



DEPARTMENT OF EDUCATION

Townsend Building
 401 Federal Street Suite 2
 Dover, Delaware 19901-3639
<http://education.delaware.gov>

Mark A. Holodick, Ed.D.
 Secretary of Education
 (302) 735-4000
 (302) 739-4654 - fax

FFY 2020 IDEA LEA Annual Determination Business Rules - Revised

Indicator	Description	Business Rule	Note/s
1 (20 U.S.C. 1416 (a)(3)(A))	Percent of youth with IEPs graduating from high school with a regular diploma.	Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma Divided by the number of all youth with IEPs who left high school (ages 14-21) in the denominator.	NA = LEA had graduates but no special education graduates. N/A - LEA did not have any graduates.
2 (20 U.S.C. 1416 (a)(3)(A))	Percent of youth with IEPs dropping out of high school.	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out Divided by the number of all youth with IEPs who left high school (ages 14-21) in the denominator.	NA = LEA did not have students ages 14-21.
3A (20 U.S.C. 1416 (a)(3)(A))	Participation and performance of children with IEPs on Statewide assessments: <ul style="list-style-type: none"> Participation rate for children with IEPs. 	Number of children with IEPs participating in an assessment Divided by the total number of children with IEPs enrolled during the testing window. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. <i>Note: 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. Only include children with disabilities who had an IEP at the time of testing.</i>	N/A = LEA does not have students in the specified grade level, the LEA does not have students in the specified grade level eligible to take the assessment, or the LEA had students in the specified grade level eligible to take the test but 0 students participated in the assessment For FFY 2020, "Met Target" is N/A for all LEAs. After consulting with OSEP, the DDOE has decided to align Delaware's LEA annual determination process with OSEP's state annual determination for Spring 2022/FFY 2020 due to the COVID-19 pandemic

Indicator	Description	Business Rule	Note/s
<p>3B (20 U.S.C. 1416 (a)(3)(A))</p>	<p>Participation and performance of children with IEPs on Statewide assessments:</p> <ul style="list-style-type: none"> Proficiency rate for children with IEPs against grade level academic achievement standards. 	<p>Number of children with IEPs scoring at or above proficient against grade level academic achievement standards</p> <p>Divided by</p> <p>the total number of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment. Calculate separately for math and reading. Account for ALL children with IEPs, in grades 4, 8, and high school.</p> <p><i>Note: Include 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.</i></p>	<p>N/A = LEA does not have students in the specified grade level, the LEA does not have students in the specified grade level eligible to take the assessment, or the LEA had students in the specified grade level eligible to take the test but 0 students participated in the assessment</p> <p>For FFY 2020, “Met Target” is N/A for all LEAs. After consulting with OSEP, the DDOE has decided to align Delaware’s LEA annual determination process with OSEP’s state annual determination for Spring 2022/FFY 2020 due to the COVID-19 pandemic</p>
<p>3C (20 U.S.C. 1416 (a)(3)(A))</p>	<p>Participation and performance of children with IEPs on Statewide assessments:</p> <ul style="list-style-type: none"> Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. 	<p>Number of children with IEPs scoring at or above proficient against alternate academic achievement standards</p> <p>Divided by</p> <p>the total number 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.</p> <p>Note: The proficiency rate includes 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.</p>	<p>N/A = LEA does not have students in the specified grade level, the LEA does not have students in the specified grade level eligible to take the assessment, or the LEA had students in the specified grade level eligible to take the test but 0 students participated in the assessment</p> <p>Note: New Indicator 3C for SY 2020-2021 = FFY 2020. For FFY 2020, “Met Target” is NA for all LEAs.</p>
<p>3D (20 U.S.C. 1416 (a)(3)(A))</p>	<p>Participation and performance of children with IEPs on statewide assessments:</p> <p>Gap in proficiency rates for children with IEPs and for all students against grade level academic achievement standards.</p>	<p>Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards</p> <p>Subtracted from</p> <p>the proficiency rate for all students scoring at or above proficient against grade level academic achievement standards. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school.</p> <p>Note: The proficiency rate includes all 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.</p> <p>Note: New Indicator 3D for SY 2020-2021 = FFY 2020. For FFY 2020, “Met Target” is NA for all LEAs.</p>	<p>N/A = LEA does not have students in the specified grade level, the LEA does not have students in the specified grade level eligible to take the assessment, or the LEA had students in the specified grade level eligible to take the test but 0 students participated in the assessment</p> <p>* = Percent of students with disabilities meeting proficiency was greater than the percent of ALL meeting proficiency resulting in a negative proficiency gap.</p>

Indicator	Description	Business Rule	Note/s
<p>4A</p> <p>(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p>	<p>Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.</p>	<p>State Determination:</p> <p>Number of LEAs that met the state established “N” size Divided by The number of LEAs that met the state established “N” size and exceeded the state bar (rate-ratio).</p> <p>LEA Determination:</p> <p>Number of SWD Suspended or Expelled > than 10 days Divided by Number of General Ed Students Suspended or Expelled > than 10 days</p> <ul style="list-style-type: none"> • An LEA meets target if they exceed the rate ratio but had too few students in the cell. • An LEA meets the target because they did not exceed rate ratio. • An LEA does not meet the target if they exceed state established “N” size and the state bar (rate ratio). <p>Note: For FFY 2020: Cell Size = 15/Rate Ratio = 2.0</p> <p>State bar for data reported is a rate ratio of 2.0 for 3 consecutive years or has a cell size of 5 and a rate ratio of 5.0</p>	
<p>4B</p> <p>(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))</p>	<p>Percent of districts that have:</p> <ul style="list-style-type: none"> • (a) a significant discrepancy, 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 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. 	<p>State Determination:</p> <p>Number of LEAs that met the state established “N” size Divided by The number of LEAs that met the state established “N” size and exceeded the state bar (rate-ratio).</p> <p>LEA Determination:</p> <p>Number of (race/ethnicity) SWD Suspended or Expelled > than 10 days Divided by Number of (race/ethnicity) SWD Suspended or Expelled > than 10 days Divided by General Ed Students Suspended > than 10 days Divided by General Ed Students in LEA</p> <ul style="list-style-type: none"> • An LEA meets the target if they exceed the rate ratio but had too few students in the cell. • An LEA meets the target if they exceed the rate ratio but are in compliance. • An LEA meets the target if they do not exceed rate ratio. • An LEA does not meet the target if they exceed the state established “N” size and the state bar (rate ratio) and was found to be noncompliant. <p>Note: For FFY 2020: Cell Size = 10/Rate Ratio =2.0</p> <p>State bar for data reported is a rate ratio of 2.0 for 3 consecutive years or has a cell size of 5 and a rate ratio of 5.0</p>	

Indicator	Description	Business Rule	Note/s
<p>5 (20 U.S.C. 1416(a)(3)(A))</p>	<p>Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day</p> <p>B. Inside the regular class less than 40% of the day</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p>	<p>A. Number 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 number of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs times 100.</p> <p>B. Number 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 number of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs] times 100.</p> <p>C. Number 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 number of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs times 100.</p>	
<p>6 (20 U.S.C. 1416(a)(3)(A))</p>	<p>Percent of children with IEPs aged 3, 4, and 5 who are enrolled in a preschool program attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program</p> <p>B. Separate special education class, separate school or residential facility. Receiving special education and related services in the home.</p>	<p>A. # 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.</p> <p>B. # 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.</p> <p>C. # 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.</p>	<p>NA - LEA did not have students ages 3-5.</p>
<p>7 (20 U.S.C. 1416 (a)(3)(A))</p>	<p>Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved: Positive social-emotional skills (including social relationships); Acquisition and use of knowledge and skills (including early language/communication and early literacy) Use of appropriate behaviors to meet their needs.</p>	<p>Of those preschool children who entered or exited the preschool program below age expectations in the Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.</p> <p>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.</p>	<p>NA - LEA did not have students ages 3-5 in a preschool program.</p>

Indicator	Description	Business Rule	Note/s
<p style="text-align: center;">8</p> <p style="text-align: center;">(20 U.S.C. 1416(a)(3)(A))</p>	<p>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.</p>	<p>Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities Divided by Total number of respondent parents of children with disabilities.</p> <p>Indicator data is documented out to two decimal points. Meets or does not meet target is based on the percentage out to two decimal points without rounding.</p> <p>If a respondent indicated unsure or N/A or if the item was left blank, that respondent was removed from the total number of respondents (denominator) and was not counted in LEA's Data % Agree.</p>	<p>NA - Data were not reported for the LEA.</p>
<p style="text-align: center;">9</p> <p style="text-align: center;">(20 U.S.C. 1416(a)(3)(C))</p>	<p>Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p>	<p>State Determination Number of LEAs with disproportionate representation of racial and ethnic groups in special education and related services Divided by representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification</p> <p>LEA Determination LEA Compliant:</p> <ul style="list-style-type: none"> • LEA was not identified with Disproportionate Representation as a result of both conditions: <ul style="list-style-type: none"> ○ LEA did not meet or exceed the relative risk ratio of 1.46 ○ LEA did not meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services • LEA was not identified with Disproportionate Representation as a result of one of the conditions: <ul style="list-style-type: none"> ○ LEA did not meet or exceed the relative risk ratio of 1.46 or ○ LEA did not meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services • LEA was identified with Disproportionate Representation as a result of both conditions, however Disproportionate Representation was not the result of inappropriate identification: <ul style="list-style-type: none"> ○ LEA did meet or exceed the relative risk ratio of 1.46 ○ LEA did meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services <p>LEA Noncompliant:</p> <ul style="list-style-type: none"> • LEA was identified with Disproportionate Representation as a result of both conditions and Disproportionate Representation was the result of inappropriate identification: <ul style="list-style-type: none"> ○ LEA did meet or exceed the relative risk ratio of 1.46 ○ LEA did meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services. 	<p>State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.</p>

Indicator	Description	Business Rule	Note/s
<p>10</p> <p>(20 U.S.C. 1416(a)(3)(C))</p>	<p>Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p>	<p>State Determination Number of LEAs that meet the State-established cell size for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education disability categories that is the result of inappropriate identification Divided by Number of LEAs that meet with State-established cell size for one or more racial/ethnic groups times 100.</p> <p>LEA Determination LEA Compliant:</p> <ul style="list-style-type: none"> • LEA was not identified with Disproportionate Representation as a result of both conditions: <ul style="list-style-type: none"> ○ LEA did not meet or exceed the relative risk ratio of 1.50 ○ LEA did not meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories. • LEA was not identified with Disproportionate Representation as a result of one of the conditions: <ul style="list-style-type: none"> ○ LEA did not meet or exceed the relative risk ratio of 1.50 or ○ LEA did not meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories. • LEA was identified with Disproportionate Representation as a result of both conditions, however Disproportionate Representation was not the result of inappropriate identification: <ul style="list-style-type: none"> ○ LEA did meet or exceed the relative risk ratio of 1.50 ○ LEA did meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories. <p>LEA Noncompliant:</p> <ul style="list-style-type: none"> • LEA was identified with Disproportionate Representation as a result of both conditions and Disproportionate Representation was the result of inappropriate identification: <ul style="list-style-type: none"> ○ LEA did meet or exceed the relative risk ratio of 1.50 ○ LEA did meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories 	<p>State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.</p>
<p>11</p> <p>(20 U.S.C. 1416(a)(3)(B))</p> <p>(14 DE Admin Code § 925.2.0)</p>	<p>Percent of children who were evaluated within 45 school days or 90 calendar days, whichever is less, of receiving parental consent for initial evaluation.</p>	<p>Number of children for whom parental consent to evaluate was received Divided by Number of children whose evaluations were completed within 45 school days or 90 calendar days, whichever is less</p> <p>Evaluation met the exception (a) criteria (the parent of the child repeatedly fails or refuses to produce the child for the evaluation). The initial evaluation was found to be in compliance.</p> <p>Evaluation met the exception (b) criteria (the child enrolls in a school of another public agency after the relevant timeframe 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. Exception (b) applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.) The initial evaluation was found to be in compliance.</p>	<p>NA - no initial evaluations were reported.</p>

Indicator	Description	Business Rule	Note/s
<p>12</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>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.</p>	<p>A. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination</p> <p>B. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday</p> <p>C. Number of those found eligible who have an IEP developed and implemented by their third birthdays</p> <p>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</p> <p>E. Number of children who were referred to Part C and determined eligible for Part C less than 90 days before their third birthdays</p> <p>$[c/(a-b-d-e)] \times 100$</p>	<p>NA - LEA did not have students transitioning from Part C to Part B.</p>
<p>13</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>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 was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p>	<p>Number of youth in grade 8 or aged 14 (and above) with IEPs that contain each of the required components for secondary transition</p> <p>Divided by</p> <p>Number of youth with IEPs in grade 8 or aged 14 (and above)</p>	<p>NA - LEA did not have students of transition age in grade 8 or ages 14 and above.</p> <p>N/A - LEA was not required to report data for this reporting period.</p>

Indicator	Description	Business Rule	Note/s
<p style="text-align: center;">14 (20 U.S.C. 1416(a)(3)(B))</p>	<p>Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <ul style="list-style-type: none"> • Enrolled in higher education within one year of leaving high school. • Enrolled in higher education or competitively employed within one year of leaving high school. • 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. 	<p>A. Number 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</p> <p style="padding-left: 40px;">the number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school</p> <p>B. Number 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</p> <p style="padding-left: 40px;">the number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school</p> <p>C. Number 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</p> <p style="padding-left: 40px;">the number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p>	<p>NA - LEA did not have students with IEPs exiting secondary education.</p>