dissatisfaction with the educational environment in general. Panel members proposed that the needs of the 12-17-year-olds are not being met and thus, apathy prevails. Given that 91.2% of eligible respondents chose not to fill out the survey, it is our belief that if we target and increase response rates and accessibility to the survey, we can better identify any bias and target any broad cross-section of ethnicity, race, or disability categories for greater representation. VT AOE is taking the following steps to address nonresponse bias: We continue to get the word out. We are looking into the possibility of including email addresses in our Child Count data collection in hopes that we may include sending the surveys by email. We are also looking into transitioning survey distribution from the SEA to the LEA/school. The challenge of these two ideas is that it requires inter-division collaboration and approval. We are inserting parent engagement awareness, rules, and data into several aspects of SSIP systems and math professional development work- i.e., in PD sessions on math practices, we have educators discussing how parents are engaged in helping their children with math fluency, and we have parent engagement data part of discussions with LEA leadership and systems coaches.

The AOE is engaged in eliminating potential nonresponse bias. We are actively looking to address accessibility by looking for different avenues for parents to access the survey; looking at increasing the timeframe window in which parents have to respond; increase outreach, reminder interactions for those who have not responded after a set amount of time.

In the State Advisory Panel and the Vermont Family Network conversations about possible reasons for no responses from families with students with Emotional Disturbance and Specific Learning Disabilities it was postulated that in particular these families have so much to deal with day to day, they just do not have the time to fill out surveys- that perhaps they are regularly overwhelmed doing what needs to be done leaving little to no time for optional tasks. It was also suggested that outside services are less and less available for students (particularly in the 12-17 year-old range, and parents are simply frustrated with their whole educational experience.

**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. States must include race/ethnicity in their analysis. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

Complete demographic information was collected for all 1,300 respondents and compared to the percentage of eligible children in each demographic area. VT defines representativeness as a difference of 3.00 percentage points more/less between the percent of eligible children in that category and the percentage of children for whom surveys were returned; in a few categories, Vermont did not meet this bar for representativeness.

Looking at the under-represented groups: Parents of students with emotional disturbance made up 3.17% less of the respondent population than expected. Parents of students with a Specific Learning Disability made up 3.03% less of the respondent population than expected. Meanwhile, the 12-17-year-olds had the lowest response rates and made up 5.92% less of the respondent group than the eligible group.

Parents of children in the 2-to-5-year age group made up 4.75% more of the respondent population than the eligible population. While it did not meet the threshold, the 6-11-year-old category made up 2.45% more of the respondent population than the eligible population.

Our Race/ Ethnicity rates are generally representative of our total population. We have a slightly higher white population (1.18%) responding than all other categories, which are all less than 1% over or under.

**The demographics of the parents responding are representative of the demographics of children receiving special education services. (yes/no)**

NO

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

As stated above, messaging efforts are underway to better reach families and encourage them to respond. We plan to continue contacting mental health organizations serving the oft-underrepresented 12-17-year-old and Emotional Disturbance populations to help spread the word. SSIP is one avenue for targeting TA provided to those LEAs with longstanding low satisfaction rates. In addition, we are messaging that a survey exists and what we do with the results in other arenas- like the new VT mentoring program sessions as well as regional special education director meetings, monthly Nuggets sent to Special Education Directors, the Agency-wide Weekly Field Memo, VFN newsletter. Messaging and data presentations will continue at the AOE-established Family Engagement Network for Parent Liaisons- meetings (held by the MTSS team), and the VT SEAP.

VT AOE will prepare a recommendation to all special educators to include the survey in their Transition planning meetings with parents, during the transition process encourage LEAs to remind families of the Indicator 8 survey directly targeting 12-17 year olds. VT AOE will reach out to designated

agencies, secondary transition organizations asking them to remind parents to be on the lookout for surveys. In an effort to increase all groups response rates we will collaborate with the Vermont Family Network to create a short clip video about the survey, what each component looks like, how to fill it in, mode option for sharing responses (online, phone, translation), why we do this survey and what we do with the results. The AOE has contracted with the vendor to include a QR code and to make the survey mobile device friendly in an effort of increasing representativeness.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

VT AOE defines representativeness in a category as a difference by 3.00 percentage points or less between the percent of eligible children in that category and the percent of children for whom surveys were returned.

Sampling Question	Yes / No
Was sampling used?	NO

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	YES
If yes, provide a copy of the survey.	2022 Vermont SPP Indicator 8 Survey 508

**Provide additional information about this indicator (optional)**

After feedback from stakeholders, we added 2 open-ended questions to the SY 21-22 survey: What would you recommend your school do to improve programs? And Is there anything else you would like us to know about your child's experiences with special education programs? We are looking at trends by LEA and region to determine targeted TA- and at ways to share these data anonymously. Our data team will look at tying the comments back to LEAs / Schools to help narrow the targeted TA.

Each LEA receives its report along with recommendations and resources about Family Engagement practices and a self-assessment of the LEA's practices. We are looking at incorporating parent engagement surveys into general education feedback mechanisms already in place. We are considering a focus group where we can ensure representativeness.

VT AOE has attached the revised Indicator 8 survey, and to view the accessibility report please open the file "2022 Vermont SPP Indicator 8 Survey 508" in Adobe Reader, view file attachments (click paper clip icon in the left navigation), and view Accessibility Report "\_2022 Vermont SPP Indicator 8 Survey.pdf.accreport.html".

The VT AOE maintains and updates a webpage for resources related to parent involvement for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-8>

**8 - Prior FFY Required Actions**

In the FFY 2021 SPP/APR, the State must report whether its FFY 2021 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

**Response to actions required in FFY 2020 SPP/APR**

VT AOE reports that the responses are not representative of all demographic groups in Vermont. VT AOE will work with special educators, parent/family groups, and mental health centers; enlist the collaboration of the VT AOE Family Engagement Coordinator to assist targeted LEAs with very low response (and satisfaction) rates; collaborate with the Vermont Family Network (Vermont's parent center), work with the Vermont Special Education Advisory Panel; look into the possibility of including email addresses in our Child Count data collection; begin talks about transitioning survey distribution from the SEA to the LEA/school; insert parent engagement topics in several aspects of SSIP, and do more messaging that there is a survey and what we do with the results.

**8 - OSEP Response**

**8 - Required Actions**

In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 data are from a response group that is representative of the demographics of children receiving special education services, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

## 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 the reporting year, 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 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and 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 2021 SPP/APR, the data for FFY 2020), 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

#### Historical Data

Baseline Year	Baseline Data
2020	0.00%

FFY	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%

#### FFY 2021 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.

0

Number of districts with disproportionate representation of racial/ethnic groups in special education and related services	Number of districts with disproportionate representation of racial/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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0	52	0.00%	0%	0.00%	Met target	No Slippage

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).

The VT AOE uses a combination of techniques to measure whether any racial or ethnic group is identified for special education services at a higher rate than other groups. Weighted risk ratios are used when populations are large and diverse enough to support their accuracy; in other cases, alternate risk ratios are used. The VT AOE uses a comparison group cell size of 11 to determine whether to use a weighted or alternate risk ratio; additionally, the VT AOE does not include districts with a target group cell size less than 11. The VT AOE does not use an n size for indicator 9. The VT AOE uses 1 year of data for indicator 9.

The VT AOE has a 2-criterion system to identify LEAs with disproportionate representation in special education, used in combination with a minimum cell size for the target group. A challenge for the VT AOE in identifying disproportionate representation is the homogeneity of Vermont’s student population. In both regular education and special education settings, more than 90 percent of the total student population has historically been reported as white. In addition, the counts of children receiving special education in each LEA are relatively small, averaging less than 300 students per LEA. Taken together, the homogeneity of the student population and relatively small child counts result in a situation where the addition of just one child into special education can create a large difference in the race/ethnicity composition of children receiving IDEA-B services in an LEA. To address these challenges, the VT AOE created the following method designed to provide meaningful, valid, and reliable identification for LEAs with disproportionate representation:

Minimum cell/n sizes: The VT AOE uses a minimum cell size of 11 to avoid volatility in Weighted Risk Ratios and to ensure compliance with our state’s data privacy policy. The VT AOE does not use a minimum n size.

Criterion 1: A difference greater than or equal to 10 between the actual and expected counts of students with disabilities in a race/ethnicity category.

For a district to be identified with disproportionate representation, the VT AOE requires that there be at least 10 more students receiving special education services than would be expected. Expected counts are calculated in two steps. First, the LEA’s total student count in a race/ethnic group is divided by the LEA’s total student population to find the portion of students in that race/ethnic group. This result is then multiplied by the number of students with disabilities in the LEA.

Criterion 2: LEA-level Weighted Risk Ratio greater than 3.0 or LEA-level Alternate Risk Ratio greater than 3.0.

The VT AOE uses a Weighted Risk Ratio with a threshold of 3.0. If the comparison group cell size is less than 11, an Alternate Risk Ratio calculation is used, also with a threshold of 3.0.

These calculations are described in the IDEA Data Center’s Technical Assistance Guide entitled “Methods for Assessing Racial/Ethnic Disproportionality in Special Education” and found at <https://www.ideadata.org/resources/resource/140/methods-for-assessing-raciaethnic-disproportionality-in-special-education>

**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.**

The VT AOE used Child Count data and Fall Student Census data to complete the calculations and apply the criteria described above. No LEA in the State is identified with disproportionate representation in any disability category based on these criteria.

**Provide additional information about this indicator (optional)**

FFY21 data for this indicator are based on VT’s Child Count collection with a Dec 1, 2021, reference date, in combination with VT’s DC#06/Fall Student Census data with an Oct 1, 2021, reference date. The data refer to a period during which COVID-19 continued to impact related conditions/variables. The collection of data was relatively smooth during this time span, however, the content of the data was conceivably impacted by the pandemic. For instance, we know that evaluations and identifications continued to be impacted by student availability during FFY2021 per descriptions shared within Indicator 11 submissions for routine monitoring activities. Is it likely that some races/ethnicities had more barriers to the identification process. We know some races/ethnicities in the state were much more likely to have contracted COVID-19. This could have an effect on who might be identified for special education or more opportunity for Long COVID. Families likely experienced trauma over losing a close family member. Absent answers to any of these questions, the data could conceivably have been affected by COVID-19; however, we didn’t see any changes sizeable enough to base a reliable statistical analysis on.

VT AOE maintains and updates a webpage for resources related to disproportionate representation for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-9>



**Correction of Findings of Noncompliance Identified in FFY 2020**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**9 - Prior FFY Required Actions**

None

**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 the reporting year, 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 specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: intellectual disability, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

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 specific disability categories 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 2021 SPP/APR, the data for FFY 2020), 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

#### Historical Data

Baseline Year	Baseline Data
2020	0.00%

FFY	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%

**FFY 2021 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.**

0

Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial/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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
0	0	52	0.00%	0%	0.00%	Met target	No Slippage

**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).**

The VT AOE uses a combination of techniques to measure whether any racial or ethnic group is identified for special education services in certain disability categories at a higher rate than other groups. Six disability categories are examined: autism, specific learning disabilities, other health impairments, emotional disturbance, speech and language impairments, and intellectual disability. Weighted risk ratios are used when populations are large and diverse enough to support their accuracy; in other cases, alternate risk ratios are used. VT AOE uses a comparison group cell size of 11 to determine whether to use a weighted or alternate risk ratio; additionally, the VT AOE does not include districts with a target group cell size less than 11. The VT AOE does not use an n size for indicator 10. The VT AOE uses 1 year of data for indicator 10.

The VT AOE has a 2-criterion system to identify LEAs with disproportionate representation in the 6 selected special education disability categories, used in combination with a minimum cell size for the target group. A challenge for the VT AOE in identifying disproportionate representation is the homogeneity of Vermont’s student population. In both regular education and special education settings, more than 90 percent of the total student population has historically been reported as white. In addition, the counts of children receiving special education in each LEA are relatively small, averaging less than 300 students per LEA. Taken together, the homogeneity of the student population and relatively small child counts result in a situation where the addition of just one child into a disability category can create a large difference in the race/ethnicity composition of children receiving IDEA-B services for that disability in an LEA. To address these challenges, the VT AOE created the following method designed to provide meaningful, valid, and reliable identification for LEAs with disproportionate representation:

Minimum cell/n sizes: the VT AOE uses a minimum cell size of 11 to avoid volatility in Weighted Risk Ratios and to ensure compliance with our state’s data privacy policy. The VT AOE does not use a minimum n size.

Criterion 1: A difference greater than or equal to 10 between the actual and expected counts of students in a race/ethnicity group identified with the target disability category.

For a district to be identified with disproportionate representation, the VT AOE requires that there be at least 10 more students receiving services for any of the 6 disability categories than would be expected. Expected counts are calculated in two steps. First, the LEA’s total student count in a race/ethnic group is divided by the LEA’s total student population to find the portion of students in that race/ethnic group. This result is then multiplied by the number of students with the target disability in the LEA.

Criterion 2: LEA-level Weighted Risk Ratio greater than 3.0 or LEA-level Alternate Risk Ratio greater than 3.0.

The VT AOE uses a Weighted Risk Ratio with a threshold of 3.0. If the comparison group cell size is less than 11, an Alternate Risk Ratio calculation is used, also with a threshold of 3.0. These calculations are described in the IDEA Data Center’s Technical Assistance Guide entitled “Methods for Assessing Racial/Ethnic Disproportionality in Special Education” and found at <https://www.ideadata.org/resources/resource/140/methods-for-assessing-racial-ethnic-disproportionality-in-special-education>

**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.**

The VT AOE used Child Count data and Fall Student Census data to complete the calculations and apply the criteria described above. No LEA in the State is identified with disproportionate representation in any disability category based on these criteria.

**Provide additional information about this indicator (optional)**

FFY21 data for this indicator are based on VT’s Child Count collection with a Dec 1, 2021, reference date, in combination with VT’s DC#06/Fall Student Census data with an Oct 1, 2021, reference date. The data refer to a period during which COVID-19 continued to impact related conditions/variables. The collection of data was relatively smooth during this time span, however, the content of the data was conceivably impacted by the pandemic. For

instance, we know that evaluations and identifications continued to be impacted by student availability during FFY2021 per descriptions shared within Indicator 11 submissions for routine monitoring activities. Is it likely that some races/ethnicities had more barriers to the identification process. We know some races/ethnicities in the state were much more likely to have contracted COVID-19. This could have an effect on who might be identified for special education or more opportunity for Long COVID. Families likely experienced trauma over losing a close family member. Absent answers to any of these questions, the data could conceivably have been affected by COVID-19; however, we didn't see any changes sizeable enough to base a reliable statistical analysis on.

VT AOE maintains and updates a webpage for resources related to LRE for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-10>

**Correction of Findings of Noncompliance Identified in FFY 2020**

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

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**10 - Prior FFY Required Actions**

None

**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

a. # of children for whom parental consent to evaluate was received.

b. # 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 2021 SPP/APR, the data for FFY 2020), 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 Year	Baseline Data
2005	69.74%

FFY	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	97.74%	97.58%	97.13%	97.12%	59.28%

### Targets

FFY	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%

### FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
395	315	59.28%	100%	79.75%	Did not meet target	No Slippage

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

80

**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.**

The number of days between the state-established timeline and date of completion range from 1-339 days. Within this range, the following distribution occurred:

- Children with <30 days past the 60-day requirement: 30
- Children with between 30-100 days past the 60-day requirement: 6
- Children with between 100-200 days past the 60-day requirement: 1
- Children with between 200-300 days past the 60-day requirement: 0
- Children with between 300-363 days past the 60-day requirement: 1
- Children for whom we are uncertain of the number of days between consent and the completion of evaluation due to LEA submission of incomplete data: 42

The reasons for the delays were sorted into four overall categories:

1. Family engagement: LEAs in this category cited their delays as related to the family not responding to the school's communication, the parent not signing the required documents, and the student was absent for a large portion of the year.
2. Not having the available data to reach conclusions regarding evaluations: LEAs in this category cited their delays as happening because there was no available data to inform the evaluation, the students refused to complete testing, or work samples were never received.
3. Districts having systems that lacked defined processes & structures: LEAs in this category cited their delays as being related to not having enough time to complete all components of an evaluation, staffing shortages, and students not being available due to other school-related activities.
4. Overall expertise related to timelines: LEAs in this category cited their delays as being caused by special educators not knowing the required timelines, new staff not knowing what forms to use and when, and not having properly trained evaluators available to complete the required assessments.

**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).**

2362.2.1 (c) Initial Evaluations (34 CFR §300.301) states that "the initial evaluation shall be completed, and the report issued within sixty days from either: 1. The date parental consent has been received by the LEA. 2. The date on the LEA's Notice, which informs parents that it will be reviewing existing data as the sole basis for the initial evaluation." This differs from 34 CFR §300.301 by adding the language "and the report issued" as opposed to just completed.

**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.**

In FFY2019, Vermont state policy provided that data is to be collected on a 3-year cycle through a state developed spreadsheet for LEA self-reporting of completed initial evaluations. This policy continued in FFY2020 and FFY2021, measuring initial evaluations during the time period July 1, 2021 – March 1, 2022. The VT AOE provides technical assistance individually to ensure LEA data are reported in a secure, accurate online location. Vermont reviews submissions within a state developed state monitoring system and each LEA receives written feedback in addition to citations identifying student-level issues of noncompliance and opportunities for differentiated technical assistance. Districts who do not meet 100% compliance are included as part of the monitoring activities for this indicator as part of a selective and/or targeted monitoring cohort, and the results are factored into the LEA's special education determination status. At the end of each yearly monitoring cycle, Vermont notifies LEAs of final compliance standings in a summary of results report that details the noncompliance with citations and a list of action steps necessary to correct noncompliance. The LEA special education determination status results in a Corrective Action Plan whereby the LEA demonstrates use of continuous improvement processes in order to identify source(s) of systemic noncompliance and then develop and implement data-driven processes to create systems level change. For FFY2021, data submissions for cyclic monitoring were scheduled for Jan 15, 2022 and March 15, 2022.

After submitting data, LEA Indicator 11 data are collated by the monitoring team using a spreadsheet where, for every initial evaluation completed during the school year, up to the final school day of the month prior to the date of submission, LEAs list the following: name of school, type of enrollment (public, private, independent school, or home study), student perm number, date of request of evaluation, date of EPT meeting, date in which parent consent was received, date of eligibility determination meeting, date of eligibility report provided to the parents, eligibility decision (eligible/not eligible for special education), type of evaluation for out of state transfer (initial or records review only), referral to IEP team, referral to 504 or EST team, reason for delay related to student or family (if applicable), reasons for delay, date of denial, reasons for denial. The entries are confirmed by an attestation by the special education director, as the final step of data submission.

The monitoring team reviews all data, including supporting documentation when applicable (e.g., Special Education Form 4), and maintains a record of the ratio of compliant to requested evaluations to be used in the subsequent results reports to LEAs.

LEAs who submitted incomplete data were placed in Selective Monitoring, an escalated monitoring status, during FFY2022. Some corrections made during FFY2022 are reflected in the data above. LEAs who did not submit data successfully verified as corrected were then placed in the highest

escalated monitoring status, Targeted Monitoring, from January-June of 2023. Monitoring will continue to work with these LEAs until all data is successfully verified as corrected.

Additionally, points for accuracy, completeness, and timeliness will be included in LEA Special Education Determinations moving forward, to further support reducing the number of students yet to be verified as a result of incomplete data submitted by a LEA.

**Provide additional information about this indicator (optional)**

An increase occurred in total students reviewed between the FFY2020 SPPAPR and the FFY2021 SPPAPR, a result of the total number of LEAs reviewed increasing from 17 to 39 due to their monitoring status related to Indicator 11.

In response to slippages reported for FFY2020, the VT AOE began improvement efforts regarding the ease of use and clarity of Delay of Evaluation forms. The new form, released in Summer 2022, provides allowable reasons for a delay as options selectable by the special educator and does not permit entry of impermissible reasons for delay outside of entering a description associated with a checkbox marked "other," which is subject to review on a case-by-case basis by the monitoring team.

Training related to this updated form and the applicable content matter was provided through office hour sessions where special education directors were invited to ask clarifying questions about the updated special education forms released in 2022. In addition to the updated form for the reason for delay, a companion document is slated for release during the winter of 2022-2023 to further support the proper use of Delay of Evaluation forms. The companion document will include all relevant federal and state legal language related to evaluation timelines, as well as some examples of acceptable and unacceptable reasons for delay with an explanation of why they are acceptable or not. We expect that these changes will greatly decrease the misuse of the Delay of Evaluation form for non-compliant delays.

The Delay of Evaluation forms collected by the VT AOE indicated common reasons for delay across schools. After analyzing the data, the common reasons were sorted into four categories: family engagement, available data, processes & structures, and overall expertise related to timelines. A document was created, Common Areas of Delay & Resources Surrounding Timelines & Child Find (<https://education.vermont.gov/documents/common-areas-of-delay-and-resources-surrounding-timelines-and-child-find>), to support LEAs in identifying their most common causes of delay and resources to support improvement in the identified area. The document also attempts to provide a process for districts to follow as they review their data, strategies to address common areas of concern, and reflection questions to guide critical analysis. This document was shared with special education directors during a presentation on September 1st, 2022. Based on feedback from LEAs, this document was updated on October 4th, 2022.

The Vermont Agency of Education published a manual in 2022, K-12 Special Education Evaluation Implementation Guide (<https://education.vermont.gov/sites/aoe/files/documents/edu-k12-special-education-evaluation-implementation-guide.pdf>), to support all school personnel with the changes to rule 2362 slotted to take effect in July 2023. These rule changes directly impact the evaluation process in the state of Vermont. This manual provides information on Child Find, Free Appropriate Public Education, Least Restrictive Environment, all special education timelines, and provides guidance on the special education process from pre-referral to IEP development. As our state continues to experience shortages, this is an invaluable resource for incoming special educators to utilize as they navigate special education timelines and processes.

Vermont is in the second year of the Vermont Mentoring Special Educators for Excellence Program which is aimed to support special educators who are mentoring special education teachers on provisional licenses. Part of the program is monthly live talks for mentors and mentees to discuss topics related to the field of special education. One of the presentations this year focused on the stressors of novice special education teachers and timelines was discussed as an area of stress. The presenter discussed this stressor with the special education mentors and shared strategies on supporting colleagues with timelines associated with Child Find.

Future Child Find/Indicator 11 activities include creating case files for scenario specific recommendations to help LEAs with decision making regarding delays and an online learning module to support case managers with child find requirements and all applicable timelines.

The VT AOE maintains and updates a webpage for resources related to Child Find for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-11>

**Correction of Findings of Noncompliance Identified in FFY 2020**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
17	1	0	16

**FFY 2020 Findings of Noncompliance Verified as Corrected**

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

In order to resolve findings of noncompliance, the LEA in question (with FFY2020 findings of noncompliance verified as corrected within one year) submitted data on all evaluations for which parental consent was received in the intervening time between the previous collection and March 15, 2022. All evaluations listed were found to be completed within statutory limits. The VT AOE was able to verify the correction of noncompliance and notify the LEA in writing about the correction.

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

The VT AOE analyzed timelines for students with late evaluations from the LEA verified as corrected within one year. This LEA demonstrated correction to each individual case in its initial data submission because it provided evidence to VT AOE that all students had received evaluations.

In this LEA, nine students reported in FFY2020 had late initial evaluations. The VT AOE has determined that although late, all nine students received an initial evaluation and eligibility determination.

These data were received by the VT AOE as part of a routine cyclic monitoring data submission from that LEA, where the date of parental consent and the date the evaluation was completed is provided for each student in the LEA for whom parental consent for evaluation was received.

**FFY 2020 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

In FFY2020, all 16 LEAs with noncompliance not corrected were notified that their submission of data demonstrated noncompliance in the results report provided in June 2021. This placed the 16 LEAs in Selective Monitoring, an escalated status from the cyclic monitoring cycle in which noncompliance was initially identified. As a result of being placed in Selective Monitoring, the 16 LEAs were required to submit data on all evaluations for which parental consent was received in the intervening time between the previous collection and March 15, 2022. This March 2022 submission informed the results report provided in June 2022. All 16 LEAs completed the evaluations that were delayed in FFY2020, demonstrating each individual case of noncompliance was corrected; however, these 16 LEAs continued to demonstrate noncompliance by failing to achieve 100% of evaluations within the state-defined timeline. These 16 LEAs were escalated to Targeted Monitoring status and are required to submit further data by June 21, 2023.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**11 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

The VT AOE reported on the status of correction of noncompliance identified in FFY2020 for this indicator in the corresponding section of this document (above). The VT AOE reported that one (1) of the LEAs with noncompliance identified in FFY2020 for this indicator have been verified as (1) correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

The aforementioned LEA (with FFY2020 findings of noncompliance verified as corrected within one year) submitted data on all evaluations for which parental consent was received in the intervening time between the previous collection and March 15, 2022. All evaluations listed were found to be completed within statutory limits. The VT AOE was able to verify the correction of noncompliance and notify the LEA in writing about the correction.

The LEA verified as corrected within one year provided seven students' evaluations on time and nine students' evaluations late. All 16 students with parental consent for evaluations received evaluations. These data were received by the VT AOE as part of a routine cyclic monitoring data submission from that LEA, where the date of parental consent and the date the evaluation was completed is provided for each student in the LEA for whom parental consent for evaluation was received.

Based on an updated review of individual student records for each of the nine (9) students reported in FFY2020 with late initial evaluations, Vermont has determined that although late, all nine (9) students received an initial evaluation and eligibility determination.

**11 - OSEP Response**

**11 - Required Actions**

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. In addition, the State must demonstrate, in the FFY 2022 SPP/APR, that the remaining 16 uncorrected findings of noncompliance identified in FFY 2020 were corrected.

When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2021 and each LEA with remaining noncompliance identified in FFY 2020: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.



## 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

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # 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.
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- f. # 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.

Targets must be 100%.

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.

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 2021 SPP/APR, the data for FFY 2020), 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

#### Historical Data

Baseline Year	Baseline Data
2005	86.44%

FFY	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	100.00%	100.00%	100.00%	100.00%	99.24%

#### Targets

FFY	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%

#### FFY 2021 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	187
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	11

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	169
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.	7
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	0
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

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2020 Data	FFY 2021 Target	FFY 2021 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.	169	169	99.24%	100%	100.00%	Met target	No Slippage

**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**

0

**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.**

**Attach PDF table (optional)**

**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.**

Notification letters and reminders were sent to seventeen LEAs slated for FFY2020 Compliance Monitoring, which for this indicator involves the LEA completion of a state-developed tracking tool spreadsheet that contains IDEA Part C to Part B transition information. Vermont requested from each LEA information such as: the child's name, date of birth, name of CIS/EI office notifying the LEA, person submitting the data to the state from the LEA with the date submitting, the date that referral to Part B was received, date parental rights was provided to family, if the child was determined eligible for Part C less than 90 days before the child's third birthday (providing the range of days before the third birthday), date of the transition meeting, date of eligibility for Part B if determined eligible, as well as the date an IEP was developed, and the date of parental consent for the provision of the IEP services as well as placement into Part B. This tracking tool spreadsheet was submitted to the state from the LEA at two (2) periods over the course of the school year and were due on January 15, 2022 and June 1, 2022.

**Provide additional information about this indicator (optional)**

Follow up technical assistance by the state was provided previous to, and after each submission date. The state has also created an Indicator 12 training video with corresponding PowerPoint, held a live training webinar and follow up for LEA's to answer any additional questions from the LEA's. The tracking tool used in submissions also gives LEA's an at a glance color coded indication as they get closer to the child's third birthday. The VT AOE maintains and updates a webpage for resources related to early childhood transition for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-12>

**Correction of Findings of Noncompliance Identified in FFY 2020**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
1	1	0	0

**FFY 2020 Findings of Noncompliance Verified as Corrected**

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

The State identified one instance of non-compliance for FFY20 at one LEA detected through monitoring procedures in FFY2020 which resulted in a three-day delay of the child's IEP being in place by their third birthday and a 97% level of compliance. The LEA was required to use a tracking log for this indicator as part of correcting non-compliance. The State verified that the LEA corrected non-compliance through:

- Monitoring (reviewing the child's IEP and dates of IEP implementation and of parental consent),
- Staff and administrator participation of trainings verified through attendance sheets and
- Review of the LEA's updated process that notifies the team of when IEPs are coming due

The LEA remained in targeted monitoring for FFY21 with quarterly check-ins with the State. The LEA was at 100% compliance for Indicator 12 for FFY21.

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

The root cause of the non-compliance was a process and procedures error due to one person in charge of IEP meeting taking place by the child's third birthday. When the person experienced an extended illness, there was not a process or procedure in place where another individual would take over the scheduling and attendance of the IEP meeting. The State verified that the child's IEP was implemented three days after the child's third birthday through

viewing the child's IEP as well as dates of implementation and parental consent.

Due to the change in process of adding the tracking log which addresses multiple checkpoints and the appointment by the LEA of an additional case manager, the LEA is able to better ensure 100% compliance on transitions to early childhood special education and an IEP in place by the child's third birthday. The State monitored the LEA for an additional year (FFY21) to help ensure understanding and compliance with Indicator 12. 100% compliance was achieved by the LEA for FFY21.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**12 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

The State verified corrected non-compliance by confirming the LEA's correction through monitoring (reviewing IEP and dates including IEP implementation and parental consent), staff and administrator participation of trainings verified through attendance sheets and of the LEA's updated process that notifies them of when IEPs are coming due.

**12 - OSEP Response**

**12 - Required Actions**

## Indicator 13: Secondary Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** 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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, 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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, 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 2021 SPP/APR, the data for FFY 2020), 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 Year	Baseline Data
2009	22.60%

FFY	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	88.03%	100.00%	71.25%	10.53%	45.63%

### Targets

FFY	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%

### FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
104	170	45.63%	100%	61.18%	Did not meet target	No Slippage

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.**

A minimum of 10 sample plans are collected from each LEA which are part of the three-year cyclic monitoring cohort through electronic submissions and reviewed for compliance in 16 single areas contained within eight elements of indicator 13. Plans found by a reviewer to be less than 100% compliant when scored against the NTACT checklist and present further questions are then reviewed by multiple VT AOE staff to establish inter-rater reliability. During FFY2021, districts in cyclic monitoring were required to perform a self-review of their transition plans for compliance, which was then followed by the standard review by the VT AOE. This allows further inter-reviewer agreement processes to evaluate districts’ reasoning and methods for determining if their transition plans were in compliance.

The VT AOE currently makes a finding based on one submission window, with submissions due each March 15th. As a result of further study of the OSEP 09-02 Memo, the State Guide on Identifying Noncompliance (February 2021), and analysis of the nature of the noncompliance being cited, the VT AOE made a modification to its system for March 2022 submissions. Our general supervision procedures will allow programs to submit pre-finding correction(s) during a brief window prior to the VT AOE issuing a written notification of a finding of noncompliance. The VT AOE will verify the correction of each instance of child-specific noncompliance and review updated program data demonstrating 100% compliance with each statutory or regulatory requirement with which noncompliance was identified. While the LEA may be allowed to submit correction(s) during the pre-finding correction window, the VT AOE continues to report the actual rate of compliance that was calculated prior to the pre-finding correction window in the results report, APR, and when reporting to the public on the performance of the LEA. Noncompliance that is resolved as a result of correction(s) during the pre-finding correction window is reported as noncompliance verified as corrected within one year. Our SPP/APR report data will reflect the level of compliance prior to the LEA correcting any identified noncompliance, regardless of whether compliance is corrected prior to or following written notification of noncompliance. This will ensure more timely corrections and prevent our state from continued longstanding noncompliance.

The VT AOE established an analysis system that lets VT AOE staff see (for each LEA) all plan submissions and breaks down each submission based on how the individual transition plan scored against the NTACT checklist. This chart lets VT AOE staff easily and readily see how each LEA performed across all eight elements of indicator 13. With this new system (that remains in effect since its introduction during FY19) the AOE was able to clearly identify two areas common to most non-compliant LEAs: transition assessments and annual transition goals. Based on these findings, the VT AOE Postsecondary Transition Coordinator put together a focused, 4-part training series (called VT AOE Fall Indicator 13 Training Series), in the Fall of 2021 and required all non-compliant LEAs to attend. The first training was on transition assessments, the second on annual transition goals, the third was a peer learning session where all LEAs who scored 90% or above shared effective practices with noncompliant LEAs. The fourth training was comprehensive, covering all 8 elements. All trainings described here were recorded. The first three are now housed in the VT AOE’s secondary transition resource center (the posting of the fourth training is forthcoming). The postsecondary transition coordinator also met with each non-compliant LEA, explaining, plan by plan, the reasons for their findings and ensuring that the LEA understood the underlying system improvements required to prepare and implement appropriate transition plans and services for all of students with disabilities. <https://education.vermont.gov/student-support/vermont-special-education/resources-for-special-educators-and-administrators>

Question	Yes / No
Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	NO

**Provide additional information about this indicator (optional)**

It is important to note that the VT AOE has a rigorous evaluation system for Indicator 13 submissions. There are multiple factors considered using NTACT criteria. If an LEA misses just one factor, it is marked as 0% compliant. We have been able to pinpoint specific correction and improvement areas and use that for corrective actions and targeted technical assistance. We are encouraged by our second consecutive year of improvement from FFY2019, and we know the results of our efforts focused on helping LEAs implement the requirements will continue to be evident in FFY22. The VT AOE monitoring and TA/PPD teams continue efforts at improving the support and information provided to LEAs to help guide their efforts in these areas, and will continue to engage in ongoing efforts.

Another note is that in FFY2020, the LEAs reviewed for cyclic monitoring contributing to our percentage had not been monitored on this indicator for over six years. We believe our move to a three-year cycle will continue to improve outcomes and LEA performance as we have seen in FFY2020 and FFY2021. This is our fourth year of the implementation of a more robust, rigorous system and all LEAs in the state have experienced cyclic monitoring on this new review schedule by March 15, 2022.

The VT AOE maintains and updates a webpage for resources related to secondary transition for special education administrators and educators which can be found at <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-13> along with a dedicated webpage for secondary transition at <https://education.vermont.gov/student-support/vermont-special-education/resources-for-special-educators-and-administrators#secondary-transition>

**Correction of Findings of Noncompliance Identified in FFY 2020**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
16	5	0	11

**FFY 2020 Findings of Noncompliance Verified as Corrected**

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

The LEAs in this category were part of a selective monitoring cohort. During selective monitoring, LEAs must resubmit previously non-compliant plans with corrections as well as additional plans in order to demonstrate 100% compliance with individual and systemic non-compliance. Through the state’s established means of collecting data, a minimum of 10 sample plans are submitted to the VT AOE by each LEA through electronic submissions and reviewed for compliance in 16 single areas contained within 8 elements of indicator 13. Selective monitoring is a status obtained if noncompliance was identified as part of a LEA’s triennial cyclic monitoring. In addition to the 10 sample plans, they are required to submit corrected plans for individual students previously found to be non-compliant. A review of these corrected transition plans takes place, and the VT AOE verifies the correction of noncompliance by confirming that each corrected transition plan demonstrates 100% compliance with the NTACT Indicator 13 checklist. When the corrected transition plans demonstrate 100% compliance against the indicator 13 checklist, they are closed out and notified in writing that the LEA has achieved 100% compliance. The process described above was followed and through this process, we verified that 5 LEAs corrected previous

noncompliance within one year of the findings reported in FFY2020.

In summary, when findings of noncompliance are identified:

1. LEAs must submit previously noncompliant transition plans with corrections (prong 1).
  - 1a. If a student has graduated, moved, or otherwise is no longer a student, their transition plan is supplanted by another student's transition plan.
2. Additionally, LEAs must submit a minimum of 10 additional transition plans (prong 2).
3. All plans are submitted through the state's established means of collecting data.
4. Submitted transition plans are verified by the VT AOE for correction of noncompliance by confirming that each plan demonstrates 100% compliance with the NTACT Indicator 13 checklist.
5. When each transition plan submitted by an LEA is reviewed and found to be 100% compliant against the indicator 13 checklist, the LEA is closed out via written notification.

Based on the findings done by checking the plans against the NTACT Indicator 13 checklist, the VT AOE Postsecondary Transition Coordinator put together a 4-part training series focused on these two I-13 elements (transition assessments and annual IEP transition goals) in the fall of 2021 and required all LEAs who had noncompliant transition plans to attend. It was called the VT AOE Fall Indicator 13 Training series. The first training was all on transition assessments, the second was on annual transition goals, the third was a peer learning session for all LEAs who scored 90% or above to share what systems are working well for them with noncompliant LEAs. The fourth training was a comprehensive I-13 training covering all 8 elements. These trainings were recorded and are now housed in the VT AOE's secondary transition resource center (training 3 all elements coming soon). The postsecondary transition coordinator also met with each LEA that had plans that were out of compliance and went through each plan and explained why they were out of compliance and made sure the LEA understood what was wrong and how to fix it not just at face value but addressing the underlying systems that need to be in place for effective transition services for all of their students with disabilities. To see VT AOE's resources on postsecondary transition or to see the fall 2021 trainings please visit <https://education.vermont.gov/student-support/vermont-special-education/resources-for-special-educators-and-administrators>

During FFY2020, five LEAs corrected all noncompliant plans (prong 1) and submitted 10 additional plans (prong 2), all verified by the VT AOE as compliant via methods described earlier. Submission occurred on March 15, 2022. The 11 LEAs (findings) not yet verified as corrected were placed in selective monitoring for FFY21, and in cases where findings were not verified as corrected, again in FFY22.

The VT AOE currently makes a finding based on one submission window, with submissions due each March 15th. As a result of further study of the OSEP 09-02 Memo, the State Guide on Identifying Noncompliance (February 2021), and analysis of the nature of the noncompliance being cited, the VT AOE made a modification to its system for March 2022 submissions. Our general supervision procedures will allow programs to submit pre-finding correction(s) during a brief window prior to the VT AOE issuing a written notification of a finding of noncompliance. The VT AOE will verify the correction of each instance of child-specific noncompliance and review updated program data demonstrating 100% compliance with each statutory or regulatory requirement with which noncompliance was identified. While the LEA may be allowed to submit correction(s) during the pre-finding correction window, the VT AOE continues to report the actual rate of compliance that was calculated prior to the pre-finding correction window in the results report, APR, and when reporting to the public on the performance of the LEA. Noncompliance that is resolved as a result of correction(s) during the pre-finding correction window is reported as noncompliance verified as corrected within one year. Our SPP/APR report data will reflect the level of compliance prior to the LEA correcting any identified noncompliance, regardless of whether compliance is corrected prior to or following written notification of noncompliance. This will ensure more timely corrections and prevent our state from continued longstanding noncompliance.

In addition to the modification to the monitoring system described in the paragraph above, the VT AOE has also modified the monitoring schedule effective FFY2022. Selective monitoring status, the first escalated status after a finding is made during cyclic monitoring, now occupies September through the end of November. Submission of corrected data described previously is due no later than November 30, 2022. Should a LEA not correct previous finding(s) of noncompliance during selective, they are then placed in targeted monitoring during the following January through March. These two changes will permit the VT AOE to report on the close-outs of any findings corrected by November 30, 2022, by OSEP's April 2023 SPP/APR clarification period.

As a result of ongoing noncompliance, the VT AOE will continue to impose additional corrective actions on the LEAs that did not correct noncompliance in a timely manner (within one year from identification) for those not demonstrating compliance as of March 15, 2023. The VT AOE continues to collect and review updated data to verify subsequent correction (ensuring that child-specific instances of noncompliance have been corrected and that the program is correctly implementing the requirement(s) through selective and targeted monitoring. If a LEA is not yet correctly implementing the statutory/regulatory requirement(s) for this indicator by November 30, 2022, the LEA will then enter targeted monitoring status with mandatory technical assistance, comprehensive desk review, and increased reporting requirements until the correction of noncompliance is verified. The VT AOE will not issue another finding but will continue to work with the LEA to correct and verify the correction of noncompliance.

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

The VT AOE reviewed the transition plans submitted to the agency through a secure online file sharing platform provided by the State of Vermont that have been corrected and verified the correction of noncompliance by confirming that each corrected transition plan demonstrates 100% compliance against the NTACT Indicator 13 checklist. When the corrected transition plans demonstrate 100% compliance against the indicator 13 checklist, they are closed out as the VT AOE has verified that 100% of the noncompliance was corrected. The VT AOE maintains written documentation of the verification of correction. The VT AOE then notified each LEA that the correction of noncompliance has been verified.

#### **FFY 2020 Findings of Noncompliance Not Yet Verified as Corrected**

##### **Actions taken if noncompliance not corrected**

The 16 LEAs identified as noncompliant during FFY2020 were placed in Selective Monitoring during FFY2021 and were required to electronically submit a minimum of 10 sample plans. Additionally, of these LEAs, those found with continued noncompliance in their FFY2021 submission remained in Selective Monitoring again for FFY2022. The VT AOE continued to verify the LEAs compliance rate using the NTACT indicator 13 checklist.

Any LEA found with at least one transition plan that was non-compliant during the and not yet verified as corrected was entered into Selective Monitoring, which required a subsequent resubmission of previously non-compliant transition plan(s) and additional transition plans from current students demonstrating correction as evidenced by a 100% pass on the NTACT Indicator 13 checklist. This submission occurred on March 15, 2021 and March 15, 2022. If a LEA was unable to submit a revised, compliant plan due to student graduation, they then selected a different student's transition plan in their place.

During the first year following notification of noncompliance, 5 LEAs were verified as corrected. At the time of writing this document, 11 LEAs remain who have not submitted Transition Plans verified as corrected.

The VT AOE anticipates reporting in the FFY2021 SPP/APR clarification period and in the FFY2022 SPP/APR, that it has verified that each LEA

identified in FFY2020 remaining with findings of noncompliance not yet verified as corrected: (1) correctly implemented the specific regulatory requirements based on a review of updated data; and (2) corrected each individual case of noncompliance, unless the child was no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY 2019	12	5	7

**FFY 2019**

**Findings of Noncompliance Verified as Corrected**

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

The LEAs in this category were part of a selective monitoring cohort. During selective monitoring, LEAs must resubmit previously non-compliant plans with corrections as well as additional plans in order to demonstrate 100% compliance with individual and systemic non-compliance. Through the state's established means of collecting data, a minimum of 10 sample plans are submitted to the VT AOE by each LEA through electronic submissions and reviewed for compliance in 16 single areas contained within 8 elements of indicator 13. Selective monitoring is a status obtained if noncompliance was identified as part of a LEA's triennial cyclic monitoring. In addition to the 10 sample plans, they are required to submit corrected plans for individual students previously found to be non-compliant. A review of these corrected transition plans takes place, and the VT AOE verifies the correction of noncompliance by confirming that each corrected transition plan demonstrates 100% compliance with the NTACT Indicator 13 checklist. When the corrected transition plans demonstrate 100% compliance against the indicator 13 checklist, they are closed out and notified in writing that the LEA has achieved 100% compliance. The process described above was followed and through this process, we verified that 5 LEAs have corrected previous noncompliance originally identified during FFY2019.

In summary, when findings of noncompliance are identified:

1. LEAs must submit previously noncompliant transition plans with corrections (prong 1).
  - 1a. If a student has graduated, moved, or otherwise is no longer a student, their transition plan is supplanted by another student's transition plan.
2. Additionally, LEAs must submit a minimum of 10 additional transition plans (prong 2).
3. All plans are submitted through the state's established means of collecting data.
4. Submitted transition plans are verified by the VT AOE for correction of noncompliance by confirming that each plan demonstrates 100% compliance with the NTACT Indicator 13 checklist.
5. When each transition plan submitted by an LEA is reviewed and found to be 100% compliant against the indicator 13 checklist, the LEA is closed out via written notification.

Based on the findings done by checking the plans against the NTACT Indicator 13 checklist, the VT AOE Postsecondary Transition Coordinator put together a 4-part training series focused on these two I-13 elements (transition assessments and annual IEP transition goals) in the fall of 2021 and required all LEAs who had noncompliant transition plans to attend. It was called the VT AOE Fall Indicator 13 Training series. The first training was all on transition assessments, the second was on annual transition goals, the third was a peer learning session for all LEAs who scored 90% or above to share what systems are working well for them with noncompliant LEAs. The fourth training was a comprehensive I-13 training covering all 8 elements. These trainings were recorded and are now housed in the VT AOE's secondary transition resource center (training 3 all elements coming soon). The postsecondary transition coordinator also met with each LEA that had plans that were out of compliance and went through each plan and explained why they were out of compliance and made sure the LEA understood what was wrong and how to fix it not just at face value but addressing the underlying systems that need to be in place for effective transition services for all of their students with disabilities. To see VT AOE's resources on postsecondary transition or to see the fall 2021 trainings please visit <https://education.vermont.gov/student-support/vermont-special-education/resources-for-special-educators-and-administrators>

The 12 LEAs (findings) not yet verified as corrected were placed in selective monitoring for FFY21, and in cases where findings were not verified as corrected, again in FFY22. Five LEAs corrected all noncompliant plans (prong 1) and submitted 10 additional plans (prong 2), all verified by the VT AOE as compliant via methods described earlier. Three of these five LEAs corrected the noncompliance identified during FFY2019 in a submission made on March 15, 2022, and the remaining two LEAs corrected the noncompliance in a submission made prior to the November 30, 2022 deadline.

The VT AOE currently makes a finding based on one submission window, with submissions due each March 15th. As a result of further study of the OSEP 09-02 Memo, the State Guide on Identifying Noncompliance (February 2021), and analysis of the nature of the noncompliance being cited, the VT AOE made a modification to its system for March 2022 submissions. Our general supervision procedures will allow programs to submit pre-finding correction(s) during a brief window prior to the VT AOE issuing a written notification of a finding of noncompliance. The VT AOE will verify the correction of each instance of child-specific noncompliance and review updated program data demonstrating 100% compliance with each statutory or regulatory requirement with which noncompliance was identified. While the LEA may be allowed to submit correction(s) during the pre-finding correction window, the VT AOE continues to report the actual rate of compliance that was calculated prior to the pre-finding correction window in the results report, APR, and when reporting to the public on the performance of the LEA. Noncompliance that is resolved as a result of correction(s) during the pre-finding correction window is reported as noncompliance verified as corrected within one year. Our SPP/APR report data will reflect the level of compliance prior to the LEA correcting any identified noncompliance, regardless of whether compliance is corrected prior to or following written notification of noncompliance. This will ensure more timely corrections and prevent our state from continued longstanding noncompliance.

In addition to the modification to the monitoring system described in the paragraph above, the VT AOE has also modified the monitoring schedule effective FFY2022. Selective Monitoring status, the first escalated status after a finding is made during cyclic monitoring, now occupies September through the end of November. Submission of data during Selective Monitoring was due no later than November 30, 2022.

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

The VT AOE reviewed the transition plans submitted to the agency through the state's established means of collecting data that have been corrected and verified the correction of noncompliance by confirming that each corrected transition plan demonstrates 100% compliance against the NTACT Indicator 13 checklist. When the corrected transition plans demonstrate 100% compliance against the indicator 13 checklist, they are closed out as the

VT AOE has verified that 100% of the noncompliance was corrected. The VT AOE maintains written documentation of the verification of correction. The VT AOE then notified each LEA that the correction of noncompliance has been verified.

## **FFY 2019**

### **Findings of Noncompliance Not Yet Verified as Corrected**

#### **Actions taken if noncompliance not corrected**

All LEAs found noncompliant in FFY2019 received elevated levels of individualized technical assistance from the VT AOE on an ongoing basis.

In FFY2019, all 7 LEAs with noncompliance not corrected were notified that their submission of data demonstrated noncompliance in the results report provided in October 2020. This placed the 7 LEAs in Selective Monitoring, an escalated status from the cyclic monitoring cycle in which noncompliance was initially identified. As a result of being placed in Selective Monitoring, the 7 LEAs were required to resubmit previously plans with revisions, along with 10 additional transition plans on March 15, 2021. This March 2021 submission informed the results report provided in June 2021.

In FFY2020, these 7 LEAs had to submit revisions for all previously noncompliant plans and 10 more new plans; however, these 7 LEAs continued to demonstrate noncompliance by failing to achieve 100% compliance with the revised plans and new submissions.

In FFY2021, these 7 LEAs had to submit revisions for all previously noncompliant plans and a further 10 new plans; however, these 7 LEAs continued to demonstrate noncompliance by failing to achieve 100% compliance with the revised plans and new submissions. The 7 LEAs were escalated to Targeted Monitoring status and are required to submit further data by June 1, 2023.

## **13 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. In addition, the State must demonstrate, in the FFY 2021 SPP/APR, that the remaining 12 uncorrected findings of noncompliance identified in FFY 2019 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2020 and each LEA with remaining noncompliance identified in FFY 2019: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2021 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

### **Response to actions required in FFY 2020 SPP/APR**

In FFY2020, 16 LEAs were identified with findings of noncompliance, of which, 5 LEAs were verified as corrected within one year through the process described below. As of November 30, 2022, 11 LEAs remain with findings of noncompliance not yet verified as corrected; these LEAs were included in selective monitoring during FFY2021 and FFY2022.

At the time of submitting the FFY2020 SPP/APR, 12 LEAs with noncompliance initially identified during FFY2019 had not yet been verified as corrected. 3 LEAs submitted data on March 15, 2022 that led to findings of noncompliance verified as corrected. 2 LEAs submitted data no later than November 30, 2022 that led to findings of noncompliance verified as corrected. At the time of submitting the FFY2021 SPP/APR, 7 LEAs remain with findings of noncompliance not yet verified as corrected. The LEAs in this category were part of a selective monitoring cohort during FFY2020, FFY2021, and FFY2022.

Selective monitoring is a status obtained if noncompliance was identified as part of a LEA's triennial cyclic monitoring. During selective monitoring, LEAs resubmit previously noncompliant plans with corrections and 10 additional plans in order to demonstrate 100% compliance with individual and systemic non-compliance. Submissions are made through the State's file submission software, and are then reviewed for compliance in 16 single areas contained within 8 elements of indicator 13. When the corrected transition plans and 10 additional plans demonstrate 100% compliance against the indicator 13 checklist, the LEA is closed out and notified in writing that they have achieved 100% compliance.

In summary, when findings of noncompliance are identified:

1. LEAs must submit previously noncompliant transition plans with corrections (prong 1).
  - 1a. If a student has graduated, moved, or otherwise is no longer a student, their transition plan is supplanted by another student's transition plan.
2. Additionally, LEAs must submit a minimum of 10 additional transition plans (prong 2).
3. All plans are submitted through the state's established means of collecting data.
4. Submitted transition plans are verified by the VT AOE for correction of noncompliance by confirming that each plan demonstrates 100% compliance with the NTACT Indicator 13 checklist.
5. When each transition plan submitted by an LEA is reviewed and found to be 100% compliant against the indicator 13 checklist, the LEA is closed out via written notification.

Based on the findings done by checking the plans against the NTACT Indicator 13 checklist, the VT AOE Postsecondary Transition Coordinator put together a 4-part training series focused on these two I-13 elements (transition assessments and annual IEP transition goals) in the fall of 2021 and required all LEAs who had noncompliant transition plans to attend. It was called the VT AOE Fall Indicator 13 Training series. The first training was all on transition assessments, the second was on annual transition goals, the third was a peer learning session for all LEAs who scored 90% or above to share what systems are working well for them with noncompliant LEAs. The fourth training was a comprehensive I-13 training covering all 8 elements. These trainings were recorded and are now housed in the VT AOE's secondary transition resource center (training 3 all elements coming soon). The postsecondary transition coordinator also met with each LEA that had plans that were out of compliance and went through each plan and explained why they were out of compliance and made sure the LEA understood what was wrong and how to fix it not just at face value but addressing the underlying systems that need to be in place for effective transition services for all of their students with disabilities. To see VT AOE's resources on postsecondary transition or to see the fall 2021 trainings please visit <https://education.vermont.gov/student-support/vermont-special-education/resources-for-special-educators-and-administrators>

During FFY2020, five LEAs corrected all noncompliant plans (prong 1) and submitted 10 additional plans (prong 2), all verified by the VT AOE as compliant via methods described earlier. Submissions occurred on March 15, 2021, March 15, 2022, and no later than November 30, 2022. The 11 LEAs (findings) not yet verified as corrected were placed in selective monitoring for FFY21, and in cases where findings were not verified as corrected, again in FFY22.



The VT AOE currently makes a finding based on one submission window, with submissions due each March 15th. As a result of further study of the OSEP 09-02 Memo, the State Guide on Identifying Noncompliance (February 2021), and analysis of the nature of the noncompliance being cited, the VT AOE made a modification to its system for March 2022 submissions. Our general supervision procedures will allow programs to submit pre-finding correction(s) during a brief window prior to the VT AOE issuing a written notification of a finding of noncompliance. The VT AOE will verify the correction of each instance of child-specific noncompliance and review updated program data demonstrating 100% compliance with each statutory or regulatory requirement with which noncompliance was identified. While the LEA may be allowed to submit correction(s) during the pre-finding correction window, the VT AOE continues to report the actual rate of compliance that was calculated prior to the pre-finding correction window in the results report, APR, and when reporting to the public on the performance of the LEA. Noncompliance that is resolved as a result of correction(s) during the pre-finding correction window is reported as noncompliance verified as corrected within one year. Our SPP/APR report data will reflect the level of compliance prior to the LEA correcting any identified noncompliance, regardless of whether compliance is corrected prior to or following written notification of noncompliance. This will ensure more timely corrections and prevent our state from continued longstanding noncompliance.

In addition to the modification to the monitoring system described in the paragraph above, the VT AOE has also modified the monitoring schedule effective FFY2022. Selective monitoring status, the first escalated status after a finding is made during cyclic monitoring, now occupies September through the end of November. Submission of corrected data described previously is due no later than November 30, 2022. Should a LEA not correct previous finding(s) of noncompliance during selective, they are then placed in targeted monitoring during the following January through March. These two changes will permit the VT AOE to report on the close-outs of any findings corrected by November 30, 2022.

If a LEA is not yet correctly implementing the statutory/regulatory requirement(s) for this indicator by November 30, 2022, the LEA will then enter targeted monitoring status with mandatory technical assistance, comprehensive desk review, and increased reporting requirements until the correction of noncompliance is verified. The VT AOE will continue to impose additional corrective actions on the LEAs that did not correct noncompliance in a timely manner (within one year from identification) for those not demonstrating compliance as of June 1, 2023. The VT AOE continues to collect and review updated data to verify subsequent correction (ensuring that child-specific instances of noncompliance have been corrected and that the program is correctly implementing the requirement[s]). The VT AOE will not issue another finding, but will continue to work with the LEA to correct and verify the correction of noncompliance.

### **13 - OSEP Response**

#### **13 - Required Actions**

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. In addition, the State must demonstrate, in the FFY 2022 SPP/APR, that the remaining 11 uncorrected findings of noncompliance identified in FFY 2020 and seven remaining uncorrected findings of noncompliance identified in FFY 2019 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2021 and each LEA with remaining noncompliance identified in FFY 2020 and in FFY 2019: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

## Indicator 14: Post-School Outcomes

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

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

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. 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 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 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”:

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 of 1973, as amended by Workforce Innovation and Opportunity Act (WIOA). 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

States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

Provide the total number of targeted youth in the sample or census.

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.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.

The State must also analyze the response rate to identify potential nonresponse bias and take steps to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

### 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.

Beginning with the FFY 2021 SPP/APR, due February 1, 2023, 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 must include race/ethnicity in their analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. 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

Measure	Baseline	FFY	2016	2017	2018	2019	2020
A	2009	Target >=	24.25%	24.25%	24.25%	24.25%	17.00%
A	24.22%	Data	22.22%	21.94%	22.92%	23.31%	17.00%
B	2009	Target >=	56.50%	56.50%	56.50%	56.50%	64.37%
B	56.40%	Data	64.81%	62.58%	72.92%	77.91%	64.37%
C	2009	Target >=	72.00%	72.00%	72.00%	72.00%	75.30%
C	71.97%	Data	74.07%	78.71%	88.89%	86.50%	75.30%

### FFY 2020 Targets

FFY	2021	2022	2023	2024	2025
Target A >=	17.00%	18.00%	20.10%	22.20%	24.30%
Target B >=	64.37%	66.37%	68.37%	70.37%	72.37%
Target C >=	75.30%	78.30%	81.30%	84.30%	87.30%

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State’s targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont’s FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont’s Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State’s targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective

of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**FFY 2021 SPP/APR Data**

Total number of targeted youth in the sample or census	865
Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	151
Response Rate	17.46%
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	22
2. Number of respondent youth who competitively employed within one year of leaving high school	85
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)	2
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).	10

Measure	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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. Enrolled in higher education (1)	22	151	17.00%	17.00%	14.57%	Did not meet target	Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	107	151	64.37%	64.37%	70.86%	Met target	No Slippage
C. Enrolled in higher education, or in some other postsecondary education or training program; or	119	151	75.30%	75.30%	78.81%	Met target	No Slippage

Measure	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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
competitively employed or in some other employment (1+2+3+4)							

Part	Reasons for slippage, if applicable
A	The VT AOE utilizes State University of New York (SUNY) for data collection, they report that the contract to perform the data collection was significantly delayed this year. Due to this delay in the contract, SUNY was not able to make phone calls in the early summer as they usually do. The timing of when the calls were made were done when many students have already left for college which may be why we had slippage for category A. The VT AOE is in the process of devising a new data collection format that should negate the challenges we faced this year in reaching students in category A.

**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.

**Response Rate**

FFY	2020	2021
Response Rate	35.14%	17.46%

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

The VT AOE will be utilizing a renewed strategy in reaching more former students especially underrepresented groups like former students in the disability category of SLD, drop outs, and males. First, a letter will be sent to the former students with a QR code that they can scan with their phone and instantly fill out the online post school outcomes survey. Any former student that does not fill that out will automatically be in a queue to receive the phone survey. The VT AOE believes renewed practice of reaching former students for Indicator 14 will not only increase the response rate in general but also should increase the response rate of underrepresented groups like former students with SLD, dropouts and males. AOE is exploring a new strategy to increase response rate for those former students that have been underrepresented by doing a data check at the halfway point in the data collection. VT AOE will review the representativeness table at this half way point and look for any underrepresented groups and at that point, employ further strategies to reach those students.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

Vermont's FFY21 response rate had 151 respondents. Most of the various disability categories among the 151 respondents were representative of their corresponding various disabilities among the 865 former students however there were a few outliers – Autism Spectrum disorder was over-represented (8.09% over) and specific learning disability was under-represented (-4.10%). For gender, females were over-represented in the response data (7.93%) and males were under-represented (-7.93%). Additionally, students who dropped out were under-represented (-6.72%). VT AOE analyzed nonresponse bias by comparing the results for underrepresented groups to the results of all respondents. Youth with specific learning disability were more likely to be enrolled in higher education within one year after leaving high school; therefore, the lower response rates of these youth likely had a negative effect on Vermont's data for measures A, B, and C. Male youth were more likely to be competitively employed or in some other employment within one year after leaving high school; therefore, the lower response rates of these youth likely had a negative effect on Vermont's data for measures B and C. The effect of male nonresponse on measure A was minimal. Youth who dropped out were more likely to be competitively employed within one year after leaving high school but less likely to be in higher education, other education or training, or other employment; therefore, the lower response rates of these youth likely had a positive effect on Vermont's data for measure A and a negative effect on Vermont's data for measure B. The effect on measure C of nonresponse from youth who dropped out was minimal.

By utilizing a renewed post school survey process described above, the VT AOE believes that this will improve the overall response rate but also should address the under-representation among students with SLD, dropouts and males. The steps taken to reduce any identified bias and promote a response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left includes the renewed practice described above for executing the Indicator 14 surveys. This renewed approach starts with a letter sent with a QR code that brings all former students directly to the post school outcomes survey. Any former student that does not fill that will be in a queue to receive the survey via a phone call. VT AOE is exploring a new strategy to increase response rate for those former students that have been underrepresented by doing a data check at the halfway point in the data collection. VT AOE will review the representativeness table at this half way point and look for any underrepresented groups and at that point, employ further strategies to reach those students.

**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. States must include race/ethnicity in its analysis. In addition, the State's**

**analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

Complete demographic information was collected for all 151 respondents and compared to the percentage of eligible youth in each demographic area. VT defines representativeness as a difference of 3.00 percentage points more/less between the percent of eligible youth in that category and the percentage of respondent youth; in a few categories, Vermont did not meet this bar for representativeness. Out of the 151 respondents, 140 were white and 11 were various non-white races and ethnicities. This was 92.72% white, meanwhile the percent of white among the eligible population for the surveys (865 students) was 91.33% white. This suggests the response data is representative of youth no longer in school and had IEPs in effect at the time they left school. Most of the various disability categories among the 151 respondents were representative of their corresponding various disabilities among the 865 former students however there were a few outliers – Autism Spectrum disorder was over-represented (8.09% over) and specific learning disability was under-represented (-4.10%). For gender, females were over-represented in the response data (7.93%) and males were under-represented (-7.93%). Additionally, students who dropped out were under-represented (-6.72%). By utilizing a renewed post school survey process described below, the VT AOE believes that this will improve the overall response rate but also should address the under-representation among students with SLD, dropouts and males. The steps taken to reduce any identified bias and promote a response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left includes a renewed practice for executing the Indicator 14 surveys. This renewed approach will be a letter to all former students with a QR code that brings all former students directly to the post school outcomes survey. Any former student that does not fill that will be in a queue to receive the survey via a phone call.

**The response data is representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school. (yes/no)**

NO

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

The AOE believes that the renewed strategy to increase response rates will allow for more representative numbers in the responders as it relates to the total population of students who had IEPs in effect when they left school. The AOE believes this will even out the areas we saw some under or over representation (Autism Spectrum Disorder (over-represented), Specific Learning Disability (under-represented), Females (over-represented) and Males (under-represented). The steps that are going to be taken for FY22 are sending a letter to all former students and include a QR code that brings all former students directly to the post school outcomes survey. Any former student that does not fill that will be in a queue to receive the survey via a phone call.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

The VT AOE defined representativeness in a category as a difference of 3.00 percentage points or less between the percent of eligible youth in that category and the percent of youth for whom surveys were returned.

Sampling Question	Yes / No
Was sampling used?	NO
Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO

**Provide additional information about this indicator (optional)**

VT AOE maintains and updates a webpage for resources related to post-school outcomes for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-14>

**14 - Prior FFY Required Actions**

In the FFY 2021 SPP/APR, the State must report whether the FFY 2021 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, and, if not, the actions the State is taking to address this issue. The State must also include its 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.

**Response to actions required in FFY 2020 SPP/APR**

The VT AOE reported that its FFY20 data are from a response group that is not representative of the demographics of children receiving special education services and the actions the AOE were to take were articulated in FFY20. However, those actions did not improve response rates in FFY21 where the VT AOE continued to see misrepresentation. The VT AOE believe this under and over representation are due to the low response rates. The VT AOE is aiming to overhaul how data is collected for Indicator 14. The VT AOE would like to shift away from phone calls which are being considered intrusive by parents and additionally many parents don't answer the calls at all. The VT AOE would like to shift to an online survey and also the creation of a secure contact information registry that can be used for accurate indicator 14 data collection and improved response rates.

**14 - OSEP Response**

**14 - Required Actions**

In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 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, and, if not, the actions the State is taking to address this issue. The State must also include its 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.

## 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 EDFacts 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 and targets 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 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/02/2022	3.1 Number of resolution sessions	5
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/02/2022	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.

NO

#### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

- VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –
- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
  - Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
  - Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
  - Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Historical Data**

Baseline Year	Baseline Data
2005	55.00%

FFY	2016	2017	2018	2019	2020
Target >=	60.00%	60.00%	60.00%	60.00%	60.00%
Data	0.00%	11.11%	16.67%	100.00%	100.00%

**Targets**

FFY	2021	2022	2023	2024	2025
Target >=	60.00%	60.00%	60.00%	60.00%	60.00%

**FFY 2021 SPP/APR Data**

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
4	5	100.00%	60.00%	80.00%	Met target	No Slippage

**Provide additional information about this indicator (optional)**

Fewer than 10 resolution sessions were held.

The VT AOE is creating dispute resolution manual that includes all forms of dispute resolution, including mediation, administrative complaints, and due process.

The VT AOE maintains and updates a webpage for resources related to resolution sessions for special education administrators and educators which can be found at: <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-15> . The VT AOE maintains and updates a webpage for resources related to resolution sessions for parents, which can be found at <https://education.vermont.gov/student-support/vermont-special-education/resources-for-families/dispute-resolution>

**15 - Prior FFY Required Actions**

None

**15 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2021. The State is not required to provide targets until any fiscal year in which ten or more resolution sessions were held.

**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 EDFacts 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 mediations is less than 10. In a reporting period when the number of resolution mediations reaches 10 or greater, develop baseline and targets 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 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1 Mediations held	31
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1.a.i Mediations agreements related to due process complaints	3
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1.b.i Mediations agreements not related to due process complaints	22

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

### Targets: Description of Stakeholder Input

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the

target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

- VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –
- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
  - Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
  - Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
  - Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Historical Data**

Baseline Year	Baseline Data
2005	63.00%

FFY	2016	2017	2018	2019	2020
Target >=	82.00%	82.00%	82.00%	82.00%	65.00%
Data	91.67%	70.83%	64.29%	67.86%	52.00%

**Targets**

FFY	2021	2022	2023	2024	2025
Target >=	65.00%	65.00%	65.00%	65.00%	66.00%

**FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
3	22	31	52.00%	65.00%	80.65%	Met target	No Slippage

**Provide additional information about this indicator (optional)**

The VT AOE is creating dispute resolution manual that includes all forms of dispute resolution, including mediation, administrative complaints, and due process.

The VT AOE maintains and updates a webpage for resources related to mediation for special education administrators and educators which can be found at <https://education.vermont.gov/student-support/vermont-special-education/technical-assistance-requests-and-professional-development/state-performance-plan-resources-by-indicator#indicator-16> . The VT AOE maintains and updates a webpage for resources related to mediation for parents, which can be found at <https://education.vermont.gov/student-support/vermont-special-education/resources-for-families/dispute-resolution>

**16 - Prior FFY Required Actions**

None

**16 - OSEP Response**

**16 - Required Actions**

## Indicator 17: State Systemic Improvement Plan

### Instructions and Measurement

**Monitoring Priority:** General Supervision

The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

#### Measurement

The State's SPP/APR includes an SSIP that is a comprehensive, ambitious, yet achievable multi-year plan for improving results for children with disabilities. The SSIP includes each of the components described below.

#### Instructions

**Baseline Data:** The State must provide baseline data that must be expressed as a percentage and which is aligned with the State-identified Measurable Result(s) for Children with Disabilities.

**Targets:** In its FFY 2021 SPP/APR, due February 1, 2023, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2021 through FFY 2025. The State's FFY 2025 target must demonstrate improvement over the State's baseline data.

**Updated Data:** In its FFYs 2021 through FFY 2025 SPPs/APRs, due February 1, 2023, the State must provide updated data for that specific FFY (expressed as percentages) and that data must be aligned with the State-identified Measurable Result(s) for Children with Disabilities. In its FFYs 2021 through FFY 2025 SPPs/APRs, the State must report on whether it met its target.

#### Overview of the Three Phases of the SSIP

It is of the utmost importance to improve results for children with disabilities by improving educational services, including special education and related services. Stakeholders, including parents of children with disabilities, local educational agencies, the State Advisory Panel, and others, are critical participants in improving results for children with disabilities and should be included in developing, implementing, evaluating, and revising the SSIP and included in establishing the State's targets under Indicator 17. The SSIP should include information about stakeholder involvement in all three phases.

##### **Phase I: Analysis:**

- Data Analysis;
- Analysis of State Infrastructure to Support Improvement and Build Capacity;
- State-identified Measurable Result(s) for Children with Disabilities;
- Selection of Coherent Improvement Strategies; and
- Theory of Action.

**Phase II: Plan** (which, in addition to the Phase I content (including any updates) outlined above:

- Infrastructure Development;
- Support for local educational agency (LEA) Implementation of Evidence-Based Practices; and
- Evaluation.

**Phase III: Implementation and Evaluation** (which, in addition to the Phase I and Phase II content (including any updates) outlined above:

- Results of Ongoing Evaluation and Revisions to the SSIP.

#### Specific Content of Each Phase of the SSIP

Refer to FFY 2013-2015 Measurement Table for detailed requirements of Phase I and Phase II SSIP submissions.

Phase III should only include information from Phase I or Phase II if changes or revisions are being made by the State and/or if information previously required in Phase I or Phase II was not reported.

##### **Phase III: Implementation and Evaluation**

In Phase III, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress implementing the SSIP. This includes: (A) data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term outcomes or objectives for implementation of the SSIP and its progress toward achieving the State-identified Measurable Result(s) for Children with Disabilities (SiMR); (B) the rationale for any revisions that were made, or that the State intends to make, to the SSIP as the result of implementation, analysis, and evaluation; and (C) a description of the meaningful stakeholder engagement. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

###### A. Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2021 through 2025 SPP/APR, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

###### B. Phase III Implementation, Analysis and Evaluation

The State must provide a narrative or graphic representation, e.g., a logic model, of the principal activities, measures and outcomes that were implemented since the State's last SSIP submission (i.e., Feb 2022). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023; for the FFY 2022 APR, report on anticipated outcomes to be obtained during FFY 2023, i.e., July 1, 2023-June 30, 2024).

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (i.e., behaviors), parent/caregiver outcomes,

and/or child outcomes. Describe any additional data (i.e., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

**C. Stakeholder Engagement**

The State must describe the specific strategies implemented to engage stakeholders in key improvement efforts and how the State addressed concerns, if any, raised by stakeholders through its engagement activities.

**Additional Implementation Activities**

The State should identify any activities not already described that it intends to implement in the next fiscal year (e.g., for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023 for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023) including a timeline, anticipated data collection and measures, and expected outcomes that are related to the SiMR. The State should describe any newly identified barriers and include steps to address these barriers.

**17 - Indicator Data**

**Section A: Data Analysis**

**What is the State-identified Measurable Result (SiMR)?**

To improve the proficiency of mathematics performance for students with disabilities in grades 3, 4, and 5.

**Has the SiMR changed since the last SSIP submission? (yes/no)**

NO

**Is the State using a subset of the population from the indicator (e.g., a sample, cohort model)? (yes/no)**

YES

**Provide a description of the subset of the population from the indicator.**

Participation is voluntary and open to all LEAs; in SY2021-2022, 2 LEAs and one independent school chose to participate out of 52 total LEAs in Vermont.

**Is the State’s theory of action new or revised since the previous submission? (yes/no)**

NO

**Please provide a link to the current theory of action.**

<https://education.vermont.gov/documents/edu-vt-ssip-theory-of-action>

**Progress toward the SiMR**

**Please provide the data for the specific FFY listed below (expressed as actual number and percentages).**

**Select yes if the State uses two targets for measurement. (yes/no)**

NO

**Historical Data**

Baseline Year	Baseline Data
2018	12.50%

**Targets**

FFY	2021	2022	2023	2024	2025
Target> =	13.00%	13.50%	14.00%	14.50%	15.00%

**FFY 2021 SPP/APR Data**

Number of Students Proficient in Mathematics State Assessment	Number of Students Taking State Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
3	97	10.61%	13.00%	3.09%	Did not meet target	Slippage

**Provide reasons for slippage, if applicable**

The percentage of third, fourth, and fifth-grade students with disabilities at SSIP schools scoring proficient on the mathematics sections of the Smarter Balance Assessment Consortium (SBAC) or the VT Alternate Assessment (VTAA) decreased by 7.51% (from 10.6% to 3.09%) between FFY 20 and FFY 21. Note: in the 2020-21 SY we had 9 and in the 2021-22 SY zero students from SSIP sites complete the VTAA. Although the state-wide average for students with disabilities at non-SSIP sites slightly increased (from 11.4 to 12.0%) between FFY 20 and 21, it remains lower than pre-covid results (e.g. FFY 17, 12.6%). Instructional challenges arose from virtual classrooms, hybrid and in-person learning. Potential root causes for slippage include a drop in the number of LEAs participating in SSIP, resulting in a smaller number of students with disabilities tested in this reporting period. Participation is open to all LEAs; in SY20-21, 5 LEAs chose to participate, which decreased to 2 LEAs and 1 independent school in SY21-22. Additional root causes

include difficulty with learning losses observed among students with disabilities throughout the pandemic, and difficulties with coaches getting onsite, to provide classroom coaching significantly impacting the ability to change teaching behaviors. The Agency of Education also noted a change in participation rates for 2022 assessments, which makes comparisons between years difficult. Many parents were hesitant to send students to school to complete assessments. As Deputy Secretary of Education, Heather Bouchey, remarked, "Results indicate that participation rates for 2022 are lower than they have been in years prior to the pandemic. While this makes meaningful comparison to prior years difficult, this lower participation and the results themselves highlight the critical Education Recovery work needed ahead of us." (AOE, 2023) <https://education.vermont.gov/press-release/preliminary-2022-statewide-assessment-results>

**Provide the data source for the FFY 2021 data.**

Smarter Balanced Assessment Consortium (SBAC) and Vermont Alternate Assessment (VTAA)

**Please describe how data are collected and analyzed for the SiMR.**

The reporting period for this SSIP: July 1, 2021, through June 30, 2022, SY 2021 -22 Mathematics proficiency data from the SBAC and VTAA are collected and analyzed by the staff in the VT AOE Division of Data Management and Analysis (DMAD) Assessment Team. The VT AOE Special Education Team also analyzed these data to explore correlations with other SPP/APR indicators. Aggregate data for all LEAs participating in SSIP (2 LEAs and 1 independent school chose to participate for SY21-22 but participation is open to all) are provided by the DMAD Assessment Team. Reports are provided by grade and by disability status with comparisons for non-SSIP participating LEA sites. The aggregate results are then provided to the VT SSIP Evaluation Team to allow for further data interpretation and SiMR reporting.

**Optional: Has the State collected additional data (i.e., benchmark, CQI, survey) that demonstrates progress toward the SiMR? (yes/no)**

YES

**Describe any additional data collected by the State to assess progress toward the SiMR.**

The VT SSIP has collected additional data to assess the degree of progress toward the SiMR. This included LRE data (Indicators 5, specifically 5a and 5b), parent involvement data (Indicator 8), and data to assess professional learning outcomes. The term "professional learning" is used to refer to multiple methods used to increase the knowledge and skills of VT SSIP participants to implement VTmtss and evidence-based mathematics practices. The multiple methods include: systems and instructional coaching, training, opportunities for collaboration with other implementing schools and LEAs, and resource provision.

In 2021-22, two training sessions were held. The expected outcomes for the two trainings were to:

- Increase participants' knowledge to implement, or monitor the implementation of, the National Council of Teachers of Mathematics (NCTM) Practices in their work.
- Increase participants' knowledge to facilitate meaningful mathematical discourse, pose purposeful questions, and elicit and use evidence of student thinking.

A total of 19 participants from 2 LEAs and 1 independent school attended two training sessions. Participants included general and special educators, administrators, academic coaches, and systems coaches. Across the two trainings, the average pre-test score measuring knowledge of the training content was 63%, increasing to 71% at post-test. Participants also reported the trainings were high quality, relevant, useful, and employed adult learning practices.

Research has demonstrated the importance of students receiving their primary instruction in general education settings. Students in general education settings are more likely to score proficient on content assessments. Reviewing VT LRE data from the last five years provided information on the type of educational settings in which students are receiving mathematics instruction.

Participating schools were supported in using data to review and use in writing Continuous Improvement Plans. During SY 2021-22 (the most current data available), 88% of students from participating VT SSIP LEAs in grades 3-5 received 80% or more of their instruction in general education settings, below the state average of 92%. The percentage of students in SSIP sites receiving 80% or more of their instruction in general education settings decreased by 1% from the previous year, while the state average increased by 1%. Based on these data alone, it is difficult to explain the differences between LRE rates statewide and in SSIP schools. As the VT SSIP sample is so much smaller, there is expected to be more year-to-year variance than in the state-level data. The small sample size can impact LRE rates positively or negatively.

SY 2021-22 was the second year in which the revised Parent Engagement Survey was administered. Prior to SY 2020-21, SEA personnel and representatives from the VT Special Education Advisory Panel (VT-SEAP), the Vermont Family Network (VFN), and the AOE monitoring team identified a number of challenges with the existing Parent Engagement Survey. These partners developed a new survey, with a reduced number of items expressed with greater clarity. The VT AOE increased their communication efforts with LEA staff about the importance of family feedback. 81.48% of parents with children with disabilities in participating SSIP sites reported involvement as a means of improving services and results, in contrast to 78.15% of parents of children with disabilities statewide reporting involvement. Discussion around formative mathematics assessment/ progress monitoring tools is ongoing. But, due to inconsistent practices among LEA sites participating in SSIP, the evaluation team has been unable to incorporate these data into our evaluation.

**Did the State identify any general data quality concerns, unrelated to COVID-19, that affected progress toward the SiMR during the reporting period? (yes/no)**

YES

**Describe any data quality issues, unrelated to COVID-19, specific to the SiMR data and include actions taken to address data quality concerns.**

Two ongoing data quality concerns have provided challenges to a more comprehensive evaluation of the SiMR and implementation of VT SSIP. These include the measurement of the fidelity of implementation of VT SSIP systems and instructional coaching and the collection of student achievement data.

**Fidelity of Implementation**

To assess the degree to which the VT SSIP systems and instructional coaching resulted in improved implementation of VTmtss and mathematics instruction, two fidelity of implementation instruments were developed in SY 2020-21. In collaboration with the VTmtss team, the VT SSIP Systems Process, Planning, and Outcome Tool (SPPOT) was created to measure the degree to which LEA teams achieved their SSIP-related outcome and process measures. During the summer 2021, the SSIP Evaluation Team and SSIP systems coaches reviewed the SPOTT for potential improvements. Revisions were made at that time to provide a greater emphasis on the identification of the data used to drive VTmtss change ideas. The SPPOT was

used with two LEAs and one independent school in SY 2021-22. It was challenging for participating LEAs to proactively develop a SMART goal, and corresponding change idea(s), and to identify appropriate outcome and process measures. This process was also new to the SSIP systems' coaches. As a result, activities to achieve the SMART goal were frequently stopped or changed, depending on immediate needs in the LEAs. The VT SSIP Leadership Team will continue to provide support to systems coaches to improve this process and aid in data collection that directly measures system changes at participating sites.

In collaboration with the VT AOE Proficiency-Based Learning (PBL) Team, the mathematics fidelity of implementation tool, aligned to the Common Core State Standards (CCSS) and NCTM Practice Standards, was also developed in SY 2020-21. The tool was established to define best practices related to student and teacher behaviors. The administration of the mathematics fidelity of implementation tool has been met with a significant amount of resistance. Some participating educators saw the tool as evaluative and not the conversational, information-providing tool it is meant to be. Some resistance was due to accessing virtual classrooms, and teachers due to COVID safety measures. Similar to the SPPOT, the mathematics fidelity tool and process were reviewed and revised during the summer of 2021. After input from the field and coaches, the fidelity tool included both teacher and student behavior observed. It was modified to include a more generalized rubric - to feel less evaluative and to be used as a self-assessment. While not as valid as direct observation of instruction, it does provide some data to assist in developing action plans and assessing progress over the course of the school year. At least one administration of the fidelity of implementation data was collected from five teachers. Two teachers submitted at least two administrations of the fidelity of implementation data.

#### Student Assessment Data

As expressed in previous SSIP reports, the collection of student-level achievement data (other than the SBAC and VTAA) has been a challenge. SSIP instructional coaches have had limited access to teachers to collect formative assessment data. School-based coaches have expressed concerns about requesting teachers to participate in additional activities to collect these data to support measurement of the SSIP, but also as part of MTSS. Concurrently, the varying types of assessments used by participating schools make cross-site comparisons difficult. Some schools are using more qualitative assessments, which makes a coherent analysis of student data more challenging. The VT SSIP Leadership Team continues to work closely with the inter-division PBL Team and the VTmtss team to explore new strategies to collect student formative assessment data. In SY 2020-21, the PBL team issued a guidance document to explain the use and demonstrate the importance of universal screeners to assist in identifying students needing additional supports or interventions. To address this gap, in SY 2022-23 SSIP provided Mathematics PD will specifically address formative assessments and progress monitoring practices.

**Did the State identify any data quality concerns directly related to the COVID-19 pandemic during the reporting period? (yes/no)**

YES

**If data for this reporting period were impacted specifically by COVID-19, the State must include in the narrative for the indicator: (1) the impact on data completeness, validity and reliability for the indicator; (2) an explanation of how COVID-19 specifically impacted the State's ability to collect the data for the indicator; and (3) any steps the State took to mitigate the impact of COVID-19 on the data collection.**

#### State Assessment Concerns

The SBAC was administered in the spring 2022. The administration of the SBAC was challenged by COVID protocols e.g., staff and student absences, changes to learning formats, gaps in learning. Schools reported that parents opted to keep students home during testing as there was no OPT-OUT option. As discussed previously, the resulting outcomes were lower than in years prior to COVID. It is likely the disruptions in how instruction was delivered (virtually or face-to-face), teacher absences, and other stressors caused by COVID that impacted the lower proficiency rates. This phenomenon was not unique to the VT SSIP, as states across the country had similar results.

#### Data Collection Challenges

VT schools varied in how instruction and administrative supports were provided during SY 2021-22, although to a slightly lesser degree than the previous year. This forced SSIP professional learning and coaching to be primarily provided virtually throughout the year. While the systems coaching worked well virtually, the instructional coach was limited in her ability to access teachers for training and coaching as a result of COVID school protocols, leadership's resistance to additional staff, and classrooms forced to be virtual as a result of student(s) testing positive. This impacted the ability to observe teachers, model appropriate practices, collect fidelity implementation data, and work with teachers to collect student formative assessment data.

#### Steps to Mitigate Impact

The SSIP coordinator meets regularly with each LEA implementing the SSIP to ensure capacity and make recommendations on how implementation might look within each LEA. The SEA was in close contact with special education directors and administrators to provide support in planning for the fall 2021 implementation. Messaging was part of check-in meetings of Special Education Directors as a resource for improving their Local Special Education Determination (LSED); part of the AOE monthly newsletter – "nuggets", Weekly Field Memos, continuing conversations with advisory panel and VFN, the state's parent center. Indicator stewards (for each indicator) continue to recommend SSIP as a means of supporting LEAs experiencing challenges in achievement.

### Section B: Implementation, Analysis and Evaluation

**Please provide a link to the State's current evaluation plan.**

<https://education.vermont.gov/documents/edu-vt-ssip-evaluation-plan>

**Is the State's evaluation plan new or revised since the previous submission? (yes/no)**

NO

**Provide a summary of each infrastructure improvement strategy implemented in the reporting period:**

Infrastructure improvement strategies used by the VT SSIP include (1) multi-level teaming infrastructure, (2) VTmtss Implementation/Systems Coaching, (3) Mathematics Professional Learning (Training and Coaching), (4) stakeholder engagement.

#### Teaming Infrastructure

The VT SSIP Core Team includes key personnel from numerous divisions within the VT AOE, including the DMAD, Education Quality (EQ) and Student Pathways Divisions, the VTmtss team. External members of the Core Team included the NCSI TA provider and the SSIP external evaluator. The

purpose of the Core Team is to support and monitor SSIP activities and to gather stakeholder feedback to guide, and if necessary, make modifications to SSIP implementation and evaluation activities. The Core Team met seven times during this reporting period.

The VT SSIP Transformation Team includes the Core Team members described above, and the VT SSIP systems and instructional coaches. The Transformation Team is a key component in facilitating SSIP feedback loops, providing regular opportunities for Core Team members to learn from SSIP coaches on how to better support implementation. At the same time, the Transformation Team meetings allow the Core Team to share information with the systems and instructional coaches to disseminate to LEA and school personnel. This team met nine times during this reporting period.

The Evaluation Team includes members from the SEA special education team, representatives from the VTmtss and Student Pathways Teams, and the external evaluator. The Evaluation Team met three times during SY 2021-22.

The state-wide stakeholder team, representative of varied organizations/groups, met informally during this reporting period. However, the VT SSIP Director regularly reached out to stakeholders to gather their feedback and input on future SSIP activities.

#### VTmtss Implementation/Systems Coaching

The primary focus of SSIP systems coaching was to support LEA implementation of VTmtss strategies, with an emphasis on using data gathered through the VTmtss process to improve mathematics instructional and intervention practices, leading to improved student outcomes. During SY 2021-22, there were 81 systems coach contacts with participating LEAs and one Independent (private) school. Coaching sessions most frequently addressed data-based decision-making (n=36), developing or reviewing action plans (n=41), alignment to inter-division work (n=18), alignment with LEA Continuous Improvement Plans (n=16), and development and implementation of SMART goals to guide professional learning (n=15). The SSIP Core Team and Evaluation Team continually reviewed the systems coaching tools and processes used to support LEAs and schools, based on feedback from the systems coaches and SSIP participants. As discussed previously, the SPOTT was modified slightly based on feedback received.

#### Mathematics Professional Learning (Training and Coaching)

As discussed previously, two VT SSIP trainings were held during SY2021-22, involving 19 participants. The trainings were supported by ongoing SSIP instructional coaching. During this reporting period, there were 32 mathematics coaching activities provided by VT SSIP instructional coaches, at 8 schools among participating LEAs. All but one of the coaching contacts were virtual. The most frequent instructional coaching activities focused on evidence-based mathematical practices (n=6), reviewing action plans (n=4), providing guidance on implementing IEPs (n=4), and working with the mathematics fidelity of implementation tool (n=4). The SSIP instructional coach worked directly with district and/or school coaches when available, however much of the virtual instructional coaching was with school and district administrators to develop systems for supporting teachers. SSIP coaches had very limited access to teachers, regardless of virtual or face-to-face methods. Starting in SY 2022-2023, PD opportunities are being offered to schools virtually and range from 60-90 minutes once per month as a result of stakeholder feedback.

#### Stakeholder Engagement

During SY 2021-22, there were two SSIP site stakeholder meetings among SSIP Participants. The first meeting was the VT SSIP 2021-22 Kick-Off Meeting (October 16, 2021), held virtually with 28 SSIP participants. The purpose of the meeting was to share data from the previous school year, to provide an overview of professional learning to be provided in 2021-22, and to seek input from participants on how to improve professional learning.

An end-of-year meeting was planned for May 19, 2022, to review the SSIP goals and objectives, to share data from SY 2021-22, and to gather their feedback on how to improve professional learning. However, there was limited interest from SSIP participants in attending another meeting, so an exit interview process was used to gather feedback from the participants. The results from these interviews are discussed in the next section.

VT SSIP staff met with the VT-SEAP in October 2021 to share the results from SY 2020-21 and to seek their input on the implementation and scale-up activities of the SSIP. During this meeting, the VT-SEAP members provided feedback on proposed SiMR target changes. Their feedback was mostly in the form of questions about why the SiMR was only for grades 3-5 when the greatest impact might be in early grades.

**Describe the short-term or intermediate outcomes achieved for each infrastructure improvement strategy during the reporting period including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Please relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up.**

#### Teaming

The VT SSIP Core Team, Transformation Team, and Evaluation Team all met as scheduled during SY 2021-22. The CORE Team is responsible for monitoring and providing support to the VT SSIP systems and instructional coaches to facilitate their work with LEAs and schools. Job-embedded coaches are used to support scale-up and sustainability efforts. Data from the May 2022 VT SSIP Impact Surveys were used as evidence to support the impact of the VT AOE teaming structure. The 19 recipients of VT SSIP systems coaching were surveyed, with 10 (53%) responding. The eight participants in VT mathematics professional learning were also surveyed, with two responses (25%). All of the systems coaching respondents agreed or strongly agreed that the VT AOE has the necessary capacity to support and sustain the effective use of VTmtss. Each of the two respondents from the VT SSIP mathematics professional learning strongly agreed the VT AOE has the capacity to support and sustain the effective use of mathematics practices to impact student performance. Currently, SSIP participation is incentivized via LSED points within monitoring protocols. Beginning in SY 2022-23, LEAs with longstanding non-compliance issues will be required to participate in SSIP. (governance, TA, quality standards, monitoring)

#### VTmtss Implementation/Systems Coaching

VT SSIP systems professional learning focused on increasing the infrastructure of the AOE to support LEA's use of Vtmtss practices and to increase the capacity of LEAs to support their schools' implementation of a VTmtss framework. This included training on the use of driver diagrams and the identification of problems of practice and corresponding change plans. On the May 2022 VT SSIP Systems Coaching Impact Survey, all 10 respondents reported the VT SSIP systems coaches helped them to develop change ideas, and 90% of respondents were in agreement that they were better able to prioritize goals and identify/determine key change ideas (both 90%), and 86% felt the systems coaching helped them to better use the SPOTT. The systems coaching was perceived to have less of an impact on developing SMART goals and implementing activities to achieve their SMART goals (75% agreement). (quality standards, TA, PD, data)

As a result of the systems coaching, all (100%) respondents felt more confident in establishing a culture of learning and high expectations for all students, including students with disabilities. 90% of respondents agreed or strongly agreed their LEA or school has a greater capacity to support and sustain the effective use of mathematics instruction and VTmtss. All of the respondents agreed or strongly agreed their LEA or school uses data more deliberately to inform improvement efforts. (governance, data, TA, quality standards)

#### Mathematics Professional Learning (Training and Coaching)

Each of the two respondents to the May 2022 VT SSIP Mathematics Professional Learning Impact Survey were in agreement that the VT SSIP instructional coaching increased their knowledge of the eight NCTM essential mathematics practices.

Each respondent was in agreement that all aspects of the VT SSIP training and coaching impacted their knowledge to use evidence-based practices to meet the mathematics needs of all students and specifically, students with disabilities. Each respondent was in agreement that VT SSIP professional learning had an impact on classroom instruction and classroom engagement of all students and students with disabilities. The intermediate outcomes of improved classroom instruction and greater student engagement are hypothesized to lead to improvements in student performance that should impact the VT SSIP's SiMR. The focus on data systems and increasing the capacity of local coaches is important in fostering the sustainability of the use of evidence-based mathematics practices.

As stated earlier in the report, two SSIP training sessions were held during this reporting period, with 19 participants attending the two sessions. Across the two trainings, the average pre-test score measuring knowledge of the training content increased by 8%, with 71% of the participants reporting increased knowledge at the post-test. Other survey results show that 75% of the participants found the trainings to be high quality, 88% felt the trainings were relevant, 57% thought they were useful, and 81% of respondents agreed to strongly agreed that the trainings used adult learning practices, providing evidence that SSIP implementation was directly related to the SiMR. (accountability, data, PD)

#### Stakeholder Engagement

In previous years, stakeholder engagement was assessed through evaluation surveys implemented after stakeholder meetings or events, when appropriate. This included quantitative satisfaction and impact feedback, but more importantly, rich qualitative data were also collected to provide a more nuanced assessment. During this reporting period, there were two stakeholder meetings, although neither event had an end-of-event evaluation survey. The only specific stakeholder feedback was gathered through the previously discussed training evaluation data and the two impact surveys discussed above.

As mentioned previously, one meeting was held with the VT SEAP during SY 2021-22 to gather feedback on VT SSIP activities, gain input on future plans, and assist in reviewing the targets for the VT SSIP SiMR. Little feedback was received, with SEAP members reporting satisfaction with SSIP activities.

As stated in the previous section, exit interviews with personnel from the two LEAs and one independent school were conducted by the SSIP systems and instructional coaches in May 2022. The primary systems-related challenges mentioned by LEA personnel were related to (1) administrative issues, (2) a lack of data and/or data literacy skills, (3) LEA and school culture, and (4) the difficulty of implementing evidence-based practices. The LEA personnel were also asked to list areas they could celebrate. Examples of successful work included (1) the development of a common Educational Support Teams process, (2) a better understanding of Act 173 and the relationship of that policy with the SSIP, (3) the development of a master schedule, (4) building the capacity for layered supports that are truly supplemental, but do not supplant core instruction, and (5) we kept the work going with an ebb and flow throughout the year. Suggestions for next year included: (1) a continued focus on improving their MTSS framework, (2) developing strategies to better support teachers, and (3) focusing on the alignment between the SSIP, Act 173, the Continuous Improvement Process, and other related policies.

The exit interview data from the instructional coach was not as comprehensive as the data gathered from systems coaching participants. The primary challenges identified were turnover in administrators and lack of teacher interest and capacity. Examples of success included a willingness to collaborate among general and special educators, a better perspective of effective instructional practices, and increased knowledge of the relationship between SSIP and Act 173. Suggestions for next year included a need for better training, consistency in instructional coaching, and better planning and scheduling to guide professional learning. (accountability, monitoring, quality standards, systems improvement)

#### **Did the State implement any new (newly identified) infrastructure improvement strategies during the reporting period? (yes/no)**

NO

#### **Provide a summary of the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next reporting period.**

##### Teaming

The current teaming structure will continue in SY 2022-23 with the exception of the CORE team as it became redundant in scope. A greater emphasis will be placed on analyzing output and fidelity data on an ongoing basis. At each Transformation Team meeting, the SSIP Systems Process, Planning, and Outcome Tool (SPOT) from at least one LEA will be reviewed. This will allow for feedback from the AOE to inform and improve the identified problem of practice and corresponding change idea(s) and SMART goals and to support coaches as needed. The external evaluator will also review the identified process and outcomes measures. Similarly, data from the mathematics fidelity tool will be reviewed. We are hopeful that greater participation of teachers from LEAs in "targeted" monitoring for their longstanding non-compliance LSED status will impact student outcomes on a larger scale.

##### VTmtss Implementation/Systems Coaching

The team structure will continue to support LEA Implementation Teams, during SY 2022-23. Intentional collaboration with the Monitoring Team will target support to LEAs required to participate in SSIP due to their Needs Assistance and Needs Intervention Local Special Education Determination (LSED) status. Also, the SSIP team will expand its reach to the AOE Family Engagement point person to directly support LEAs with low parent involvement rates.

The SPOT was reviewed and revised at the end of both SY 2020-21 and 2021-22, primarily adding specific resources that connect VTmtss strategies to specific areas of the SPOT (change ideas, measures, etc.), in addition to providing a space to prompt coaches to describe the data that inform their decision-making process to connect system improvement to coaching decisions. The SPOT will continue to be reviewed to ensure the tool meets the needs of the SSIP implementation and evaluation.



The transformation team objectives will evolve to incorporate ongoing feedback and support to coaches that allow for a review of the quality and fidelity to coaching expectations according to best practices in coaching relationships.

#### Mathematics Professional Learning (Training and Coaching)

During SY 2022-23, the mathematics professional learning will look different as no viable candidates applied to the instructional coaching position. We have pivoted to monthly PD for math teachers, coaches, and interventionists provided by our national TA provider. The new approach will be reviewed to make sure the VT SSIP activities are implemented as designed and the VT SiMR is achieved. Feedback from SSIP stakeholders consistently addresses the quality, relevance, and usefulness of these Math sessions. Post-pandemic, teachers are clear about what more supports are wanted, SSIP seeks to provide those supports.

The use of the mathematics fidelity of implementation tool (renamed the VT SSIP Math Practices Scale for Instructional Growth) will provide a more accurate measure of how well teachers are implementing the desired mathematical practice areas with fidelity. This will also help mitigate data quality issues described previously. In addition to the scale (based on the NCTM best practices), the Math PD will focus on Assisting Students Struggling with Mathematics: Intervention in the Elementary Grades from the ies.ed.gov.

#### Stakeholder Engagement

Existing stakeholder engagement strategies will continue. This includes ongoing meetings and communication (through coaches) with SSIP LEA and school participants, teacher feedback, regular meetings with the VT-SEAP state-wide stakeholder group meetings, and cross-SEA division conversations. We will continue to explore other methods of stakeholder engagement to augment the current activities.

#### List the selected evidence-based practices implement in the reporting period:

1. Multi-Tiered System of Supports (VTmtss)
2. Professional learning opportunities and resources that are aligned with the CCSS/NCTM's eight effective mathematics teaching practices, and Assisting Students Struggling with Mathematics: Intervention in the Elementary Grades from the ies.ed.gov.
3. Data analysis and use of data to drive systems planning and mathematics instruction (progress monitoring modules- NCII)
4. Systems and instructional coaching

#### Provide a summary of each evidence-based practices.

##### Multi-Tiered System of Supports (VTmtss)

During SY 2021-22, the SSIP teams continued to collaborate with the VTmtss Team to provide systems-level professional learning activities to support LEAs in their efforts to develop a VTmtss framework, using MTSS tools to guide SSIP systems coaching efforts. The VTmtss team has a dedicated team member to serve on the VT SSIP Transformation and the Evaluation Teams. The VTmtss Framework is based on the most recent research and evidence related to implementing MTSS equitably so that all students have access to rigorous content and high-quality supports and interventions.

A primary collaborative activity is the ongoing development of the SPOT, discussed earlier, to assess progress related to the systems-based continuous improvement SSIP goals. The systems coaches work closely with each LEA's Leadership Team to identify a systems-level problem of practice and SMART goal associated with the SIMR, relevant change ideas, and related process and outcome measures for each change idea along with timeframes for completion. Next, they identify process and outcome measures, with timeframes for completion. The SPOT is reviewed at each team meeting.

Professional learning opportunities and resources that are aligned with the CCSS Mathematics Practices/NCTM's eight effective mathematics teaching practices.

As mentioned previously, two SSIP training sessions and 32 instructional coaching activities were conducted in SY 2021-22 to increase (1) teachers' capacity to implement the CCSS Mathematics Practices and NCTM's eight effective mathematics teaching practices with fidelity and (2) local coaches' capacity to support teachers' implementation of CCSS Mathematics Practices and NCTM's eight effective mathematics teaching practices. The VT SSIP continues to collaborate with staff from the Student Pathways Division to plan, implement, and evaluate VT SSIP mathematics professional learning activities. Similar to the systems professional learning collaboration with the VTmtss team described above, the Student Pathways Division's mathematics consultant is a member of the VT SSIP Core Team, Transformation Team, and Evaluation Team.

The purpose of the mathematics fidelity of the implementation instrument/process is to identify practices for teachers and coaches to focus on for ongoing coaching. These practices (NCTM) foster the development of aligned student behaviors (CCSS). A corresponding action plan guides the coaching and identifies desired outcomes. As discussed previously, the initial rollout of the fidelity of the implementation process was minimal in SY 2021-22, with only two teachers participating in two or more administrations of the fidelity tool. Data analysis and use of data to drive systems planning and mathematics instruction.

The VT SSIP systems and mathematics professional learning is anchored by data analysis and the use of data to drive systems planning and mathematics instruction. Professional learning activities were evaluated through training evaluations, fidelity of implementation data, participant impact surveys, a coaching log dashboard, and stakeholder feedback. These data are reviewed on an ongoing basis, with subsequent corrections to implementation and/or evaluation activities and/or celebrations of success.

Data from the VT SSIP Coaching Log Dashboard indicated that systems coaching on the use of data to guide instruction were the most frequent systems coaching activity (n=36) during SY 2021-22. At the LEA and instructional level, the SPOT and the mathematics fidelity of implementation tool were used to gather baseline and ongoing data to guide systems planning and to determine the necessary professional learning to improve mathematics instruction.

#### Systems and Instructional Coaching

VT SSIP has focused on improving the capacity of SSIP and LEA/school coaches to support ongoing VTmtss implementation and improved instructional practices. As stated previously, there were 81 systems coaching activities and 32 instructional coaching activities during SY 2021-22. The VT SSIP Core Team and other VT AOE staff provided support and guidance to the SSIP systems and instructional coaches, as needed.

**Provide a summary of how each evidence-based practice and activities or strategies that support its use, is intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (e.g. behaviors), parent/caregiver outcomes, and/or child /outcomes.**

Multi-Tiered Systems of Support (VTmtss)/Systems coaching

The VTmtss framework's five components include A Systemic and Comprehensive Approach, Effective Collaboration, High-Quality Instruction and Intervention, Comprehensive and Balanced Assessment, and Professional Expertise. Research has shown that schools implementing a well-designed MTSS framework are in a better position to support high-quality instruction, increased data literacy practices by teachers and leaders, provide appropriate support for all students, and reduce false negatives to special education evaluations. Act 173 will require ALL LEAs to have MTSS as part of an RTI model for Specific Learning Disability Determinations by July 1, 2023.

Professional learning opportunities and resources that are aligned with the CCSS/NCTM's eight effective mathematics teaching practices.

Data analysis and use of data to drive systems planning and mathematics instruction.

Instructional Coaching

The three evidence-based practices listed above are addressed together in this paragraph. The SEA offered SSIP sites mathematics professional learning opportunities and resources that are aligned with the CCSS Mathematics Practices and NCTM's eight effective mathematics teaching practices. This includes training sessions, and instructional coaching practices, with an emphasis on data analysis and the use of the data to inform and drive instruction. It is through these learnings, coaching, and changes in practice that we hope to improve teacher practices and ultimately, impact mathematics proficiency levels for all students with disabilities. Based on our data, Math PD sessions in SY 2022-23 will focus on teaching practices anchored in the recent Institute of Education Sciences (IES) Mathematics Intervention Guide.

**Describe the data collected to monitor fidelity of implementation and to assess practice change.**

The VT SSIP Evaluation Team and the VT AOE VTmtss team developed the SPPOT to assess to what degree the systems' professional learning activities were being implemented with fidelity. The SPPOT provides a structure to guide and collect data to measure the progress of LEAs' implementation of the essential components of VTmtss. The development and review of the SPPOT are facilitated by the systems coaches to support each LEA's Leadership Team. The purpose of the SPPOT is to identify a problem of practice and related change idea(s) and SMART goal(s). Process and outcome measures, with timeframes for completion, are also established. The review of the SPPOT is an ongoing continuous improvement process to guide implementation and assess the attainment of the identified process and outcome measures.

During SY 2021-22, 18 process measures were identified across the two participating LEAs and one independent school. A total of 13 (72%) of the process measures were completed.

The VT Mathematics Fidelity of Implementation tool and process is designed to align with the CCSS Practice Standards and the NCTM eight effective practices and was created to identify instructional practices that required additional professional learning support, either in additional training and/or sustained coaching. The plan is for baseline data to be collected at the beginning of each school year, with subsequent reviews during the year. An action plan is then developed to guide instructional coaching and to identify pertinent outcomes. At least one additional administration of the fidelity tool is to be completed prior to the end of each school year.

Similar to the SPPOT, this mathematics fidelity tool was tested in spring 2021. Modifications were made to the fidelity tool and process for SY 2021-22. However, there was resistance from participating LEAs and schools to use the fidelity tool. In some cases, there was no agreement among school personnel that the fidelity tool was relevant to their instructional practices, others felt it was too "evaluative" of their teachers. Five teachers were observed by their instructional coaches, although three teachers only had one observation. Of the two teachers with at least two observations, one scored slightly lower on the second observation, while the other had a minimally higher score on the final administration. Further work is necessary to obtain LEA and school buy-in to the fidelity process and the development of a more reliable administration process. The name of the tool has been changed after stakeholder feedback and is used as a growth self-reflection tool.

**Describe any additional data (e.g. progress monitoring) that was collected that supports the decision to continue the ongoing use of each evidence-based practice.**

Not applicable. All data collected have already been discussed.

**Provide a summary of the next steps for each evidence-based practices and the anticipated outcomes to be attained during the next reporting period.**

Multi-Tiered Systems of Support (VTmtss)/Systems Coaching

We plan on continuing the use of systems coaches and the SPPOT to support LEA Leadership Teams to implement targeted components of the VTmtss framework. Systems coaches will be provided greater support by the VT SSIP Transformation Team in the development and review of the SPPOT. At each Transformation Team meeting, the SPPOT from one participating district is reviewed and feedback is provided to the systems coaches. Expected outcomes are for the LEA Leadership Teams to achieve their identified process and outcome measures related to their MTSS-related problems of practice and associated change ideas designed to improve mathematics outcomes for students with disabilities in grades 3-5, as well as impacting the VT SSIP's SiMR.

Professional learning opportunities and resources that are aligned with the CCSS Mathematics Practices/NCTM's eight effective mathematics teaching practices and the IES Practice Guide: Assisting Students Struggling with Mathematics: Intervention in the Elementary Grades.

Data analysis and use of data to drive systems planning and mathematics instruction.

Instructional Coaching

The focus on varied professional learning opportunities supporting the implementation of the three evidence-based practices listed above includes more in-person, classroom teacher-level support, observation and coaching. Monthly professional development (Dec 2022 – June 2023) will be offered to all

teachers, coaches, interventionists, special educators and administrators responsible for math instruction in grades 3, 4, and 5, and will continue to focus on data analysis and the use of data to guide mathematics instruction, best practices in intervention, and the NCTM best practices.

**Does the State intend to continue implementing the SSIP without modifications? (yes/no)**

YES

**If yes, describe how evaluation data support the decision to implement without any modifications to the SSIP.**

The coaching and implementation data from the impact survey, the slow growth curve of improving instruction and interventions, and student outcomes along with feedback from participating LEAs in the year-end impact survey informed our decision to continue what we are doing with more targeted support than we have been able to provide through the pandemic. Based on that feedback support is still needed to improve the system of support, as well as specific teaching practices. So we do not want to abandon implementation, we want to continue to reach audiences with fewer interruptions than last school year.

**Section C: Stakeholder Engagement**

**Description of Stakeholder Input**

VT AOE solicited broad stakeholder input on the State's targets in the SPP/APR from January 2021 until December 2021, which are described in Vermont's FFY2020 SPP/APR. The VT AOE Special Education team began meeting with the Special Education Advisory Panel in January 2021 to discuss the changes to the SPP/APR FFY20-25 package, changes to data sources and indicator calculation, indicator targets and improvement activities. Along with collaboration with the Special Education Advisory Panel, VT AOE Special Education team solicited input from the Vermont's Parent Support Center (Vermont Family Network) and the Vermont Council of Special Education Administrators Executive. Beyond target input from these groups, the VT AOE Special education team also created a public webpage in which community partners and interested parties can access resources regarding the SPP/APR, information on the target setting process and electronic and mail-in forms to provide input on the State's targets in the SPP/APR. The public webpage regarding the SPP/APR Target Setting can be found at <https://education.vermont.gov/student-support/vermont-special-education/recent-guidance-news-and-events/target-setting-for-the-spp-apr>

VT AOE continues to make progress towards our goal of improved outcomes in utilizing feedback and input, which will lead to better products reflective of representative stakeholder input, and an increased understanding of how the SPP/APR grounds the work of the State. During 2021, key community partner input was obtained through engaging the Vermont Special Education Advisory Panel (VT-SEAP) and the Vermont Council of Special Education Administrators Executive Board (VCSEA); as well as through check-in sessions hosted by the State Director of Special Education designed for dialogue and technical assistance with Special Education Administrators throughout the state. Since they were approved in May of 2021, the State has been developing and executing an implementation and training plan for changes to the Special Education Rules scheduled to take effect July 1, 2022 and some July 1, 2023. The initial training plan, and subsequent amendments, continue to be based on ongoing feedback from our community partners, VCSEA and the Vermont Family Network (VFN). The State convened two round table meetings with representation from the Vermont Family Network, the Special Education Advisory Panel, the Vermont Association of School Psychologists, and the Vermont Council of Special Education Administrators. Representatives from these organizations provide direct and ongoing feedback on each resource released in response to the rule changes. Community Partners -the groups named above along with staff from institutes of higher education, an external evaluator, special education directors and leadership from all participating SSIP LEAs - have consistent opportunities to provide input, suggestions, and insight on the implementation of the SSIP. Targeted engagement includes sharing and engaging in discussion about the annual SSIP report, comment, and suggestions on direction of SSIP implementation, evaluation and tool development, data analysis, root cause analysis; sharing problems of practice, challenges and successes of implementation efforts; target setting, State Identified Measurable Result (SiMR) setting and scale-up opportunities. VT AOE staff serving as individual indicator stewards worked with community partners to examine trends, make comparison to targets, and engage in root causes analyses to promote the benefits of using the SPP/APR as a tool for understanding compliance needs and prioritizing continuous improvement. This primarily occurred through the Local Special Education Determinations process – while providing technical assistance, indicator stewards were able to receive feedback on the target set for the indicator in comparison to individual LEA performance. The State Director also worked with the VT-SEAP to review indicator performance after the February 1, 2021, SPP/APR submission.

VT AOE continues to engage with stakeholders, including collaboration with VT-SEAP, VCSEA, VFN. Part of this work includes but not limited to –

- Meeting with VFN quarterly to review concerns and are partnering with them to coordinate a response to rule changes targeted at parents
- Collaboration with VCSEA in reviewing and providing feedback on changes to eligibility and evaluation forms that will impact indicator 11
- Surveying Special Education directors and administrators on needs related to Vermont Special Education rule changes
- Presenting SPP/APR results and collaborating on improvement activities to the VT-SEAP

**Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

As discussed earlier in the report, there were two stakeholder meetings during this reporting period, although neither event had an end-of-event evaluation survey. The only specific stakeholder feedback was gathered through the training evaluation data and the two annual impact surveys.

**Kick-Off Meeting Feedback**

On October 16, 2021, the VT SSIP 2021-22 Kick-Off Meeting was held virtually, with 28 SSIP participants. The meeting objectives were to share SSIP data from 2020-21, to provide an overview of professional learning to be provided in 2021-22, and to provide opportunities for participants to interact and give feedback on how the SSIP professional learning could be improved.

**Exit Interview Results**

There was limited interest from SSIP participants in attending the end-of-year meeting, planned for May 19, 2022. The intended purpose of the meeting was to gather their feedback on how to improve the professional learning, to review the SSIP goals and objectives, and to share data from SY 2021-22. In place of the meeting, an exit interview process was developed to gather feedback from the participants. The exit interviews were conducted by the SSIP systems and instructional coaches in May 2022, with personnel from the two LEAs and one independent school.

Earlier in this report, we provided the accomplishments and challenges mentioned by LEA personnel participating in the exit interviews. Specific feedback provided for the systems coaching was to maintain the focus on improving their MTSS framework, with an emphasis on aligning the SSIP, Act 173, VT State board of Education Rules Changes, the Continuous Improvement Process, and other related policies; and to develop strategies to better support teachers.

There was less exit interview data regarding the instructional training and coaching. As with the systems exit interview data, the successes and challenges they identified were discussed previously. The suggestions provided in the exit interviews included a need for more relevant training, increased consistency in instructional coaches, and improved planning and scheduling to guide the professional learning.

#### SSIP Impact Surveys

Participants from SSIP LEAs and schools were asked to provide suggestions for improving the SSIP on the May 2022 Impact Survey. While most of the information gathered was very positive, constructive feedback included:

- Having outcome-based goals that are more concrete and monitoring them regularly. Our goals were too big and the data that we would use to measure progress was not articulated.
- The systems coach worked effectively with our district leadership. It was less valuable with my own school leadership team.
- In-person meetings were the most effective.

#### VT SEAP Stakeholder Feedback

In October 2021, staff from the VT SSIP staff met with the VT-SEAP to share the results from SY 2020-21. Their input on the implementation and scale-up activities of the SSIP was also solicited at this time. The primary purpose of the meeting was to gather feedback from VT-SEAP members on the proposed changes to the VT SSIP SiMR target. Their feedback was mainly focused on widening the messaging about SSIP, and how the desire was that all LEAs would participate.

#### **Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

YES

#### **Describe how the State addressed the concerns expressed by stakeholders.**

##### Exit Interview Results

Data from the May 2022 exit interviews were analyzed by the VT SSIP external evaluator and shared with the Core Team. Feedback was incorporated into RFPs for systems and instructional coaching and training for SY 2022-23. Consideration has also been given to the need to better oversee the systems and instructional coaching process and documentation. Strategies have also been discussed on how to reach out to additional LEAs and to work more directly with school administrators and staff. Given that the Special Education Monitoring team and the Technical Assistance Team have closely aligned LSED status to the supports of SSIP, the pool of expertise is greater.

#### SSIP Impact Surveys

The VT SSIP Core Team reviewed quantitative and qualitative data collected through the May 2022 Impact Survey. Based on participant feedback, we have continued to review the SPOT instrument and process. We realize that more consistent oversight of the process is needed to ensure the tool and process are used reliably. We are also strategizing on how to best access school administrators and teachers. That area of implementation has been a challenge, particularly with the challenges of entering school buildings, due to COVID.

#### VT SEAP Stakeholder Feedback

Messaging was increased to other LEAs during the summer, and SSIP supports were employed by the Special Education Monitoring team as a result of Needs Assistance Y3 / Needs Interventions determinations of 9 LEAs.

#### **Additional Implementation Activities**

#### **List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

Not applicable. All planned activities have already been discussed.

#### **Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

#### **Describe any newly identified barriers and include steps to address these barriers.**

Not applicable. The primary barriers related to the impact of the COVID-19 Pandemic are the same as those reported in the 2022 SSIP Phase III report.

#### **Provide additional information about this indicator (optional).**

### **17 - Prior FFY Required Actions**

None

### **17 - OSEP Response**

### **17 - 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:**

Meg Porcella

#### **Title:**

Interim Director of Student Support Services

#### **Email:**

meg.porcella@vermont.gov

#### **Phone:**

802-828-4387

#### **Submitted on:**

04/27/23 4:30:57 PM

Determination Enclosures

RDA Matrix

## 2023 Part B Results-Driven Accountability Matrix

Results-Driven Accountability Percentage and Determination<sup>1</sup>

Percentage (%)	Determination
69.17%	Needs Assistance

Results and Compliance Overall Scoring

	Total Points Available	Points Earned	Score (%)
<b>Results</b>	24	14	58.33%
<b>Compliance</b>	20	16	80.00%

2023 Part B Results Matrix

Reading Assessment Elements

Reading Assessment Elements	Performance (%)	Score
Percentage of 4th Grade Children with Disabilities Participating in Regular Statewide Assessments	89%	1
Percentage of 8th Grade Children with Disabilities Participating in Regular Statewide Assessments	89%	1
Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	14%	0
Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	94%	1
Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	28%	1
Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	93%	1

Math Assessment Elements

Math Assessment Elements	Performance (%)	Score
Percentage of 4th Grade Children with Disabilities Participating in Regular Statewide Assessments	90%	2
Percentage of 8th Grade Children with Disabilities Participating in Regular Statewide Assessments	89%	1
Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	28%	0
Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	93%	1
Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	24%	2
Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	92%	1

<sup>1</sup> For a detailed explanation of how the Compliance Score, Results Score, and the Results-Driven Accountability Percentage and Determination were calculated, review "How the Department Made Determinations under Section 616(d) of the *Individuals with Disabilities Education Act* in 2023: Part B."

**Exiting Data Elements**

<b>Exiting Data Elements</b>	<b>Performance (%)</b>	<b>Score</b>
<b>Percentage of Children with Disabilities who Dropped Out</b>	19	1
<b>Percentage of Children with Disabilities who Graduated with a Regular High School Diploma**</b>	79	1

\*Due to privacy concerns the Department has chosen to suppress this calculation.

\*\*When providing exiting data under section 618 of the IDEA, States are required to report on the number of students with disabilities who exited an educational program through receipt of a regular high school diploma. These students meet the same standards for graduation as those for students without disabilities. As explained in 34 C.F.R. § 300.102(a)(3)(iv), in effect June 30, 2017, "the term regular high school diploma means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential."

2023 Part B Compliance Matrix

Part B Compliance Indicator <sup>2</sup>	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2020	Score
Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements.	0.00%	N/A	2
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	0.00%	N/A	2
Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	0.00%	N/A	2
Indicator 11: Timely initial evaluation	79.75%	NO	1
Indicator 12: IEP developed and implemented by third birthday	100.00%	YES	2
Indicator 13: Secondary transition	61.18%	NO	0
Timely and Accurate State-Reported Data	100.00%		2
Timely State Complaint Decisions	100.00%		2
Timely Due Process Hearing Decisions	100.00%		2
Longstanding Noncompliance			1
Specific Conditions	None		
Uncorrected identified noncompliance	Yes, 2 to 4 years		

<sup>2</sup> The complete language for each indicator is located in the Part B SPP/APR Indicator Measurement Table at: [https://sites.ed.gov/idea/files/2023\\_Part-B\\_SPP-APR\\_Measurement\\_Table.pdf](https://sites.ed.gov/idea/files/2023_Part-B_SPP-APR_Measurement_Table.pdf)



Data Rubric

FFY 2021 APR<sup>3</sup>

Part B Timely and Accurate Data -- SPP/APR Data		
APR Indicator	Valid and Reliable	Total
1	1	1
2	1	1
3A	1	1
3B	1	1
3C	1	1
3D	1	1
4A	1	1
4B	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
11	1	1
12	1	1
13	1	1
14	1	1
15	1	1
16	1	1
17	1	1
	<b>Subtotal</b>	21
<b>APR Score Calculation</b>	<b>Timely Submission Points</b> - If the FFY 2021 APR was submitted on-time, place the number 5 in the cell on the right.	5
	<b>Grand Total</b> - (Sum of Subtotal and Timely Submission Points) =	26

<sup>3</sup> In the SPP/APR Data table, where there is an N/A in the Valid and Reliable column, the Total column will display a 0. This is a change from prior years in display only; all calculation methods are unchanged. An N/A does not negatively affect a State's score; this is because 1 point is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the SPP/APR Data table.

	618 Data <sup>4</sup>			
Table	Timely	Complete Data	Passed Edit Check	Total
Child Count/ Ed Envs Due Date: 4/6/22	1	1	1	3
Personnel Due Date: 11/2/22	1	1	1	3
Exiting Due Date: 11/2/22	1	1	1	3
Discipline Due Date: 11/2/22	1	1	1	3
State Assessment Due Date: 12/21/2022	1	1	1	3
Dispute Resolution Due Date: 11/2/22	1	1	1	3
MOE/CEIS Due Date: 5/4/22	1	1	1	3
			<b>Subtotal</b>	21
<b>618 Score Calculation</b>			<b>Grand Total</b> (Subtotal X 1.23809524) =	26.00

<sup>4</sup> In the 618 Data table, when calculating the value in the Total column, any N/As in the Timely, Complete Data, or Passed Edit Checks columns are treated as a '0'. An N/A does not negatively affect a State's score; this is because 1.23809524 points is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the 618 Data table.

<b>Indicator Calculation</b>	
A. APR Grand Total	26
B. 618 Grand Total	26.00
C. APR Grand Total (A) + 618 Grand Total (B) =	52.00
Total N/A Points in APR Data Table Subtracted from Denominator	0
Total N/A Points in 618 Data Table Subtracted from Denominator	0.00
<b>Denominator</b>	52.00
D. Subtotal (C divided by Denominator*) =	1.0000
E. Indicator Score (Subtotal D x 100) =	100.00

**\*Note that any cell marked as N/A in the APR Data Table will decrease the denominator by 1, and any cell marked as N/A in the 618 Data Table will decrease the denominator by 1.23809524.**

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## APR and 618 -Timely and Accurate State Reported Data

DATE: February 2023 Submission

### SPP/APR Data

**1) Valid and Reliable Data** - Data provided are from the correct time period, are consistent with 618 (when appropriate) and the measurement, and are consistent with previous indicator data (unless explained).

### Part B 618 Data

**1) Timely** – A State will receive one point if it submits all EDFacts files or the entire EMAPS survey associated with the IDEA Section 618 data collection to ED by the initial due date for that collection (as described the table below).

618 Data Collection	EDFacts Files/ EMAPS Survey	Due Date
Part B Child Count and Educational Environments	C002 & C089	1 <sup>st</sup> Wednesday in April
Part B Personnel	C070, C099, C112	1 <sup>st</sup> Wednesday in November
Part B Exiting	C009	1 <sup>st</sup> Wednesday in November
Part B Discipline	C005, C006, C007, C088, C143, C144	1 <sup>st</sup> Wednesday in November
Part B Assessment	C175, C178, C185, C188	Wednesday in the 3 <sup>rd</sup> week of December (aligned with CSPR data due date)
Part B Dispute Resolution	Part B Dispute Resolution Survey in EMAPS	1 <sup>st</sup> Wednesday in November
Part B LEA Maintenance of Effort Reduction and Coordinated Early Intervening Services	Part B MOE Reduction and CEIS Survey in EMAPS	1 <sup>st</sup> Wednesday in May

**2) Complete Data** – A State will receive one point if it submits data for all files, permitted values, category sets, subtotals, and totals associated with a specific data collection by the initial due date. No data is reported as missing. No placeholder data is submitted. The data submitted to EDFacts aligns with the metadata survey responses provided by the state in the State Supplemental Survey IDEA (SSS IDEA) and Assessment Metadata survey in EMAPS. State-level data include data from all districts or agencies.

**3) Passed Edit Check** – A State will receive one point if it submits data that meets all the edit checks related to the specific data collection by the initial due date. The counts included in 618 data submissions are internally consistent within a data collection



## How the Department Made Determinations

Below is the location of How the Department Made Determinations (HTDMD) on OSEP's IDEA Website. How the Department Made Determinations in 2023 will be posted in June 2023. Copy and paste the link below into a browser to view.

<https://sites.ed.gov/idea/how-the-department-made-determinations/>