



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

May 27, 2022

Edward Emmett, Jr.
Director
Positive Outcomes Charter School
3337 South Dupont Highway
Camden, DE 19934

RE: LEA Determination Under the Individuals With Disabilities Education Act (IDEA)

Dear Mr. Emmett:

Thank you for your ongoing dedication and commitment to educating students with disabilities. We encourage you to use the information in this report to celebrate growth and identify opportunities for continued improvement.

Under the IDEA, the Delaware Department of Education (Department) has a responsibility to review the data of local education agencies (LEAs) relating to targets identified in the State's Performance Plan (SPP) and to make annual determinations on LEA performance. The State must monitor the implementation of Part B, enforce Part B in accordance with the provisions at 34 CFR 300.604(a)(1), and (a)(3), (b)(2)(i) and (b)(2)(v), and (c)(2), and annually report on performance under Part B. The primary focus of the State's monitoring activities must be on:

- Improving educational results and functional outcomes for all children with disabilities; and
- Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

For FFY 2020, LEAs are receiving their annual determination based on a combination of the following results and compliance indicators:

- **Results:**
 - Indicator 1 Graduate Rate
 - Indicator 2 Drop-Out Rate
 - Indicator 3A Participation Rate for Children with IEPs in the State Assessment
 - Indicator 3B Proficiency Rate for Children with IEPs against Grade Level Academic Achievement Standards
 - Indicator 4A Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities
 - Indicator 5 Education Environments (Children 6-21)
 - Indicator 7 Early Childhood Outcomes: Positive Social-Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors

*****Indicator 3C, Proficiency for Children with IEPs Alternative Academic Achievement Standards and Indicator 6, Preschool Environments will be included in LEA annual determination beginning with FFY 2021 in spring, 2023***

May 27, 2022

Positive Outcomes Charter School

FFY 2020 LEA Determination Under the Individuals With Disabilities Education Act (IDEA)

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- **Compliance:**

- Indicator 4B Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices
- Indicators 9 & 10 Disproportionate Representation Related to Identification
- Indicator 11 Timely Initial Evaluations
- Indicator 12 Early Childhood Transition from Part C to Part B
- Indicator 13 Transition Planning in the IEP

Based on a review of your LEA's data, the Department has determined your LEA Needs Intervention in implementing the requirements of the IDEA. As a result, your LEA is required to analyze related data and develop a continuous improvement plan addressing areas identified in your determinations in order to improve outcomes for students with disabilities in your LEA.

Attached, please find an overview of the "IDEA General Supervision & Reporting Requirements" along with an explanation of how your LEA's determination was calculated. The response table provides the Department's analysis of the reported data, and identifies, by indicator, your LEA's status in meeting its targets.

Your Exceptional Children Resources liaison, Jalee Pernol, will be in contact with *Megan Yeager, Special Education Coordinator* to provide technical assistance and discuss possible actions, including the development or revision of a Continuous Improvement Plan. In the interim, please do not hesitate to contact me by phone at (302) 735-4210, or by e-mail maryann.mieczkowski@doe.k12.de.us.

Sincerely,



Mary Ann Mieczkowski
Director, Exceptional Children Resources

MAM/js
Attachment

cc: Mark A. Holodick, Ed.D., Secretary of Education
Monica Minor Gant, Ph.D., Associate Secretary of Academic Support
Megan Yeager, Special Education Coordinator
Barbara Mazza, Education Associate, Exceptional Children Resources
Jalee Pernol, Education Associate, Exceptional Children Resources
Leroy Travers, Education Associate, Charter School Office

IDEA General Supervision & Reporting Requirements

The Department's General Monitoring Duties Under the IDEA

By way of background, the IDEA requires the Department to monitor the implementation of Part B of the IDEA in the LEAs throughout the State, and to annually report to the public on the performance of the State and each LEA. The Department's monitoring activities must primarily focus on: (1) improving educational results and functional outcomes for all children with disabilities; and (2) ensuring that public agencies meet the program requirements of Part B, with a particular emphasis on the requirements most closely related to improving educational results for children with disabilities. The Department is responsible for monitoring LEAs using quantifiable indicators in certain priority areas, and for using qualitative indicators to allow an adequate measure of performance in each area. IDEA regulations outline the three priority areas as: (1) the provision of FAPE in the least restrictive environment; (2) the State's exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services; and (3) disproportionate representation of racial and ethnic groups in special education and related services, to the extent such representation is the result of inappropriate identification.

The State Performance Plan and Annual Performance Reports

The IDEA further requires the State to have a performance plan in place that evaluates the State's efforts to implement the requirements and purposes of Part B of the IDEA, and describes how the State will improve the implementation of Part B. As part of its State Performance Plan (SPP), the State must establish measurable and rigorous targets for various indicators under the three priority areas mentioned above. The SPP currently has seventeen indicators, and the State must report annually to the U.S. Department of Education on the performance of the State under the SPP.

In addition to its federal submission, the Department is responsible for reporting annually to the public on the performance of each LEA located in the State on the targets described in the SPP. On an annual basis, each LEA must use the targets established in the SPP, and the three priority areas mentioned above, to analyze and report on its local performance to the Department. In turn, the Department will review the LEA's performance and assign a determination level.

Based on the Department's analysis of data provided by each LEA, and information obtained through audits, monitoring visits, administrative complaints, due process proceedings, and any other publicly available information, the Department assigns one of the following determination levels: Meets the requirements and purposes of IDEA; Needs Assistance in implementing the requirements of IDEA; Needs Intervention in implementing the requirements of IDEA; or Needs Substantial Intervention in implementing the requirements of IDEA.

Federal and state regulations addressing the SPP, APR, and the LEA's reporting obligations can be found at 34 C.F.R. §§ 300.600-602, 646 and 14 DE Admin Code §§ 927.1.0 through 8.0, and §§ 40.0 through 46.0.

LEA: Progress on State Performance Plan Indicators for Students with Disabilities for FFY 2020

FFY 2020 LEA Annual Determinations

FFY 2020 determinations were made based on a combination of the following compliance and results indicators:

- **Results:**

- Indicator 1 Graduate Rate
- Indicator 2 Drop-Out Rate
- Indicator 3A Participation Rate for Children with IEPs in the State Assessment
- Indicator 3B Proficiency Rate for Children with IEPs against Grade Level Academic Achievement Standards
- Indicator 4A Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities
- Indicator 5 Education Environments (Children 6-21)
- Indicator 7 Early Childhood Outcomes: Positive Social-Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors

- **Compliance:**

- Indicator 4B Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices
- Indicators 9 & 10 Disproportionate Representation Related to Identification
- Indicator 11 Timely Initial Evaluations
- Indicator 12 Early Childhood Transition from Part C to Part B
- Indicator 13 Transition Planning in the IEP

Meets Requirements	=	≥ 80% (compliance and results combined)	and	LEA may be engaged in a Corrective Action Plan.	and/or	If monitored on-site, LEA is engaged in Prong 1 or Prong 2 corrective action.
Needs Assistance	=	60% to 79% (compliance and results combined)	and/or	LEA is engaged in an Intervention Plan.	and/or	Outstanding Noncompliance from On-Site Monitoring (beyond 1 year)
Needs Intervention	=	≤ 59% (compliance and results combined)	and/or	LEA is engaged in a Compliance Agreement.	and/or	Outstanding Noncompliance from On-Site Monitoring (beyond 2 years)

Spring 2022 IDEA Annual Determination for FFY 2020

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Results Indicators	Data From: (Time Period)	SPP Target 2020	State Data	LEA Data	LEA Score	Possible Points
Indicator 1: Graduation Rate	2019-2020	80.62%	80.62%	100.00%	1	1
Indicator 2: Drop Out Rate	2019-2020	8.57%	8.57%	-	1	1
Indicator 3A: Participation Rate-ELA						
Grade 4	2020-2021	95.00%	66.96%	NA	NA	NA
Grade 8		95.00%	51.73%	-	0	1
High School		95.00%	51.78%	-	0	1
Indicator 3A: Participation Rate-MATH						
Grade 4	2020-2021	95.00%	66.17%	NA	NA	NA
Grade 8		95.00%	50.53%	-	0	1
High School		95.00%	51.73%	-	0	1
Indicator 3B: Proficiency Rate in Regular Assessment-ELA						
Grade 4	2020-2021	19.36%	13.11%	NA	NA	NA
Grade 8		13.65%	9.22%	-	0	1
High School		13.83%	8.75%	-	0	1
Indicator 3B: Proficiency Rate in Regular Assessment-MATH						
Grade 4	2020-2021	18.65%	10.61%	NA	NA	NA
Grade 8		8.37%	3.15%	-	0	1
High School		7.69%	2.09%	-	0	1
Indicator 4A: Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities	2019-2020	40%	0.00%	Under Threshold	1	1
Indicator 5A: Percent of Children With IEPs Aged 5 Who Are Enrolled in Kindergarten and Aged 6 to 21 Served Inside the Regular Class 80% or More of the Day	2020-2021	64.54%	64.54%	68.92%	1	1
Indicator 5B: Percent of Children With IEPs Aged 5 Who Are Enrolled in Kindergarten and Aged 6 to 21 Served Inside the Regular Class Less Than 40% of the Day		15.09%	15.09%	-	1	1
Indicator 5C: Percent of Children With IEPs Aged 5 Who Are Enrolled in Kindergarten and Aged 6 to 21 Served In Separate Schools, Residential Facilities, and in Homebound/Hospital Placements		4.93%	4.93%	-	1	1
Indicator 7A. Early Childhood Outcomes- Positive Social/Emotional Skills						
Percent Increase Rate of Growth	2020-2021	86.00%	84.61%	NA	NA	NA
Percent Within Age Expectation		47.53%	47.03%	NA	NA	NA
Indicator 7B. Early Childhood Outcomes-Acquisition and Use of Knowledge and Skills						
Percent Increase Rate of Growth	2020-2021	87.04%	85.24%	NA	NA	NA
Percent Within Age Expectation		46.12%	43.86%	NA	NA	NA
Indicator 7C. Early Childhood Outcomes- Use of Appropriate Behaviors						
Percent Increase Rate of Growth	2020-2021	88.31%	85.54%	NA	NA	NA
Percent Within Age Expectation		59.35%	56.57%	NA	NA	NA

Spring 2022 IDEA Annual Determination for FFY 2020

Positive Outcomes Charter School

Compliance Indicators	Data From: (Time Period)	SPP Target 2018	State Data	LEA Data	LEA Score	Possible Points
Indicator 4B: Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices.	2019-2020	0.00%	0.00%	Compliant	1	1
Indicator 9: Disproportionate Representation All Disabilities	2020-2021	0.00%	0.00%	Compliant	1	1
Indicator 10: Disproportionate Representation Specific Disabilities	2020-2021	0.00%	2.56%	Compliant	1	1
Indicator 11: Initial Evaluations Conducted Within Timeline	2020-2021	100.00%	98.26%	-	1	1
Indicator 12: Early Childhood Transition from Part C to Part B	2020-2021	100.00%	95.75%	NA	NA	NA
Indicator 13: Secondary Transition	2020-2021	100.00%	98.85%	100.00%	1	1

Determination Summary		Annual Determination:	
Compliance Indicators Score	5	Needs Intervention	
Possible Points:	5		
Results Indicators Score	6	Intervention Plan /Compliance Agreement: No	
Possible Points:	14		
Score Total	11		
Out of a Possible:	19		
Percentage:	57.89%		

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Graduation Rate

<u>Indicator 1</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Students Exited</u>	<u>Graduated with a Regular Diploma</u>	<u>LEA Data % SWD Who Graduated</u>	<u>Met Target?</u>
	2019-2020	80.62%	80.62%	15	15	100.00%	Yes

Note:

Drop-Out Rate

<u>Indicator 2</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Students Exited</u>	<u>Drop-Outs</u>	<u>LEA Data % SWD who Dropped Out</u>	<u>Met Target?</u>
	2019-2020	8.57%	8.57%	15	-	-	Yes

Note:

Participation Rate for Children with IEPs - ELA

<u>Indicator 3A</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Eligible</u>	<u>Number Tested</u>	<u>LEA Data Percent Tested</u>	<u>Met Target?</u>
	2020-2021	95.00%	66.96%	4	ELA	NA	NA	NA	NA
	2020-2021	95.00%	51.73%	8	ELA	-	-	-	No
	2020-2021	95.00%	51.78%	HS	ELA	-	-	-	No

Note: SY - 2020-2021 = FFY 2020

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

Participation Rate for Children with IEPs - MATH

<u>Indicator 3A</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Eligible</u>	<u>Number Tested</u>	<u>LEA Data Percent Tested</u>	<u>Met Target?</u>
	2020-2021	95.00%	66.17%	4	MATH	NA	NA	NA	NA
	2020-2021	95.00%	50.53%	8	MATH	-	-	-	No
	2020-2021	95.00%	51.73%	HS	MATH	-	-	-	No

Note: SY - 2020-2021 = FFY 2020

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

Proficiency Rate in Grade Level Academic Achievement Standards - ELA

<u>Indicator 3B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	<u>LEA Data % of SWD Meeting Proficiency</u>	<u>Met Target?</u>
	2020-2021	19.36%	13.11%	4	ELA	NA	NA	NA	NA
	2020-2021	13.65%	9.22%	8	ELA	-	-	-	No
	2020-2021	13.83%	8.75%	HS	ELA	-	-	-	No

Note: SY - 2020-2021 = FFY 2020

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

Proficiency Rate in Grade Level Academic Achievement Standards - MATH

<u>Indicator 3B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	<u>LEA Data % of SWD Meeting Proficiency</u>	<u>Met Target?</u>
	2020-2021	18.65%	10.61%	4	MATH	NA	NA	NA	NA
	2020-2021	8.37%	3.15%	8	MATH	-	-	-	No
	2020-2021	7.69%	2.09%	HS	MATH	-	-	-	No

Note: SY - 2020-2021 = FFY 2020

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

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Proficiency Rate in the Alternate Academic Achievement Standards - ELA

<u>Indicator 3C</u>	<u>School Year</u>	State		<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	LEA Data	
		<u>Target</u>	<u>Data</u>					<u>% of SWD Meeting</u>	<u>Met Target?</u>
	2020-2021	25.94%	13.00%	4	ELA	NA	NA	NA	NA
	2020-2021	43.10%	20.00%	8	ELA	-	-	-	NA
	2020-2021	42.20%	40.45%	HS	ELA	-	-	-	NA

Note: New Indicator 3C for SY-2020-2021=FFY 2020, "Met Target" is NA for all LEAs

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

Proficiency Rate in the Alternate Academic Achievement Standards - MATH

<u>Indicator 3C</u>	<u>School Year</u>	State		<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	LEA Data	
		<u>Target</u>	<u>Data</u>					<u>% of SWD Meeting</u>	<u>Met Target?</u>
	2020-2021	31.95%	39.00%	4	MATH	NA	NA	NA	NA
	2020-2021	21.72%	8.89%	8	MATH	-	-	-	NA
	2020-2021	12.71%	32.18%	HS	MATH	-	-	-	NA

Note: New Indicator 3C for SY-2020-2021=FFY 2020, "Met Target" is NA for all LEAs

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

Gap in Proficiency Rates (Grade Level Academic Achievement Standards) - ELA

<u>Indicator 3D</u>	<u>School Year</u>	State		<u>Grade</u>	<u>Subject</u>	LEA Data		<u>Proficiency GAP</u>	<u>Met Target?</u>
		<u>Target</u>	<u>Data</u>			<u>% of ALL Meeting Proficiency</u>	<u>% of SWD Meeting Proficiency</u>		
	2020-2021	31.72%	23.46%	4	ELA	NA	NA	NA	NA
	2020-2021	41.27%	34.90%	8	ELA	-	-	-	NA
	2020-2021	38.15%	40.50%	HS	ELA	-	-	-	NA

Note: New Indicator 3D for SY-2020-2021=FFY 2020, "Met Target" is NA for all LEAs

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

Gap in Proficiency Rates (Grade Level Academic Achievement Standards) - MATH

<u>Indicator 3D</u>	<u>School Year</u>	State		<u>Grade</u>	<u>Subject</u>	LEA Data		<u>Proficiency GAP</u>	<u>Met Target?</u>
		<u>Target</u>	<u>Data</u>			<u>% of ALL Meeting Proficiency</u>	<u>% of SWD Meeting Proficiency</u>		
	2020-2021	33.37%	17.19%	4	MATH	NA	NA	NA	NA
	2020-2021	33.35%	20.65%	8	MATH	-	-	-	NA
	2020-2021	24.13%	25.54%	HS	MATH	-	-	-	NA

Note: New Indicator 3D for SY-2020-2021=FFY 2020, "Met Target" is NA for all LEAs

N/A = LEA does not have students in the specified grade level or the LEA does not have students in the specified grade level eligible to take the assessment.

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Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities

Indicator 4A	School Year	State Target	State Data	SWD Enrollment	Non-SWD Enrollment	SWD Suspended > 10		Non-SWD Suspended		LEA Data (Rate Ratio)	Compliant?
						Days	> 10 Days	> 10 Days	> 10 Days		
	2019-2020	40.00%	0.00%	79	43	-	-	-	-	-	Yes

Note:

Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices

Indicator 4B	School Year	State Target	State Data	Race	SWD Enrolled	SWD Suspended > 10		LEA Data (Rate Ratio)	Compliant?
						Days	Met Target?		
	2019-2020	0.00%	0.00%	Hispanic/Latino	-	-	Yes	-	Yes
	2019-2020	0.00%	0.00%	Native American	-	-	Yes	-	Yes
	2019-2020	0.00%	0.00%	African American	30	-	Yes	-	Yes
	2019-2020	0.00%	0.00%	White	40	-	Yes	-	Yes
	2019-2020	0.00%	0.00%	Asian American	-	-	Yes	-	Yes
	2019-2020	0.00%	0.00%	Hawaiian/Pacific Islander	-	-	Yes	-	Yes
	2019-2020	0.00%	0.00%	Multi-Racial	-	-	Yes	-	Yes

Note:

Percent of Children With IEPs Aged 5 Who Are Enrolled in Kindergarten and Aged 6 to 21 Served Inside the Regular Class 80% or More of the Day

Indicator 5A	School Year	State Target	State Data	Number of SWD	Number of SWD In LRE A	LEA Data % in LRE A	Met Target?
	2020-2021	64.54%	64.54%	74	51	68.92%	Yes

Note: School year 2020-2021 was used to set new baselines.

Percent of Children With IEPs Aged 5 Who Are Enrolled in Kindergarten and Aged 6 to 21 Served Inside the Regular Class Less Than 40% of the Day

Indicator 5B	School Year	State Target	State Data	Number of SWD	Number of SWD In LRE B	LRE Data % in LRE B	Met Target?
	2020-2021	15.09%	15.09%	74	-	-	Yes

Note:

Percent of Children With IEPs Aged 5 Who Are Enrolled in Kindergarten and Aged 6 to 21 Served In Separate Schools, Residential Facilities, and in Homebound/Hospital Placements

Indicator 5C	School Year	State Target	State Data	Number of SWD	Number of SWD In LRE C	LRE Data % in LRE C	Met Target?
	2020-2021	4.93%	4.93%	74	-	-	Yes

Note:

Preschool Environments: Percent of Children Aged 3 to 5 Attending a Regular Early Childhood Program and Receiving the Majority of Special Education and Related Services in the Regular Early Childhood Program

Indicator 6A	School Year	State Target	State Data	Age	Total Number of SWD	Total in 6A	Percent Receiving	Met Target
	2020-2021	>=26.86%	26.86%	3	NA	NA	NA	NA
		>=28.52%	28.52%	4	NA	NA	NA	NA
		>=35.54%	35.54%	5	NA	NA	NA	NA

Note:

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Preschool Environments: Percent of Children Aged 3 to 5 Attending a Separate Special Education Class, Separate School, or Residential Facility

<u>Indicator 6B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Age</u>	<u>Total Number of SWD</u>	<u>Total in 6B</u>	<u>Percent Receiving</u>	<u>Met Target</u>
	2020-2021	<=55.32%	55.32%	3	NA	NA	NA	NA
		<=50.72%	50.72%	4	NA	NA	NA	NA
		<=41.81%	41.81%	5	NA	NA	NA	NA

Note:

Preschool Environments: Percent of Children Aged 3 to 5 Receiving Special Education and Related Services in Home

<u>Indicator 6C</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Age</u>	<u>Total Number of SWD</u>	<u>Total in 6C</u>	<u>Percent Receiving</u>	<u>Met Target</u>
	2020-2021	<=1.8%	1.06%	3	NA	NA	NA	NA
		<=0.8%	0.29%	4	NA	NA	NA	NA
		<=0.6%	0.35%	5	NA	NA	NA	NA

Note:

Preschool Outcomes: Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Positive Social/Emotional Skills

<u>Indicator 7A</u>	<u>School Year</u>	<u>7A1: Positive Social/Emotional Skills : Percent Increased Rate of Growth</u>			<u>7A2: Positive Social/Emotional Skills : Percent Within Age Expectation State</u>			<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>
		<u>State Target</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>	<u>Target</u>	<u>State Data</u>			
	2020-2021	86.00%	84.61%	NA	NA	47.53%	47.03%	NA	NA	

Note:

Preschool Outcomes: Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Acquisition and Use of Knowledge and Skills

<u>Indicator 7B</u>	<u>School Year</u>	<u>7B1: Acquisition and Use of Knowledge and Skills: Percent Increased Rate of Growth</u>			<u>7B2: Acquisition and Use of Knowledge and Skills: Percent Within Age Expectation State</u>			<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>
		<u>State Target</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>	<u>Target</u>	<u>State Data</u>			
	2020-2021	87.04%	85.24%	NA	NA	46.12%	43.86%	NA	NA	

Note:

Preschool Outcomes: Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Use of Appropriate Behaviors

<u>Indicator 7C</u>	<u>School Year</u>	<u>7C1: Use of Appropriate Behaviors: Percent Increased Rate of Growth</u>			<u>7C2: Use of Appropriate Behaviors: Percent Within Age Expectation</u>			<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>
		<u>State Target</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>	<u>State Target</u>	<u>State Data</u>			
	2020-2021	88.31%	85.54%	NA	NA	59.35%	56.57%	NA	NA	

Note:

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Percent of Parents with a Child Receiving Special Education Services Who Report That School Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities

<u>Indicator 8</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of Respondents</u>	<u>Number Agree</u>	<u>Number Disagree</u>	<u>LEA Data % Agree</u>	<u>Met Target?</u>
	2020-2021	90.00%	94.07%	-	-	-	-	Yes

Note:

Disproportionate Representation of Racial and Ethnic Groups in Special Education and Related Services That is a Result of Inappropriate Identification

<u>Indicator 9</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>LEA Data Compliant</u>	<u>Met Target?</u>
	2020-2021	0.00%	0.00%	Yes	Yes

Note: State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.

Disproportionate Representation of Racial and Ethnic Groups in Specific Disability Categories That is a Result of Inappropriate Identification

<u>Indicator 10</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>LEA Data Compliant</u>	<u>Met Target?</u>
	2020-2021	0.00%	2.56%	Yes	Yes

Note: State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.

Evaluations Conducted Within 45 School Days or 90 Calendar Days, Whichever is Less, of Receiving Parent Consent for Initial Evaluation

<u>Indicator 11</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of Initial Evaluations</u>	<u>Number Within Timelines</u>	<u>Number Not Within Timelines</u>	<u>% LEA Data Within Timelines</u>	<u>Met Target?</u>
	2020-2021	100.00%	98.26%	-	-	-	-	Yes

Note:

Early Childhood Transitions: 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 Birthday

<u>Indicator 12</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number of Children Found Eligible/IEP Implemented by Age 3</u>	<u>Number of Students Referred Minus Not Eligible and/or Parent Refusals</u>	<u>LEA Data % Who Received Services by Age 3</u>	<u>Met Target?</u>
	2020-2021	100.00%	95.75%	NA	NA	NA	NA

Note:

Positive Outcomes Charter School

Percent of Youth Age 14 or in the 8th grade with an IEP That Includes Coordinated, Measurable, Annual IEP Goals and Transition Services That Will Reasonably Enable the Student to Meet the Post-Secondary Goals

<u>Indicator 13</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of IEPs</u>		<u>LEA Data % Meeting</u>		<u>Met Target?</u>
				<u>Reviewed</u>	<u>Number of IEPs Meeting Standard</u>	<u>Standard</u>		
	2020-2021	100.00%	98.85%	71	71	100.00%		Yes

Note:

Post-School Outcomes-Percent of Youth Who Are No Longer In Secondary School, Had IEPs in Effect at the Time They Left School, and Were: Group A. Enrolled in Higher Education Within One Year of Leaving High School, Group B. Enrolled in Higher Education or Competitively Employed Within One Year of Leaving High School, or Group C. Enrolled in Higher Education or in Some Other Post-Secondary Education or Training Program; or Competitively Employed or in Some Other Employment Within One Year of Leaving

<u>Indicator 14</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of</u>		<u>Group A Respondents</u>	<u>LEA Data % Group A</u>	<u>Met Target?</u>
				<u>Exiters</u>	<u>Respondents</u>			
	2019-2020	44.14%	44.14%	15	-	-	-	No
		<u>State Target</u>	<u>State Data</u>			<u>Group B Respondents</u>	<u>LEA Data % Group B</u>	<u>Met Target?</u>
		64.82%	64.82%			-	-	No
		<u>State Target</u>	<u>State Data</u>			<u>Group C Respondents</u>	<u>LEA Data % Group C</u>	<u>Met Target?</u>
		87.69%	87.69%			-	-	No

Note:



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

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.	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
3B (20 U.S.C. 1416 (a)(3)(A))	Participation and performance of children with IEPs on Statewide assessments: <ul style="list-style-type: none">Proficiency rate for children with IEPs against grade level academic achievement standards.	Number of children with IEPs scoring at or above proficient against grade level academic achievement standards Divided by 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. <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>	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
3C (20 U.S.C. 1416 (a)(3)(A))	Participation and performance of children with IEPs on Statewide assessments: <ul style="list-style-type: none">Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.	Number of children with IEPs scoring at or above proficient against alternate academic achievement standards Divided by 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. <i>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.</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 <i>Note: New Indicator 3C for SY 2020-2021 = FFY 2020. For FFY 2020, "Met Target" is NA for all LEAs.</i>

Indicator	Description	Business Rule	Note/s
<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 Subtracted from 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><i>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.</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>* = Percent of students with disabilities meeting proficiency was greater than the percent of ALL meeting proficiency resulting in a negative proficiency gap.</p> <p><i>Note: New Indicator 3D for SY 2020-2021 = FFY 2020. For FFY 2020, "Met Target" is NA for all LEAs.</i></p>
<p>4A (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: 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: 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 <u>and</u> the state bar (rate ratio). <p><i>Note: For FFY 2020: Cell Size = 15/Rate Ratio = 2.0 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</i></p>	

Indicator	Description	Business Rule	Note/s
<p>4B (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: 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: 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><i>Note: For FFY 2020: Cell Size = 10/Rate Ratio =2.0 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</i></p>	
<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>	

Indicator	Description	Business Rule	Note/s
<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 <u>total</u> # 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 <u>total</u> # 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 <u>total</u> # 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>
<p>8 (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>

Indicator	Description	Business Rule	Note/s
<p>9 (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 <p>LEA did meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services.</p>	<p>State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.</p>

Indicator	Description	Business Rule	Note/s
<p>10 (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 (20 U.S.C. 1416(a)(3)(B)) (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 (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 (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>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 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 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 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>