



What is “Annual Determination?”

June 2021

What is “Annual Determination”?

The Federal Office of Special Education Programs (OSEP) requires states to provide their Local Education Agencies (LEAs) with an annual report of their performance relating to the State’s Individuals with Disabilities Education Act (IDEA) Annual Performance Plan/Annual Performance Report (SPP/APR).

This report is known as the LEA’s Annual Determination.

Changes to Annual Determination

- OSEP has revised how it is holding States accountable for educating children with disabilities.
- In the past, OSEP has held States accountable for compliance-related requirements of IDEA only.
- OSEP has expanded its focus to include both compliance-related requirements of IDEA and improved outcomes for children with disabilities.
- This change is known as **Results Driven Accountability**.

Overview of Annual Determination

The following presentation explains:

- How to read an LEA's Annual Determination
- The components included in an LEA's Annual Determination
- How the rating of an LEA is determined

How to Read the Determination Table

Data From:	SPP Target	State Data	LEA Data	LEA Score	Possible Points
Indicated school year or point in time	The target as indicated in the State Performance Plan/Annual Performance Report	The State's actual data for the indicator	The LEA's actual data for the indicator	1 = met the target 0 = did not meet the target	Maximum points to be earned

How to Read the Determination Table

Data From:					
Indicates school year or point in time	<ul style="list-style-type: none">• The school year or point in time from which the data is gathered varies from indicator to indicator.• You will see that some indicators use data from the 2018 – 2019 school year while others use data from the 2019 – 2020 school year.• The year or point in time is determined by the State Performance Plan/Annual Performance Report.				

How to Read the Determination Table

SPP Target

The target as indicated in the State Performance Plan/Annual Performance Report

- Delaware's State Performance Plan/Annual Performance Report indicates the targets for each indicator.
- Targets are set by one of the three following entities:
 - OSEP
 - ESEA Flexibility Waiver
 - The Department in collaboration with stakeholder groups

How to Read the Determination Table

State Data				
The State's actual data for this indicator	<ul style="list-style-type: none">• This data:<ul style="list-style-type: none">– Represents Delaware's overall performance for the specific indicator.– Is based on the combined data from all LEAs.			

How to Read the Determination Table

LEA Data				
The LEA's actual data for this indicator				

- This data:
 - Represents the performance of the individual LEA for the specific indicator.
 - The data may be presented as a percentage or as “Met Target”/”Did Not Meet Target.”

How to Read the Determination Table

LEA Score				
1 = the LEA met the target 0 = the LEA did not meet the target				

- The LEA received a score of:
 - 1 if they met the target
 - 0 if they did not meet the target

How to Read the Determination Table

Possible Points				
Maximum points to be earned				

The maximum points an LEA can earn for each indicator is 1 point.

Results Indicators

Results Areas Rated

Indicator 1:

Graduation Rate

Description:

Percent of youth with IEPs graduating from high school with a regular diploma.

Results Areas Rated

Indicator 2:

Drop Out Rate

Description:

Percent of youth with IEPs dropping out of high school.

Results Areas Rated

Indicator 3B:

Participation Rate of Students with Disabilities on the State-Wide Assessment

Description:

Percent of students with disabilities who participated in the state-wide assessment for Math and Reading in the following grades: 3, 4, 5, 6, 7, 8, 11.

** In March 2020, USED granted DDOE a waiver from annual assessment and accountability requirements for school year 2019–2020 under the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), due to the unprecedented impact of COVID-19.*

Results Areas Rated

Indicator 3C:

Proficiency Rate of Students with Disabilities on the State-Wide Assessment

Description:

Percent of students with disabilities who meet proficiency on the state-wide assessment for Math and Reading in the following grades: 3, 4, 5, 6, 7, 8, 11.

**In March 2020, USED granted DDOE a waiver from annual assessment and accountability requirements for school year 2019–2020 under the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA), due to the unprecedented impact of COVID-19.*

Results Areas Rated

Indicator 4A:

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

Description:

Significant discrepancy in the rate of suspensions and expulsions of more than 10 days in the school year for students with IEPs.

Results Areas Rated

Indicator 5:

Education Environments

Description:

Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/ hospital placements.

Results Areas Rated

Indicator 7A/7B/7C:

Early Childhood Outcomes for Students with Disabilities

Description:

- **Rate of Growth:** Percent of children with IEPs, ages 3 – 5 who entered or exited a preschool program below age expectations but who showed growth by the time they turn 6.
- **Age Expectations:** Percent of children with IEPs, ages 3 – 5, who were within age expectations by the time they turned 6.

Compliance Indicators

Compliance Areas Rated

Indicator 4B:

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

Description:

Significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of more than 10 days in the school year and policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements.

Compliance Areas Rated

Indicator 9:

Disproportionate Representation/ All Disabilities

Description:

Disproportionate Representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Compliance Areas Rated

Indicator 10:

Disproportionate Representation/Specific Disabilities

Description:

Disproportionate Representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Compliance Areas Rated

Indicator 11:

Initial Evaluations Conducted within Timeline

Description:

Percent of initial evaluations for special education and/or related services that are completed within the state timeline.

Compliance Areas Rated

Indicator 12:

Early Childhood Transition from Part C to Part B

Description:

Percent of children referred by birth-3 program for special education services who have a pre-school IEP in place by their 3rd birthday.

Compliance Areas Rated

Indicator 13:

Secondary Transition

Description:

Percent of IEPs where transition components in the IEP were compliant for special education students 14 years old and older.

Annual Determination Calculation

Annual Determination Reports

<https://www.doe.k12.de.us/annualdeterminations>

Instruction and Assessment / Exceptional Children / Special Education

SPECIAL EDUCATION

- Special Education
- Student Supports
- IEP Guidance
- Transition Planning
- Rights and Disputes
- Technical Assistance and Resources
- Accountability and Funding
- Policies and Procedures
- DeSSA-Alt Assessment
- Contact

District and Charter Performance

June 2021 (Based on data from the 2018-2019 and 2019-2020 school years)

[FFY 2019 IDEA Part B State Performance Plan/Annual Performance Report](#)

District and Charter Reports

Includes measures used for determining District/Charter progress in meeting targets outlined in the State Performance Plan.

- [FFY 2019 IDEA LEA Annual Determination Business Rules](#)
- [PowerPoint: Understanding FFY 2019 LEA Annual Determination](#)
- [Academia Antonia Alonso Charter School](#)
- [Academy of Dover Charter School](#)
- [Appoquinimink School District](#)
- [Brandywine School District](#)
- [Caesar Rodney School District](#)
- [Campus Community Charter School](#)
- [Cape Henlopen School District](#)
- [Capital School District](#)
- [Charter School of New Castle](#)
- [Charter School of Wilmington](#)

Delaware
FFY 2019
State
Performance
Plan

FFY 2019
Annual
Determination
for Individual
Districts and
Charters

Annual Determination Indicators

For FFY 2019, LEAs are receiving their annual determination based on a combination of the following compliance and results indicators:

- **Results:**

- Indicator 1 Graduate Rate
- Indicator 2 Drop-Out Rate
- Indicator 3B Participation Rate in the State Assessment
- Indicator 3C Proficiency Rate on the State Assessment
- 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 Behavior

- **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

Annual Determination Calculation

Spring, 2021 LEA IDEA Annual Determination for FFY 2019

Sample LEA

Results Indicators	Data From: (Time Period)	SPP Target 2019	State Data	LEA Data	LEA Score	Possible Points
Indicator 1: Graduation Rate	2018-2019	68.50%	73.34%	73.63%	1	1
Indicator 2: Drop Out Rate	2018-2019	3.70%	2.07%	-	1	1
Indicator 3B: Participation Rate-ELA						
Grade 3		95.00%	NA	NA	NA	NA
Grade 4		95.00%	NA	NA	NA	NA

Determination Summary	
Results	Indicator Score: Total # of points LEA earned
	Out of a Possible: Total # of possible points

Annual Determination Calculation

Spring, 2021 LEA IDEA Annual Determination for FFY 2019

Sample LEA

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.	2018-2019	Rate Ratio 2.0 Cell Size 10	0.00%	Compliant	1	1
Indicator 9: Disproportionate Representation All Disabilities	2019-2020	0.00%	0.00%	Compliant	1	1
Indicator 10: Disproportionate Representation Specific Disabilities	2019-2020	0.00%	2.63%	Compliant	1	1
Indicator 11: Initial Evaluations Conducted Within Timeline	2019-2020	100.00%	98.47%	98.09%	0	1

Determination Summary	
Compliance	Indicator Score: Total # of points LEA earned
Possible Points:	Total # of possible points

Annual Determination Calculation

Compliance Indicator Score

+

Results Indicator Score

=

Total Score

Annual Determination Rating

Annual Determination: Meets Requirements

Meets Requirements	=	$\geq 80\%$ (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.
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Determination Summary		Annual Determination:	
Compliance Indicators Score	5	Meets Requirements	
Possible Points:	5		
Results Indicators Score	28	Intervention Plan /Compliance Agreement:	No
Possible Points:	33		
Score Total	33		
Out of a Possible:	38		
Percentage:	86.84%		

Annual Determination

Needs Assistance

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)
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Determination Summary		Annual Determination:	
Compliance Indicators Score	5	Needs Assistance	
Possible Points:	6		
Results Indicators Score	26	Intervention Plan /Compliance Agreement:	No
Possible Points:	40		
Score Total	31		
Out of a Possible:	46		
Percentage:	67.39%		

Annual Determination

Needs Intervention

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)
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Determination Summary		Annual Determination:	
Compliance Indicators Score	4	Needs Intervention	
Possible Points:	6		
Results Indicators Score	19	Intervention Plan /Compliance Agreement:	Yes
Possible Points:	40		
Score Total	23		
Out of a Possible:	46		
Percentage:	50.00%		

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