

**SUMMARY**  
**September 8, 2016 Meeting**  
**Indiana State Advisory Council (SAC)**  
**on the Education of Children with Disabilities**  
Central Indiana Education Service Center  
Indianapolis, IN

<u>Council Members:</u>	<u>Present</u> <u>(Yes/No)</u>
<b>Tiffany Ball</b> , parent representative	N
<b>Sirilla Blackmon</b> , Division of Mental Health & Addiction, FSSA	N
<b>Rich Burden</b> , Council Chair, IN*SOURCE and parent representative	Y
<b>Michael Dalrymple</b> , Indiana School for the Blind and Visually Impaired	N
<b>Kim Dodson</b> , ARC of Indiana	Y
<b>Gina Fleming</b> , Archdiocese of Indianapolis	Y
<b>Melaina Gant</b> , Department of Child Services	Y
<b>Carol Guess</b> , parent representative	N
<b>James Hammond III</b> , Indiana Assoc of Rehabilitation Facilities/INARF	N
<b>Kylee Hope</b> , Division of Disability & Rehabilitation Services, FSSA	Y
<b>Jan Huffman</b> , parent representative	N
<b>Latha Joseph</b> , Indianapolis Public Schools	Y
<b>Lisa Kovacs</b> , Hands & Voices International and parent representative	N
<b>Jodi Logman</b> , community representative	N
<b>John Nally</b> , Indiana Department of Corrections	Y
<b>Danny O’Neill</b> , parent representative	N
<b>Shirley Payne</b> , Indiana State Department of Health	Y
<b>Patty Reed</b> , About Special Kids and parent representative	N
<b>Dr. Sharon Johnson-Shirley</b> , Lake Ridge Schools	Y
<b>Kristi Tesmer</b> , parent representative	Y
<b>Dr. George Van Horn</b> , Bartholomew Consolidated School Corporation	Y
<b>Lucy Witte</b> , Indiana School for the Deaf Board	Y
<b>Dr. Pam Wright</b> , Indiana Department of Education	Y

**Also Present:**

Nancy Zemaitis, Stephanie Slone and Tracy Brunner, IDOE

**Call to Order**

Chair Rich Burden called the meeting to order at 9:35 a. m. Thirteen of twenty-three members were present.

**Action Items**

Kristi Tesmer moved and Melaina Gant seconded to approve the summary of the June 9, 2016 meeting. The motion passed.

**Information Items**

Under *DOE Updates*, Assistant Director of the Office of Special Education Nancy Zemaitis gave a brief explanation of the U.S. Department of Education’s process for determining states’ compliance with IDEA Part B requirements and that agency’s recent shift in focus from compliance driven monitoring to results drive accountability. Nancy then announced Indiana’s latest “state determination” from U.S. DOE, which is the highest possible (“Meets Requirements”) for the third consecutive year. She concluded with a summary of the federal agency’s approach to providing Technical Assistance to states at three levels of monitoring and support.

State Advisory Council Chair Rich Burden suggested it would be appropriate for the Council to express its appreciation for the work that the Office of Special Education (OSE) does with local educational agencies in Indiana. Council members present at the meeting concurred and offered congratulatory remarks to the OSE Director and Assistant Director.

Next, the newest member of DOE's Due Process Team, Stephanie Slone, presented an updated on the OSE's implementation of a new web-based Due Process system. She described the rationale for developing "ICHAMP" to simplify data management and access as well as to facilitate user friendly submission of requests for due process. During and following her presentation, Stephanie took members' questions and pointed out where to find more information online.

Dr. Pam Wright, State Director of Special Education, showed slides regarding development of Indiana's federally required ESSA (Every Student Succeeds Act) Plan. She shared information about upcoming ESSA Listening Tours in which the State Superintendent of Public Instruction will gather input on the State's ESSA Plan development from education stakeholders across the state. Pam also recounted details about pending federal ESSA implementation regulations and encouraged members to share their opinions, questions and recommendations during the formal public comment period.

Under *Council Member Reports*, SAC Legislative Committee Chair Kim Dodson gave a brief report about the State panel working to develop a new statewide assessment for measuring student academic development. She spoke about what she heard during a presentation she attended, in which findings of an international study compared educational outcomes among students from the U.S. and other nations.

Council member and district superintendent Dr. Sharon Johnson-Shirley shared concerns and questions her staff has in reaction to school nurse delegation guidelines recently sent to Indiana school nurses. Dr. Wright stated that she was not familiar with this guidance but would see what she could find out at the Department of Education regarding its origin and status.

### **Discussion Items**

Under the standing agenda item to discuss any items pertaining to the Council's statutory responsibilities per IC 20-35-3-1, council members shared the following information, Dr. Wright reminded the Council of its work, at the June 2015 meeting, to articulate its vision for Special Education in Indiana and summarized progress made in the interim. When she asked whether it was time to revise the priorities and goals the council identified last year, those present:

- commended the OSE on its efforts to make information more accessible via newsletters, online posts and the new 5-minute topical video recordings ("Short Shares")
- recommended that the Council draft, to those developing the State's ESSA Plan and new statewide assessment, an advisory letter on considering the needs of and the importance of creating opportunities for students with disabilities.

### **Public Comments**

There were no public comments.

### **Next SAC Meeting Date**

The Chair noted that the advisory council's next meeting is scheduled for November 10, 2016.

### **Adjournment**

The meeting adjourned at 11:32 a.m.

# OSEP RESULTS DRIVEN ACCOUNTABILITY SYSTEM for Differentiated Monitoring and Support

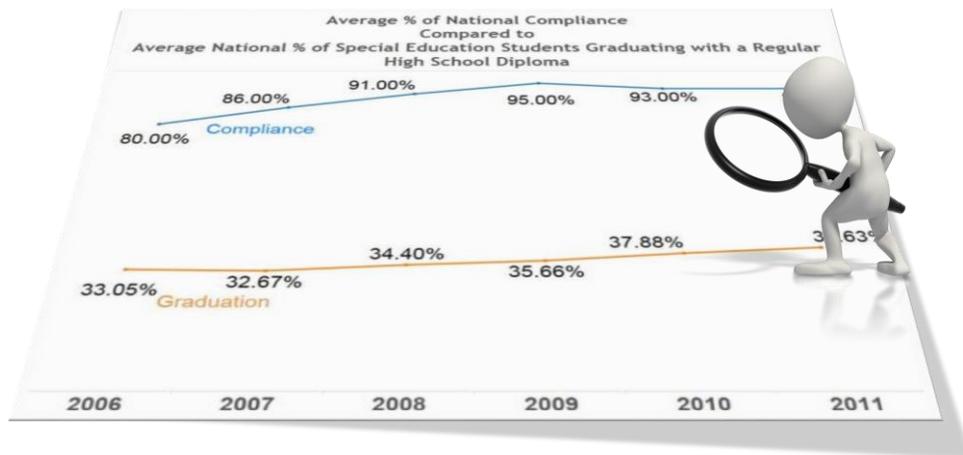
Superintendent Of Public Instruction Report

August, 2016

Dr. Pamela Wright

Slide 1

## How Well is Compliance Impacting Outcomes?



Slide 2

## Historical Information

- State Submission of State Performance Plan/Annual Performance Report
  - Provides data on each of the federal indicators
    - Compliance Indicators (The target is 100% or 0%)
    - Results Indicators (The target is set by the state)
  - Three years ago redid the indicators
    - Decreased from 21 to 17 indicators
    - Indicator 17 is the State Systemic Improvement Plan (new indicator)
- OSEP Reviewed the APR and gave each state a 'determination' that reflected the state's ability to meet the requirement and purposes of IDEA.
  - OSEP work with the state was based upon the level of determination

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## NEW: Results-Driven Accountability

- U.S. DOE/OSEP 'rebranded' their work
- Shifted accountability efforts from a primary emphasis on compliance to a framework that focuses on improved results for students with disabilities
  - Continuing to assist States in ensuring compliance with the IDEA's requirements.
- RDA will emphasize child outcomes such as performance on assessments, graduation rates, and early childhood outcomes.

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## NEW: Results-Driven Accountability

- State are required to develop a State Systemic Improvement Plan (SSIP)
  - States use data to identify gaps in student performance
  - Analyze State systems
  - Implement targeted, evidence-based reforms to address the gaps.
  - It is critical for a State to develop the SSIP in a manner that is aligned with the State's existing improvement initiatives and reform efforts.
    - It is expected this focus on results and alignment with other improvement work to drive innovation in the delivery of services to students.

NOTE: Indiana SSIP work aligns with the State Development Network

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## NEW: Results-Driven Accountability

- USDOE/OSEP initiated this shift in accountability based on the need for greater emphasis on improving results for students with disabilities.
- In 2013, math and reading scores for fourth and eighth graders reached a new high on the National Assessment of Educational Progress (NAEP).
- Dropout rates are down and college attendance is up, especially for African- American and Latino students.
- Cannot claim the same progress for students with disabilities for whom the achievement gaps continued to widen. **On the NAEP, from 2009 to 2013, proficiency levels decreased for students with disabilities while they increased for non-disabled students,** making the gap in proficiency larger between the two groups.
  - This was the case for fourth and eighth graders in math and reading.

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## RDA's THREE COMPONENTS

- State Performance Plan/Annual Performance Reports (SPP/APR), which measures results and compliance. Includes implementation of State Systematic Improvement Plans (SSIPs), designed to improve outcomes in targeted areas.
- Determinations, which reflect state performance on results, as well as compliance.
- Differentiated monitoring and support for all states, but especially low performing states.

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## Determinations: The Differences

### PAST

- OSEP used primarily the compliance indicators
- Data – Correct
- Data - Timely

### CURRENT

- Information related to the participation of students with disabilities on statewide assessments
- Participation/Performance of S/W/D on NAEP
- Graduation/Drop Out Rates
- SPP/APR
- Any other information

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## RDA MATRIX

- a **Compliance Matrix** that includes scoring on SPP/APR Compliance Indicators and other compliance factors;
- a **Results Matrix** that includes scoring on Results Elements;
- a **Compliance Score** and a **Results Score**;
- an **RDA Percentage** based on the Compliance Score and the Results Score; and
- the State's **Determination**

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## Indiana 2016 Part B Results-Driven Accountability Matrix

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### Results-Driven Accountability Percentage and Determination<sup>1</sup>

Percentage (%)	Determination
90.84	Meets Requirements

### Results and Compliance Overall Scoring

	Total Points Available	Points Earned	Score (%)
Results	24	22	91.67
Compliance	20	18	90.00

SEE ATTACHMENTS

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## DIFFERENTIATED MONITORING AND SUPPORT ENGAGEMENT DECISIONS

OSEP designed the system to:

- Provide differentiated levels and types of monitoring and support;
- Based on each state's unique strengths, progress, challenges and needs; and,
- Includes a multi-tiered model for monitoring and support.

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## DIFFERENTIATED MONITORING AND SUPPORT ENGAGEMENT DECISIONS

- Supports are first provided at a **universal level** to address the needs of all states
  - Focus on prevention to minimize need to more targeted or intensive engagement
- **Targeted** monitoring and support is based on OSEP's identification of common needs among multiple states
- **Intensive** monitoring and support is reserved for those states experiencing the most intense or complex challenges to implementation

# DIFFERENTIATED MONITORING AND SUPPORT ENGAGEMENT DECISIONS

OSEP designates universal, targeted or intensive levels based upon:

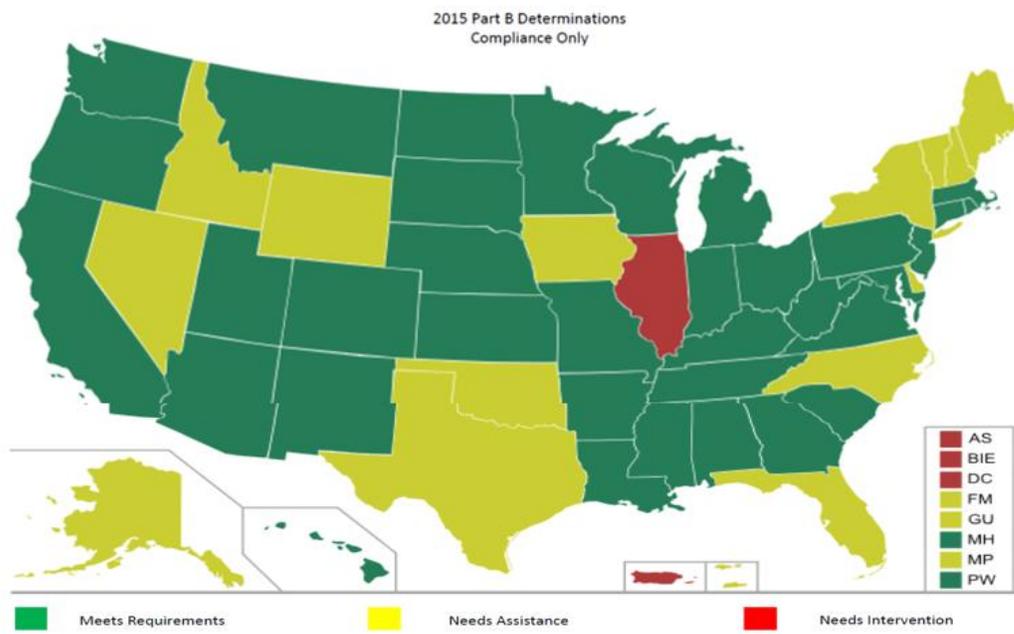
- Results
- Program Compliance
- Dispute Resolution
- Fiscal Management

Indiana received a designation of  
**UNIVERSAL**  
in each of the above four areas!!!

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Slide 14

## National Comparison: "Old Way"





## **QUESTIONS/DISCUSSION**

# Every Student Succeeds Act and Special Education

Part B State Directors'  
Discussion



# Overview and Background of ESSA.



# ESSA was signed into law December 10, 2015

- Most states had ESEA (NCLB) Flexibility Waivers
- Waivers raised questions from the special education community regarding accountability for students with disabilities
- States (Flex or not) now need to transition to a new accountability system

# ESSA Provisions

- ESSA seeks to attenuate NCLB's focus on fidelity to law and move to transparency of data that informs evidence-based actions at SEA and LEA levels
  - More local flexibility
- Flexibility, however, creates opportunities and risks.

# Flexibility opportunities and risks

- **Opportunities:**
  - enhance innovations to achieve College & Career Readiness outcomes
  - promote and support evidence-based practices
  - include all students
- **Risks:**
  - lack of will, capital or capacity
  - SWDs will fall through the cracks
  - fall back on “compliance”

# ESSA Intent

- The hope is that the shift from federal toward state and local control will
  - promote engagement and
  - inspire systems of innovation, evaluation, and continuous improvement
- ESSA's meaning and impact will require further analysis
- States may want to push for, and support, continued state and local leadership

# Standards

- States must have challenging state academic standards in reading or language arts, math and science, and may set and adopt such standards for any other subject determined by the state
- Demonstrate that challenging state academic standards are aligned with:
  - entrance requirements for credit-bearing coursework in higher education
  - relevant state career and technical education standards

# Standards Application

- Challenging academic content standards must apply to all public schools and public school students in the State;
  - include the same knowledge, skills, and levels of achievement expected of all public students in the State
  - applies to all public schools and public school students except for students identified with the most significant cognitive disabilities
- SWDs must have the same opportunity as their peers to graduate from high school prepared for post secondary education and/or careers

# Assessments

- Assess annually using the statewide assessment system
- Based on challenging academic state standards in English/language arts, science and mathematics.
- May develop an alternate assessment for students with the most severe cognitive disabilities

# Alternate Assessment Based on Alternate Academic Achievement Standards

- If alternate assessment,
- Based upon alternate state standards .
- States provide assurances to the US Department of Education that the system meets several criteria. The system must:
  - Be aligned with state academic standards;
  - promote access to the general education curriculum;
  - reflect professional judgment as to the highest possible standards achievable by students with the most significant cognitive disabilities; and
  - be designed to ensure any student who meets the alternate standards is on track to pursue postsecondary education or employment

# Participate in Alternate Assessment

- Only the IEP team determines whether a student participates in the regular state assessment or an alternate assessment
- Before the IEP team determines alternate assessment participation, the district must fully inform parents of students with disabilities
  - that their child's academic achievement will be measured by alternate standards
  - whether participation in alternate assessments may impact the student's ability to meet the requirements for a regular high school diploma.
-

# Alternate Assessment Participation Rate Limits

- ESSA caps student participation in the alternate assessment at one percent
- Limit applies only at the state level;
- Neither the federal government nor the state can impose any limitation on a local education agency (LEA) decision to administer the alternate assessment.
- If an LEA administers the alternate assessment to more than one percent of its students, it must
  - submit information to the state justifying the need to exceed the one percent cap
- The state may apply for a waiver from the one percent cap from the US Department of Education.

# Testing Accommodations

- All state assessments must be developed to the extent practicable using the principles of universal design
- State assessment system must provide accommodations for those students who receive accommodations under the IDEA and under Acts other than IDEA
- States also must provide all appropriate assessment accommodations needed to measure the academic achievement of students with disabilities participating in the regular or alternate state assessment

# Reporting Assessment Results

- Report on the results on the regular state assessment in each of grades 3 through 8 and in high school
- Be reported for specific subgroups of students.
  - Students with disabilities is one of the specified subgroups that must be reported separately
- Reported at the state, LEA, and school level
- Must include the number and percent of students who take the alternate assessment

# Opt-Out, Participation and Consequences

- ESSA maintains the federal requirement that 95% of students in a school must participate in state assessments, but
  - Allows states to describe how that will factor into their accountability systems
- States can create their own laws governing parental decisions to opt their child out of participating in academic assessments, but
  - Requires that at the beginning of each school year, districts notify parents that they may request information regarding any opt out policy
- NCLB and ESEA waivers labeled schools as low-performing if they did not meet the 95% participation rate, but
  - Now states can decide if that alone signifies a low-performing school

# Accountability

- State sets long term goals and measures of interim progress for all federal accountability measures for all student subgroups.
  - Include proficiency on the annual state assessment and
  - Four-year high school graduation rate.
- SWDs are included in all school and district accountability measures **and** as a disaggregated group
- **State** sets improvement goals it believes necessary to make significant progress in closing statewide gaps

# Graduation

- May include SWDs who take the alternate assessments in a school's adjusted cohort graduation rate as long as the student is awarded a state-defined alternate diploma that is standards-based, aligned to requirements for the regular high school diploma, and obtained within the time period for which the State ensures the availability of a FAPE

# Accountability Targets

- ESSA expects targets to produce a greater rate of improvement for those groups furthest behind
- In developing accountability frameworks,
  - establish achievement targets that are reasonable for each subgroup, but are
  - also challenging in terms of expectations

# Educator Qualifications

- ESSA abolishes the federal “highly qualified teacher” requirements:
  - Each state can revert to its own certification requirements to determine which teachers are qualified to teach specific content to students with disabilities
  - Title I paraprofessionals are still required to meet NCLB qualification requirements
- State must ensure that **both** general and special education teachers and other staff can provide appropriate accommodations to increase the number of students with significant disabilities who are able to participate in the academic instruction and assessment for the grade level in which the student is enrolled

# Educator Qualification Alignment

- Doesn't remove the need for each state to align their requirements for general and special education teachers
- Provides each state the flexibility to determine which teachers are qualified to teach specific content to students with disabilities
- Greater certification alignment may increase consistency between states and
  - Reduce confusion between requirements for general and special education teachers.
  - Reduce both real and perceived barriers into the special education profession, and
  - Improve the ability of states to recruit and retain qualified and effective teachers of students with disabilities

# Resources

- An updated version of CCSSO's *Frequently Asked Questions (FAQ) about ESSA* document, which now includes several questions/answers related to alternate assessment - <http://www.ccsso.org/Documents/2016/ESSA/CCSSOESSAFAQ.pdf>
- *ESSA: Key Provisions and Implications for Students with Disabilities*. This resource from CCSSO & NCSI is nearing completion.
- Overall support to states around ESSA implementation is located on the CCSSO [ESSA Resources Page](http://www.ccsso.org/Resources/Programs/Every_Student_Succeeds_Act.html). This page contains a growing number of resources, is organized by topic area, and is consistently updated. [http://www.ccsso.org/Resources/Programs/Every Student Succeeds Act.html](http://www.ccsso.org/Resources/Programs/Every_Student_Succeeds_Act.html)

Thanks to Augustus Mays for the briefing paper that formed the basis for this PowerPoint, and to Johnny Collette for working with CCSSO to begin providing some questions and answers regarding ESSA and special education requirements.



# THANK YOU!

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