



Memo

To: Special Education Directors

From: Gloria Durosko, Data and General Supervision Liaison, General Supervision & Monitoring Team

Date: August 9, 2021

Re: Indicator 13: Transition IEP Record Reviews, Data Collection Process, and Levels of CDE Support – Overview SY2021-2022

The Colorado Department of Education (CDE) recognizes that educators, students, and families continue to face unprecedented circumstances and challenges related to the COVID-19 pandemic. At this time, however, the U.S. Department of Education has not granted waivers related to monitoring of the compliance of IEPs, and we must therefore proceed with the annual IEP review process for SY2021-22. Historically, AUs reviewed IEPs that amount to 3% of the December count IEP enrollment with a minimum cap of 10 and the maximum cap of 50. In SY2020-21, the maximum cap was reduced to 30 to reduce the burden on AUs during this time. CDE will use this reduced sampling amount once again for the upcoming school year's reviews.

Overview

- Student sample pulled from the 2020 December Count
- Sample divided by age groups: 3-5, 6-14, 15-21
- AUs receive double the number of required names for reviews. The extra records account for students who may have moved, provide flexibility in choosing which IEPs to review, and support the ability to review a representative sample from different schools, teachers, grade levels, etc.
- A document outlining the record review process and identifying how many IEPs you are to review for each age category can be found in the Attachment section of the Compliance tab in the Data Management System (DMS).
- AUs will review a minimum of 5 and maximum of 10 active Transition IEPs.
- All reviews are to be completed by **June 1, 2022**.
- The State Performance Plan (SPP) Indicator 13 measures the percent of children aged 15 and above with an IEP that includes all eight required elements of this Indicator.
- The target for this Indicator is 100%.
- Indicator 13 is an “all or nothing” indicator, meaning that a Transition IEP is considered compliant only if ALL required components are evident in the document.
 1. % Compliant = (Number of youth age 15 and above with IEPs that contain each of the required components for secondary transition/required number of reviews) * 100.

- When an AU fails to meet 100% compliance with this indicator, the state must ensure the noncompliance is corrected in accordance with OSEP memo 09-02, which specifies that the CDE must:
 1. Ensure that each child’s IEP is corrected and identify the root cause of the noncompliance (“Individual Correction”); and
 2. Review updated data to determine if the AU is correctly implementing the specific regulatory requirements related to Indicator 13 (“Review of Updated Data”).

The process of demonstrating correction of noncompliance is explained in the Targeted Support section under Levels of Support.

Location of Information in the DMS

- Student samples are in age range columns on the Compliance tab of the DMS.

The screenshot shows the DMS interface with the 'Compliance' tab selected. At the top, there are navigation tabs: Profile, Dispute Resolution, Compliance (highlighted), Fiscal, Family-School, Performance, and Summary. Below these are 'Print' and 'Help' icons, and a 'Communication Log' button. The main content area is divided into three columns:

<u>Standard Record Review</u>	<u>Transition Record Review</u>	<u>Early Childhood Review</u>
<u>age 5 through 14</u>	<u>15 years and older</u>	<u>age 3 through 4</u>
<u>8/1/2021</u>	<u>8/1/2021</u>	<u>8/1/2021</u>

- A Transition Tracker and List is in the Attachments List of the Compliance tab
- The Transition Tracker is prepopulated with: Number of Transition IEPs available for review, Number of Transition IEP reviews required, DMS Record Number, SASID, First Name, Last Name, and DOB.

The screenshot shows the 'Attachments List - Full Details' section of the DMS. At the top, there are navigation tabs: Profile, Dispute Resolution, Compliance (highlighted), and Fiscal. Below the tabs is a '+ Upload Attachment' button. A table lists the attachments:

File
<input type="checkbox"/> EC students 21-22
<input type="checkbox"/> Standard students 21-22
<input type="checkbox"/> 2021-22 Transition Tracker and List

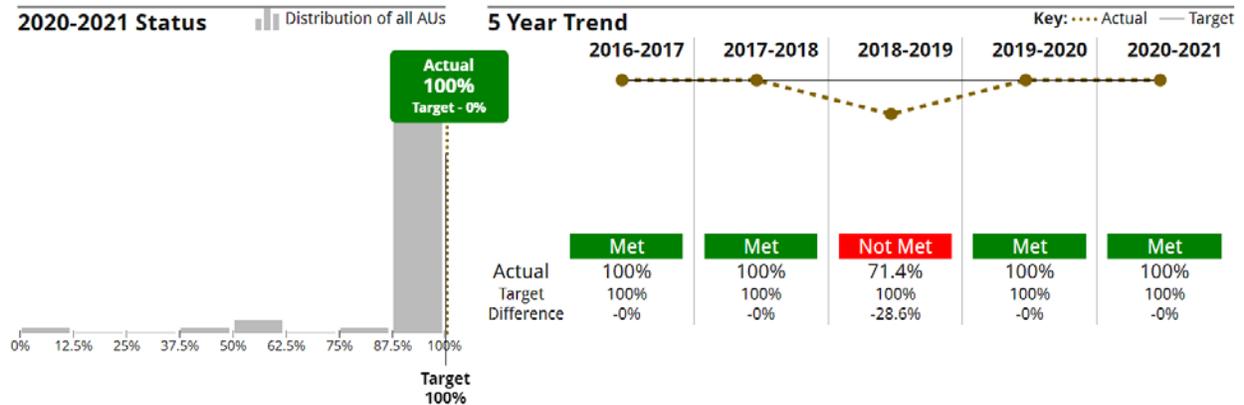
A large blue arrow points to the '2021-22 Transition Tracker and List' entry.

Levels of Support for Transition IEP Reviews

If one or more transition IEPs were noncompliant at the closing of that year’s indicator 13 data collection, the AU will receive targeted support in the following year. If one or more transition IEPs were noncompliant for the second consecutive year, the AU will receive intensive support from CDE in the following year and may receive a finding for noncompliance.



AUs can find their trend data used to determine level of support in the DMS on the Summary Tab. Secondary transition compliance rate



Universal Support

- Written communication, “Indicator 13 Overview”
- Training PowerPoint and recorded webinar from September 9, 2021
- A checklist of steps to follow in completing the review and certification of data submission process can be found on the Secondary Transition website.

Targeted Support - Includes all element of Universal Support plus Demonstration of Correction:

To demonstrate correction, the CDE must ensure that the AU has corrected all individual cases of noncompliance related to Indicator 13, unless the child is no longer within the jurisdiction of the AU. The CDE must also review updated data to determine if the AU is correctly implementing the specific regulatory requirements related to Indicator 13.

Step 1: AUs must correct the noncompliant section(s) of the individual student IEP by November 1, 2022 and advise the CDE of this correction. AUs will receive a letter with details about this process in August 2022.

Step 2: AUs will be contacted by a member of the General Supervision and Monitoring team to set up collaborative record review meetings, either in person or virtually, to be completed by February 2023. At the end of this meeting, the Director will have access to a list of any individual corrections that need to be made on the Compliance tab of the DMS. AUs will have 45 days following the record reviews to complete the corrections, upload them to the DMS and notify CDE of the completed corrections. The CDE team will review the corrections for compliance and advise the Director of the status of the corrections.

Intensive Support – Includes all elements of Universal and Targeted Support plus:

CDE will provide required individualized professional development in the area(s) of Secondary Transition IEP development based on the AU's need. CDE will follow-up 3-4 months after the side-by-side reviews with a second check of IEPs written after the professional development.

Reporting

Compliance results are published on the Summary Tab in the DMS. AUs will also receive a letter from the CDE indicating their SY2021-2022 Indicator 13 compliance percentage. This data will be used in calculating Spring 2023 AU Compliance Matrix and Determinations, and for the February 2023 State Performance Plan/Annual Performance Report (SPP/APR).

Given the current COVID-19 pandemic, CDE will work with AUs to address challenges in meeting the Indicator 13 reporting deadline related to school closures, staff availability, or other related issues.

Thank you for your continued commitment to improving in-school and post-school outcomes for students with disabilities in Colorado. If you have additional questions, please feel free to contact me.

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