

Office of Special Education Programs State Determination FFY 2018

**Under Section 616(d) of the
Individuals with Disabilities Education Improvement Act**

Special Education Advisory Council Meeting

August 14, 2020

Monitoring and Compliance Branch (MAC)



Monitoring and Compliance Branch IDEA Team

Cara Tanimura, Director

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Meeting Objectives

Participants will learn:

- How Determinations are Made
 - The elements included in the Office of Special Education Program's (OSEP) State Determination
 - How the rating of a State is determined
- Hawaii's Determination in the Results-Driven Accountability Matrix

How Does OSEP Hold States Accountable?

- OSEP holds States accountable for:
 - Compliance related requirements of IDEA; and
 - Improved outcomes for children with disabilities (Results).

Thus, the primary focus of the State's monitoring activities must be on improving educational results and functional outcomes for all children with disabilities; and ensuring that States meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

- A State's determination is based on the data reflected in the State's **Results-Driven Accountability Matrix (RDA Matrix)**.

What is a State Determination?

- Every year, the Office of Special Education Programs (OSEP) provides states with an annual report on their performance relating to the State's implementation of the requirements of Individual with Disabilities Education Improvement Act (IDEA).
- This report is known as the State's Determination.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

June 25, 2020

Honorable Christina Kishimoto
Superintendent
Hawaii Department of Education
P.O. Box 2360
Honolulu, Hawaii 96804

Dear Superintendent Kishimoto:

I am writing to advise you of the U. S. Department of Education's (Department) 2020 determination under section 616 of the Individuals with Disabilities Education Act (IDEA). The Department has determined that Hawaii needs assistance in implementing the requirements of Part B of the IDEA. This determination is based on the totality of the State's data and information, including the Federal fiscal year (FFY) 2018 State Performance Plan/Annual Performance Report (SPP/APR), other State-reported data, and other publicly available information.

Your State's 2020 determination is based on the data reflected in the State's "2020 Part B Results-Driven Accountability Matrix" (RDA Matrix). The RDA Matrix is individualized for each State and consists of:

- (1) a Compliance Matrix that includes scoring on Compliance Indicators and other compliance factors;
- (2) a Results Matrix that includes scoring on Results Elements;
- (3) a Compliance Score and a Results Score;
- (4) an RDA Percentage based on both the Compliance Score and the Results Score; and
- (5) the State's Determination.

The RDA Matrix is further explained in a document, entitled "How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2020: Part B" (HTDMD).

Hawaii's Determination

- The Hawaii Department of Education's (HIDOE) Determination issued from OSEP on June 25, 2020 is posted on HIDOE's website.

<http://www.hawaiipublicschools.org/VisionForSuccess/SchoolDataAndReports/StateReports/Pages/Special-Education-Performance-Report.aspx>

State Performance Plan / Annual Performance Report

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires each state to develop a state performance plan/annual performance report (SPP/APR) that evaluates the state's efforts to implement the requirements and purposes of the IDEA and describes how the state will improve its implementation. A state is required to submit a state performance plan (SPP) at least every six years. Each year, states must report against the targets in its SPP in an annual performance report (APR). The Annual Performance Report includes targets and data for 17 indicators. The Hawaii Department of Education worked with Hawaii's State advisory panel, Special Education Advisory Council (SEAC) to establish measurable and rigorous annual performance targets.

[2018-19 Annual Performance Report \(click to download\)](#)

State Determination


Section 616(d) of the IDEA requires the USDOE/OSEP to review each state's APR annually. Based on the information provided in the APR, information obtained through monitoring visits, and any other public information, on June 25, 2020, the USDOE/OSEP issued State Determinations for 2020 SPP/APR.

 [HI 2020 Letter to Superintendent Kishimoto regarding Determination by USDOE, OSEP](#)

 [HI 2020 Part B Results - Driven Accountability Matrix](#)

 [HI 2020 APR and 618 Timely and Accurate State Reported Data](#)

 [2020 How the Dept Made Determinations Under Section 616\(d\) of IDEA](#)

 [2018-19 IDEA Part B Dispute Resolution](#)

Results-Driven Accountability Matrix

1. State's Determination

- RDA Percentage based on both Results and Compliance Score

2. Results and Compliance Overall Scoring

3. Results Matrix

- Scoring on Results Elements

4. Compliance Matrix

- Scoring on Compliance Indicators
- Other Compliance Factors
 - Timely and Accurate State-Reported Data
 - Timely State Complaint Decisions
 - Timely Due Process Hearing Decisions
 - Longstanding Noncompliance
 - Special Conditions
 - Uncorrected Identified Noncompliance

Hawaii

2020 Part B Results-Driven Accountability Matrix

Results-Driven Accountability Percentage and Determination¹

Percentage (%)	Determination
65.83	Needs Assistance

The RDA Determination is defined as:

1. **Meets requirement**

A State's 2020 RDA Determination is Meet Requirements if the RDA Percentage is at least 80%.

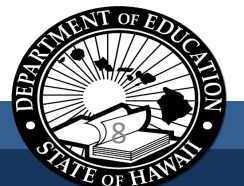
1. **Needs assistance:**

A State's 2020 RDA Determination is Needs Assistance if the RDA Percentage is at least 60% but less than 80%.

1. **Needs intervention**

A State's 2020 RDA Determination is Needs Intervention if the RDA Percentage is less than 60%.

1. **Needs substantial intervention**



How Did OSEP Calculate the Determination?

Results and Compliance Overall Scoring

	Total Points Available	Points Earned	Score (%)
Results	24	10	41.67
Compliance	20	18	90

The State's RDA Percentage was calculated by adding 50% of the State's Results Score and 50% of the State's Compliance Score.

Hawaii's Percentage: 65.83%

Hawaii was 1 of 26 States to receive a *Needs Assistance Determination* for two or more consecutive years.

2020 Determination Letters on State Implementation of IDEA
June 25, 2020

<https://sites.ed.gov/idea/files/ideafactsheet-determinations-2020.pdf>

IDEA PART B DETERMINATIONS

Following is a list of each State's performance in meeting the requirements of IDEA Part B, which serves students with disabilities, ages 3 through 21:

MEETS REQUIREMENTS

Arkansas	Minnesota	Republic of the Marshall Islands
Florida	Missouri	South Dakota
Georgia	New Hampshire	Virginia
Illinois	New Jersey	West Virginia
Kansas	North Carolina	Wisconsin
Kentucky	North Dakota	Wyoming
Maine	Oklahoma	
Massachusetts	Pennsylvania	

NEEDS ASSISTANCE (one year)

Arizona	Connecticut	Nebraska
Commonwealth of Northern Mariana Islands	Indiana	Ohio
	Montana	

NEEDS ASSISTANCE (two or more consecutive years)

Alabama	Guam	Nevada
Alaska	Hawaii	Oregon
American Samoa	Iowa	Puerto Rico
District of Columbia	Idaho	Rhode Island
California	Louisiana	South Carolina
Colorado	Maryland	Tennessee
Delaware	Michigan	Texas
Federated States of Micronesia	Mississippi	Utah
	New Mexico	Washington

NEEDS INTERVENTION (one year)

New York	Vermont
Virgin Islands	

NEEDS INTERVENTION (three years)

Palau

NEEDS INTERVENTION (nine consecutive years)

Bureau of Indian Education

How are Results Elements Scored?

Results Elements	RDA Score= 0	RDA Score= 1	RDA Score= 2
Participation Rate of 4th and 8th Grade CWD on Regular Statewide Assessments (reading and math, separately)	<80	80-89	>=90
Percentage of 4th grade CWD scoring Basic or above on reading NAEP	<23	23-27	>=28
Percentage of 8th grade CWD scoring Basic or above on reading NAEP	<27	27-31	>=32
Percentage of 4th grade CWD scoring Basic or above on math NAEP	<40	40-46	>=47
Percentage of 8th grade CWD scoring Basic or above on math NAEP	<20	20-27	>=28

Reading Assessment Elements

Reading Assessment Elements	Performance (%)	Score
Percentage of 4th Grade Children with Disabilities Participating in Regular Statewide Assessments	87	1
Percentage of 8th Grade Children with Disabilities Participating in Regular Statewide Assessments	84	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	89	1
Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	21	0
Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	90	1

How are Results Elements Scored?

Results Elements	RDA Score= 0	RDA Score= 1	RDA Score= 2
Participation Rate of 4th and 8th Grade CWD on Regular Statewide Assessments (reading and math, separately)	<80	80-89	>=90
Percentage of 4th grade CWD scoring Basic or above on reading NAEP	<23	23-27	>=28
Percentage of 8th grade CWD scoring Basic or above on reading NAEP	<27	27-31	>=32
Percentage of 4th grade CWD scoring Basic or above on math NAEP	<40	40-46	>=47
Percentage of 8th grade CWD scoring Basic or above on math NAEP	<20	20-27	>=28

Math Assessment Elements

Math Assessment Elements	Performance (%)	Score
Percentage of 4th Grade Children with Disabilities Participating in Regular Statewide Assessments	88	1
Percentage of 8th Grade Children with Disabilities Participating in Regular Statewide Assessments	85	1
Percentage of 4th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	29	0
Percentage of 4th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	89	1
Percentage of 8th Grade Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	15	0
Percentage of 8th Grade Children with Disabilities Included in Testing on the National Assessment of Educational Progress	86	1

How are Results Elements Scored?

Results Elements	RDA Score= 0	RDA Score= 1	RDA Score= 2
Percentage of CWD Exiting School by Graduating with a Regular High School Diploma	<70	70-78	>=79
Percentage of CWD Exiting School by Dropping Out	>21	21-14	<=13

Exiting Data Elements

Exiting Data Elements	Performance (%)	Score
Percentage of Children with Disabilities who Dropped Out	17	1
Percentage of Children with Disabilities who Graduated with a Regular High School Diploma ¹	73	1

How are Compliance Indicators Scored?

Hawaii Determination			
Part B Compliance Indicator	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2017	Score
Indicator 4B: Significant discrepancy, by race and ethnicity, in the rate of suspension and expulsion	0	NA	2
Indicator 9: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification	0	NA	2
Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	0	NA	2

OSEP Scoring		
Score 2	Score 1	Score 0
<p>The indicator data were valid and reliable and at least 95% compliance (or no greater than 5% compliance)</p> <p>or</p> <p>Valid and reliable data and at least 95% compliance (or no greater than 10% compliance)</p>	<p>The indicator data were valid and reliable and at least 75% compliance (or no greater than 25% compliance)</p> <p>and</p> <p>The state did not meet either of the criteria for 2 points</p>	<p>The indicator data reflects less than 75% compliance (or greater than 25% compliance)</p> <p>or</p> <p>Not valid and reliable data</p> <p>or</p> <p>Did not report FFY 2018 data</p>

How are Compliance Indicators Scored?

Hawaii Determination			
Part B Compliance Indicator	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2017	Score
Indicator 11: Timely initial evaluation	95.39	Yes	2
Indicator 12: IEP developed and implemented by third birthday	93.27	Yes	2
Indicator 13: Secondary transition	69.21	Yes	0

OSEP Scoring		
Score 2	Score 1	Score 0
Valid and reliable at least 95% compliance or Valid and reliable data and at least 90% compliance	Valid and reliable and at least 75% compliance and The state did not meet the criteria for 2 points	Less than 75% compliance or Not valid and reliable data or Did not report FFY 2018 data

How are Compliance Indicators Scored?

Hawaii Determination			
Part B Compliance Indicator	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2017	Score
Timely and Accurate State-Reported Data	97.62		2
Timely State Complaint Decisions	100		2
Timely Due Process Hearing Decisions	100		2
Longstanding Noncompliance			2
Special Conditions	None		
Uncorrected identified noncompliance	None		

OSEP Scoring - Timely and Accurate Data		
Score 2	Score 1	Score 0
At least 95% compliance	At least 75% compliance and less than 95% compliance	Less than 75% compliance

OSEP Scoring - Timely State Complaint Decisions & Due Process Hearing Decisions		
Score 2	Score 1	Score 0
Valid and reliable data and at least 95% compliance	At least 75% compliance and less than 95% compliance	Less than 75% compliance

OSEP Scoring - Noncompliance		
Score 2	Score 1	Score 0
No remaining findings of noncompliance in FFY 2016 or earlier No specific conditions on its FFY 2019 grant award	Has remaining findings (2014, 2015, 2016) for which State has not yet demonstrated correction or Specific conditions have been imposed on FFY 2019 grant award and are in effect	Has remaining findings (2013 or earlier) for which State has not yet demonstrated correction or Specific Conditions have been imposed on the last 3 grant awards and are in effect

Summary

- HIDOE received the 2020 Part B Results-Driven Accountability (RDA) Determination of *Needs Assistance*. The results are based on the Federal Fiscal Year (FFY) 2018 State Performance Plan/Annual Performance Report (SPP/APR), other State-reported data, and other publicly available information.
- OSEP identified the following areas for improvement:
 - **Indicator 1 (Graduation with a Regular High School Diploma)**
 - **Indicator 2 (Dropout)**
 - **Indicators 3B and 3C (Participation and Performance in Assessments)**
 - **Indicator 13 (Secondary Transition)**
- HIDOE continues its efforts to improve on all of the compliance and results indicators as noted by OSEP.

Thank You

Please do not hesitate to contact the Monitoring and Compliance Branch if you have any questions or need any clarifications.

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