

LEA Special Education Determinations – FFY 2022

The U.S. Department of Education Office of Special Education Programs (OSEP) requires states to make annual determinations on the performance of each Local Education Agency (LEA) in implementing the requirements and purposes of the Individuals with Disabilities Education Act (IDEA) – Part B, with regard to the provision of special education and related services. Determinations are a way of designating the status of LEAs into one of four categories as outlined in [34 CFR §300.603](#). These categories are:

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

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

Calculating Determinations

In making determinations, in FFY 2022 Vermont’s system incorporates factors for compliance and results indicators as reported to OSEP in the SPP/APR. Vermont’s FFY 2022 criteria for LEA determinations are outlined:

Determination	Meets Requirements	Needs Assistance	Needs Intervention	Needs Substantial Intervention
Vermont’s criteria for LEA determinations	Greater than or equal to 80%	60-79%	40-59%	Less than 40%



Calculations are based on individual LEA performance toward achieving state targets and are aligned with local annual performance reports for the same time period. The Part B compliance indicators measure LEA performance related to suspension and expulsion, disproportionate representation, child find activities, and transitions of students with disabilities (both C to B and post-secondary transitions). Compliance indicators (4b, 9, 10, 11, 12, 13) will only receive points for *meets target* or *did not meet target*. The Part B results indicators measure LEA performance on APR indicators related to:

- Graduation rate (Indicator 1)
- Dropout rate (Indicator 2)
- Statewide assessments including the alternate assessment, in participation (Indicator 3a)
- Significant discrepancy by race or ethnicity for which policies/procedures/practices contributed to out-of-school suspensions for greater than 10 cumulative days in a school year (Indicator 4a)
- Educational environments for both school-age and preschool students ages 3-21 (Indicators 5 and 6)
- Preschool outcomes for children ages 3-5 (Indicator 7)
- Parent involvement (Indicator 8)
- Post-school outcomes (Indicator 14)

Results areas may be awarded partial points for scores approaching state targets, as specified in the sections describing Scoring Criteria. Additional points, not factored into the denominator, will be awarded for participation in the Statewide Systemic Improvement Plan (SSIP). In addition, determinations may also be made in general supervision performance measures related to compliance on annual date reviews for IEPs and triennial evaluations, timely and accurate data reporting, fiscal/grantee pre-award risk rating, dispute resolutions, and timely resolution on findings of noncompliance.

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

- The LEA does not have data generated for this indicator; and
- LEA was not in that year's monitoring cycle.

Beginning with FFY 2018 (SY2018-2019), both compliance and results indicators were given equal weight in making the LEA Special Education Determination. Beginning with FFY 2019 (SY2019-2020), determinations also included accountability for general supervision requirements. For FFY 2020 (SY2020-2021), the Vermont Agency of Education made simplified determinations for LSEDs, using only compliance measures

over the more robust set (compliance and performance) used in the recent past. During FFY 2021 the Vermont Agency of Education returned to including performance measures, as is continued in this FFY 2022 report. Scoring criteria are listed below the table below describing points awarded.

Note: For FFY 2022 Indicators 3b, 3c, and 3d are not included in calculating LEA determinations due to the change of assessment vendor which will require a resetting of our state targets for assessment. Additionally, pre-award risk rating data was not available, leading to its omission from this year's determination calculation as well.

Technical Assistance, Improvement, Correction, Incentives, and Sanctions

[34 CFR §300.604](#) outlines enforcement actions related to the above categories, and the State Education Agency (SEA or AOE) will use these enforcement activities when developing differentiated monitoring and supports for LEAs based on their determination category. The IDEA identifies specific technical assistance or enforcement actions that must occur under specific circumstances when LEAs are not determined to “meet requirements”. If the LEA “needs assistance” for two consecutive years, the AOE must take one or more enforcement actions, including, among others, requiring the LEA to access technical assistance, designating the LEA as a high-risk grantee, or directing the use of LEA funds to the area(s) where the LEA needs assistance. If the LEA “needs intervention” for three consecutive years, the AOE must take one or more enforcement actions, including among others, requiring a corrective action plan or compliance agreement, or withholding further payments to the LEA. Any time the LEA “needs substantial intervention” the AOE must take immediate enforcement action, such as withholding funds or referring the matter to the AOE’s legal team for appropriate enforcement.

For additional information, please visit the [General Supervision and Monitoring System website](#).

The following page provides a list of each LEA’s performance in meeting the requirements of IDEA Part B which serves students with disabilities, ages 3 through 21. Determinations are based on data collected for SY2022-2023.

Determinations – FFY 2022

Meets Requirements

Addison Central SD

Addison Northwest SD

Bennington Rutland SD

Caledonia Central SD

Champlain Valley SD
Colchester SD
Essex-Westford SD
Franklin West SU
Kingdom East SD
Lamoille South SU
Mill River UUSD
Mount Mansfield UUSD
Orange Southwest SU
Saint Johnsbury SD
Windham Central SU
Windham Northeast SD
Windsor Southeast SU

Needs Assistance

Barre SD
Burlington SD
Essex North SD
Franklin Northeast SD
Greater Rutland County SU
Hartford SD
Harwood UUSD
Lamoille North SU
Milton SD
Mountain Views SD
North Country SU
Rivendell Interstate SD
Rutland City SD
Rutland Northeast SD
SAU #70
Slate Valley UUSD

South Burlington SD
Washington Central SD
Windham Southeast SU

Needs Assistance Year 2

Missisquoi Valley SD
Montpelier Roxbury SD
Orange East SU
Winooski SD

Needs Assistance Year 3

Maple Run SD

Needs Assistance Year 5

Central Vermont SD
Mt. Abraham Unified SD
Orleans Central SD
Orleans Southwest SD
Southwest Vermont SU¹
Two Rivers SD
White River Valley SD²

Needs Intervention Year 2

Grand Isle SD

Needs Intervention Year 5

Springfield SD

Needs Substantial Intervention

Windham Southwest SU

¹ Needs Intervention in FFY 2018 and FFY 2019

² Needs Intervention in FFY 2021