

## **Handout 1: Determination Tips from the Special Education Section**

The Individuals with Disabilities Education Act (IDEA) requires the Office of the Superintendent of Public Instruction (OSPI) to make an annual determination as to whether each local educational agency (LEA) and educational service agency (ESA) is meeting the requirements of Part B of the IDEA. OSPI must consider audit results, timely correction of non-compliance, timely and accurate data, and LEA/ESA performance on compliance indicators in the State Performance Plan (SPP). Below are some suggestions and resources regarding the Determinations process. This handout was developed to supplement the “Special Education Determinations” presentation at the August 2011 OSPI/WASA Special Education Workshop.

### **General Tips for Consideration**

1. Begin with the end in mind. Familiarize yourself with each of the determination criteria. Identify the various internal practices and mechanisms that are involved in generating required data.
2. Provide support for key personnel involved in data entry and management to help ensure appropriate and accurate special education reporting.
3. Consider developing internal procedures to verify data accuracy at intervals across the year.
4. Report special education data errors to the OSPI Special Education section as soon as errors are noted.

### **Criteria 1 – Unresolved Audit Findings:**

1. Contact your district/ESA business manager if you have an unresolved audit finding.
2. The Washington State Auditor’s Office (SAO) website provides a search engine for audit reports completed by the SAO.

<http://www.sao.wa.gov/EN/Audits/Pages/Search/AuditReportSearch.asp>

## Criteria 2 – Timely Correction of Non-Compliance:

1. Report Citizen Complaint corrective action(s) within the deadlines set by OSPI. If the LEA/ESA believes it will not be able to meet an OSPI deadline(s), contact OSPI as soon as possible prior to the deadline.
2. Consider working with your district's legal counsel regarding barriers or issues with timely implementation and/or completion of due process orders.
3. When completing Form Package 442, make sure to:
  - a. include all dates related to the development and implementation of correction activities and
  - b. align corrections to the root cause analysis.
4. Student files with non-compliance must be corrected, verified, and validated prior to submission for Safety Net.

For Questions About....	Contact
Correction of non-compliance related to dispute resolution (Criteria 2)	Pam McPartland <a href="mailto:Pamela.McPartland@k12.wa.us">Pamela.McPartland@k12.wa.us</a> OSPI Special Education 360-725-6075
Other issues of non-compliance (Criteria 2)	Program Review Team Valerie Arnold <a href="mailto:Valerie.Arnold@k12.wa.us">Valerie.Arnold@k12.wa.us</a> Jennifer Story <a href="mailto:Jennifer.Story@k12.wa.us">Jennifer.Story@k12.wa.us</a> Janice Tornow <a href="mailto:Janice.Tornow@k12.wa.us">Janice.Tornow@k12.wa.us</a> OSPI Special Education 360-725-6075

## Criteria 3 – Timely and Accurate Reports:

1. Have a plan at the beginning of the year for how the data will be collected and reviewed for accuracy.
2. Check the accuracy of the data submitted on each report.

3. Contact OSPI if you have questions, are unable to “get the spreadsheet to work”, do not understand directions, etc. If you call and are put into voice mail, leave a message. Messages are answered in the order in which they are received.
4. When submitting reports, do not assume you are finished once you “hit” the submit button. Make sure you get a confirmation that the report has been received.
5. For more information on Criteria 3:
  - a. 2011-12 Critical Activities Calendar on the Special Education Home Page in Quick Links: <http://www.k12.wa.us/SpecialEd/default.aspx>
  - b. OSPI Special Education Federal Data Collection Forms webpage: <http://www.k12.wa.us/SpecialEd/Data/FederalForms.aspx>

For Questions About....	Contact
Timely and Accurate Reports (Criteria 3)	Sandy Grummick <a href="mailto:Sandy.Grummick@k12.wa.us">Sandy.Grummick@k12.wa.us</a> OSPI Special Education 360-725-6075

**Criteria 4a – Performance on Compliance Indicators 11, 12, and 13**

1. Technical assistance resources for Indicators 11, 12, and 13 are available at: <http://www.k12.wa.us/SpecialEd/programreview/TechnicalAssistance.aspx>

**Criteria 4b – Disproportionate Representation**

1. Accurately report the race/ethnicity for each student. For information on how to accurately report racial/ethnic codes, please review the resources at:
  - a. New Federal and State Ethnicity and Race Categories for CEDARS Data Collection: <http://www.k12.wa.us/CEDARS/CEDARSDataFormQA.aspx>
  - b. Comprehensive Education Data and Research System (CEDARS) Data Manual for the 2011-12 School Year (pgs. 84-87) and Data Manual

Appendix Y and Z (pgs. 46-48):  
<http://www.k12.wa.us/CEDARS/default.aspx>

2. Implement practices to assist the LEA/ESA in verifying data accuracy, such as:
  - a. Comparing race/ethnicity data reported in the LEA/ESA student information system to data reported in CEDARs for students with and without disabilities; or
  - b. Verifying that appropriate discipline codes were selected for behavioral incidents.
3. Technical assistance resources for Indicators 9 and 10 compliance are available at:  
<http://www.k12.wa.us/SpecialEd/programreview/TechnicalAssistance.aspx>

For Questions About....	Contact
Other issues of non-compliance (Criteria 4)	Program Review Team Valerie Arnold <a href="mailto:Valerie.Arnold@k12.wa.us">Valerie.Arnold@k12.wa.us</a> Jennifer Story <a href="mailto:Jennifer.Story@k12.wa.us">Jennifer.Story@k12.wa.us</a> Janice Tornow <a href="mailto:Janice.Tornow@k12.wa.us">Janice.Tornow@k12.wa.us</a> OSPI Special Education 360-725-6075