**State Performance Plan / Annual Performance Report: Part B**

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

**For reporting on
FFY 2020**

**Nebraska**



**PART B DUE February 1, 2022**

**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**

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

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

244

**General Supervision System:**

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

See attachement.

**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 Nebraska Department of Education (NDE) Office of Special Education (OSE) has several mechanisms in place to ensure the timely delivery of evidence-based technical assistance and support to local education agencies. Nebraska’s statewide system of technical assistance is based on regional support networks with multiple collaborating partners engaged in this process.

Through regional and statewide assignments, the NDE special education staff provides ongoing technical assistance to support school districts in addressing their unique needs and challenges. The NDE Office of Special Education created the Improving Lives of Children with Disabilities (ILCD) process based upon the State Performance Plan (SPP) Part B indicators and the Results Driven Accountability (RDA) initiatives in place for the state. The ILCD process is designed to enhance program improvement that will result in improved outcomes for children with disabilities. With stakeholder input, NDE organized the SPP indicators into three Impact Areas:

Improving developmental outcomes and academic achievement (school readiness) for children with disabilities;

Improving communication and relationships among families, schools, communities, and agencies; and

Improving transitions for children with disabilities from early intervention to adult living.

This comprehensive “big picture” approach provides a broader view for improving achievement outcomes within a continuous improvement framework. Technical assistance for the ILCD process is also delivered through regional ILCD facilitators located in each educational service unit (ESU) across the state.

Regional Planning Region Teams (PRTs), functioning as Local Interagency Coordinating Councils, receive annual NDE grants to support Early Intervention/Early Childhood Special Education (EI/ECSE) practitioners in implementing evidence-based practices for children birth to age five and their families. Since 1979, NDE’s Early Childhood Training Center (ECTC) has been the hub of technical assistance and professional development statewide for teachers and providers in early care and education settings. The ECTC infrastructure has been expanded to include a statewide network of regional Early Learning Coordinators and Coach Consultants located at ESUs.

The University of Nebraska System is a major component of the statewide infrastructure with specialized expertise leveraged in the delivery of technical assistance to local school districts. Disability specific regional networks of technical assistance include cadres within the ESU structure that support a full-range of technical assistance and professional development in evidence-based practices related to various disabilities.

Through the framework of the Nebraska Council of Teacher Education, stakeholders representing local education agencies (LEAs), ESUs, and institutions of higher education (IHEs) assist NDE in the revision of general and special education endorsements to ensure that IHEs meet the highest professional standards in their degree programs and produce highly qualified staff to support children with disabilities.

**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.**

NDE provides an array of professional development opportunities through cross-team efforts within the Department to ensure that education providers have the skills to effectively provide services that improve results for children with disabilities. NDE’s Early Childhood Training Center (ECTC) has been the hub of technical assistance and professional development statewide for teachers and providers in early care and education settings. The NDE Office of Special Education also works in partnership with LEAs, ESUs, and IHEs to provide a coherent, comprehensive, and aligned network of professional development. In the last five years, the NDE, Office of Special Education has also developed professional development through the Nebraska Multi-Tiered System of Supports (MTSS) network. The NDE, Office of Special Education is committed to the build out of an Interconnected System Framework, known as NeMTSS. With NeMTSS, the State anticipates that through a statewide professional learning community charged with building capacity and providing professional learning opportunities monthly, expanding infrastructure, connecting to key personnel and communicators, and including diversity of expertise encompassing the whole child districts will have the support needed to ensure each student can become a proficient reader. This system will create an aligned framework and outcomes while focused on providing a reputable source for resources grounded in evidence and research. The NeMTSS continued integration of PBIS, Pyramid, and RtI provides statewide system level training as well as regional supports in each expertise area to identify infrastructure gaps and barriers with stakeholder groups, including families and community leaders.

These statewide networks work in collaboration with NDE to increase the capacity of regular and special education teachers, related services providers, and administrators to implement evidence-based practices such as MTSS, including Response to Intervention (RtI), Positive Behavior Supports (PBIS) and Early Childhood Positive Behavior Supports (EC-PBIS Pyramid Model). The networks also focus on specific supports for students who experience autism spectrum disorder, traumatic brain injury, and sensory impairments.

Transitions from early intervention to school (Part C to Part B) and from school to career/college readiness are another priority area of support. NDE OSE consultants deliver and supervise the delivery of professional development for evidence-based practices.

Many of Nebraska’s districts have small student populations located in rural, geographically isolated locations. In response, NDE provides support to multiple, small, rural districts to form consortiums and maximize the impact of their professional development efforts. The focus of grant funding is within the areas emphasized in the NDE Impact Areas, as previously described. Grants are also directed toward the preparation of qualified educators, administrators, and related service providers, offering induction/mentoring support, and continuous development over individual careers. As grant managers, NDE staff is involved in approving grant applications, monitoring completion of grant activities, approving reimbursement claims, and offering technical assistance to enhance project outcomes.

**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).**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

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

YES

**Number of Parent Members:**

16

**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.**

NDE engaged parents in setting targets, analyzing data, developing improvement strategies, and evaluating progress for the SPP/APR by ensuring parent representatives were invited to all stakeholder meetings. NDE staff made specific connections with the state parent training and information center on this topic. At stakeholder meetings, NDE staff presented indicator information and led indicator discussions in a way that made the information on the SPP/APR clear and accessible to parents, especially parents who may not have much experience with the SPP/APR. NDE also worked to engage parents by communicating through existing networks with superintendents, principals, and special education directors, asking those administrators to send specific communication to the parents in their schools and districts to ensure that all parents were hearing about the opportunity to provide input on the SPP/APR from their local administrators.

**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.**

NDE prepared its materials for each stakeholder meeting with a focus on helping diverse groups of parents understand the SPP/APR so those parents could give feedback on implementation activities designed to improve outcomes for children with disabilities. NDE did this by providing information on each indicator, including describing what it measured, how Nebraska has historically performed, areas of success within each indicator, and areas of growth. Carefully laying a foundation of information then allowed NDE staff to lead conversations of stakeholders, including diverse groups of parents, focused on improving state-level activities to better support districts in improving outcomes for children with disabilities. NDE also reached out to specific districts with larger diversity in families served and asked those districts to distribute information on its behalf.

**Soliciting Public Input:**

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

Over a period of several months, NDE conducted numerous in-person and virtual meetings focused on soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress. In addition to meetings, NDE provided information on its website for stakeholder review and a survey where stakeholders could provide feedback. NDE made regular announcements and updates regarding the availability of information for stakeholders and the mechanisms for stakeholder input through its monthly special education directors’ webinar and email update. NDE also sent specific communication to superintendents, principals, and special education directors requesting their input and asking them to distribute specific communication to parents in their districts and schools, inviting their feedback.

**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.**

NDE has provided information on its website for stakeholders to see the results of target setting, data analysis, development of the improvement strategies, and evaluation. NDE has specifically communicated with the state advisory panel, RDA Stakeholder Group, parent training and information center, superintendents, principals and special education directors about the availability of these results and asked these groups to distribute this information to parents in their districts and schools.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2019 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 2019 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 2019 APR in 2021, is available.**

School district performance on each of the APR indicators is reported each spring on the Nebraska Education Profile on the Nebraska Department of Education website. The report can be found at, http://nep.education.ne.gov. The Nebraska Education Profile provides information and data about Nebraska public schools and student performance, including district performance on the APR indicators. To navigate to a district’s APR indicators, select a district under DISTRICT AND SCHOOL DATA and click View District Snapshot. Hover over Special Education and then click View Data. Then click Performance Part B in the left menu.

A copy of the state’s SPP/APR is located on the Nebraska Department of Education, Special Education office website at, https://www.education.ne.gov/sped/public-reporting/.

Nebraska also posts a link to the OSEP site, https://sites.ed.gov/idea/spp-apr-letters, for LEAs and the public to view state data and OSEP’s response to the SPP/APR.

## Intro - Prior FFY Required Actions

None

## Intro - OSEP Response

## Intro - Required Actions

OSEP notes that one or more of the Introduction attachment(s) included in the State’s FFY 2020 SPP/APR submission are not in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and will not be posted on the U.S. Department of Education’s IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

# 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 2020 SPP/APR, use data from 2019-2020), 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[[1]](#footnote-2)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 77.85% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= | 90.00% | 90.00% | 90.00% | 90.00% | 90.00% |
| Data | 71.26% | 70.46% | 71.41% | 69.30% | 83.25% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 77.85% | 77.85% | 77.85% | 78.35% | 78.85% | 79.35% |

**Targets: Description of Stakeholder Input**

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In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 1,866 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) | 0 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 199 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 25 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 307 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1,866 | 2,397 | 83.25% | 77.85% | 77.85% | N/A | N/A |

**Graduation Conditions**

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

Nebraska's definition of a graduate with a regular high school diploma, which applies for all youth, including youth with IEPs, is a student who has completed an approved program of study and met district/system requirements for a high school diploma. The diploma requirements are fully aligned with Nebraska's academic content standards.

**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)**

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for this indicator. Based on stakeholder recommendation, the State selected FFY 2020 as the baseline year. Because the baseline year is FFY 2020, the State does not enter a target for FFY 2020.

## 1 - Prior FFY Required Actions

None

## 1 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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**

OPTION 1:

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.

OPTION 2 (For FFY 2020 ONLY):

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**

OPTION 1:

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.

OPTION 2 (For FFY 2020 ONLY):

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.

**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 2020 SPP/APR, use data from 2019-2020), and compare the results to the target.

With the FFY 2020 SPP/APR, due February 1, 2022, States may use either option 1 or 2. States using Option 2 must provide the actual numbers used in the calculation.

OPTION 1:

**Use 618 exiting data** for the year before the reporting year (e.g., for the FFY 2020 SPP/APR, use data from 2019-2020). 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.

OPTION 2:

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.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

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.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023**, States must report data using Option 1 (i.e., the same data as used for reporting to the Department under section 618 of the IDEA). Option 2 will not be available beginning with the FFY 2021 SPP/APR.

## 2 - Indicator Data

**Historical Data[[2]](#footnote-3)**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2020 | 12.81% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target <= | 1.95% | 1.93% | 1.91% | 1.89% | 1.89% |
| Data | 1.41% | 1.53% | 1.46% | 1.46% | 1.48% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 12.81% | 12.81% | 12.81% | 12.31% | 11.81% | 11.31% |

**Targets: Description of Stakeholder Input**

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**Please indicate the reporting option used on this indicator**

Option 1

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a) | 1,866 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b) | 0 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c) | 199 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d) | 25 |
| SY 2019-20 Exiting Data Groups (EDFacts file spec FS009; Data Group 85) | 05/26/2021 | Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e) | 307 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 307 | 2,397 | 1.48% | 12.81% | 12.81% | N/A | N/A |

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

The numerator consists of the number of youth with IEPs in grades 7-12 who exited special education due to dropping out. The denominator consists of the total number of youth in grades 7-12 who were served in special education during the school year therefore having the potential to drop out of school. In Nebraska, a dropout occurs in any of the following instances: A student who withdrew for personal or academic reasons and does not have a signed Withdrawal from Mandatory Attendance form pursuant to Nebraska Revised Statue 79-202 on file with the district. A student removed from the education system for other than health reasons, and whose return is not anticipated. A student enrolled in adult education or some type of program whose education services do not lead to a diploma or other credential recognized by the state.

A student who has not graduated or completed an approved program and is not enrolled and whose status is unknown; this includes a student withdrawn from the rolls for excessive absence. A student who moved out of the district, out of state, or out of U.S. and is not known to be in school (includes any student whose education status cannot be confirmed either through a parent or other responsible adult or through some formal notification of transfer.) A student in an institution that is not primarily educational (Army, or vocational program) and not considered a special school district/system. A student who is disenrolled by a parent and does not enroll in another district/system. A student who was suspended or expelled and the disciplinary period has expired, and student has not returned.

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

NO

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

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

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for this indicator beginning in FFY 2021. Based on stakeholder recommendation, the State decided to make this change in FFY 2020 and selected FFY 2020 as the baseline year. Because the baseline year is FFY 2020, the State does not enter a target for FFY 2020.

## 2 - Prior FFY Required Actions

None

## 2 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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 | 2020 | 95.31% |
| Reading | B | Grade 8 | 2020 | 90.61% |
| Reading | C | Grade HS | 2020 | 85.61% |
| Math | A | Grade 4 | 2020 | 95.04% |
| Math | B | Grade 8 | 2020 | 90.30% |
| Math | C | Grade HS | 2020 | 85.11% |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 95.00% | 95.00%  | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Reading | C >= | Grade HS | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | A >= | Grade 4 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | B >= | Grade 8 | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |
| Math | C >= | Grade HS | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% | 95.00% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

03/30/2022

**Reading Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 4,159 | 3,333 | 2,975 |
| b. Children with IEPs in regular assessment with no accommodations | 1,315 | 875 | 663 |
| c. Children with IEPs in regular assessment with accommodations | 2,433 | 1,921 | 1,666 |
| d. Children with IEPs in alternate assessment against alternate standards | 216 | 224 | 218 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

03/30/2022

**Math Assessment Participation Data by Grade**

|  |  |  |  |
| --- | --- | --- | --- |
| **Group** | **Grade 4** | **Grade 8** | **Grade HS** |
| a. Children with IEPs\* | 4,157 | 3,331 | 2,975 |
| b. Children with IEPs in regular assessment with no accommodations | 1,221 | 730 | 660 |
| c. Children with IEPs in regular assessment with accommodations | 2,516 | 2,055 | 1,655 |
| d. Children with IEPs in alternate assessment against alternate standards | 214 | 223 | 217 |

\*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 2020 SPP/APR Data: Reading Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 3,964 | 4,159 |  | 95.00% | 95.31% | N/A | N/A |
| **B** | Grade 8 | 3,020 | 3,333 |  | 95.00% | 90.61% | N/A | N/A |
| **C** | Grade HS | 2,547 | 2,975 |  | 95.00% | 85.61% | N/A | N/A |

**FFY 2020 SPP/APR Data: Math Assessment**

| **Group** | **Group Name** | **Number of Children with IEPs Participating** | **Number of Children with IEPs** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 3,951 | 4,157 |  | 95.00% | 95.04% | N/A | N/A |
| **B** | Grade 8 | 3,008 | 3,331 |  | 95.00% | 90.30% | N/A | N/A |
| **C** | Grade HS | 2,532 | 2,975 |  | 95.00% | 85.11% | N/A | N/A |

**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.**

ELA – SPED Participation- NSCAS 2021 Special Report (ne.gov) - https://nscas2021specialreport.education.ne.gov/Performance/ELA/Participation?dataYears=20202021&agencyId=00-0000-000&grade=All&group=11&subject=1&currentGroup=statewide

ELA – SPED AAS Participation - NSCAS 2021 Special Report (ne.gov) - https://nscas2021specialreport.education.ne.gov/Performance/ELA/Participation?dataYears=20202021&agencyId=00-0000-000&grade=All&group=13&subject=1&currentGroup=statewide

Math – SPED Participation - NSCAS 2021 Special Report (ne.gov) - https://nscas2021specialreport.education.ne.gov/Performance/Math/Participation?dataYears=20202021&agencyId=00-0000-000&grade=All&group=11&subject=2&currentGroup=statewide

Math – SPED AAS Participation - NSCAS 2021 Special Report (ne.gov) - https://nscas2021specialreport.education.ne.gov/Performance/Math/Participation?dataYears=20202021&agencyId=00-0000-000&grade=All&group=11&subject=2&currentGroup=statewide

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

The State was not required to provide any data for this indicator in FFY 2019. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for this indicator. Based on stakeholder recommendation, the State selected FFY 2020 as the baseline year. Because the baseline year is FFY 2020, the State does not enter a target for FFY 2020.

Nebraska is currently in the process of redesigning the Nebraska Education Profile (NEP) and will incorporate all needed changes in the new site. The new NEP is expected to launch beginning in September 2023, with data from the 2022-23 school year.

## 3A - Prior FFY Required Actions

None

## 3A - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts targets.

The State did not provide a Web link demonstrating that the State reported publicly on the participation of children with disabilities on statewide assessments with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 C.F.R. § 300.160(f). Specifically, the State has not reported the number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State, district and school levels. The failure to publicly report as required under 34 C.F.R. § 300.160(f) is noncompliance.

## 3A - Required Actions

Within 90 days of the receipt of the State's 2022 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the State that in the FFY 2021 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

# 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 | 2020 | 23.52% |
| Reading | B | Grade 8 | 2020 | 16.02% |
| Reading | C | Grade HS | 2020 | 10.13% |
| Math | A | Grade 4 | 2020 | 19.30% |
| Math | B | Grade 8 | 2020 | 12.85% |
| Math | C | Grade HS | 2020 | 9.03% |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 23.52% | 24.02% | 25.02% | 26.02% | 27.02% | 28.02% |
| Reading | B >= | Grade 8 | 16.02% | 16.52% | 17.52% | 18.52% | 19.52% | 20.52% |
| Reading | C >= | Grade HS | 10.13% | 10.63% | 11.63% | 12.63% | 13.63% | 14.63% |
| Math | A >= | Grade 4 | 19.38% | 20.33% | 21.33% | 22.33% | 23.33% | 24.33% |
| Math | B >= | Grade 8 | 12.85% | 13.35% | 14.35% | 15.35% | 16.35% | 17.35% |
| Math | C >= | Grade HS | 9.03% | 9.53% | 10.53% | 11.53% | 12.53% | 13.53% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

A stakeholder group met staring in April and working through September to review and discuss historical and longitudinal data and determined appropriate targets to pursue in this APR package.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

03/03/2022

**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 | 3,748 | 2,796 | 2,329 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 593 | 278 | 75 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 288 | 170 | 161 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**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 | 3,737 | 2,785 | 2,315 |
| b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 502 | 200 | 68 |
| c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 239 | 158 | 141 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 881 | 3,748 |  | 23.52% | 23.51% | N/A | N/A |
| **B** | Grade 8 | 448 | 2,796 |  | 16.02% | 16.02% | N/A | N/A |
| **C** | Grade HS | 236 | 2,329 |  | 10.13% | 10.13% | N/A | N/A |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 741 | 3,737 |  | 19.38% | 19.83% | N/A | N/A |
| **B** | Grade 8 | 358 | 2,785 |  | 12.85% | 12.85% | N/A | N/A |
| **C** | Grade HS | 209 | 2,315 |  | 9.03% | 9.03% | N/A | N/A |

**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.**

ELA
https://nscas2021specialreport.education.ne.gov/Performance/ELA/Proficient?dataYears=20202021&agencyId=00-0000-000&grade=Al&subject=1&group=11&currentGroup=statewide
Math
https://nscas2021specialreport.education.ne.gov/Performance/Math/Proficient?dataYears=20202021&agencyId=00-0000-000&grade=Al&subject=2&group=11&currentGroup=statewide

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

The State was not required to provide any data for this indicator in FFY 2019. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for this indicator. Based on stakeholder recommendation, the State selected FFY 2020 as the baseline year. Because the baseline year is FFY 2020, the State does not enter a target for FFY 2020.

## 3B - Prior FFY Required Actions

None

## 3B - OSEP Response

The State has revised the baseline for Reading Grades 4, 8 and HS, and Math Grades 8 and HS, using data from FFY 2020, and OSEP accepts those revisions.

The State has revised the baseline for Math Grade 4, using data from FFY 2020, but OSEP cannot accept that baseline revision because the State's FFY 2020 baseline data reported in the Historical Data table are not consistent with the State's FFY 2020 data reported in the FFY 2020 SPP/APR Data table.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts the targets for Reading Grades 4, 8, and HS and Math Grades 8 and HS, but OSEP cannot accept the target for Math Grade 4 because OSEP cannot determine whether the State's end target for FFY 2025 reflects improvement over the State's baseline data, given the discrepancy in the baseline data, as noted above.

## 3B - Required Actions

If the State chooses to revise its Math Grade 4 baseline, using FFY 2020 data, the State must ensure that the FFY 2020 data in the Historical Table is consistent with the data reported in FFY 2020.

The State did not provide targets for Math Grade 4, as required by the measurement table. The State must provide the required targets for FFY 2020 through FFY 2025 in the FFY 2021 SPP/APR.

# 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 | 2020 | 44.44% |
| Reading | B | Grade 8 | 2020 | 32.59% |
| Reading | C | Grade HS | 2020 | 42.66% |
| Math | A | Grade 4 | 2020 | 42.52% |
| Math | B | Grade 8 | 2020 | 43.05% |
| Math | C | Grade HS | 2020 | 35.02% |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A >= | Grade 4 | 44.44% | 44.94% | 45.94% | 46.94% | 47.94% | 48.94% |
| Reading | B >= | Grade 8 | 32.59% | 33.09% | 34.09% | 35.09% | 36.09% | 37.09% |
| Reading | C >= | Grade HS | 42.66% | 43.16% | 44.16% | 45.16% | 46.16% | 47.16% |
| Math | A >= | Grade 4 | 42.52% | 43.02% | 44.02% | 45.02% | 46.02% | 47.02% |
| Math | B >= | Grade 8 | 43.05% | 43.55% | 44.55% | 45.55% | 46.55% | 47.55% |
| Math | C >= | Grade HS | 35.02% | 35.52% | 36.52% | 37.52% | 38.52% | 39.52% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

03/03/2022

**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 | 216 | 224 | 218 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 96 | 73 | 93 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**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 | 214 | 223 | 217 |
| b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient | 91 | 96 | 76 |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 96 | 216 |  | 44.44% | 44.44% | N/A | N/A |
| **B** | Grade 8 | 73 | 224 |  | 32.59% | 32.59% | N/A | N/A |
| **C** | Grade HS | 93 | 218 |  | 42.66% | 42.66% | N/A | N/A |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 91 | 214 |  | 42.52% | 42.52% | N/A | N/A |
| **B** | Grade 8 | 96 | 223 |  | 43.05% | 43.05% | N/A | N/A |
| **C** | Grade HS | 76 | 217 |  | 35.02% | 35.02% | N/A | N/A |

**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.**

ELA
https://nscas2021specialreport.education.ne.gov/Performance/ELA/Proficient?dataYears=20202021&agencyId=00-0000-000&grade=Al&subject=1&group=13&currentGroup=statewide
Math
https://nscas2021specialreport.education.ne.gov/Performance/Math/Proficient?dataYears=20202021&agencyId=00-0000-000&grade=Al&subject=2&group=13&currentGroup=statewide

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

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for this indicator. Based on stakeholder recommendation, the State selected FFY 2020 as the baseline year. Because the baseline year is FFY 2020, the State does not enter a target for FFY 2020.

## 3C - Prior FFY Required Actions

None

## 3C - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020 and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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 2020-2021 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2020-2021 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 2020-2021 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2020-2021 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 | 2020 | 30.18 |
| Reading | B | Grade 8 | 2020 | 34.57 |
| Reading | C | Grade HS | 2020 | 37.82 |
| Math | A | Grade 4 | 2020 | 25.83 |
| Math | B | Grade 8 | 2020 | 32.43 |
| Math | C | Grade HS | 2020 | 36.63 |

**Targets**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Subject** | **Group** | **Group Name** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Reading | A <= | Grade 4 | 30.18 | 29.68  | 28.68 | 27.68 | 26.68 | 25.68 |
| Reading | B <= | Grade 8 | 34.57 | 34.07 | 33.07 | 32.07 | 31.07 | 30.07 |
| Reading | C <= | Grade HS | 37.82 | 37.32 | 36.32 | 35.32 | 34.32 | 33.32 |
| Math | A <= | Grade 4 | 25.83 | 25.33 | 24.33 | 23.33 | 22.33 | 21.33 |
| Math | B <= | Grade 8 | 32.43 | 31.93 | 30.93 | 29.93 | 28.93 | 27.93 |
| Math | C <= | Grade HS | 36.63 | 36.13 | 35.13 | 34.13 | 33.13 | 32.13 |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**FFY 2020 Data Disaggregation from EDFacts**

**Data Source:**

SY 2020-21 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

03/03/2022

**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 | 21,729 | 20,722 | 22,011 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 3,748 | 2,796 | 2,329 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 11,081 | 10,261 | 10,214 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | 584 | 222 | 341 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 593 | 278 | 75 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 288 | 170 | 161 |

**Data Source:**

SY 2020-21 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

03/03/2022

**Math 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 | 21,693 | 20,696 | 21,982 |
| b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment | 3,737 | 2,785 | 2,315 |
| c. All students in regular assessment with no accommodations scored at or above proficient against grade level | 9,468 | 9,172 | 9,712 |
| d. All students in regular assessment with accommodations scored at or above proficient against grade level | 437 | 201 | 324 |
| e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level | 502 | 200 | 68 |
| f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level | 239 | 158 | 141 |

**FFY 2020 SPP/APR Data: Reading 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 23.51% | 53.68% |  | 30.18 | 30.18 | N/A | N/A |
| **B** | Grade 8 | 16.02% | 50.59% |  | 34.57 | 34.57 | N/A | N/A |
| **C** | Grade HS | 10.13% | 47.95% |  | 37.82 | 37.82 | N/A | N/A |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A** | Grade 4 | 19.83% | 45.66% |  | 25.83 | 25.83 | N/A | N/A |
| **B** | Grade 8 | 12.85% | 45.29% |  | 32.43 | 32.43 | N/A | N/A |
| **C** | Grade HS | 9.03% | 45.66% |  | 36.63 | 36.63 | N/A | N/A |

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

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for this indicator. Based on stakeholder recommendation, the State selected FFY 2020 as the baseline year. Because the baseline year is FFY 2020, the State does not enter a target for FFY 2020.

## 3D - Prior FFY Required Actions

None

## 3D - OSEP Response

The State has established the baseline for this indicator, using data from FFY 2020, and OSEP accepts that baseline.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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 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) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] 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 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 2020 SPP/APR, use data from 2019-2020), 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 2019-2020 school year, those 100 LEAs would have reported 618 data in 2019-2020 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2020-2021, suspension/expulsion data from those 15 new LEAs would not be in the 2019-2020 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 2020 SPP/APR submission, States must use the number of LEAs reported in 2019-2020 (which can be found in the FFY 2019 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 2020 SPP/APR, the data for FFY 2019), 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 | 0.40% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target <= | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Data | 0.00% | 0.00% | 0.00% | 10.00% | 0.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target <= | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**FFY 2020 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.**

240

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of LEAs that have a significant discrepancy** | **Number of LEAs that met the State's minimum n/cell size** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 0 | 4 | 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**

For indicator 4A, a significant discrepancy in the rate of out-of-school suspension/expulsions for greater than 10 days is defined as a district-level long-term suspension/expulsion rate for students with disabilities of greater than 5%. Nebraska’s methodology uses a minimum cell size of 10 and a minimum n-size of 30. Out of 244 districts, only 4 suspended or expelled 10 or more students with disabilities for more than 10 days. Of those, none had a rate greater than 5%, therefore, none were identified as having significant discrepancy for FFY2020 (using FFY2019 data) for indicator 4A.

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

**Review of Policies, Procedures, and Practices (completed in FFY 2020 using 2019-2020 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.**

Nebraska requires LEAs with significant discrepancy to submit their policies and procedures to the SEA for review. The SEA reviews both policies and procedures as well as student files to determine if the significant discrepancy is due to policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavior supports, or procedural safeguards. The districts are notified of all findings and will have one year to correct noncompliance.

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 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4A - Prior FFY Required Actions

None

## 4A - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 4A - Required Actions

# 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 2020 SPP/APR, use data from 2019-2020), 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 2019-2020 school year, those 100 LEAs would have reported 618 data in 2019-2020 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2020-2021, suspension/expulsion data from those 15 new LEAs would not be in the 2019-2020 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 2020 SPP/APR submission, States must use the number of LEAs reported in 2019-2020 (which can be found in the FFY 2019 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 2020 SPP/APR, the data for FFY 2019), 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** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | NVR | 25.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 0% | 0% | 0% | 0% | 0% | 0% |

**FFY 2020 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.**

241

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 1 | 0 | 3 | 25.00% | 0% | 0.00% | Met target | No Slippage |

**Were all races and ethnicities included in the review?**

YES

**State’s definition of “significant discrepancy” and methodology**

A significant discrepancy in the rate of out-of-school suspension/expulsions for greater than 10 days is a long-term suspension/expulsion rate of greater than 5% for students of any racial or ethnic group. Nebraska’s methodology uses a minimum cell size of 10 and a minimum n-size of 30. For each of Nebraska’s districts that meet the minimum cell- and n-sizes, the Nebraska Department of Education calculates a suspension and expulsion rate for each of the seven race and ethnicity reporting categories. (Note: many districts do not have members of every race and ethnicity reporting category enrolled in the district.)

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

**Review of Policies, Procedures, and Practices (completed in FFY 2020 using 2019-2020 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.**

Nebraska requires LEAs with a significant discrepancy to submit their policies and procedures to the SEA for review. The SEA reviews both policies and procedures, as well as student files, to determine if the significant discrepancy is due to policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavior supports, or procedural safeguards. NDE informs districts of all findings, and the SEA will ensure any noncompliance issues are corrected within one year.

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 2019**

| **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 2019 Findings of Noncompliance Verified as Corrected**

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

Pursuant to the requirements from the Measurement Table and OSEP Memorandum 09-02, dated October 17, 2008, NDE required the LEA with the identified discrepancy to complete corrective actions within a specified time frame. NDE verified assigned corrections by reviewing all created or revised policies and procedures, specifically in the areas of noncompliance found, reviewing completed training requirements, and reviewing a random pull of updated data, specifically disciplinary records of students who were suspended/expelled greater than 10 days (representing the discrepant subgroups) to ensure compliant practice in updated data aligned to requirements. NDE verified that all created and revised policies and procedures met legal requirements, and the LEA completed all training requirements. NDE reviewed corrected policies and procedures, which required the district to hold IEP Team meetings to ensure the policies/procedures were corrected. NDE reviewed files for correct implementation of practice, specifically when to hold a manifestation determination, and determined that the district had corrected to 100% compliance.

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

NDE verified that each individual case of noncompliance was corrected by requiring the district to undertake specific corrective action and submit documentation to NDE verifying the individual noncompliance had been corrected. NDE reviewed the correction of individual noncompliance to verify the district had corrected. NDE reviewed files for correct implementation of practice, specifically when to hold a manifestation determination, and determined that the district had corrected to 100% compliance.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 4B - Prior FFY Required Actions

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. The State must demonstrate, in the FFY 2020 SPP/APR, that the districts identified with noncompliance in FFY 2019 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (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 district, consistent with OSEP Memo 09-02. In the FFY 2020 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 2019, although its FFY 2019 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

Pursuant to the requirements from the Measurement Table and OSEP Memorandum 09-02, dated October 17, 2008, NDE required the LEA with the identified discrepancy to complete corrective actions within a specified time frame. NDE verified assigned corrections by reviewing all created or revised policies and procedures, reviewing completed training requirements, and reviewing a random pull of disciplinary records of students who were suspended/expelled greater than 10 days (representing the discrepant subgroups) to ensure practice in updated data aligned to requirements. NDE verified that all created and revised policies and procedures meet legal requirements, and the LEA completed all training requirements. The review of updated data showed that practice meets requirements.

## 4B - OSEP Response

## 4B- Required Actions

# 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** | **2015** | **2016** | **2017** | **2018** | **2019** |
| A | 2020 | Target >= | 73.10% | 73.60% | 74.10% | 74.60% | 74.60% |
| A | 81.16% | Data | 75.54% | 76.75% | 77.78% | 78.20% | 79.08% |
| B | 2020 | Target <= | 6.52% | 6.45% | 6.39% | 6.33% | 6.33% |
| B | 5.72% | Data | 6.62% | 6.68% | 6.26% | 6.30% | 5.41% |
| C | 2020 | Target <= | 2.50% | 2.38% | 2.26% | 2.14% | 2.14% |
| C | 2.38% | Data | 2.12% | 2.08% | 2.32% | 2.17% | 2.13% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 81.16% | 81.32% | 81.47% | 81.63% | 81.78% | 81.94% |
| Target B <= | 5.72% | 5.72% | 5.71% | 5.71% | 5.70% | 5.70% |
| Target C <= | 2.38% | 2.36% | 2.35% | 2.33% | 2.31% | 2.30% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**Prepopulated Data**

| **Source** | **Date** | **Description** | **Data** |
| --- | --- | --- | --- |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | Total number of children with IEPs aged 5 (kindergarten) through 21 | 47,861 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 38,844 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 2,606 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools | 882 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities | 60 |
| SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74) | 07/07/2021 | c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements | 144 |

**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 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day | 38,844 | 47,861 | 79.08% | 81.16% | 81.16% | N/A | N/A |
| B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day | 2,606 | 47,861 | 5.41% | 5.72% | 5.44% | N/A | N/A |
| C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3] | 1,086 | 47,861 | 2.13% | 2.38% | 2.27% | N/A | N/A |

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

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for the data source used for this indicator to include 5-year-old kindergarteners in the data source. Based on stakeholder recommendation, the State selected FFY 2019 as the baseline for Indicator 5A and selected FFY 2020 as the baseline year for 5B & 5C. Because the baseline year is FFY 2020 for Indicator 5B & 5C, the State does not enter a target for FFY 2020.

## 5 - Prior FFY Required Actions

None

## 5 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision for subindicator 5A. OSEP cannot accept the revisions for subindicators 5B and 5C because there is a discrepancy between the FFY 2020 data in the Historical Table and the reported FFY 2020 data.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts the targets for 5A, but OSEP cannot accept the targets for 5B and 5C due to the discrepancy in the baseline data, as noted above.

## 5 - Required Actions

The State did not provide Indicator 5B and 5C targets, as required by the measurement table. The State must provide the required targets for FFY 2020 through FFY 2025 in the FFY 2021 SPP/APR.

If the State chooses to revise its Indicator 5B and 5C baseline, using FFY 2020 data, the State must ensure that the FFY 2020 data in the Historical Table matches the data reported in FFY 2020.

# 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** | **2015** | **2016** | **2017** | **2018** | **2019** |
| **A** | Target >= | 72.00% | 73.00% | 74.00% | 75.00% | 75.00% |
| **A** | Data | 77.65% | 73.55% | 80.38% | 81.18% | 83.12% |
| **B** | Target <= | 5.70% | 5.60% | 5.60% | 5.50% | 5.50% |
| **B** | Data | 4.89% | 4.45% | 3.59% | 3.42% | 3.34% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

NDE engaged parents in setting targets, analyzing data, developing improvement strategies, and evaluating progress for the SPP/APR by ensuring parent representatives were invited to all stakeholder meetings. At stakeholder meetings, NDE staff presented indicator information and led indicator discussions in a way that made the information on the SPP/APR clear and accessible to parents, especially parents who may not have much experience with the SPP/APR. NDE also worked to engage parents by communicating through existing networks with superintendents, principals, and special education directors, asking those administrators to send specific communication to the parents in their schools and districts to ensure that all parents were hearing about the opportunity to provide input on the SPP/APR from their local administrators.

NDE prepared its materials for each stakeholder meeting with a focus on helping diverse groups of parents understand the SPP/APR so those parents could give feedback on implementation activities designed to improve outcomes for children with disabilities. NDE did this by providing information on each indicator, including describing what it measured, how Nebraska his historically performed, areas of success within each indicator, and areas of growth. Carefully laying a foundation of information then allowed NDE staff to lead conversations of stakeholders, including diverse groups of parents, focused on improving state-level activities to better support districts in improving outcomes for children with disabilities.

Over a period of several months, NDE conducted numerous in-person and virtual meetings focused on soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress. In addition to meetings, NDE provided information on its website for stakeholder review and a survey where stakeholders could provide feedback. NDE made regular announcements and updates regarding the availability of information for stakeholders and the mechanisms for stakeholder input through its monthly special education directors’ webinar and email update. NDE also sent specific communication to superintendents, principals, and special education directors requesting their input and asking them to distribute specific communication to parents in their districts and schools, inviting their feedback.

**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.**

Individual Targets

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

Target Range not used

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

| **Part** | **Baseline Year** | **Baseline Data** |
| --- | --- | --- |
| **A1, age 3** | 2020 | 65.45% |
| **A2, age 4** | 2020 | 81.65% |
| **A3, age 5** | 2020 | 78.63% |
| **B1, age 3** | 2020 | 4.51% |
| **B2, age 4** | 2020 | 2.70% |
| **B3, age 5** | 2020 | 2.98% |
| **C1, age 3** | 2020 | 20.16% |
| **C2, age 4** | 2020 | 7.16% |
| **C3, age 5** | 2020 | 6.83% |

**Individual Targets – 6A, 6B**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A1, age 3 >= | 65.45% | 65.95% | 66.45% | 66.95% | 67.45% | 67.95% |
| Target B1, age 3 <= | 4.51% | 4.26% | 4.01% | 3.76% | 3.51% | 3.26% |
| Target A2, age 4 >=  | 81.65% | 82.15% | 82.65% | 83.15% | 83.65% | 84.15% |
| Target B2, age 4 <= | 2.70% | 2.60% | 2.50% | 2.40% | 2.30% | 2.20% |
| Target A3, age 5 >=  | 78.63% | 78.73% | 78.83% | 78.93% | 79.03% | 79.13% |
| Target B3, age 5 <=  | 2.98% | 2.78% | 2.58% | 2.38% | 2.18% | 1.98% |

**Individual Targets – 6C**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target C1, age 3 <= | 20.16% | 19.66% | 19.16% | 18.66% | 18.16% | 17.66% |
| Target C2, age 4 <= | 7.16% | 7.06% | 6.96% | 6.86% | 6.76% | 6.66% |
| Target C3, age 5 <= | 6.83% | 6.63% | 6.43% | 6.23% | 6.03% | 5.83% |

**Prepopulated Data**

**Data Source:**

SY 2020-21 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

07/07/2021

| **Description** | **3** | **4** | **5** | **3 through 5 - Total** |
| --- | --- | --- | --- | --- |
| Total number of children with IEPs | 1,285 | 2,333 | 571 | 4,189 |
| 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 | 841 | 1,905 | 449 | 3,195 |
| b1. Number of children attending separate special education class | 53 | 54 | 13 | 120 |
| b2. Number of children attending separate school | 5 | 9 | 4 | 18 |
| b3. Number of children attending residential facility | 0 | 0 | 0 | 0 |
| c1**.** Numberof children receiving special education and related services in the home | 259 | 167 | 39 | 465 |

**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 2020 SPP/APR Data for Age 3**

| **Preschool Environments** | **Number of children with IEPs aged 3 served** | **Total number of children with IEPs aged 3** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A1. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 841 | 1,285 |  | 65.45% | 65.45% | N/A | N/A |
| B1. Separate special education class, separate school or residential facility | 58 | 1,285 |  | 4.51% | 4.51% | N/A | N/A |
| C1. Home | 259 | 1,285 |  | 20.16% | 20.16% | N/A | N/A |

**FFY 2020 SPP/APR Data for Age 4**

| **Preschool Environments** | **Number of children with IEPs aged 4 served** | **Total number of children with IEPs aged 4** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A2. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 1,905 | 2,333 |  | 81.65% | 81.65% | N/A | N/A |
| B2. Separate special education class, separate school or residential facility | 63 | 2,333 |  | 2.70% | 2.70% | N/A | N/A |
| C2. Home | 167 | 2,333 |  | 7.16% | 7.16% | N/A | N/A |

**FFY 2020 SPP/APR Data for Age 5**

| **Preschool Environments** | **Number of children with IEPs aged 5 served** | **Total number of children with IEPs aged 5** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A3. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program | 449 | 571 |  | 78.63% | 78.63% | N/A | N/A |
| B3. Separate special education class, separate school or residential facility | 17 | 571 |  | 2.98% | 2.98% | N/A | N/A |
| C3. Home | 39 | 571 |  | 6.83% | 6.83% | N/A | N/A |

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

The State must update its baseline date because the U.S. Department of Education’s Office of Special Education Programs changed the measurement/reporting requirement for the data source used for this indicator to remove 5-year-old kindergarteners from the data source. Based on stakeholder recommendation, the State selected FFY 2020 as the baseline year for all ages. Because the baseline year is FFY 2020 the State does not enter a target for FFY 2020.

## 6 - Prior FFY Required Actions

None

## 6 - OSEP Response

The State has revised the baseline for Indicator 6A and 6B, using data from FFY 2020, and OSEP accepts that revision.

The State established baseline for Indicator 6C, using data from FFY 2020, and OSEP accepts the baseline.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

## 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** | **2015** | **2016** | **2017** | **2018** | **2019** |
| A1 | 2014 | Target >= | 74.50% | 74.75% | 75.00% | 75.25% | 75.25% |
| A1 | 74.76% | Data | 76.62% | 76.45% | 67.57% | 65.64% | 63.24% |
| A2 | 2014 | Target >= | 69.07% | 70.00% | 70.25% | 70.50% | 70.50% |
| A2 | 69.91% | Data | 69.12% | 68.84% | 61.53% | 59.28% | 56.25% |
| B1 | 2014 | Target >= | 75.00% | 75.25% | 75.50% | 75.75% | 75.75% |
| B1 | 75.19% | Data | 76.53% | 78.00% | 74.23% | 68.52% | 64.85% |
| B2 | 2014 | Target >= | 69.75% | 70.00% | 70.25% | 70.50% | 70.50% |
| B2 | 69.86% | Data | 69.65% | 69.23% | 70.27% | 65.26% | 58.96% |
| C1 | 2014 | Target >= | 75.50% | 75.75% | 76.00% | 76.25% | 76.25% |
| C1 | 75.58% | Data | 69.43% | 74.28% | 95.77% | 24.03% | 45.03% |
| C2 | 2014 | Target >= | 75.00% | 75.25% | 75.50% | 75.75% | 75.75% |
| C2 | 75.16% | Data | 75.62% | 88.04% | 96.18% | 55.59% | 47.25% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A1 >= | 65.67% | 65.92% | 66.17% | 66.42% | 66.67% | 66.92% |
| Target A2 >= | 59.60% | 59.85% | 60.10% | 60.35% | 60.60% | 60.85% |
| Target B1 >= | 70.04% | 70.29% | 70.54% | 70.79% | 71.04% | 71.29% |
| Target B2 >= | 62.64% | 62.89% | 63.14% | 63.39% | 63.64% | 63.89% |
| Target C1 >= | 62.43% | 62.68% | 62.93% | 63.18% | 63.43% | 63.68% |
| Target C2 >= | 51.80% | 52.05% | 52.30% | 52.55% | 52.80% | 53.05% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

NDE engaged parents in setting targets, analyzing data, developing improvement strategies, and evaluating progress for the SPP/APR by ensuring parent representatives were invited to all stakeholder meetings. At stakeholder meetings, NDE staff presented indicator information and led indicator discussions in a way that made the information on the SPP/APR clear and accessible to parents, especially parents who may not have much experience with the SPP/APR. NDE also worked to engage parents by communicating through existing networks with superintendents, principals, and special education directors, asking those administrators to send specific communication to the parents in their schools and districts to ensure that all parents were hearing about the opportunity to provide input on the SPP/APR from their local administrators.

NDE prepared its materials for each stakeholder meeting with a focus on helping diverse groups of parents understand the SPP/APR so those parents could give feedback on implementation activities designed to improve outcomes for children with disabilities. NDE did this by providing information on each indicator, including describing what it measured, how Nebraska his historically performed, areas of success within each indicator, and areas of growth. Carefully laying a foundation of information then allowed NDE staff to lead conversations of stakeholders, including diverse groups of parents, focused on improving state-level activities to better support districts in improving outcomes for children with disabilities.

Over a period of several months, NDE conducted numerous in-person and virtual meetings focused on soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress. In addition to meetings, NDE provided information on its website for stakeholder review and a survey where stakeholders could provide feedback. NDE made regular announcements and updates regarding the availability of information for stakeholders and the mechanisms for stakeholder input through its monthly special education directors’ webinar and email update. NDE also sent specific communication to superintendents, principals, and special education directors requesting their input and asking them to distribute specific communication to parents in their districts and schools, inviting their feedback.

**FFY 2020 SPP/APR Data**

**Number of preschool children aged 3 through 5 with IEPs assessed**

2,307

**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 | 152 | 6.59% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 420 | 18.21% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 360 | 15.60% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 734 | 31.82% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 641 | 27.79% |

| **Outcome A** | **Numerator** | **Denominator** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 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)* | 1,094 | 1,666 | 63.24% | 65.67% | 65.67% | 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)* | 1,375 | 2,307 | 56.25% | 59.60% | 59.60% | 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 | 152 | 6.59% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 358 | 15.52% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 352 | 15.26% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 840 | 36.41% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 605 | 26.22% |

| **Outcome B** | **Numerator** | **Denominator** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 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)* | 1,192 | 1,702 | 64.85% | 70.04% | 70.04% | Met target | No 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. *Calculation: (d+e)/(a+b+c+d+e)* | 1,445 | 2,307 | 58.96% | 62.64% | 62.64% | Met target | No 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 | 160 | 6.94% |
| b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers | 529 | 22.93% |
| c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it | 423 | 18.34% |
| d. Preschool children who improved functioning to reach a level comparable to same-aged peers | 722 | 31.30% |
| e. Preschool children who maintained functioning at a level comparable to same-aged peers | 473 | 20.50% |

| **Outcome C** | **Numerator** | **Denominator** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 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.*Calculation:(c+d)/(a+b+c+d)*  | 1,145 | 1,834 | 45.03% | 62.43% | 62.43% | Met 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. *Calculation: (d+e)/(a+b+c+d+e)* | 1,195 | 2,307 | 47.25% | 51.80% | 51.80% | Met target | No Slippage |

**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)**

NO

**If no, provide the criteria for defining “comparable to same-aged peers.”**

Criteria for defining “comparable to same-aged peers” was determined through Item Response Theory (IRT) analyses by Teaching Strategies, based on a national sample. The algorithms result in a 7-point rating system that parallels the Child Outcomes Summary (COS) ratings. These ratings by age are input into the TS GOLD online system which generates a rating based on TS GOLD scores for each functional outcome. Research studies examining the reliability and validity of the TS GOLD are found at: https://teachingstrategies.com/our-approach/research/.

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

Teaching Strategies (TS) GOLD, an authentic, observational assessment designed for children birth through 3rd grade, is the assessment used to gather data for Indicator C3. At the child’s entry and at the time of exit from Part B teachers/providers gather and document information from observations of the child. This data forms the basis of the scoring across four areas of development (social emotional, physical, language, and cognitive) and two areas of content learning (literacy and mathematics). TS GOLD objectives and dimensions that comprise each of the functional outcomes reported are from a crosswalk recommended by the Early Childhood Technical Assistance Center (ECTA).

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

In 2020, the TSG Research Team determined the GOLD thresholds for establishing age-expected functioning were too high for measuring progress in Part C and disproportionately higher than thresholds applied in other assessment tools that Part C providers in other states may choose to use. The discrepancy was attributed to a need for better guidance from OSEP and for a revised methodology from TSG. To update the scoring algorithm, TSG convened a council of stakeholders who use GOLD for OSEP reporting, and Nebraska was highly represented on the stakeholder team. The team collaborated to determine the appropriate cut scores used for converting from scores on GOLD to a 7-point scale. The process included reviewing numerous simulations of impacts to data based on different thresholds for age-expected functioning and discussions of the potential impact to comparisons of historical and future data. After multiple reviews, the Council came to consensus on the new thresholds. The changes, while motivated by the need to revise the algorithm for Part C reporting, also have downstream effects on Part B reporting. For Part B services, effects are more variable, but most programs will observe that Summary Statements 1 and 2 look lower with respect to previous years’ data across all outcome areas; however, with the new algorithm in place, it is anticipated that the Summary Statement data for all areas will stabilize in the upcoming reporting periods. Nebraska will adopt the updated algorithm for the OSEP Part B reporting process for the 2021-2022 reporting period. Teaching Strategies released the updated algorithm in the first year of a new reporting cycle so that the change would not negatively impact the state’s determination process; therefore, while we were able to review historical, simulated data, we recognize that we do not have actual data derived from utilizing the new algorithm available to inform target setting this year. We acknowledge that we will need to reestablish baseline and targets in the future when longitudinal data based on the new algorithm is available. Additionally, to better match OSEP’s definition of no improvement in functioning, TSG revised its algorithm for assignment to progress category A. Previously, the algorithm assigned children to category A if there was no change or a regression in the total score for the outcome between entry and exit. The revised algorithm now evaluates progress at the item level. This change provides a more incremental way to measure children’s growth and development and, thus, enhances progress monitoring for children with severe developmental delays. This change yielded a positive effect on our progress category distributions this year resulting in a smaller proportion of children falling into progress category A and a larger proportion of children falling into progress category B.

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, but OSEP cannot accept those targets because the State's end targets for FFY 2025 do not reflect improvement over the State's FFY 2014 baseline data.

## 7 - Required Actions

The State did not provide targets, as required by the measurement table. The State must provide the required targets for FFY 2020 through FFY 2025 in the FFY 2021 SPP/APR.

# 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 2020 SPP/APR, compare the FFY 2020 response rate to the FFY 2019 response rate) and describe strategies that will be implemented which are expected to increase the response rate, 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 parents of children with disabilities.

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 should consider categories such as race/ethnicity, age of student, disability category, and geographic location in the State.

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.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** when reporting 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 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.

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**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2013 | 89.37% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= | 89.80% | 90.20% | 90.80% | 91.80% | 91.80% |
| Data | 88.15% | 89.40% | 91.56% | 86.75% | 90.71% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= | 90.71% | 90.76% | 90.81% | 90.86% | 90.91% | 90.98% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 2,450 | 2,895 | 90.71% | 90.71% | 84.63% | Did not meet target | Slippage |

**Provide reasons for slippage, if applicable**

To accurately analyze slippage, NDE compared the Parent Involvement rate in 2020-21 to the Parent Involvement rate from 2019-2020. When looking at parent involvement rate in all districts surveyed in the current year the previous year parent involvement rate was 90.71% and the 2020-21 rate was 84.63%. One probable reason for the slippage is the response rate. In 2019-20 the response rate was 71.44% and in 2020-21 the response rate dropped to 59.03%. In 2019-20 districts did not distribute as many surveys to parents due to COVID-19. Yet, almost the same number of surveys were returned in 2019-20 as in 2020-21. This shows a decrease in parent involvement around 6 percentage points. To determine what might be the reason for the decrease, NDE examined item scores from 2019-20 to 2020-21 and the previous year. NDE analyzes these items, as well as district scores, over time to determine if districts need any technical assistance.

**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.**

Parents of children with disabilities, including parents of preschool children with disabilities, are provided the opportunity to take the parent survey. Surveys are given to all parents of children with disabilities in the districts for students ages 3-21 via email with a link to the survey as the first attempt to provide parents an opportunity to share their satisfaction with their parent involvement in the process to improve services for their child. Parents are also provided the information at parent teacher conferences, at the child’s IEP Team meeting, and other school events. Parents of preschool children with disabilities are also included in these same processes. If parents are unable to access a computer or the internet and have not responded, families receive the survey by mail. The return rate for surveys for preschool parents was the highest return rate for all grade levels. The questions in the survey are not specific to grade level but can be applied to parents of children of any age.

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

4,904

**Percentage of respondent parents**

59.03%

**Response Rate**

|  |  |  |
| --- | --- | --- |
| **FFY** | **2019** | **2020** |
| Response Rate  | 71.44% | 59.03% |

**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 next survey will be distributed to parents of all students receiving special education services and NDE will work with districts to ensure all surveys are distributed and to encourage parents to respond to the survey. NDE will communicate directly with districts with a high percentage of underrepresented groups and provide technical assistance to ensure a targeted effort towards those 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.**

To analyze response rate, NDE compared the responders to the parents who should have received the survey. NDE did not identify any nonresponse bias for disability or district. However, NDE found nonresponse bias for African-American or Black and American Indian or Native American parents. This nonresponse bias is likely related to the low number of surveys distributed. To address this, NDE is planning to send the survey to all eligible parents in the 2021–22 school year. NDE will also work with districts closely to make sure surveys are distributed to all parents and that parents are encouraged and reminded to complete the survey.

**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 should consider categories such as race/ethnicity, age of student, disability category, and geographic location in the State.**

NDE assessed the representativeness of the survey responses by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all students receiving special education services. This comparison indicates the percentage of responses received is representative of the percentage of surveys distributed by district. Results are not representative by race/ethnicity with African American or Black, American Indian or Alaska Native, Hispanic/Latino, and multiple race students underrepresented and white students were overrepresented. For grade levels, elementary grades were slightly overrepresented and middle and high school grades were slightly underrepresented. Results were also not representative for disability category. Developmental delay, emotional disturbance, other health impairment, and specific learning disability were underrepresented. Autism and speech/language impairment were overrepresented. The lack of representativeness is linked to the issues with the response rate, the number of surveys distributed, and the unequal distribution of surveys.

**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.**

The next survey will be distributed to parents of all students receiving special education services and NDE will work with districts to ensure all surveys are distributed and to encourage parents to respond to the survey.

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

NDE used the Early Childhood Technical Assistance Center (ECTA) Representativeness Calculator to determine representativeness for race, grade, and disability. The ECTA Calculator uses an accepted formula (test of proportional difference) to determine whether the difference between the two percentages is statistically significant (or meaningful), based upon the 90% confidence intervals for each indicator (significance level = .10). The number of districts was too large to analyze using the Representativeness Calculator, so NDE instead used a metric of +/- 3% discrepancy in the proportion of responders per district compared to the proportion of surveys sent per district.

| **Sampling Question** | **Yes / No** |
| --- | --- |
| Was sampling used?  | YES |
| If yes, has your previously approved sampling plan changed? | NO |

**Describe the sampling methodology outlining how the design will yield valid and reliable estimates.**

The 244 districts are categorized into cohorts for sampling purposes. The cohorts are created to reflect geography, size of school district, free/reduced lunch, and disability category in special education.

| **Survey Question** | **Yes / No** |
| --- | --- |
| Was a survey used?  | YES |
| If yes, is it a new or revised survey? | NO |
| If yes, provide a copy of the survey. |  |

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

## 8 - Prior FFY Required Actions

None

## 8 - OSEP Response

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State submitted its sampling plan for this indicator with its FFY 2020 SPP/APR. OSEP will follow up with the State under separate cover regarding the submission.

## 8 - 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.

# 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 2020 reporting period (i.e., after June 30, 2021).

**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 2020 SPP/APR, the data for FFY 2019), 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** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | NVR | 0.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 0% | 0% | 0% | 0% | 0% | 0% |

**FFY 2020 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.**

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|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 1 | 0 | 236 | 0.00% | 0% | 0.00% | N/A | N/A |

**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).**

Disproportionate representation is defined as a risk ratio of 3.0 and above for a single year. The minimum cell size for all calculations is 10 and the minimum n size is 30. The alternate risk ratio was used for any districts where the comparison group failed to meet the cell or n size.

**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.**

Nebraska reviews policies, procedures, and student file review sheets and supporting documents submitted by the district from the district’s self-assessment, for districts with disproportionate representation to determine if the disproportionate representation is the result of inappropriate identification.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 9 - Prior FFY Required Actions

None

## 9 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

## 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 FFY 2020, 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 2020 reporting period (i.e., after June 30, 2021).

**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 2020 SPP/APR, the data for FFY 2019), 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 | 2.16% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 0% | 0% | 0% | 0% | 0% |
| Data | 0.00% | 0.00% | 0.00% | NVR | 0.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 0% | 0% | 0% | 0% | 0% | 0% |

**FFY 2020 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.**

59

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 18 | 4 | 185 | 0.00% | 0% | 2.16% | N/A | N/A |

**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).**

Disproportionate representation is defined as a risk ratio of 3.0 and above for a single year. The minimum cell size for all calculations is 10 and the minimum n size is 30. The alternate risk ratio was used for any districts where the comparison group failed to meet the cell or n size.

**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.**

Each district who demonstrates disproportionate representation of a racial and ethnic group must complete a self-assessment related to district policies, procedures, and practices implementing the requirements of 34 C.F.R. 300.111 for child find and evaluation practices and provide evidence that supports the district’s analysis. Additionally, the district must complete file reviews for randomly selected files of students within the disproportionate subgroup (disability category and racial and ethnic group) to provide a review of practices. All self-assessments, evidence, and file reviews are returned to NDE. Upon receipt, NDE completes a desk audit review of each district's responses to the self-assessment and NDE determines if each district is correctly implementing the related regulatory requirements and has appropriate identification policies, procedures, and practices. If NDE finds that the disproportionate representation it identified of racial and ethnic groups in special education and related services is the result of inappropriate identification, NDE notifies the district of all findings and ensures any noncompliance is corrected within one year.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 0 | 0 | 0 | 0 |

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

## 10 - Prior FFY Required Actions

None

## 10 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

## 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 2020 SPP/APR, the data for FFY 2019), 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 | 92.76% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 99.74% | 98.43% | 99.07% | 99.54% | 85.24% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% | 100% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 8,628 | 8,327 | 85.24% | 100% | 96.51% | Did not meet target | No Slippage |

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

301

**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.**

Range of days from 1 – 280. Due to COVID, districts were not able to meet the timeline of completing evaluations within the 45 school days that does not exceed the 60 calendar days timeline. Students were not in the building and not able to do in person evaluations due to health concerns from COVID.

**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).**

Nebraska regulations, at Neb. Admin. Code § 92-009.04A1, establishes the timeline of 45 school days to complete an initial evaluation. This timeline does not exceed 60 calendar days.

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**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.**

The Nebraska Department of Education, Office of Special Education requires LEAs annually to compile the initial evaluation data for their LEA including:

1. Total number of evaluations completed

2. The number of students who qualified within the 45-school day timeline that does not exceed 60 calendar days.

3. The number of students who did not qualify within the timeframe established.

4. The number of students whose initial evaluation did not meet the timeline, and

5. The reasons(s) for the initial evaluation not occurring within the 45-school day timeline that does not exceed 60 calendar days for each of the evaluations, whether the student qualified or not.

Based on this information NDE made compliance determinations.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 1,237 | 1,237 |  | 0 |

**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 State verified that the source of noncompliance was correctly implemented through technical assistance and training as well as communication with the LEA to ensure that proper processes, practices, and procedures were in place to ensure that initial evaluation timelines are met for all students with disabilities, unless an applicable exception is present. The State conducted a review six months after the findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received, whose initial evaluation was completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

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

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed, and a subsequent review of another data set demonstrated the LEAs timeliness was at 100%.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| FFY 2018 | 41 | 41 | 0 |
| FFY 2017 | 87 | 87 | 0 |
|  |  |  |  |

**FFY 2018**

**Findings of Noncompliance Verified as Corrected**

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

Changes were made to the following sections of the APR: FFY18 Findings of Noncompliance Verified as Corrected as well as FFY17 Findings of Noncompliance Verified as Corrected.As previously approved on the FFY2019 APR clarification period and APR submission, the following steps detail the processes and procedures followed by the SEA.

The State verified that the source of noncompliance was correctly implemented through TA and training as well as constant communication with the state to ensure that proper processes, practices, and procedures were put in place to ensure that, unless parental delay or something out of the LEA's control, timelines were met for all students with disabilities. The state conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

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

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed and a subsequent review of another data set demonstrated the LEAs timeliness was at 100%.

**FFY 2017**

**Findings of Noncompliance Verified as Corrected**

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

As previously approved on the FFY2018 and FFY2019 APR clarification period and APR submission, the following steps detail the processes and procedures followed by the SEA.

The State verified that the source of noncompliance was correctly implemented through technical assistance and training as well as communication with the LEA to ensure that proper processes, practices, and procedures were in place to ensure that initial evaluation timelines are met for all students with disabilities, unless an applicable exception is present. The State conducted a review six months after the findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received, whose initial evaluation was completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance. In addition, a random sampling of student files were reviewed within the LEAs found out of compliance to ensure adherence to policies, practices, and procedures.

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

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed, and a subsequent review of another data set demonstrated the LEAs timeliness was at 100%.

## 11 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining 41 uncorrected findings of noncompliance identified in FFY 2018 and 87 uncorrected findings of noncompliance identified in FFY 2017 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018 and FFY 2017: (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.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

Changes were made to the following sections of the APR: FFY18 Findings of Noncompliance Verified as Corrected as well as FFY17 Findings of Noncompliance Verified as Corrected.

## 11 - OSEP Response

## 11 - 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.

# Indicator 12: Early Childhood Transition

**Instructions and Measurement**

**Monitoring Priorit**y: 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 2020 SPP/APR, the data for FFY 2019), 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 | 100.00% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target | 100% | 100% | 100% | 100% | 100% |
| Data | 100.00% | 100.00% | 100.00% | 100.00% | 92.81% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% | 100% |

**FFY 2020 SPP/APR Data**

|  |  |
| --- | --- |
| a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.  | 838 |
| b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.  | 6 |
| c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.  | 116 |
| 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.  | 32 |
| e. Number of children who were referred to Part C less than 90 days before their third birthdays.  | 114 |
| 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. | 570 |

| **Measure** | **Numerator (c)** | **Denominator (a-b-d-e-f)** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 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. | 116 | 116 | 92.81% | 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.**

All of the IEPs that were delayed beyond the child’s third birthday were found to be the result of restrictions placed upon personnel related to directive health measures due to COVID 19 as well as parent’s decision whether or not to bring in their child for in-person testing.

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**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.**

Nebraska's student information system (ADVISER) collects information on children/students with disabilities from birth to 21. As the children/students are tracked in one system, it can be determined which children transition from Part C to Part B. LEAs report on a secure website the result from their files for line D.

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

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 10 | 10 |  | 0 |

**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 State verified that the source of noncompliance was correctly implemented through technical assistance and training as well as communication with the LEAs to ensure that proper processes, practices, and procedures were in place to ensure that the transition from C to B timelines are met for all children with disabilities, unless an applicable exception is present. The State conducted a review six months after the findings to ensure compliance in the LEA. All children transitioning from C to B were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

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

The State revisited the LEAs ensuring that on additional transitions from Part C to Part B, since the initial early childhood transition cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue does not arise again. The State ensured that each of these transitions were completed, and a subsequent review of another data set demonstrated the LEAs timeliness was at 100%.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 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 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 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 2020 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 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

## 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 2020 SPP/APR, the data for FFY 2019), 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 | 86.73% |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target  | 100% | 100% | 100% | 100% | 100% |
| Data | 100.00% | 89.41% | 85.16% | 90.85% | 29.29% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target  | 100% | 100% | 100% | 100% | 100% | 100% |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 59 | 106 | 29.29% | 100% | 55.66% | 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.**

The Nebraska Department of Education, Office of Special Education requires school districts to participate in an annual risk analysis where all LEA data
is reviewed and LEAs are provided differentiated monitoring based on their risk. One component of this differentiated monitoring.

| **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)**

**Correction of Findings of Noncompliance Identified in FFY 2019**

| **Findings of Noncompliance Identified** | **Findings of Noncompliance Verified as Corrected Within One Year** | **Findings of Noncompliance Subsequently Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| 99 | 99 | 0 | 0 |

**FFY 2019 Findings of Noncompliance Verified as Corrected**

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

In the LEAs where noncompliance was found, a Corrective Action Plan (CAP) was put in place and the LEA was given the required timeframe of no longer than a year to correct any level of noncompliance. Within the CAP, the LEA had to: 1) Account for all instances of noncompliance and the root cause and, if needed, modify the policies procedures, and/or practices that contributed to or resulted in noncompliance. The State required the school district to correct each individual case of noncompliance. The State then verified that each LEA in which noncompliance was identified is now correctly implementing the requirement specific to the finding of noncompliance. This verification is based on a review of subsequent data including a review of LEA policies and procedures, transition plans in IEPs and additional file reviews.

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

Individual Monitoring teams were assigned to the identified LEAs to conduct follow up of all CAPs as well as conduct a review of student files that were found to be noncompliant within the initial review. This review of noncompliant/corrected files was followed by a review of additional files based on student population in the given age range to verify corrections. A record of the student files reviewed, and regulations reviewed in each file is maintained to document full correction of noncompliance. Following the completion of the verification activities, NDE issued a letter to the districts completing the CAP activities and noncompliance correction within satisfaction to notify the LEA of the completion of the CAP successfully and was again in full (100%) compliance with IDEA Regulations and 92 NAC 51.

**Correction of Findings of Noncompliance Identified Prior to FFY 2019**

| **Year Findings of Noncompliance Were Identified** | **Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2019 APR** | **Findings of Noncompliance Verified as Corrected** | **Findings Not Yet Verified as Corrected** |
| --- | --- | --- | --- |
| FFY 2018 | 29 | 29 | 0 |
| FFY 2017 | 42 | 42 | 0 |
|  |  |  |  |

**FFY 2018**

**Findings of Noncompliance Verified as Corrected**

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

Changes were made to the following sections of the APR: FFY18 Findings of Noncompliance Verified as Corrected as well as FFY17
Findings of Noncompliance Verified as Corrected.The State verified that the source of noncompliance was correctly implemented through TA and training as well as constant communication with the state to ensure that proper processes, practices, and procedures were put in place to ensure that, unless, parental delay or something out of the LEA's control, timelines were met for all students with disabilities. The state conducted a review six months after findings to ensure
compliance in the LEA. LEAs for whom noncompliance was found were reviewed for compliance and, if not corrected, the SEA worked with the LEA to outline additional needs to ensure compliance. By nine months, each LEA was reviewed again to ensure policies, practices, and procedures were compliant as well as a random sampling of student files and existing files initially reviewed. At that point, each LEA was found to be 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

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

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed and a subsequent review of another data set demonstrated the LEAs timeliness. The state worked with districts to develop a corrective action and
approved the plan. The state then conducted checkpoints with the LEAs at 3, 6 and 9 months to ensure progress on noncompliance corrective action. At month nine, the LEA is to be finished and submit to the SEA to allow additional time to correspondence between the LEA and SEA conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

**FFY 2017**

**Findings of Noncompliance Verified as Corrected**

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

Changes were made to the following sections of the APR: FFY18 Findings of Noncompliance Verified as Corrected as well as FFY17
Findings of Noncompliance Verified as Corrected.The State verified that the source of noncompliance was correctly implemented through TA and training as well as constant communication with the state to ensure that proper processes, practices, and procedures were put in place to ensure that, unless, parental delay or something out of the LEA's control, timelines were met for all students with disabilities. The state conducted a review six months after findings to ensure
compliance in the LEA. LEAs for whom noncompliance was found were reviewed for compliance and, if not corrected, the SEA worked with the LEA to outline additional needs to ensure compliance. By nine months, each LEA was reviewed again to ensure policies, practices, and procedures were compliant as well as a random sampling of student files and existing files initially reviewed. At that point, each LEA was found to be 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

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

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed and a subsequent review of another data set demonstrated the LEAs timeliness. The state worked with districts to develop a corrective action and
approved the plan. The state then conducted checkpoints with the LEAs at 3, 6 and 9 months to ensure progress on noncompliance corrective action. At month nine, the LEA is to be finished and submit to the SEA to allow additional time to correspondence between the LEA and SEA conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

## 13 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining 29 uncorrected findings of noncompliance identified in FFY 2018 and 42 uncorrected findings of noncompliance identified in FFY 2017 were corrected.
When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018 and FFY 2017: (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 2020 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 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

**Response to actions required in FFY 2019 SPP/APR**

## 13 - OSEP Response

In the narrative describing how the State verified that noncompliance was corrected for findings identified in FFY 2018 and FFY 2017, the State reported: "[t]he State verified that the source of noncompliance was correctly implemented through TA and training as well as constant communication with the state to ensure that proper processes, practices, and procedures were put in place to ensure that, unless, parental delay or something out of the LEA's control, timelines were met for all students with disabilities" and "[t]he State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again". However, this indicator measures compliance with secondary transition requirements, not compliance with initial evaluation timelines. Therefore, the State did not report that it verified that each LEA with noncompliance identified in FFY 2017 and FFY 2018: (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.

## 13 - 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 29 uncorrected findings of noncompliance identified in FFY 2018, and the remaining 42 uncorrected findings of noncompliance identified in FFY 2017 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 2018 and FFY 2017: (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.

# 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 2021 on students who left school during 2019-2020, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2019-2020 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 2020 SPP/APR, compare the FFY 2020 response rate to the FFY 2019 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.

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 should consider categories such as race/ethnicity, disability category, and geographic location in the State.

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.

**Beginning with the FFY 2021 SPP/APR, due Feb. 1, 2023,** when reporting the extent to which the demographics of respondents 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.

## 14 - Indicator Data

**Historical Data**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Measure** | **Baseline**  | **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| A | 2009 | Target >= | 36.00% | 37.00% | 38.00% | 39.60% | 39.60% |
| A | 39.40% | Data | 34.96% | 38.16% | 36.20% | 30.86% | 30.73% |
| B | 2009 | Target >= | 65.80% | 66.00% | 66.50% | 67.00% | 67.00% |
| B | 65.20% | Data | 62.86% | 61.84% | 57.33% | 43.50% | 34.78% |
| C | 2009 | Target >= | 83.20% | 83.40% | 83.40% | 83.65% | 83.65% |
| C | 83.60% | Data | 82.43% | 78.69% | 75.30% | 57.23% | 44.51% |

**FFY 2020 Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target A >= | 30.73% | 30.73% | 30.73% | 31.23% | 31.73% | 32.23% |
| Target B >= | 34.78% | 34.78% | 34.78% | 35.28% | 35.78% | 36.28% |
| Target C >= | 44.51% | 44.51% | 44.51% | 45.01% | 45.51% | 46.01% |

**Targets: Description of Stakeholder Input**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**FFY 2020 SPP/APR Data**

|  |  |
| --- | --- |
| Total number of targeted youth in the sample or census | 2,374 |
| Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school | 955 |
| Response Rate | 40.23% |
| 1. Number of respondent youth who enrolled in higher education within one year of leaving high school  | 199 |
| 2. Number of respondent youth who competitively employed within one year of leaving high school  | 133 |
| 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) | 77 |
| 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). | 38 |

| **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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| A. Enrolled in higher education (1) | 199 | 955 | 30.73% | 30.73% | 20.84% | Did not meet target | Slippage |
| B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2) | 332 | 955 | 34.78% | 34.78% | 34.76% | Did not meet target | No Slippage |
| C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4) | 447 | 955 | 44.51% | 44.51% | 46.81% | Met target | No Slippage |

| **Part** | **Reasons for slippage, if applicable** |
| --- | --- |
| **A** | The percentage who are enrolled in higher education (Target A) dropped by 10 percentage points. This is likely due to more students taking time off before starting college with COVID uncertainty. From the 2019 cohort, 30% were enrolled in higher education, while only 20% were enrolled in higher education from the 2020 cohort. However, the percent of those enrolled in higher education OR competitively employed (Target B) is about the same. While only 5% of the 2019 cohort were competitively employed (Target B of 35% minus Target A of 30%), 12% were competitively employed of the 2020 cohort (Target B of 32% minus Target A of 20%). Overall, it appears that more students from the 2020 cohort chose not to start college and instead went straight into competitive employment. |

**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** | **2019** | **2020** |
| Response Rate  | 40.40% | 40.23% |

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

In 2020, a web survey option was added for students to respond. The state saw a nine percentage point increase in response rate from 2019 to 2020 when this was done. The response rate in 2021 was comparable to 2020. The transition team is planning to reduce the number of questions in the survey in hopes of increasing the response rate, including underrepresented populations. In addition, all exiting high school students will be surveyed, ensuring that the groups represented in the survey results match the representation in schools in Nebraska.

**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.**

To analyze response rate, NDE compared the responders to the students who should have received the survey. NDE did not identify any nonresponse bias for any demographic group. It was determined that an equal representation of individuals based on demographic information collected both responded to or did not respond to the survey in its entirety. The survey results were also analyzed to determine which questions were not answered and which demographic groups did not answer specific questions to determine questions for use in future surveys.

**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.**

NDE feels 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. This was determined by analyzing the responses to surveys and comparing required demographic information collected.

**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)**

YES

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

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

Data in the sample file associated with each student includes gender, ethnicity, English Language Learner status, age, disability, and exit reason. The state is reviewing student demographics to determine which languages the survey made need translation for and interpreters to complete.

The metric used includes the above mentioned weighting approach which was an adjustment for this study of 1.22, representing the loss in statistical efficacy that results from unequal weights

| **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)**

## 14 - Prior FFY Required Actions

In the FFY 2020 SPP/APR, the State must report whether the FFY 2020 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 2019 SPP/APR**

## 14 - OSEP Response

The State did not provide targets for FFYs 2020 through 2025 for this indicator.

## 14 - Required Actions

The State did not provide targets, as required by the measurement table. The State must provide the required targets for FFY 2020 through FFY 2025 in the FFY 2021 SPP/APR.

# 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 (E*MAPS*)).

**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 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/03/2021 | 3.1 Number of resolution sessions | 2 |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints | 11/03/2021 | 3.1(a) Number resolution sessions resolved through settlement agreements | 1 |

**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**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= |  |  |  | 0.00% | .00% |
| Data | 50.00% | 50.00% | 0.00% | 28.57% | 14.29% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= |  |  |  |  |  |  |

**FFY 2020 SPP/APR Data**

| **3.1(a) Number resolutions sessions resolved through settlement agreements** | **3.1 Number of resolutions sessions** | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | 2 | 14.29% |  | 50.00% | N/A | N/A |

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

## 15 - Prior FFY Required Actions

None

## 15 - OSEP Response

The State reported fewer than ten resolution sessions held in FFY 2020. 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 (E*MAPS*)).

**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 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/03/2021 | 2.1 Mediations held | 2 |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/03/2021 | 2.1.a.i Mediations agreements related to due process complaints | 1 |
| SY 2020-21 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests | 11/03/2021 | 2.1.b.i Mediations agreements not related to due process complaints | 1 |

**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**

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

**Historical Data**

| **Baseline Year** | **Baseline Data** |
| --- | --- |
| 2005 |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **FFY** | **2015** | **2016** | **2017** | **2018** | **2019** |
| Target >= |  |  |  | 0.00% | .00% |
| Data | 100.00% | 100.00% | 0.00% | 100.00% | 75.00% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target >= |  |  |  |  |  |  |

**FFY 2020 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 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 | 1 | 2 | 75.00% |  | 100.00% | N/A | N/A |

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

## 16 - Prior FFY Required Actions

None

## 16 - OSEP Response

The State reported fewer than ten mediations held in FFY 2020. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

## 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 2020 SPP/APR, due February 1, 2022, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2020 through FFY 2025. The State’s FFY 2025 target must demonstrate improvement over the State’s baseline data.

**Updated Data:** In its FFYs 2020 through FFY 2025 SPPs/APRs, due February 2, 2022, 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 2020 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, is 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, is 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 2020 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 2021). 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 2020 APR, report on anticipated outcomes to be obtained during FFY 2021, i.e., July 1, 2021-June 30, 2022).

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 2020 APR, report on activities it intends to implement in FFY 2021, i.e., July 1, 2021-June 30, 2022) 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)?**

Nebraska’s State-Identified Measurable Result is to increase the reading proficiency for students with disabilities at the 4th grade level as measured by the statewide reading assessment.

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

YES

**Provide a description of the system analysis activities conducted to support changing the SiMR.**

The State along with Stakeholders, reviewed reading assessment data for grades 3, 4, 8, and 11. The new requirements for reporting for Indicator 3 were also reviewed and considered. Stakeholders felt it was critical for the SiMR to align more directly to Indicator 3 than it had in the past to enable districts to understand how they were performing in comparison to the rest of the state towards improving reading proficiency for students with disabilities.

**Please list the data source(s) used to support the change of the SiMR**.

Nebraska analyzed statewide assessment (NSCAS) for 3rd, 4th, 8th, and 11th graders.

OSEP Measurement Table for Indicator 3

**Provide a description of how the State analyzed data to reach the decision to change the SiMR.**

The State along with Stakeholders analyzed the Spring 2021 NSCAS data for 3rd graders and 4th graders and recognized there wasn’t a statistical change between the reading proficiency of 3rd grades to that of 4th graders. The requirements for Indicator 3 were also reviewed and discussed. Research studies were also reviewed indicating that the transition from learning to read and reading to learn occurred during the 4th year. Based on the analysis of this information, the decision to change the SiMR from the 3rd grade to the 4th grade was made.

**Please describe the role of stakeholders in the decision to change the SiMR.**

Stakeholders were informed that OSEP had changed the way assessment was being analyzed and that now OSEP would be looking at specific grade levels rather than grade bands for Indicator 3. Stakeholders discussed the advantages and disadvantages of changing the SiMR in response to the changes to the reporting of assessment data. Stakeholders requested the SiMR be similar to what is reported for Indicator 3. As a result, the SiMR changes from reporting proficiency of students at the 3rd grade level in reading to the 4th grade.

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

NO

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

YES

**Please provide a description of the changes and updates to the theory of action.**

Due to the change of the measure for the SiMR from focusing on improving reading proficiency of 3rd graders to 4th graders, the theory of action was changed to reflect this overall change. Despite the change in measures, the core of the theory of action did not require additional changes.

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

https://cdn.education.ne.gov/wp-content/uploads/2021/12/Theory-of-Action-v2-ACCESS-CHECKED-sped.pdf

**Does the State intend to continue implementing the SSIP without modifications? (yes/no)**

NO

**If no, describe any changes to the activities, strategies or timelines described in the previous submission and include a rationale or** **justification for the changes.**

Breakdown State Identified Measurable Result (SiMR) data by disability category to provide additional meaning to the data allowing them to assist groups most in need

Upcoming change from using the Measures of academic Progress (MAP) which is currently used to Nebraska Student Centered Assessment System (NSCAS) for growth which will align more closely with the statewide assessment system so teachers have increased knowledge of how students are performing in order to achieve reading standards.

Focus of Multitiered Systems of Support (MTSS) on Social, Emotional, and Behavioral Learning (SEBL) and impact on reading proficiency due to data showing an increase in mental health issues among students and staff as a result of the pandemic

Timeline for establishing interim targets using NSCAS growth due to the upcoming change in interim measures from the MAP assessment to the NSCAS growth assessment

Alignment activities to clarify for districts the interconnectedness between MTSS, High Quality Instructional Materials, SEBL, Continuous School Improvement, and the whole child based on data gathered indicating the confusion districts have about those initiatives.

**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** |
| --- | --- |
| 2020 | 25.63% |

**Targets**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| Target>= | 25.63% | 26.13% | 27.13% | 28.13% | 29.13% | 30.13% |

**FFY 2020 SPP/APR Data**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Number of Students with Disabilities at the 4th grade level who are proficient in reading?**  | **Total number of students with disabilities tested on the statewide reading assessment (both general assessment and alternate assessment)?**  | **FFY 2019 Data** | **FFY 2020 Target** | **FFY 2020 Data** | **Status** | **Slippage** |
| 1,073 | 4,187 |  | 25.63% | 25.63% | N/A | N/A |

**Provide the data source for the FFY 2020 data.**

Data comes from the same source as Indicator 3 - NSCAS proficiency scores for 4th grade students who received a valid score and for whom a proficiency level was assigned for both students with IEPs against grade level academic achievement standards and proficiency rate for children with IEPs against alternate academic achievement standards.

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

Data is collected based on the requirements of Indicator 3. For the analysis for the SiMR, the state adds together the number of students with IEPs who received a valid score and a proficiency level was assigned against grade level academic achievement standards to the number of students with IEPs who received a valid score and proficiency level was assigned against alternate academic achievement standards divided by the total number of students at the 4th grade with IEPs.

**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.**

Nebraska tested 19,077 fourth-grade students using the MAP assessment. 15,441 students without disabilities and 3,636 students with disabilities were tested. According to an analysis of the MAP reading scores, districts had an average RIT score in the fall 2020 administration for students without disabilities was 202.37 and 187.24 for students with disabilities. During the spring 2021administration, the average RIT (Rasch Unit) score for students without disabilities was 208.96 and for students with disabilities was 194.78. A comparison of fall to spring scores shows students with disabilities demonstrated slightly more growth of 7.54 points whereas students without disabilities showed 6.59 points of growth.

When looking specifically at students with disabilities and performance on the MAP reading assessment, scores varied by disability with students with Emotional Disability and Speech/Language Impairments out-scoring students with other disabilities in all three administrations of the MAP assessment. Students with Intellectual Disabilities and Autism had the lowest RIT scores for all test administrations. Average RIT scores for the fall of 2020, winter of 2020 and spring of 2021 are as follows for each category.

Emotional Disability was 178.37; 185.98; 185.95 respectively

Speech/Language Impairment was 172.44; 182.60; 182.56 respectively

Other Health Impaired was 172.07; 181.04; 180.85 respectively

Specific Learning Disability was 169.05; 175.48; 178.73 respectively

Autism was 167.74; 172.60; 175.24 respectively

Intellectual Disability was 155.83; 159.62; and 162.19 respectively

 Nebraska also uses the MAP RIT scores to determine the percentage of students considered at-risk for not becoming proficient readers. Based on the 2021 spring administration of the MAP assessment, 11,668 kindergarten students took the assessment with 9,955 students without disabilities and 1,713 students with disabilities; 13,051 first grade students took the assessment with 10,895 students without disabilities and 2,156 students with disabilities; 16,419 second grade students took the assessment with 13,513 students without disabilities and 2,906 students with disabilities; 16,252 third grade students took the assessment with 13,197 students without disabilities and 3,055 students with disabilities. In looking at percent of students considered at risk, kindergarten had 17.64% students without disabilities and 32.28% of students with disabilities; 1st grade had, 20.12% students without disabilities and 43.00% students with disabilities; 2nd grade had 12.28% students without disabilities and 38.16% students with disabilities; and 3rd grade had 12.18% students without disabilities and 43.86% students with disabilities.

**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.**

Northwest Evaluation Association (NWEA), the institution responsible for the reporting of the MAP data to the state, had a system issue that resulted in the lack of reporting of all Fall and some Winter scores obtained by students during the Fall 2019 and Winter 2019 administration of the MAP assessment. Nebraska uses MAP data to show progress toward the SiMR and to determine the number of students with disabilities who are considered “at-risk” for not becoming proficient readers. As a result, Nebraska did not have a full data set to analyze. In the future, MAP data will no longer be used. It is being replaced with the NSACAS Growth Assessment and will have similar assessment windows and provide similar data as the MAP Assessment. The Office of Special Education is working with the Assessment Office as well as the Data Division to ensure data is received on a quarterly basis to ensure data is analyzed on a regular basis and errors or missing data caught earlier.

**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.**

Due to the ongoing pandemic, parents were allowed to opt-out of the NSCAS for the Spring 2021 testing. As a result, there were 206 fourth-grade students with disabilities who did not participate in the statewide reading assessment which affects the completeness of the data. The State had allowed parents of all students to opt-out of the statewide reading assessment during the Spring 2021 administration of the assessment due to the ongoing pandemic and safety concerns of students with disabilities attending school in person to take the assessment. To mitigate the requirement of students having to take the assessment in person, districts allowed those who took the assessment but were attending school virtually to take the assessment at alternate times in smaller group settings in person to lessen the opportunity of transmission of the virus. For the Spring 2022 administration of the assessment, parents will no longer be able to “opt out” students for the assessment.

**Section B: Implementation, Analysis and Evaluation**

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

https://cdn.education.ne.gov/wp-content/uploads/2022/01/Revised-Logic-Model-.pdf

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

YES

**If yes, provide a description of the changes and updates to the evaluation plan.**

The evaluation plan was updated to reflect the following changes

Measurement of the SiMR from targeting reading proficiency of students with disabilities at the 3rd-grade level to those at the 4th-grade level.

Measurement showing progress toward the SiMR from Measures of Academic Progress to NSCAS Growth

Removed activities previously accomplished

Added new measures for systems alignment activities

**If yes, describe a rationale or justification for the changes to the SSIP evaluation plan.**

The change of the SiMR measurement from reading proficiency of students at the 3rd-grade level to the 4th-grade level required minimal change but was needed to accurately reflect the changes in measure required by OSEP for Indicator 3 (Proficiency of Students with Disabilities on Reading Assessments for 4th Grade) and how data was being analyzed to ensure clarity for Stakeholders.

The Nebraska Department of Education has worked with stakeholders for a few years to discuss reducing the number of assessments required to understand how students were achieving proficiency in standards. As a result of these discussions, the Department is moving toward using an NSCAS Growth measure which takes the best of MAP Growth and the NSCAS General Summative Assessment (see https://www.education.ne.gov/assessment/nscas-growth/).

Although the Office of Special Education has indicated changes to the evaluation plan with each SSIP submission, changes had not been formally made to the evaluation plan submitted with Phase II until recently. To communicate more clearly with stakeholders and OSEP, the evaluation plan was copied from Phase II, consolidated, and published in a separate link on the Special Education website. Updates included and will continue to include removal of activities accomplished through the work implemented and continue to focus on the quality, relevance, and usefulness of the infrastructure strategies and evidence-based practices that are core to the SSIP.

The evaluation plan was expanded to include specific infrastructure activities being targeted by the Department of Education as a whole. Recently, the Department in conjunction with Instructional Partners (a non-public organization working with the state of Nebraska to support great teaching and accelerate learning), identified a need to improve alignment, communication, and messaging with key infrastructure strategies including work with High Quality Instruction Materials, Multi-Tiered Systems of Support, Continuous School Improvement, Social Emotional Learning/Social Emotional Behavioral Learning and whole child well-being. Through conversations among state staff, Educational Service Units (ESUs), districts, schools, and families, the Department recognized how each group interpreted the work and the need to clarify how these specific strategies align and support each other, rather than independent from each other. These activities have been included in the updated evaluation plan and will be growing and emerging as to work is done and data analysis requires updates to the work.

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

Nebraska’s main infrastructure strategy is MTSS focusing on aligning resources and programs within the State educational system.

For the main strategy of implementing MTSS statewide, the State Implemented Language Essentials for Teacher of Reading and Spelling (LETRS), held an MTSS conference, a reading symposium and provide MTSS systems level training and training specific to English Language Arts.

To further align resources and programs within the system, Nebraska engaged in the assistance of Instructional Partners to identify specific areas that require further alignment of programs and initiatives at the State level.

**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.**

MTSS:
Systems Training:
The MTSS State Facilitators provided training and support to districts dependent on their needs. Of the 244 districts, 34.4% (84 districts) have received 4 days of MTSS systems training; 11.5% (28 districts) have received 3 days of systems training; 10.2% (25 districts) have received 2 days of training; and 2.05% (5 districts) have received 1 day of training. So far, Nebraska has only 41.8% (102 districts) that have not received system training for MTSS. Systems training relates to governance, data, finance, quality standards and professional development and/or technical assistance to support sustainability of systems improvement efforts and scale-up across the state.

After each training, participants filled out a survey to gather information related to the quality, relevance, and usefulness of the training. Over the course of the four days of training, surveys were conducted after each and the aggregated results are shown in the table below. A total of 420 responses were captured showing that a majority of the participants strongly agreed or agreed with the following: presenters’ knowledge and effectiveness (53.44% and 42.04% respectively); learning objectives were met (39.96% and 51.78% respectively); training maintained the participants’ focus (32.62% and 48.81% respectively); the difficulty of the content was appropriate (35% and 52.81% respectively) ; and the training was worth participants’ time (39.05% and 48.57% respectively).

As part of the Targeted Improvement Plan, Districts were asked to report the level of implementation of MTSS based on a Likert scale. Based on that information, 30% of Districts reported they implement the MTSS “most of the time”; 40% of Districts reported they implement evidence-based practice “at least half of the time”; 20% reported they “rarely implemented”; 1% indicated they “don’t know”; 9% reported the MTSS was “not implemented” and 0.4% did not respond.

ELA Training:
In order to support districts who have selected reading as a focus for improvement on their Targeted Improvement Plans (TIPs), the MTSS State Facilitators also implemented training specific to reading. The training provided Building and Refining the Core for reading (B&R Core) to 24.6% (60 districts); Intervention to 19.7% (48 districts); Sustainability to 11.9% (29 districts); and Sustainability Partnership to 10.7% (26 districts). ELA training relates to professional development and/or technical assistance and quality standards to support achievement toward the SiMR, sustainability of systems improvement efforts, and scale-up.

LETRS Training:
To better support reading, MTSS provided training in the Language Essentials for Teachers of Reading and Spelling (LETRS). In the area of professional development and technical assistance, the state trained 118 individuals in the essentials of reading and spelling. Participants included teachers, administrators, instructional coaches. LETRS training is essential for achievement toward the SiMR.

MTSS Reading Symposium Data:
The annual reading symposium was attended by 73 individuals who ranged in role from teachers to administrators. The reading symposium relates to professional development and/or technical assistance to support achievement toward the SiMR, sustainability of systems improvement efforts, and scale-up.

MTSS Summit Data:
The annual MTSS Summit was attended by 801 individuals who ranged in role from teachers to administrators. The annual MTSS Summit relates to professional development and/or technical assistance to support achievement toward the SiMR, sustainability of systems improvement efforts, and scale-up. Overall, the evaluation of the Summit data shows that it was rated very well (67% rated excellent or very good), people who attended were likely to use the information presented (72% rated likely or very likely) and would share the information learned with others (70% rated likely or very likely).

MTSS Universal Support:
From Jan. 1, 2021, to Nov. 30, 2021, the NeMTSS website had nearly 26,000 unique visitors, more than 3.5 million hits and approximately 4,450 downloads. In 2021, there were a total of 4,450 downloads from the NeMTSS Website with 999 downloads of the Program Comparison chart. The Program Comparison chart allows users to evaluate and compare information on more than 80 academic and social-emotional learning programs and interventions.

Systems Alignment
Since the inception of the SSIP, the Nebraska Department of Education has been working to align the work of the Office of Special Education and other offices within the Department including the following: MTSS; High-Quality Instructional Materials (HQIM); Continuous Improvement; Social-Emotional and Social-Emotional/Behavioral Learning; Whole Child Wellbeing. Through the focus of these initiatives, districts have expressed a need for further clarification of each of the initiatives including how each support and ties to the others. As a result of the investigation into the alignment of these initiatives, the NDE has established the following activities:
Strengthen coherence of MTSS and Continuous Improvement
Strengthen intersection of MTSS and academics with attention to non-summative assessment guidance in the context of high-quality instructional materials
Development of a common visual about how MTSS, Continuous Improvement, Whole Child Supports and High-Quality Instructional Materials work together
Streamline and strengthen school supports and monitoring processes

**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.**

With Nebraska’s main infrastructure strategy being MTSS, the priorities moving forward will be to continue focusing on aligning resources and programs within the State educational system.
For the main strategy of implementing MTSS statewide, the State will continue to implement Language Essentials for Teacher of Reading and Spelling (LETRS), hold an MTSS conference, a reading symposium and provide MTSS systems level training and training specific to English Language Arts. These all will continue, building sustainability and implementation supports.
To continue to support districts who have selected reading as a focus for improvement on their Targeted Improvement Plans (TIPs), the MTSS State Facilitators also will continue to implement training specific to reading. Our ELA specific training will have a high focus on the selection of high-quality instructional materials with detail in aligning the Interventions at Tiers II and III to the materials. Both the MTSS Reading Symposium and the MTSS Summit will ensure connectivity to ELA system support in schools. The Office of Special Education has also partnered with the University of Nebraska - Lincoln to develop Workshops on Reading Development Strategies known as the WORDS project. A student’s ability to read is a critical predictor of academic and lifelong success. Early identification of children who may need extra reading support is essential to keep them on a positive trajectory. In partnership with schools across Nebraska, the WORDS Project provides sustained support and professional development to kindergarten through third grade (K-3) teachers — empowering them to deliver effective reading instruction and assessment.
With the shift in 2020 and 2021 focusing on renewal and acceleration for all students, specifically students with disabilities as a continued historically marginalized subgroup, it became more apparent that the focus within schools and thus within the SEA needed to be on system alignment. Across American Rescue Plan consultation meetings, there was a consistent push to create more coherence, efficiency, and mutual reinforcement across the major processes and to create a clearer sense of connection of how these processes interact and to plan into these processes tiers of support based on need. This work would seek to align, define, and streamline NeMTSS, high-quality instructional materials (HQIM), and continuous improvement processes and tools with attention to social emotional learning and whole-child wellbeing.

At the end of this process:
We want to have a shared vision of success - shared within the entire State Educational Agency and statewide, including our Educational Service Units
We want our stakeholders to hear us speaking with one voice
We want to have functional and trusting spaces to identify and productively work through tension and conflict and ensure the work is cohesive
We want to make it clearer what actions school and system leaders need to take to support students and to make it easier for them to take those actions
Creating this alignment will ensure that schools have the resources they need to support student well-being, ultimately supporting academic growth.

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

Nebraska continued to require districts to submit and report on the evidence-based practices used to improve the outcomes of students with disabilities through the development of a Targeted Improvement Plan.

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

Nebraska continued to require districts to create a Targeted Improvement Plan (TIP) to report the evidence-based strategy implemented to improve student outcomes. Based on a review of the TIP, 81% of the 244 districts focused on reading as their area of improvement which is an increase from the year before. The evidence-based practices selected by districts include explicit instruction (61%), strategies to promote active student engagement (20%), implementing flexible grouping (11%), and providing positive and constructive feedback to guide students’ learning and behavior (7%) among other strategies. 243 districts provided a numerical target to demonstrate improvement toward their goal. 73% of those districts provided performance data and 55% of the districts indicated they met or exceeded their target.

**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.**

The targeted improvement plan focuses on the core components of continuous improvement and is designed to help districts focus on analyzing data to make decisions to improve the outcomes of students with disabilities. It also requires districts to select a specific evidence-based practice to implement to achieve those results and develop fidelity measures to ensure practices are implemented with fidelity. Districts are provided feedback on the targeted improvement plans submitted to further guide the continuous improvement process. When Nebraska developed Phase I of the SSIP, it was identified that students with disabilities were not achieving at the level anticipated due to the lack of evidence-based practices in use. The targeted improvement plan has required districts to focus on evidence-based practices and has moved to measuring the fidelity of the practices to improve results.

**Describe the data collected to monitor fidelity of implementation and to assess practice change.**

Districts self-reported the level of fidelity of implementation of the evidence-based practice (EBP) in use as well as fidelity of implementation of MTSS. Information specific to the fidelity of implementation of MTSS can be found in the Continued Evidence-Based Practices section.

As part of the Targeted Improvement Plan, Districts were asked to report the level of implementation of the evidence-based practice selected based on a Likert scale. Based on that information, 45% of Districts reported they implement the evidence-based practice “most of the time”; 42% of Districts reported they implement evidence-based practice “at least half of the time”; 8% reported they “rarely implemented”; 3% indicated they “don’t know”; 1% reported the evidence-based practice was “not implemented” and 0.4% did not respond.

**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.**

No additional data was collected to support the decision to continue the ongoing use of each evidence-based practice.

**Provide a summary of the next steps for each evidence-based practices and the anticipated outcomes to be attained during the next reporting period.**

Based on a review of the TIPs submitted in 2021, the State will provide additional professional development to assist districts in measuring fidelity, building an effective action plan to track progress, evaluating improvement efforts and applying data-based decision making within a continuous improvement model. With an increase in additional professional development the state anticipates seeing a higher percentage of districts indicating they are implementing with fidelity and obtaining the targets set to ultimately impact student achievement.

**Section C: Stakeholder Engagement**

Description of Stakeholder Input

Nebraska regularly seeks input from stakeholders when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a broad-based stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the RDA Stakeholder Group has reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force. SEAC is established pursuant to 34 CFR § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities.

The Office of Special Education and stakeholders continue to have an ongoing collaborative relationship while implementing and evaluating the SSIP. Stakeholder have included the following:

Results Based Accountability (RDA) Stakeholders

Special Education Advisory Council (SEAC)

MTSS Builder’s Group

Each of the groups consisted of the following:

Parents

Special Education Directors

Special Education staff

General Education Administrators (including principals and superintendents)

Staff from Institutions of Higher Education

Community agencies

Nonpublic school staff

Nebraska State Education Association members

Nebraska Association of Special Education Supervisors members

Members from various Offices within the Nebraska Department of Education including:

Office of Accountability, Accreditation, and Program Approval

School Improvement

Curriculum, Instruction, and Assessment

 Although due to COVID, the State has been unable to meet with stakeholders in person, the State has held virtual meetings. Each of the groups met at least 4 times during the year.

 **Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

Members of the RDA Stakeholders formed a workgroup specifically to discuss targets and changes for the SiMR and met virtually an additional 4 times. Stakeholders collaborated with the State in making decisions about the data for the SiMR including establishing baseline and establishing new targets by making suggestions, responding to questions, and analyzing and reviewing data. Stakeholders also worked collaboratively with the State to consolidate and update the evaluation plan for the SSIP.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

YES

**Describe how the State addressed the concerns expressed by stakeholders.**

The State provided stakeholders with the changes made at the Federal level with the SSIP, particularly the change in the measurement of Indicator 3 which impacted the SiMR. Due to the change with OSEP requiring proficiency data for reading at grades 4, 8, and 11, Stakeholders felt it was important to alter the SiMR to reflect what the State was already reporting rather than continuing to focus on the 3rd grade. Although the SiMR focus has remained (improving the reading proficiency of students with disabilities) the grade level to which the State is focused has changed from 3rd grade to 4th grade.

 Stakeholders continued to advocate for analyzing data for all 4th grade students, but felt it was important to disaggregate data based on disability category to allow districts to see what could be done locally to improve the data. As a result, the State will now report how 4th grade students perform on the statewide assessment as a whole and by disability category.

**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.**

All activities have already been described.

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

https://cdn.education.ne.gov/wp-content/uploads/2021/12/Theory-of-Action-v2-ACCESS-CHECKED-sped.pdf

**Describe any newly identified barriers and include steps to address these barriers.**

The state is moving from the MAP assessment to the NSCAS Growth Assessment which will cause a lapse in interim data to measure progress toward the SiMR. The Office of Special Education is working with Data Management and Application Development (DMAD) to ensure we get both MAP assessment and NSCAS Growth Assessment results until the full transition from MAP to NSCAS Growth is completed.

The state has seen multiple staff changes within the Department of Education, particularly with DMAD, and includes a change in the data manager for the Office of Special Education. DMAD and the new data manager will be provided with support and on-the-job training to ensure data is available when needed.

As stated in the Continued Evidence-Based Practice section under Systems Alignment, it was stated that data shows districts are struggling with understanding how the initiatives at the state interconnect and support each other. To help districts understand how the initiatives support and interconnect, multiple offices within the Department have been working with Instructional Partners to align processes.

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

All information has been provided.

## 17 - Prior FFY Required Actions

None

## 17 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State provided targets for FFYs 2020 through 2025 for this indicator, and OSEP accepts those targets.

The State provided an explanation of how COVID-19 impacted its ability to collect FFY 2020 data for this indicator and steps the State has taken to mitigate the impact of COVID-19 on data collection. Further, the State reported data quality issues, unrelated to COVID-19, but specific to the SiMR data. The State reported "Northwest Evaluation Association (NWEA), the institution responsible for the reporting of the MAP data to the state, had a system issue that resulted in the lack of reporting of all Fall and some Winter scores obtained by students during the Fall 2019 and Winter 2019 administration of the MAP assessment. Nebraska uses MAP data to show progress toward the SiMR and to determine the number of students with disabilities who are considered “at-risk” for not becoming proficient readers. As a result, Nebraska did not have a full data set to analyze. In the future, MAP data will no longer be used. It is being replaced with the NSACAS Growth Assessment and will have similar assessment windows and provide similar data as the MAP Assessment. The Office of Special Education is working with the Assessment Office as well as the Data Division to ensure data is received on a quarterly basis to ensure data is analyzed on a regular basis and errors or missing data caught earlier".

## 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:**

Amy Rhone

**Title:**

State Director

**Email:**

amy.rhone@nebraska.gov

**Phone:**

531-207-9978

**Submitted on:**

04/27/22 12:54:41 PM

# ED Attachments



1. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-2)
2. Prior to the FFY 2020 submission, the State used a different data source to report data under this indicator. [↑](#footnote-ref-3)