

HOW THE ARKANSAS DEPARTMENT OF EDUCATION SPECIAL EDUCATION UNIT MADE DETERMINATIONS

**UNDER SECTION 616(D) OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT IN 2016:
PART B**



INTRODUCTION

In 2016, the Arkansas Department of Education's Special Education Unit (ADE-SEU) will continue to use compliance data in making a determination for each local education agency (LEA) under section 616(d) of the Individuals with Disabilities Education Act (*IDEA*). We considered the totality of compliance information we have about LEAs, including information from monitoring and other issues related to LEA compliance with the *IDEA*. Below is a detailed description of how the ADE-SEU evaluated LEA's data:

1. a **Compliance Matrix** that includes scoring on SPP/APR Compliance Indicators and other compliance factors;
2. a **Compliance Percentage** based on the Compliance Score; and
3. the LEA's **Determination**.

THE 2016 PART B COMPLIANCE MATRIX

In making each LEA's 2016 determination, the ADE-SEU used a Compliance Matrix, reflecting the following data:

1. The LEA's 2014-15 data for Part B Compliance Indicators 4B, 9, 10, 11, 12, and 13;
2. The timeliness and accuracy of data reported by the LEA via the statewide information system and/or MySped Resource;
3. Longstanding Noncompliance:

The ADE-SEU considered:

- a. Whether the ADE-SEU imposed Special Conditions on the LEA's 2015-16 *IDEA* Part B grant award and those Special Conditions are in effect at the time of the 2016 determination, and the number of years for which the LEA's Part B grant award has been subject to Special Conditions; and
- b. Whether there are any findings of noncompliance identified in 2013-14 or earlier by either the ADE-SEU that the LEA has not yet corrected.

Scoring of the Compliance Matrix

The Compliance Matrix indicates a score of 0, 1, or 2, for each of the compliance indicators in item one above and for each of the additional factors listed in items two and three above. Using the cumulative possible number of points as the denominator, and using as the numerator the actual points the LEA received in its scoring under these factors, the Compliance Matrix reflects a Compliance Score and Percentage, which is used to make the LEA's Part B Determination.

Scoring of the Matrix for Compliance Indicators 4B, 9, 10, 11, 12, and 13

In the attached State-specific 2016 Part B Compliance Matrix, a LEA received points as follows for each of Compliance Indicators 4B, 9, 10, 11, 12, and 13¹:

- Two points, if the LEA's 2014-15 data for the indicator were valid and reliable, and reflect at least 95% compliance (or, for Indicators 4B, 9, and 10, reflect no greater than 5% compliance)²; or
- One point, if the LEA's 2014-15 data for the indicator were valid and reliable, and reflect at least 75% compliance (or, for Indicators 4B, 9, and 10, reflect no greater than 25% compliance), and the LEA did not meet the criteria above for two points.
- Zero points, under any of the following circumstances:

¹ A notation of "--" (for "not applicable") in the "Performance" column for an indicator denotes that the indicator is not applicable to that particular State. The points for that indicator are not included in the denominator for the matrix, and the indicator does not impact the State's Compliance Score, RDA Percentage, or RDA Determination.

² For Indicators 4B, 9, and 10, a very high level of compliance is generally at or below 5%.

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- The LEA's 2014-15 data for the indicator reflect less than 75% compliance (or, for Indicators 4B, 9, and 10, reflect greater than 25% compliance); or
- The LEA did not report 2014-15 data for the indicator.³

Scoring of the Matrix for Timely and Accurate State-Reported Data

In the attached LEA -specific 2016 Part B Compliance Matrix, a LEA received points as follows for **Timely and Accurate LEA-Reported Data**⁴:

- Two points, if data was submitted via statewide information system (SIS) and/or MySped Resource were timely and accurate;
- Zero points, if data submitted via statewide information system and/or MySped Resource were deemed NOT timely and accurate.

Scoring of the Matrix for Long-Standing Noncompliance (Includes Both Uncorrected Identified Noncompliance and Special Conditions)

In the attached LEA-specific 2016 Part B Compliance Matrix, a LEA received points as follows for the Long-Standing Noncompliance component:

- Two points, if the LEA has:
 - No remaining findings of noncompliance identified, by ADE-SEU or the LEA, in 2013-14 or earlier; and
 - No Special Conditions on its 2015-16 grant award that are in effect at the time of the 2016 determination.
- One point, if either or both of the following occurred:
 - The LEA has remaining findings of noncompliance identified, by ADE-SEU or the LEA, in 2013-14 or prior for which the LEA has not yet demonstrated correction; and/or
 - The ADE-SEU has imposed Special Conditions on the LEA's 2015-16 Part B grant award and those Special Conditions are in effect at the time of the 2016 determination.
- Zero points, if either or both of the following occurred:
 - The LEA has remaining findings of noncompliance identified, by ADE-SEU or the LEA, in 2009-10 or earlier, for which the LEA has not yet demonstrated correction; and/or

³ If a LEA reported no 2014-15 data for any compliance indicator (unless the indicator is not applicable to the LEA), the matrix so indicates in the "Performance" column, with a corresponding score of 0.

⁴ ADE-SEU used data reported via SIS and/or MySped Resource which includes school age child count and educational environments, early childhood child count and educational environments, discipline, school age exits, referral tracking, early childhood exits and outcomes, and coordinated early intervening services.

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- The ADE-SEU has imposed Special Conditions on the LEA's last three (2013-14, 2014-15, and 2015-16) *IDEA* Part B grant awards, and those Special Conditions are in effect at the time of the 2016 determination.

The Determination

The LEA's Determination is defined as follows:

Meets Requirements

A LEA's 2016 Determination is Meets Requirements if the Overall Compliance Percentage is at least 80%, unless the ADE-SEU has imposed Special Conditions on the LEA's last three (FFYs 2013, 2014, and 2015) *IDEA* Part B grant awards, and those Special Conditions are in effect at the time of the 2016 determination.

Needs Assistance

A LEA's 2016 Determination is Needs Assistance if the Overall Compliance Percentage is at least 60% but less than 80%. A LEA would also be Needs Assistance if its Overall Compliance Percentage is 80% or above, but the ADE-SEU has imposed Special Conditions on the LEA's last three (FFYs 2013, 2014, and 2015) *IDEA* Part B grant awards, and those Special Conditions are in effect at the time of the 2016 determination.

Needs Intervention

A LEA's 2016 Determination is Needs Intervention if the Overall Compliance Percentage is less than 60%.

Needs Substantial Intervention

The ADE-SEU did not make a determination of Needs Substantial Intervention for any LEA in 2016.
