California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

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# **MEMORANDUM**

DATE: December 1, 2019

TO: MEMBERS, State Board of Education

FROM: TONY THURMOND, State Superintendent of Public Instruction

SUBJECT: State Performance Plan and Annual Performance Report for Part B of the Individuals with Disabilities Education Act of 2004.

## Summary of Key Issues

The Individuals with Disabilities Education Act of 2004, Part B, requires the California Department of Education (CDE), Special Education Division (SED), to develop and implement the State Performance Plan (SPP), a six-year statewide improvement plan for students with disabilities covering federal fiscal year (FFY) 2013 through FFY 2018, using the instructions and indicators determined by the U.S. Department of Education, Office of Special Education Programs (OSEP). The indicators include 5 compliance indicators, 11 performance indicators, and 1 indicator with both compliance and performance components. Every state is required to submit a new SPP to OSEP at least every six years. The SPP includes the state’s targets for each indicator over the six-year cycle (e.g. performance indicator targets may increase each year to encourage progress, while compliance indicators may not). These indicator targets are developed by the CDE with input from stakeholders. The SPP, including six years of targets for each indicator, is presented to the State Board of Education (SBE) every six years for approval.

Each year, states must report on progress toward meeting the indicator targets outlined in the SPP in an annual performance report (APR). The APR is developed pursuant to instructions from the OSEP detailing how states must measure, calculate, and report on each of the 17 SPP indicators. The APR outlines the collective progress of local educational agencies (LEAs) in the state toward meeting yearly targets identified in the SPP for 16 of the indicators, and summarizes the statewide selection for monitoring activities associated with each of the indicators in the SPP. The APR is presented to the SBE for review and approval annually at the January SBE meeting.

Indicator 17 of the SPP/APR requires states to develop a State Systemic Improvement Plan (SSIP), which is a targeted plan to improve outcomes for students with disabilities. Although Indicator 17 is a component of the SPP/APR, it is presented to the SBE for approval separately from the rest of the APR each year. The OSEP has different submission dates for the APR and SSIP (Indicator 17) resulting in different development and approval timelines. The SSIP is presented to the SBE for review and approval annually at the March SBE meeting. As such, the SSIP Phase III, Year 4 report will be presented to the SBE for approval during the March 2020 meeting.

As previously mentioned, the current SBE approved SPP spans FFY 2013 through FFY 2018. As such, this year (FFY 2018) would typically mark the end of a six-year cycle, with FFY 2019 beginning a new six-year SPP cycle. However, the OSEP has recently directed states to submit the targets for FFY 2019 as an extension of the current cycle, thereby extending the current SPP indicator targets an additional year. As a result, the SED will present the FFY 2018 APR, as well as the one-year extension of indicator targets covering FFY 2019, to the SBE for approval during the January 2020 SBE meeting. Once approved by the SBE, the FFY 2018 APR and the extended targets for FFY 2019 will be submitted to the OSEP on February 1, 2020.

The OSEP has not yet published rules or guidance about the mandated content or any changes that may be required by states to develop the new six-year SPP cycle (FFY 2020 through FFY 2025). Despite the lack of guidance to date, and in an effort to proactively plan for the development of the next SPP, the CDE has begun the process of engaging stakeholders to review and provide input on indicator targets for the next SPP cycle. Beginning in August of 2019, the SED convened a group of stakeholders that included LEA Administrators, Special Education Local Plan Areas, superintendents, parents, parent advisory group representatives, professional organizations, and special education advocates. To date, the SED has facilitated five stakeholder groups meetings to solicit input on setting new targets for each indicator for the FFY 2020–2025 SPP cycle. During the stakeholder meetings, participants reviewed the calculation methodology for each indicator, indicator targets and results of past years, and data comparing California’s indicator targets and results with other states. The SED will present preliminary SPP indicator targets (based on the input collected from the stakeholder group meetings thus far) to the Advisory Commission on Special Education (ACSE) at the February 2020 ACSE meeting to provide an opportunity for additional stakeholder input. Subsequently, the SED will present new proposed indicator targets for the FFY 2020 through FFY 2025 SPP to the SBE for approval at the May 2020 SBE meeting, pending anticipated guidance from OSEP.

SPP indicators consist of 5 compliance indicators, 11 performance indicators, and 1 indicator with both compliance and performance components. The following chart provides an overview of all SPP indicators.

| **Indicator Type** | **No.** | **Description** |
| --- | --- | --- |
| Performance | 1 | Graduation Rates |
| Performance | 2 | Dropout Rates |
| Performance | 3 | Statewide Assessments |
| Performance | 3A | LEAs Meeting Accountability for Students with Disabilities |
| Performance | 3B | Participation for Students with Disabilities |
| Performance | 3C | Proficiency for Students with Disabilities |
| Combined | 4 | Suspension and Expulsion |
| Performance | 4A | Rates of Suspension and Expulsion |
| Compliance | 4B | Rates of Suspension and Expulsion by Race or Ethnicity |
| Performance | 5 | Education Environments |
| Performance | 5A | Education Environments (In Regular Class ≥ 80% of day) |
| Performance | 5B | Education Environments (In Regular Class < 40% of day) |
| Performance | 5C | Education Environments (Served in separate school or other placement) |
| Performance | 6 | Preschool Environments |
| Performance | 6A | Preschool Environments: Services in the regular childhood program |
| Performance | 6B | Preschool Environments: Separate special education class, school, or facility |
| Performance | 7 | Preschool Outcomes |
| Performance | 7A | Preschool Outcomes: Positive social-emotional skills |
| Performance | 7B | Preschool Outcomes: Acquisition/use of knowledge and skills |
| Performance | 7C | Preschool Outcomes: Use of Appropriate Behaviors |
| Performance | 8 | Parent Involvement |
| Compliance | 9 | Disproportionate Representation |
| Compliance | 10 | Disproportionate Representation in Specific Disability Categories |
| Compliance | 11 | Child Find |
| Compliance | 12 | Early Childhood Transition |
| Compliance | 13 | Secondary Transition |
| Performance | 14 | Post-school Outcomes |
| Performance | 14A | Enrolled in higher education within one year of leaving high  school |
| Performance | 14B | Enrolled in higher education or competitively employed within one year of leaving high school |
| Performance | 14C | 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 |
| Performance | 15 | Resolution Sessions |
| Performance | 16 | Mediation |
| Performance | 17 | State Systemic Improvement Plan |

Additional information about each indicator can be found in the Part B SPP/APR Measurement table available on the U.S Department of Education’s website at <https://osep.grads360.org/#program/spp-apr-resources>.

For a review of the FFY 2017 APR approved by the SBE, please visit the CDE SBE webpage at <https://www.cde.ca.gov/be/ag/ag/yr18/agenda201801.asp>.

## Attachment(s)

None.