

# **STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B**

**for STATE FORMULA GRANT PROGRAMS under the Individuals with Disabilities Education Act**

**For reporting on  
FFY 2019**

**Nebraska**



**PART B DUE  
February 1, 2021**

**U.S. DEPARTMENT OF EDUCATION  
WASHINGTON, DC 20202**

## Introduction

### Instructions

Provide sufficient detail to ensure that the Secretary and the public are informed of and understand the State's systems designed to drive improved results for students with disabilities and to ensure that the State Educational Agency (SEA) and Local Educational Agencies (LEAs) meet the requirements of IDEA Part B. This introduction must include descriptions of the State's General Supervision System, Technical Assistance System, Professional Development System, Stakeholder Involvement, and Reporting to the Public.

### Intro - Indicator Data

#### Executive Summary

#### Additional information related to data collection and reporting

#### Number of Districts in your State/Territory during reporting year

244

#### General Supervision System

**The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.**

See Attachment

#### Technical Assistance System

**The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.**

Technical Assistance: The NDE Office of Special Education has several mechanisms in place to ensure the timely delivery of evidence-based technical assistance and support to local education agencies. Nebraska's statewide system of technical assistance is based on regional support networks with multiple collaborating partners engaged in this process.

Through regional and statewide assignments, the NDE special education staff provides ongoing technical assistance to support school districts in addressing their unique needs and challenges. The NDE Office of Special Education created the Improving Lives of Children with Disabilities (ILCD) process based upon the State Performance Plan (SPP) Part B indicators and the Results Driven Accountability (RDA) initiatives in place for the state. The ILCD process is designed to enhance program improvement that will result in improved outcomes for children with disabilities. With stakeholder input, NDE organized the SPP indicators into three Impact Areas:

- Improving developmental outcomes and academic achievement (school readiness) for children with disabilities;
- Improving communication and relationships among families, schools, communities and agencies; and
- Improving transitions for children with disabilities from early intervention to adult living.

This comprehensive "big picture" approach provides a broader view for improving achievement outcomes within a continuous improvement framework. Technical assistance for the ILCD process is also delivered through regional ILCD facilitators located in each ESU across the state.

Regional Planning Region Teams (PRTs), functioning as Local Interagency Coordinating Councils, receive annual NDE grants to support Early Intervention/Early Childhood Special Education (EI/ECSE) practitioners in implementing evidence-based practices for children birth to age five and their families. Since 1979, NDE's Early Childhood Training Center (ECTC) has been the hub of technical assistance and professional development statewide for teachers and providers in early care and education settings. The ECTC infrastructure has been expanded to include a statewide network of regional Early Learning Coordinators and Coach Consultants located at ESUs.

The University of Nebraska System is a major component of the statewide infrastructure with specialized expertise leveraged in the delivery of technical assistance to local school districts. Disability specific regional networks of technical assistance include cadres within the ESU structure that support a full-range of technical assistance and professional development in evidence-based practices related to various disabilities.

Through the framework of the Nebraska Council of Teacher Education, stakeholders representing LEAs, ESUs and institutions of higher education (IHEs) assist NDE in the revision of general and special education endorsements to ensure that IHEs meet the highest professional standards in their degree programs and produce highly qualified staff to support children with disabilities.

#### Professional Development System

**The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities.**

Professional Development: NDE provides an array of professional development opportunities through cross-team efforts within the Department to ensure that education providers have the skills to effectively provide services that improve results for children with disabilities. NDE's Early Childhood Training Center (ECTC) has been the hub of technical assistance and professional development statewide for teachers and providers in early care and education settings. The NDE Office of Special Education also works in partnership with LEAs, ESUs, and IHEs to provide a coherent, comprehensive and aligned network of professional development. In the last two years, the NDE, Office of Special Education has also developed professional development through the Nebraska MTSS network.

These statewide networks work in collaboration with NDE to increase the capacity of regular and special education teachers, related services providers and administrators to implement evidence-based practices such as Multi-Tiered Systems of Support, including Response to Intervention (RtI), Positive Behavior Supports (PBIS) and Early Childhood Positive Behavior Supports (EC-PBIS Pyramid Model). The networks also focus on specific supports for students who experience autism spectrum disorder, traumatic brain injury, and sensory impairments.

Transitions from early intervention (Part C to Part B) and from school to career/college readiness are another priority area of support. NDE Office of Special Education consultants deliver and supervise the delivery of professional development for evidence-based practices.

Many of Nebraska's districts have small student populations located in rural, geographically isolated locations. In response, NDE provides support to multiple, small, rural districts to form consortiums and maximize the impact of their professional development efforts. The focus of grant funding is within the areas emphasized in the NDE Impact Areas as described previously in Quality Standards. Grants also are directed toward the preparation of qualified educators, administrators and related service providers, offering induction/mentoring support, and continuous development over individual careers. As grant managers, NDE staff is involved in approving grant applications, monitoring completion of grant activities, approving reimbursement claims, and offering technical assistance to enhance project outcomes.

#### **Stakeholder Involvement**

##### **The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.**

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

##### **Apply stakeholder involvement from introduction to all Part B results indicators (y/n)**

YES

#### **Reporting to the Public**

**How and where the State reported to the public on the FFY18 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2018 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2018 APR in 2020, is available.**

How and where the State reported to the public on the FFY18 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2017 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2017 APR in 2020, is available.

School district performance on each of the APR indicators is reported each spring on the Nebraska Education Profile on the Nebraska Department of Education website. The report can be found at, <http://nep.education.ne.gov>. The Nebraska Education Profile provides information and data about Nebraska public schools and student performance, including district performance on the APR indicators. A copy of the state's SPP/APR is located on the Nebraska Department of Education, Special Education office website at, <https://www.education.ne.gov/sped/public-reporting/>

Nebraska has always posted a link to the OSEP site, now located at <https://sites.ed.gov/idea/idea-files/2020-spp-apr-and-state-determination-letters-part-b-nebraska/> for the LEA and public to view state level data.

#### **Intro - Prior FFY Required Actions**

In the FFY 2019 SPP/APR, the State must report FFY 2019 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year Five; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2020); (3) a summary of the SSIP's coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short-term and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities is impacting the State's capacity to improve its SiMR data.

OSEP notes that one or more of the attachments included in the State's FFY 2018 SPP/APR submission are not in compliance with Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and will not be posted on the U.S. Department of Education's IDEA website. Therefore, the State must make the attachment(s) available to the public as soon as practicable, but no later than 120 days after the date of the determination letter.

#### **Response to actions required in FFY 2018 SPP/APR**

In the FFY 2018 SPP/APR, the State must report FFY 2018 data for the State-identified Measurable Result (SiMR). Additionally, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress in implementing the SSIP. Specifically, the State must provide: (1) a narrative or graphic representation of the principal activities implemented in Phase III, Year 4; (2) measures and outcomes that were implemented and achieved since the State's last SSIP submission (i.e., April 1, 2019); (3) a summary of the SSIP's coherent improvement strategies, including infrastructure improvement strategies and evidence-based practices that were implemented and progress toward short- and long-term outcomes that are intended to impact the SiMR; and (4) any supporting data that demonstrates that implementation of these activities are impacting the State's capacity to improve its SiMR data.

**Intro - OSEP Response**

Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State does not have any FFY 2019 data for indicator 17.

**Intro - Required Actions**

## Indicator 1: Graduation

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with Individualized Education Programs (IEPs) graduating from high school with a regular high school diploma. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

Same data as used for reporting to the Department of Education (Department) under Title I of the Elementary and Secondary Education Act (ESEA).

#### Measurement

States may report data for children with disabilities using either the four-year adjusted cohort graduation rate required under the ESEA or an extended-year adjusted cohort graduation rate under the ESEA, if the State has established one.

#### Instructions

Sampling is not allowed.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target. Provide the actual numbers used in the calculation.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.

Targets should be the same as the annual graduation rate targets for children with disabilities under Title I of the ESEA.

States must continue to report the four-year adjusted cohort graduation rate for all students and disaggregated by student subgroups including the children with disabilities subgroup, as required under section 1111(h)(1)(C)(iii)(II) of the ESEA, on State report cards under Title I of the ESEA even if they only report an extended-year adjusted cohort graduation rate for the purpose of SPP/APR reporting.

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2011	69.55%

FFY	2014	2015	2016	2017	2018
Target >=	90.00%	90.00%	90.00%	90.00%	90.00%
Data	72.07%	71.26%	70.46%	71.41%	69.30%

### Targets

FFY	2019
Target >=	90.00%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

### Prepopulated Data

Source	Date	Description	Data
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs graduating with a regular diploma	2,023
SY 2018-19 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec FS151; Data group 696)	07/27/2020	Number of youth with IEPs eligible to graduate	2,430
SY 2018-19 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec FS150; Data group 695)	07/27/2020	Regulatory four-year adjusted-cohort graduation rate table	83.25%

**FFY 2019 SPP/APR Data**

Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma	Number of youth with IEPs in the current year's adjusted cohort eligible to graduate	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
2,023	2,430	69.30%	90.00%	83.25%	Did Not Meet Target	No Slippage

**Graduation Conditions**

Choose the length of Adjusted Cohort Graduation Rate your state is using:

Extended ACGR

If extended, provide the number of years

2

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma. If there is a difference, explain.

Nebraska's definition of a graduate with a regular high school diploma, which applies for all students, is a student who completed an approved program of study and met district/system requirements for a high school diploma. The diploma requirements are fully aligned with the Nebraska's academic content standards. Nebraska does not have a recognized alternate diploma pathway for students with disabilities. The Four-Year-Cohort Graduation Rate is calculated by dividing the number of students in a cohort who graduate with a regular high school diploma in four years or less by the number of students in the Graduation Cohort. The rate includes students who graduate in the summer of the Expected Graduation Year. NDE lags the Four-Year-Cohort Graduation Rate by allowing districts to use the previous year's graduation data.

Are the conditions that youth with IEPs must meet to graduate with a regular high school diploma different from the conditions noted above? (yes/no)

NO

Provide additional information about this indicator (optional)

**1 - Prior FFY Required Actions**

None

**1 - OSEP Response**

**1 - Required Actions**

## Indicator 2: Drop Out

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))

#### Data Source

OPTION 1:

Same data as used for reporting to the Department under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in ED Facts file specification FS009.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

#### Measurement

OPTION 1:

States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

OPTION 2:

Use same data source and measurement that the State used to report in its FFY 2010 SPP/APR that was submitted on February 1, 2012.

#### Instructions

Sampling is not allowed.

OPTION 1:

Use 618 exiting data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019). Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) received a certificate; (c) reached maximum age; (d) dropped out; or (e) died.

Do not include in the denominator the number of youths with IEPs who exited special education due to: (a) transferring to regular education; or (b) who moved, but are known to be continuing in an educational program.

OPTION 2:

Use the annual event school dropout rate for students leaving a school in a single year determined in accordance with the National Center for Education Statistic's Common Core of Data.

If the State has made or proposes to make changes to the data source or measurement under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012, the State should include a justification as to why such changes are warranted.

Options 1 and 2:

Data for this indicator are "lag" data. Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), and compare the results to the target.

Provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain.

## 2 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2011	2.26%

FFY	2014	2015	2016	2017	2018
Target <=	1.95%	1.95%	1.93%	1.91%	1.89%
Data	1.43%	1.41%	1.53%	1.46%	1.46%

### Targets

FFY	2019
Target <=	1.89%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the

continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

**Please indicate the reporting option used on this indicator**

Option 2

**Prepopulated Data**

Source	Date	Description	Data
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	2,048
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (b)	167
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (c)	26
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (d)	357
SY 2018-19 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/27/2020	Number of youth with IEPs (ages 14-21) who exited special education as a result of death (e)	8

**Has your State made or proposes to make changes to the data source under Option 2, when compared to the information reported in its FFY 2010 SPP/APR submitted on February 1, 2012? (yes/no)**

NO

**Use a different calculation methodology (yes/no)**

NO

**Change numerator description in data table (yes/no)**

NO

**Change denominator description in data table (yes/no)**

NO

**FFY 2019 SPP/APR Data**

Number of youth with IEPs who exited special education due to dropping out	Total number of High School Students with IEPs by Cohort	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
357	24,124	1.46%	1.89%	1.48%	Met Target	No Slippage

**Provide reasons for slippage, if applicable**

**Provide a narrative that describes what counts as dropping out for all youth**

The numerator consists of the number of youth with IEPs in grades 7-12 who exited special education due to dropping out.

The denominator consists of the total number of youth in grades 7-12 who were served in special education during the school year therefore having the potential to drop out of school.

In Nebraska, a dropout occurs in any of the following instances:

A student who withdrew for personal or academic reasons and does not have a signed Withdrawal from Mandatory Attendance form pursuant to Nebraska Revised Statute 79-202 on file with the district.

A student removed from the education system for other than health reasons, and whose return is not anticipated.

A student enrolled in adult education or some type of program whose education services do not lead to a diploma or other credential recognized by the state.

A student who has not graduated or completed an approved program and is not enrolled and whose status is unknown; this includes a student withdrawn from the rolls for excessive absence.

A student who moved out of the district, out of state, or out of U.S. and is not known to be in school (includes any student whose education status cannot be confirmed either through a parent or other responsible adult or through some formal notification of transfer.)

A student in an institution that is not primarily educational (Army, or vocational program) and not considered a special school district/system.

A student who is disenrolled by a parent and does not enroll in another district/system.

A student who was suspended or expelled and the disciplinary period has expired, and student has not returned

**Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)**

NO

**If yes, explain the difference in what counts as dropping out for youth with IEPs below.**

**Provide additional information about this indicator (optional)**

## **2 - Prior FFY Required Actions**

None

## **2 - OSEP Response**

## **2 - Required Actions**

## Indicator 3B: Participation for Students with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

- A. Indicator 3A – Reserved
- B. Participation rate for children with IEPs
- C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

3B. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS185 and 188.

#### Measurement

B. Participation rate percent = [(# of children with IEPs participating in an assessment) divided by the (total # of children with IEPs enrolled during the testing window)]. Calculate separately for reading and math. 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.

#### Instructions

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3B: Provide separate reading/language arts and mathematics participation rates, inclusive of all ESEA grades assessed (3-8 and high school), for children with IEPs. Account for ALL children with IEPs, in all grades assessed, including 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.

## 3B - Indicator Data

### Reporting Group Selection

Based on previously reported data, these are the grade groups defined for this indicator.

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Overall	X	X	X	X	X	X	X	X	X	X	X

### Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2009	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	99.64%	Actual	99.66%	99.38%	99.00%	99.14%	99.07%

### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2010	Target >=	95.00%	95.00%	95.00%	95.00%	95.00%
A	Overall	99.50%	Actual	99.66%	99.31%	99.00%	99.07%	99.04%

### Targets

Subject	Group	Group Name	2019
Reading	A >=	Overall	95.00%
Math	A >=	Overall	95.00%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the

continued phases of the SSIP process.

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**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

**Date:**

**Reading Assessment Participation Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs											
b. IEPs in regular assessment with no accommodations											
c. IEPs in regular assessment with accommodations											
f. IEPs in alternate assessment against alternate standards											

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

**Date:**

**Math Assessment Participation Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs											
b. IEPs in regular assessment with no accommodations											
c. IEPs in regular assessment with accommodations											
f. IEPs in alternate assessment against alternate standards											

**FFY 2019 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			99.07%	95.00%		N/A	N/A

**FFY 2019 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Overall			99.04%	95.00%		N/A	N/A

**Regulatory Information**

The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]

**Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

While Nebraska did not have assessment scores for the this APR submission, the state publicly displays Assessment data at the following link, updated annually by year, maintaining a comparison from year to year.

<https://nep.education.ne.gov//State/Index/00-0000-000?DataYears=20182019&type=state#nesa-scores> this information is always publicly displayed.

**Provide additional information about this indicator (optional)**

**3B - Prior FFY Required Actions**

None

**3B - OSEP Response**

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

**3B - Required Actions**

## Indicator 3C: Proficiency for Students with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Participation and performance of children with IEPs on statewide assessments:

- A. Indicator 3A – Reserved
- B. Participation rate for children with IEPs
- C. Proficiency rate for children with IEPs against grade level and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

3C. Same data as used for reporting to the Department under Title I of the ESEA, using EDFacts file specifications FS175 and 178.

#### Measurement

C. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level and alternate academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned)]. Calculate separately for reading and math. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### Instructions

Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.

Include information regarding where to find public reports of assessment participation and performance results, as required by 34 CFR §300.160(f), i.e., a link to the Web site where these data are reported.

Indicator 3C: Proficiency calculations in this SPP/APR must result in proficiency rates for reading/language arts and mathematics assessments (combining regular and alternate) for children with IEPs, in all grades assessed (3-8 and high school), 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.

## 3C - Indicator Data

### Reporting Group Selection

Based on previously reported data, these are the grade groups defined for this indicator.

Group	Group Name	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11	Grade 12	HS
A	Elementary	X	X	X								
B	Middle School				X	X	X					
C	High School											X

### Historical Data: Reading

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Elementary	2017	Target >=	100.00%	100.00%	100.00%	24.32%	24.32%
A	Elementary	24.32%	Actual	58.63%	62.13%	26.99%	24.32%	24.25%
B	Middle School	2017	Target >=	100.00%	100.00%	100.00%	15.43%	15.43%
B	Middle School	15.43%	Actual	45.95%	49.33%	15.87%	15.43%	15.23%
C	High School	2017	Target >=	100.00%	100.00%	100.00%	14.95%	14.95%
C	High School	14.95%	Actual	31.09%	34.81%	17.21%	14.95%	15.03%

### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Elementary	2017	Target >=	100.00%	100.00%	100.00%	23.51%	23.51%
A	Elementary	23.51%	Actual	52.01%	52.26%	51.01%	23.51%	25.25%
B	Middle School	2017	Target >=	100.00%	100.00%	100.00%	18.94%	18.94%
B	Middle School	18.94%	Actual	36.03%	35.27%	31.26%	18.94%	17.84%
C	High School	2017	Target >=	100.00%	100.00%	100.00%	15.84%	15.84%

C	High School	15.84%	Actual	23.60%	24.06%	18.74%	15.84%	16.38%
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**Targets**

Subject	Group	Group Name	2019
Reading	A >=	Elementary	25.32%
Reading	B >=	Middle School	16.43%
Reading	C >=	High School	15.95%
Math	A >=	Elementary	24.51%
Math	B >=	Middle School	19.94%
Math	C >=	High School	16.84%

**Targets: Description of Stakeholder Input**

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

**FFY 2019 Data Disaggregation from EDFacts**

**Include the disaggregated data in your final SPP/APR. (yes/no)**

YES

**Data Source:**

SY 2019-20 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

**Reading Proficiency Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level											
f. IEPs in alternate assessment against alternate standards											

Grade	3	4	5	6	7	8	9	10	11	12	HS
scored at or above proficient against grade level											

**Data Source:**

SY 2019-20 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

**Math Proficiency Data by Grade**

Grade	3	4	5	6	7	8	9	10	11	12	HS
a. Children with IEPs who received a valid score and a proficiency was assigned											
b. IEPs in regular assessment with no accommodations scored at or above proficient against grade level											
c. IEPs in regular assessment with accommodations scored at or above proficient against grade level											
f. IEPs in alternate assessment against alternate standards scored at or above proficient against grade level											

**FFY 2019 SPP/APR Data: Reading Assessment**

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Elementary			24.25%	25.32%		N/A	N/A
B	Middle School			15.23%	16.43%		N/A	N/A
C	High School			15.03%	15.95%		N/A	N/A

**FFY 2019 SPP/APR Data: Math Assessment**

Group	Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A	Elementary			25.25%	24.51%		N/A	N/A
B	Middle School			17.84%	19.94%		N/A	N/A
C	High School			16.38%	16.84%		N/A	N/A

### **Regulatory Information**

The SEA, (or, in the case of a district-wide assessment, LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children: (1) the number of children with disabilities participating in: (a) regular assessments, and the number of those children who were provided accommodations in order to participate in those assessments; and (b) alternate assessments aligned with alternate achievement standards; and (2) the performance of children with disabilities on regular assessments and on alternate assessments, compared with the achievement of all children, including children with disabilities, on those assessments. [20 U.S.C. 1412 (a)(16)(D); 34 CFR §300.160(f)]

### **Public Reporting Information**

**Provide links to the page(s) where you provide public reports of assessment results.**

Due to COVID 19, Nebraska did not report assessment data for FFY2019. The State publicly posts assessment data at the following link, with a year to year comparison.

<https://nep.education.ne.gov//State/Index/00-0000-000?DataYears=20182019&type=state#nesa-scores>

**Provide additional information about this indicator (optional)**

### **3C - Prior FFY Required Actions**

None

### **3C - OSEP Response**

The State was not required to provide any data for this indicator. Due to the circumstances created by the COVID-19 pandemic, and resulting school closures, the State received a waiver of the assessment requirements in section 1111(b)(2) of the ESEA, and, as a result, does not have any FFY 2019 data for this indicator.

### **3C - Required Actions**

## Indicator 4A: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results Indicator:** Rates of suspension and expulsion:

A. 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

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

#### Data Source

State discipline data, including State's analysis of State's Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

#### Measurement

Percent = [(# of districts that meet the State-established n size (if applicable) that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State that meet the State-established n size (if applicable))] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:

- The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or
- The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n size requirement, if applicable). If significant discrepancies occurred, describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 4A - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	0.40%

FFY	2014	2015	2016	2017	2018
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%
Data	0.00%	0.00%	0.00%	0.00%	10.00%

### Targets

FFY	2019
Target <=	0.00%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

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Number of districts that have a significant discrepancy	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	8	10.00%	0.00%	0.00%	Met Target	No Slippage

**Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))**

The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA

**State's definition of "significant discrepancy" and methodology**

For indicator 4A, a significant discrepancy in the rate of out-of-school suspension/expulsions for greater than 10 days is defined as a district-level long-term suspension/expulsion rate for students with disabilities of greater than 5%. Nebraska's methodology uses a minimum cell size of 10 and a minimum n-size of 30. Out of 244 districts, only 8 suspended or expelled 10 or more students with disabilities for more than 10 days. Of those, none had a rate greater than 5%, therefore, none were identified as having significant discrepancy for FFY2019 (using FFY2018 data) for indicator 4A.

**Provide additional information about this indicator (optional)**

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

Nebraska requires LEAs with significant discrepancy to submit their policies and procedures to the SEA for review. The SEA reviews both policies and procedures as well as student files to determine if the significant discrepancy is due to 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 behavior supports, and procedural safeguards. The district has been notified of the findings and will have one year to correct noncompliance.

The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4A - Prior FFY Required Actions**

None

**4A - OSEP Response**

**4A - Required Actions**

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Compliance Indicator:** Rates of suspension and expulsion:

B. Percent of districts that have: (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.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

#### Data Source

State discipline data, including State's analysis of State's Discipline data collected under IDEA Section 618, where applicable. Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.

#### Measurement

Percent = [(# of districts that meet the State-established n size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of 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) divided by the (# of districts in the State that meet the State-established n size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

If the State has established a minimum n size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n size. If the State used a minimum n size requirement, report the number of districts excluded from the calculation as a result of this requirement.

Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2019 SPP/APR, use data from 2018-2019), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons

- The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or
- The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs

In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.

Indicator 4B: Provide the following: (a) the number of districts that met the State-established n size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) the number of those districts in which policies, procedures or practices 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.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with the Office of Special Education Programs (OSEP) Memorandum 09-02, dated October 17, 2008.

If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for 2018-2019), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

Targets must be 0% for 4B.

## 4B - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

### Historical Data

Baseline Year	Baseline Data
2009	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	NVR

**Targets**

<b>FFY</b>	<b>2019</b>
Target	0%

**FFY 2019 SPP/APR Data**

**Has the state established a minimum n-size requirement? (yes/no)**

YES

**If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n size. Report the number of districts excluded from the calculation as a result of the requirement.**

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Number of districts that have a significant discrepancy, by race or ethnicity	Number of those districts that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with requirements	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
1	1	4	NVR	0%	25.00%	Did Not Meet Target	N/A

**Were all races and ethnicities included in the review?**

YES

**State's definition of "significant discrepancy" and methodology**

A significant discrepancy in the rate of out-of-school suspension/expulsions for greater than 10 days is defined as a long-term suspension/expulsion rate of greater than 5% for students of any racial or ethnic group. Nebraska's methodology uses a minimum cell size of 10 and a minimum n-size of 30. For each of Nebraska's 244 districts, the Nebraska Department of Education calculates a suspension and expulsion rate for each of the seven race and ethnicity reporting categories (Note: many districts do not have members of every race and ethnicity reporting category enrolled in the district.) Only one district was identified as having significant discrepancy in FFY2019 for Indicator 4B.

**Provide additional information about this indicator (optional)**

COVID 19 did not impact indicator 4 since the data was from discipline records from the prior year.

**Review of Policies, Procedures, and Practices (completed in FFY 2019 using 2018-2019 data)**

**Provide a description of the review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

Nebraska identified one district that exceeded the measurement for FFY2019 (Using FFY2018 data) in both Black/African American and Two or More Races category. The SEA has conducted a review of the district's policies, practices, and procedures including a review of student files, development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure compliance with IDEA, as required by 34 CFR §300.170(b) and has found that the district was out of compliance. The district has been notified of the findings and will have one year to correct noncompliance.

The State DID identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b).

**If YES, select one of the following:**

The State DID ensure that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

**Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.**

The State worked with a technical assistance center as well as the LEA to review policies, procedures, and practices in place at the LEA level. Once the review was completed and it was found that policies, practices, and procedures were noncompliant, the State worked with the LEA to establish a timeline to correct such action and the LEA created a corrective action plan, employing and building technical assistance to be put in place at the building and LEA level.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**Findings of Noncompliance Verified as Corrected**

Describe how the State verified that the source of noncompliance is correctly implementing the *regulatory requirements*

Describe how the State verified that each *individual case* of noncompliance was corrected

**4B - Prior FFY Required Actions**

The State did not provide data for FFY 2018. The State must provide the required data for FFY 2019 in the FFY 2019 SPP/APR.

**Response to actions required in FFY 2018 SPP/APR**

The State made an error in reporting for FFY 2018. The State should have reported 244 LEAs for the reporting year and accidentally reported 245. Data was valid and reliable, had 244 been reported.

**4B - OSEP Response**

**4B- Required Actions**

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. The State must demonstrate, in the FFY 2020 SPP/APR, that the districts identified with noncompliance in FFY 2019 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data, such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 5: Education Environments (children 6-21)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Education environments (children 6-21): 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.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS002.

#### Measurement

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Percent = [(# of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA, explain.

## 5 - Indicator Data

### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2009	Target >=	72.60%	73.10%	73.60%	74.10%	74.60%
A	72.06%	Data	76.07%	75.54%	76.75%	77.78%	78.20%
B	2009	Target <=	6.58%	6.52%	6.45%	6.39%	6.33%
B	6.69%	Data	6.36%	6.62%	6.68%	6.26%	6.30%
C	2009	Target <=	2.62%	2.50%	2.38%	2.26%	2.14%
C	2.96%	Data	2.22%	2.12%	2.08%	2.32%	2.17%

### Targets

FFY	2019
Target A >=	74.60%
Target B <=	6.33%
Target C <=	2.14%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained

therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

**Prepopulated Data**

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	Total number of children with IEPs aged 6 through 21	46,043
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	36,410
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	2,490
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c1. Number of children with IEPs aged 6 through 21 in separate schools	822
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c2. Number of children with IEPs aged 6 through 21 in residential facilities	67
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/08/2020	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	92

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

**FFY 2019 SPP/APR Data**

Education Environments	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	36,410	46,043	78.20%	74.60%	79.08%	Met Target	No Slippage
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	2,490	46,043	6.30%	6.33%	5.41%	Met Target	No Slippage
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	981	46,043	2.17%	2.14%	2.13%	Met Target	No Slippage

Use a different calculation methodology (yes/no)

NO

Provide additional information about this indicator (optional)

COVID was not an impact to this indicator and data. This data is from October 1, 2019 and pre COVID.

**5 - Prior FFY Required Actions**

None

**5 - OSEP Response**

**5 - Required Actions**

## Indicator 6: Preschool Environments

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Preschool environments: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

Same data as used for reporting to the Department under section 618 of the IDEA, using the definitions in EDFacts file specification FS089.

#### Measurement

Percent = [(# of children aged 3 through 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 aged 3 through 5 with IEPs)] times 100.

Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

#### Instructions

Sampling from the State's 618 data is not allowed.

Describe the results of the calculations and compare the results to the target.

If the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA, explain.

### 6 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

#### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A	2011	Target >=	70.00%	72.00%	73.00%	74.00%	75.00%
A	62.91%	Data	72.97%	77.65%	73.55%	80.38%	81.18%
B	2011	Target <=	5.70%	5.70%	5.60%	5.60%	5.50%
B	24.62%	Data	4.96%	4.89%	4.45%	3.59%	3.42%

#### Targets

FFY	2019
Target A >=	75.00%
Target B <=	5.50%

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

**Prepopulated Data**

Source	Date	Description	Data
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	Total number of children with IEPs aged 3 through 5	6,731
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	5,595
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b1. Number of children attending separate special education class	185
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b2. Number of children attending separate school	38
SY 2019-20 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)	07/08/2020	b3. Number of children attending residential facility	2

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.  
NO

**FFY 2019 SPP/APR Data**

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	5,595	6,731	81.18%	75.00%	83.12%	Met Target	No Slippage
B. Separate special education class, separate school or residential facility	225	6,731	3.42%	5.50%	3.34%	Met Target	No Slippage

Use a different calculation methodology (yes/no)  
NO

**Provide additional information about this indicator (optional)**

Data is submitted from the October 1, 2019 child count. As a result, COVID 19 did not impact the data reflected in this submission.

**6 - Prior FFY Required Actions**

None

**6 - OSEP Response**

**6 - Required Actions**

## Indicator 7: Preschool Outcomes

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

#### Data Source

State selected data source.

#### Measurement

Outcomes:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

#### Summary Statements for Each of the Three Outcomes:

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:** Percent = [(# of preschool children reported in progress category (c) plus # of preschool children reported in category (d)) divided by (# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d))] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = [(# of preschool children reported in progress category (d) plus # of preschool children reported in progress category (e)) divided by (the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e))] times 100.

#### Instructions

Sampling of **children for assessment** is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See [General Instructions](#) on page 2 for additional instructions on sampling.)

In the measurement include, in the numerator and denominator, only children who received special education and related services for at least six months during the age span of three through five years.

Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two Summary Statements. States have provided targets for the two Summary Statements for the three Outcomes (six numbers for targets for each FFY).

Report progress data and calculate Summary Statements to compare against the six targets. Provide the actual numbers and percentages for the five reporting categories for each of the three outcomes.

In presenting results, provide the criteria for defining "comparable to same-aged peers." If a State is using the Early Childhood Outcomes Center (ECO) Child Outcomes Summary (COS), then the criteria for defining "comparable to same-aged peers" has been defined as a child who has been assigned a score of 6 or 7 on the COS.

In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COS.

## 7 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Part	Baseline	FFY	2014	2015	2016	2017	2018
A1	2014	Target >=	80.10%	74.50%	74.75%	75.00%	75.25%
A1	74.76%	Data	74.76%	76.62%	76.45%	67.57%	65.64%
A2	2014	Target >=	73.10%	69.07%	70.00%	70.25%	70.50%

A2	69.91%	Data	69.91%	69.12%	68.84%	61.53%	59.28%
B1	2014	Target >=	81.20%	75.00%	75.25%	75.50%	75.75%
B1	75.19%	Data	75.19%	76.53%	78.00%	74.23%	68.52%
B2	2014	Target >=	73.00%	69.75%	70.00%	70.25%	70.50%
B2	69.86%	Data	69.86%	69.65%	69.23%	70.27%	65.26%
C1	2014	Target >=	81.60%	75.50%	75.75%	76.00%	76.25%
C1	75.58%	Data	75.58%	69.43%	74.28%	95.77%	24.03%
C2	2014	Target >=	77.40%	75.00%	75.25%	75.50%	75.75%
C2	75.16%	Data	75.16%	75.62%	88.04%	96.18%	55.59%

#### Targets

FFY	2019
Target A1 >=	75.25%
Target A2 >=	70.50%
Target B1 >=	75.75%
Target B2 >=	70.50%
Target C1 >=	76.25%
Target C2 >=	75.75%

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

#### FFY 2019 SPP/APR Data

##### Number of preschool children aged 3 through 5 with IEPs assessed

##### Outcome A: Positive social-emotional skills (including social relationships)

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	135	5.63%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	505	21.04%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	410	17.08%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	691	28.79%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	659	27.46%

Outcome A	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	1,101	1,741	65.64%	75.25%	63.24%	Did Not Meet Target	Slippage
A2. 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. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	1,350	2,400	59.28%	70.50%	56.25%	Did Not Meet Target	Slippage

**Outcome B: Acquisition and use of knowledge and skills (including early language/communication)**

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	154	6.42%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	470	19.58%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	361	15.04%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	790	32.92%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	625	26.04%

Outcome B	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	1,151	1,775	68.52%	75.75%	64.85%	Did Not Meet Target	Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	1,415	2,400	65.26%	70.50%	58.96%	Did Not Meet Target	Slippage

**Outcome C: Use of appropriate behaviors to meet their needs**

Outcome C Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	110	4.58%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	819	34.13%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	337	14.04%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	424	17.67%

Outcome C Progress Category	Number of Children	Percentage of Children
e. Preschool children who maintained functioning at a level comparable to same-aged peers	710	29.58%

Outcome C	Numerator	Denominator	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
C1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	761	1,690	24.03%	76.25%	45.03%	Did Not Meet Target	No Slippage
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. <i>Calculation: (d+e)/(a+b+c+d+e)</i>	1,134	2,400	55.59%	75.75%	47.25%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
A1	<p>This year Nebraska's Part B OSEP data demonstrated a decline in Summary Statements 1 for Outcomes A and B. In addition, there has also been a decline in Summary Statement 2 for Outcomes A, B, and C. Nebraska has experienced a downward trend for Outcomes A and B, in the past three years since TS GOLD has changed its platform to include items up through 3rd grade. We have been working with Teaching Strategies staff to determine if there may be a link to the downward trends we have seen and this platform change. In reviewing current state infrastructure practices, there has not been any major shifts or changes that would contribute to slippage. Inter-rater reliability and completion of TS GOLD training modules are still required of providers. Statewide training was provided as in previous years and included a comprehensive administrator training.</p> <p>Upon review of data trends, COVID-19 did not appear to impact the preschool outcomes for the 2019-20 school year. Nebraska will continue to monitor the data for the 2020-21 school year.</p>
A2	<p>This year Nebraska's Part B OSEP data demonstrated a decline in Summary Statements 1 for Outcomes A and B. In addition, there has also been a decline in Summary Statement 2 for Outcomes A, B, and C. Nebraska has experienced a downward trend for Outcomes A and B, in the past three years since TS GOLD has changed its platform to include items up through 3rd grade. We have been working with Teaching Strategies staff to determine if there may be a link to the downward trends we have seen and this platform change. In reviewing current state infrastructure practices, there has not been any major shifts or changes that would contribute to slippage. Inter-rater reliability and completion of TS GOLD training modules are still required of providers. Statewide training was provided as in previous years and included a comprehensive administrator training.</p> <p>Upon review of data trends, COVID-19 did not appear to impact the preschool outcomes for the 2019-20 school year. Nebraska will continue to monitor the data for the 2020-21 school year.</p>
B1	<p>This year Nebraska's Part B OSEP data demonstrated a decline in Summary Statements 1 for Outcomes A and B. In addition, there has also been a decline in Summary Statement 2 for Outcomes A, B, and C. Nebraska has experienced a downward trend for Outcomes A and B, in the past three years since TS GOLD has changed its platform to include items up through 3rd grade. We have been working with Teaching Strategies staff to determine if there may be a link to the downward trends we have seen and this platform change. In reviewing current state infrastructure practices, there has not been any major shifts or changes that would contribute to slippage. Inter-rater reliability and completion of TS GOLD training modules are still required of providers. Statewide training was provided as in previous years and included a comprehensive administrator training.</p> <p>Upon review of data trends, COVID-19 did not appear to impact the preschool outcomes for the 2019-20 school year. Nebraska will continue to monitor the data for the 2020-21 school year.</p>
B2	<p>This year Nebraska's Part B OSEP data demonstrated a decline in Summary Statements 1 for Outcomes A and B. In addition, there has also been a decline in Summary Statement 2 for Outcomes A, B, and C. Nebraska has experienced a downward trend for Outcomes A and B, in the past three years since TS GOLD has changed its platform to include items up through 3rd grade. We have been working with Teaching Strategies staff to determine if there may be a link to the downward trends we have seen and this platform change. In reviewing current state infrastructure practices, there has not been any major shifts or changes that would contribute to slippage. Inter-rater reliability and completion of TS GOLD training modules are still required of providers. Statewide training was provided as in previous years and included a comprehensive administrator training.</p> <p>Upon review of data trends, COVID-19 did not appear to impact the preschool outcomes for the 2019-20 school year. Nebraska will continue to monitor the data for the 2020-21 school year.</p>

Part	Reasons for slippage, if applicable
C2	<p>This year Nebraska's Part B OSEP data demonstrated a decline in Summary Statements 1 for Outcomes A and B. In addition, there has also been a decline in Summary Statement 2 for Outcomes A, B, and C. Nebraska has experienced a downward trend for Outcomes A and B, in the past three years since TS GOLD has changed its platform to include items up through 3rd grade. We have been working with Teaching Strategies staff to determine if there may be a link to the downward trends we have seen and this platform change. In reviewing current state infrastructure practices, there has not been any major shifts or changes that would contribute to slippage. Inter-rater reliability and completion of TS GOLD training modules are still required of providers. Statewide training was provided as in previous years and included a comprehensive administrator training.</p> <p>Upon review of data trends, COVID-19 did not appear to impact the preschool outcomes for the 2019-20 school year. Nebraska will continue to monitor the data for the 2020-21 school year.</p>

**Does the State include in the numerator and denominator only children who received special education and related services for at least six months during the age span of three through five years? (yes/no)**

YES

Sampling Question	Yes / No
Was sampling used?	NO

**Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COS) process? (yes/no)**

NO

**If no, provide the criteria for defining "comparable to same-aged peers."**

Every child aged 3-5 is entered into the Teaching Strategies Gold system. All children are compared to research based on Widely Held Expectations for their same aged peers based upon National norms.

**List the instruments and procedures used to gather data for this indicator.**

Teaching Strategies (TS) GOLD, an authentic, observational assessment designed for children birth through 3rd grade, is the assessment used to gather data for Indicator C3. At the child's entry and at the time of exit from Part B teachers/providers gather and document information from observations of the child. This data forms the basis of the scoring across four areas of development (social emotional, physical, language, and cognitive) and two areas of content learning (literacy and mathematics). TS GOLD objectives and dimensions that comprise each of the functional outcomes that are reported are based on a crosswalk recommended by the Early Childhood Technical Assistance Center (ECTA). Criteria for defining "comparable to same-aged peers" was determined through Item Response Theory (IRT) analyses by Teaching Strategies, based on a national sample. The algorithms result in a 7-point rating system that parallels the Child Outcomes Summary (COS) ratings. These ratings by age are programmed into the TS GOLD online system which generates a rating based on TS GOLD scores for each functional outcomes. Research studies examining the reliability and validity of the TS GOLD may be found at: <https://teachingstrategies.com/our-approach/research/>

**Provide additional information about this indicator (optional)**

## 7 - Prior FFY Required Actions

None

## 7 - OSEP Response

## 7 - Required Actions

## Indicator 8: Parent involvement

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** 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.

(20 U.S.C. 1416(a)(3)(A))

#### Data Source

State selected data source.

#### Measurement

Percent = [(# of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

#### Instructions

Sampling of parents from whom response is requested is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See [General Instructions](#) on page 2 for additional instructions on sampling.)

Describe the results of the calculations and compare the results to the target.

Provide the actual numbers used in the calculation.

If the State is using a separate data collection methodology for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool data collection methodologies in a manner that is valid and reliable.

While a survey is not required for this indicator, a State using a survey must submit a copy of any new or revised survey with its SPP/APR.

Report the number of parents to whom the surveys were distributed.

Include the State's analysis of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services. States should consider categories such as race and ethnicity, age of the student, disability category, and geographic location in the State.

If the analysis shows that the demographics of the parents responding are not representative of the demographics of children receiving special education services in the State, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State distributed the survey to parents (e.g., by mail, by e-mail, on-line, by telephone, in-person through school personnel), and how responses were collected.

States are encouraged to work in collaboration with their OSEP-funded parent centers in collecting data.

## 8 - Indicator Data

Question	Yes / No
Do you use a separate data collection methodology for preschool children?	NO

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

### Historical Data

Baseline Year	Baseline Data
2013	89.37%

FFY	2014	2015	2016	2017	2018
Target >=	89.20%	89.80%	90.20%	90.80%	91.80%

Data	87.45%	88.15%	89.40%	91.56%	86.75%
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**Targets**

<b>FFY</b>	<b>2019</b>
Target >=	91.80%

**FFY 2019 SPP/APR Data**

Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	Total number of respondent parents of children with disabilities	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
2,149	2,369	86.75%	91.80%	90.71%	Did Not Meet Target	No Slippage

The number of parents to whom the surveys were distributed.

3,316

Percentage of respondent parents

71.44%

Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.

Parents of children with disabilities including parents of preschool children with disabilities are provided the opportunity to take the parent survey. Surveys are distributed to all parents of children with disabilities in the districts for students ages 3-21 via email with a link to the survey as the first attempt to provide parents an opportunity to share their satisfaction with their parent involvement in the process to improve services for their child. Parents are also provided the information at Parent teacher conferences, at the child's IEP meeting and other school events. Parents of preschool children with disabilities are also included in these same processes. If parents are unable to access a computer or the internet and have not responded surveys are mailed to families. The return rate for surveys for preschool parents was the highest return rate for all grade levels. the questions in the survey are not specific to grade level but can be applied to parents of children of any age.

Sampling Question	Yes / No
Was sampling used?	YES
If yes, has your previously-approved sampling plan changed?	NO

Describe the sampling methodology outlining how the design will yield valid and reliable estimates.

The 244 districts are categorized into cohorts for sampling purposes. The cohorts are created to reflect geography, size of school district, free/reduced lunch, and disability category in special education.

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO
The demographics of the parents responding are representative of the demographics of children receiving special education services.	YES

Include the State's analyses of the extent to which the demographics of the parents responding are representative of the demographics of children receiving special education services.

The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative by district, by race/ethnicity of the child, by grade level of the child, and by the primary disability of the child. Parents of children in the elementary grades typically have a higher return rate than parent of children in high school. There was a slight increase in the number of parents of children who are verified as autism and SLI and other disabilities and a lower return rate for OHI but continues to be an overall representation of the population.

Provide additional information about this indicator (optional)

This year the state had a lower distribution rate due to the impact of COVID. Follow up by the SEA with districts indicated that many districts prioritized communication to parents regarding COVID over the distribution of the survey via email. Districts experienced difficulties with parent engagement activities that historically have led to increased survey distribution and completions. District staff faced additional technological barriers to sending surveys as they were working from home and not in the office.

**8 - Prior FFY Required Actions**

None

**8 - OSEP Response**

## 8 - Required Actions

## Indicator 9: Disproportionate Representation

### Instructions and Measurement

**Monitoring Priority:** Disproportionality

**Compliance indicator:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

#### Data Source

State's analysis, based on State's Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

#### Measurement

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2018, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken. If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 9 - Indicator Data

### Not Applicable

**Select yes if this indicator is not applicable.**

NO

#### Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	NVR

#### Targets

FFY	2019
Target	0%

#### FFY 2019 SPP/APR Data

**Has the state established a minimum n and/or cell size requirement? (yes/no)**

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.

0

Number of districts with disproportionate representation of racial and ethnic groups in special education and related services	Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	0	244	NVR	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

Define "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Disproportionate representation is defined as a risk ratio of 3.0 and above. The minimum cell size for all calculations is 10 and the minimum n size is 30. The alternate risk ratio was used for any districts where the comparison group failed to meet the cell or n size.

Describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in special education and related services was the result of inappropriate identification.

Nebraska reviews policies, procedures, and student files for districts with disproportionate representation to determine if the disproportionate representation is the result of inappropriate identification. This was not necessary for indicator 9 because the state did not identify any districts with disproportionate representation for that indicator.

Provide additional information about this indicator (optional)

COVID 19 did not have any impact on this indicator as the data is from the October 1, 2019 child count.

#### Correction of Findings of Noncompliance Identified in FFY 2018

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

#### Correction of Findings of Noncompliance Identified Prior to FFY 2018

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

### 9 - Prior FFY Required Actions

The State did not provide valid and reliable data for FFY 2018. The State must provide valid and reliable data for FFY 2019 in the FFY 2019 SPP/APR.

#### Response to actions required in FFY 2018 SPP/APR

The State made an error in reporting for FFY 2018. The State should have reported 244 LEAs for the reporting year and accidentally reported 245. Data was valid and reliable, had 244 been reported.

### 9 - OSEP Response

### 9 - Required Actions

# Indicator 10: Disproportionate Representation in Specific Disability Categories

## Instructions and Measurement

**Monitoring Priority:** Disproportionality

**Compliance indicator:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

### Data Source

State's analysis, based on State's Child Count data collected under IDEA section 618, to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

### Measurement

Percent = [(# of districts, that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups)] times 100.

Include State's definition of "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Based on its review of the 618 data for FFY 2019, describe how the State made its annual determination as to whether the disproportionate representation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum n and/or cell size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2019 reporting period (i.e., after June 30, 2020).

### Instructions

Provide racial/ethnic disproportionality data for all children aged 6 through 21 served under IDEA, aggregated across all disability categories.

States are not required to report on underrepresentation.

If the State has established a minimum n and/or cell size requirement, the State may only include, in both the numerator and the denominator, districts that met that State-established n and/or cell size. If the State used a minimum n and/or cell size requirement, report the number of districts totally excluded from the calculation as a result of this requirement because the district did not meet the minimum n and/or cell size for any racial/ethnic group.

Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. Describe the method(s) used to calculate disproportionate representation.

Provide the number of districts that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of those districts identified with disproportionate representation that is the result of inappropriate identification.

Targets must be 0%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 10 - Indicator Data

**Not Applicable**

**Select yes if this indicator is not applicable.**

NO

### Historical Data

Baseline Year	Baseline Data
2005	0.00%

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	NVR

### Targets

FFY	2019
Target	0%

### FFY 2019 SPP/APR Data

Has the state established a minimum n and/or cell size requirement? (yes/no)

YES

If yes, the State may only include, in both the numerator and the denominator, districts that met the State-established n and/or cell size. Report the number of districts excluded from the calculation as a result of the requirement.

56

Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	Number of Districts that met the State's minimum n-size	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
14	0	188	NVR	0%	0.00%	Met Target	No Slippage

Were all races and ethnicities included in the review?

YES

Define "disproportionate representation." Please specify in your definition: 1) the calculation method(s) being used (i.e., risk ratio, weighted risk ratio, e-formula, etc.); and 2) the threshold at which disproportionate representation is identified. Also include, as appropriate, 3) the number of years of data used in the calculation; and 4) any minimum cell and/or n-sizes (i.e., risk numerator and/or risk denominator).

Disproportionate representation is defined as a risk ratio of 3.0 and above. The minimum cell size for all calculations is 10 and the minimum n size is 30. The alternate risk ratio was used for any districts where the comparison group failed to meet the cell or n size.

Describe how the State made its annual determination as to whether the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

Nebraska reviews policies, procedures, and student files for districts with disproportionate representation to determine if the disproportionate representation is the result of inappropriate identification. We found no evidence of inappropriate identification in our review of these 14 districts.

Provide additional information about this indicator (optional)

The data for Indicator 10 comes from the October 1, 2019 child count and as a result was not impacted by COVID 19.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**10 - Prior FFY Required Actions**

The State did not provide data for FFY 2018. The State must provide the required data for FFY 2019 in the FFY 2019 SPP/APR.

**Response to actions required in FFY 2018 SPP/APR**

The State made an error in reporting for FFY 2018. The State should have reported 244 LEAs for the reporting year and accidentally reported 245. Data was valid and reliable, had 244 been reported.

**10 - OSEP Response**

**10 - Required Actions**

## Indicator 11: Child Find

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Child Find

**Compliance indicator:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the State's timeline for initial evaluations.

#### Measurement

- a. # of children for whom parental consent to evaluate was received.
  - b. # of children whose evaluations were completed within 60 days (or State-established timeline).
- Account for children included in (a), but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent = [(b) divided by (a)] times 100.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Note that under 34 CFR §300.301(d), the timeframe set for initial evaluation does not apply to a public agency if: (1) the parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) a child enrolls in a school of another public agency after the timeframe for initial evaluations 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. States should not report these exceptions in either the numerator (b) or denominator (a). If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 11 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2005	92.76%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.80%	99.74%	98.43%	99.07%	99.54%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

(a) Number of children for whom parental consent to evaluate was received	(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
8,379	7,142	99.54%	100%	85.24%	Did Not Meet Target	Slippage

**Provide reasons for slippage**

Due to COVID, districts were not able to meet the timeline of completing evaluations within the 45 school days that does not exceed the 60 calendar days timeline. Students were not in the building and not able to do in person evaluations due to health concerns from COVID.

**Number of children included in (a) but not included in (b)**

1,237

**Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.**

Range from 1-325

**Indicate the evaluation timeline used:**

The State established a timeline within which the evaluation must be conducted

**What is the State's timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).**

The Nebraska Department of Education/Office of Special Education establishes the timeline of 45 school days that does not exceed 60 calendar days.

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

The Nebraska Department of Education, Office of Special Education requires LEAs annually compile the initial evaluation data for their LEA including:

1. Total number of evaluations
2. The number who qualified within the 45 school days that does not exceed 60 calendar days.
3. The number who did not qualify within the timeframe established.
4. The number not meeting the timeline, and
5. The reasons(s) for not within the 45 school days that does not exceed 60 calendar days for each of the evaluations, whether they qualified or not.

Based on this information NDE made compliance determinations.

**Provide additional information about this indicator (optional)**

1018 of the 1237 evaluations that were not completed within the timeline were delayed due to COVID.

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
41	41	0	0

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The State verified that the source of noncompliance was correctly implemented through TA and training as well as constant communication with the state to ensure that proper processes, practices, and procedures were put in place to ensure that, unless parental delay or something out of the LEA's control, timelines were met for all students with disabilities. The state conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed and a subsequent review of another data set demonstrated the LEAs timeliness was at 100%.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY 2017	87	87	0

**FFY 2017**

**Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The State verified that the source of noncompliance was correctly implemented through TA and training as well as constant communication with the state to ensure that proper processes, practices, and procedures were put in place to ensure that, unless parental delay or something out of the LEA's control, timelines were met for all students with disabilities. The state conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

The State revisited the LEA ensuring that on additional re-evaluations, since the initial evaluation cannot be corrected, timelines were met and well documented on when the timeline was coming due to have protections in place to ensure that the issue doesn't arise again. The State ensured that each of these evaluations were completed and a subsequent review of another data set demonstrated the LEAs timeliness was at 100%.

## **11 - Prior FFY Required Actions**

None

## **11 - OSEP Response**

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2018 and FFY 2017 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2018 and FFY 2017 has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

## **11 - Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining 41 uncorrected findings of noncompliance identified in FFY 2018 and 87 uncorrected findings of noncompliance identified in FFY 2017 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018 and FFY 2017: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 12: Early Childhood Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** 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.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system.

#### Measurement

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.
- f. # of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.

Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e - f)] times 100.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Category f is to be used only by States that have an approved policy for providing parents the option of continuing early intervention services beyond the child's third birthday under 34 CFR §303.211 or a similar State option.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 12 - Indicator Data

### Not Applicable

Select yes if this indicator is not applicable.

NO

#### Historical Data

Baseline Year	Baseline Data
2005	100.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	100.00%	100.00%	100.00%	100.00%	100.00%

#### Targets

FFY	2019
Target	100%

#### FFY 2019 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	676
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	6

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	129
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.	55
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	0
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	476

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
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.	129	139	100.00%	100%	92.81%	Did Not Meet Target	Slippage

**Provide reasons for slippage, if applicable**

Upon review of individual district cause for delay, all IEPs that were late were found to be due to the difficulty of coordination related to COVID-19. The State worked with individual districts to determine if Part C coordination could assist with connectivity through Services Coordination while districts created plans to begin planning as soon as direct health measures allowed.

**Number of children who served in part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f**

10

**Account for children included in (a), but not included in b, c, d, e, or f. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.**

All of the IEPs, ranging from 1-35 that were delayed were found to be the result of restrictions placed upon personnel related to directive health measures due to COVID 19.

**Attach PDF table (optional)**

**What is the source of the data provided for this indicator?**

State database that includes data for the entire reporting year

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

Nebraska's student information system (ADVISER) collects information on children/students with disabilities from birth to 21. As the children/students are tracked in one system, it can be determined which children transition from Part C to Part B. LEAs report on a secure website the result from their files for line D.

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**12 - Prior FFY Required Actions**

None

**12 - OSEP Response**

## 12 - Required Actions

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2019 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 13: Secondary Transition

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Compliance indicator:** Secondary transition: 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.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data to be taken from State monitoring or State data system.

#### Measurement

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) divided by the (# of youth with an IEP age 16 and above)] times 100.

If a State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16, the State may, but is not required to, choose to include youth beginning at that younger age in its data for this indicator. If a State chooses to do this, it must state this clearly in its SPP/APR and ensure that its baseline data are based on youth beginning at that younger age.

#### Instructions

If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.

Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.

Targets must be 100%.

Provide detailed information about the timely correction of noncompliance as noted in OSEP's response for the previous SPP/APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.

If the State reported less than 100% compliance for the previous reporting period (e.g., for the FFY 2019 SPP/APR, the data for FFY 2018), and the State did not identify any findings of noncompliance, provide an explanation of why the State did not identify any findings of noncompliance.

## 13 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2009	86.73%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	92.25%	100.00%	89.41%	85.16%	90.85%

### Targets

FFY	2019
Target	100%

### FFY 2019 SPP/APR Data

Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition	Number of youth with IEPs aged 16 and above	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
41	140	90.85%	100%	29.29%	Did Not Meet Target	Slippage

Provide reasons for slippage, if applicable

The State has seen significant slippage for FFY2019 as a result of our continued differentiated monitoring process. In addition to this, Nebraska through the implementation of an annual risk analysis, shifted monitoring from a five-year set cycle to annual monitoring of all LEAs and targeted monitoring of the LEAs including the targeted monitoring of those at highest risk. As a result, more LEAs were found out of compliance and in need of corrective action. This year's annual risk analysis resulted in a smaller sampling than in previous years, leaving a smaller pool of files to review. The State has identified areas of need through LEA file reviews and has targeted monitoring reviews in those areas to better structure corrective action work.

**What is the source of the data provided for this indicator?**

State monitoring

**Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.**

The Nebraska Department of Education, Office of Special Education requires school districts to participate in an annual risk analysis where all LEA data is reviewed and LEAs are provided differentiated monitoring based on their risk. One component of this differentiated monitoring

Question	Yes / No
Do the State's policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	YES
If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age?	NO

If no, please explain

**Provide additional information about this indicator (optional)**

**Correction of Findings of Noncompliance Identified in FFY 2018**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
29	24		5

**FFY 2018 Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The state conducted a review six months after findings to ensure compliance in the LEA. LEAs for whom noncompliance was found were reviewed for compliance and, if not corrected, the SEA worked with the LEA to outline additional needs to ensure compliance. By nine months, each LEA was reviewed again to ensure policies, practices, and procedures were compliant as well as a random sampling of student files and existing files initially reviewed. At that point, each LEA was found to be 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

The state worked with districts to develop a corrective action and approved the plan. The state then conducted checkpoints with the LEAs at 3, 6 and 9 months to ensure progress on noncompliance corrective action. At month nine, the LEA is to be finished and submit to the SEA to allow additional time to correspondence between the LEA and SEA conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

**FFY 2018 Findings of Noncompliance Not Yet Verified as Corrected**

**Actions taken if noncompliance not corrected**

The State had one LEA that fell out of the one-year completion of CAP activity window that was placed on probationary status. Upon communication, the LEA indicated the reasoning for noncompletion was due to staff availability as a result of the COVID 19 pandemic. The LEA was given a two month window to finalize Corrective Action Plan requirements with a hold on the use of Federal IDEA (611) dollars until finalized.

**Correction of Findings of Noncompliance Identified Prior to FFY 2018**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2018 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected
FFY 2017	42	42	0

**FFY 2017**

**Findings of Noncompliance Verified as Corrected**

**Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements**

The state conducted a review six months after findings to ensure compliance in the LEA. LEAs for whom noncompliance was found were reviewed for compliance and, if not corrected, the SEA worked with the LEA to outline additional needs to ensure compliance. By nine months, each LEA was reviewed again to ensure policies, practices, and procedures were compliant as well as a random sampling of student files and existing files initially reviewed. At that point, each LEA was found to be 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

**Describe how the State verified that each individual case of noncompliance was corrected**

The state worked with districts to develop a corrective action and approved the plan. The state then conducted checkpoints with the LEAs at 3, 6 and 9 months to ensure progress on noncompliance corrective action. At month nine, the LEA is to be finished and submit to the SEA to allow additional time to correspondence between the LEA and SEA conducted a review six months after findings to ensure compliance in the LEA. Students for whom parental consent to evaluate was received whose evaluations were completed within 60 days were 100% compliant. One year after findings, the state re-evaluated the LEAs where noncompliance was found and again found 100% compliance.

### **13 - Prior FFY Required Actions**

None

### **13 - OSEP Response**

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2018 and FFY 2017 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2018 and FFY 2017: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA.

### **13 - Required Actions**

Because the State reported less than 100% compliance for FFY 2019, the State must report on the status of correction of noncompliance identified in FFY 2019 for this indicator. In addition, the State must demonstrate, in the FFY 2020 SPP/APR, that the remaining 29 uncorrected findings of noncompliance identified in FFY 2018 and 42 uncorrected findings of noncompliance identified in FFY 2017 were corrected.

When reporting on the correction of noncompliance, the State must report, in the FFY 2020 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2019 and each LEA with remaining noncompliance identified in FFY 2018 and FFY 2017: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2020 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

If the State did not identify any findings of noncompliance in FFY 2019, although its FFY 2019 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2019.

## Indicator 14: Post-School Outcomes

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / Effective Transition

**Results indicator:** 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:

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.

(20 U.S.C. 1416(a)(3)(B))

#### Data Source

State selected data source.

#### Measurement

A. Percent enrolled in higher education = [(# 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 (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# 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 (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# 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 (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

#### Instructions

*Sampling of youth who had IEPs and are no longer in secondary school is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See [General Instructions](#) on page 2 for additional instructions on sampling.)*

Collect data by September 2020 on students who left school during 2018-2019, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2018-2019 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.

#### I. Definitions

*Enrolled in higher education* as used in measures A, B, and C means youth have been enrolled on a full- or part-time basis in a community college (two-year program) or college/university (four or more year program) for at least one complete term, at any time in the year since leaving high school.

*Competitive employment* as used in measures B and C: States have two options to report data under “competitive employment” in the FFY 2019 SPP/APR, due February 2021:

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Option 2: States report in alignment with the term “competitive integrated employment” and its definition, in section 7(5) of the Rehabilitation Act, as amended by Workforce Innovation and Opportunity Act (WIOA), and 34 CFR §361.5(c)(9). For the purpose of defining the rate of compensation for students working on a “part-time basis” under this category, OSEP maintains the standard of 20 hours a week for at least 90 days at any time in the year since leaving high school. This definition applies to military employment.

*Enrolled in other postsecondary education or training* as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a two-year program).

*Some other employment* as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

#### II. Data Reporting

Provide the actual numbers for each of the following mutually exclusive categories. The actual number of “leavers” who are:

1. Enrolled in higher education within one year of leaving high school;
2. Competitively employed within one year of leaving high school (but not enrolled in higher education);
3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed);
4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).

“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.

#### III. Reporting on the Measures/Indicators

Targets must be established for measures A, B, and C.

Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the Higher Education Act (HEA)) within one year of leaving high school must be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.

Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.

Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program, or in some other employment.

Include the State's analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. States should consider categories such as race and ethnicity, disability category, and geographic location in the State.

If the analysis shows that the response data are not representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics. In identifying such strategies, the State should consider factors such as how the State collected the data.

## 14 - Indicator Data

### Historical Data

Measure	Baseline	FFY	2014	2015	2016	2017	2018
A	2009	Target >=	35.60%	36.00%	37.00%	38.00%	39.60%
A	39.40%	Data	37.05%	34.96%	38.16%	36.20%	30.86%
B	2009	Target >=	65.50%	65.80%	66.00%	66.50%	67.00%
B	65.20%	Data	66.79%	62.86%	61.84%	57.33%	43.50%
C	2009	Target >=	83.00%	83.20%	83.40%	83.40%	83.65%
C	83.60%	Data	85.01%	82.43%	78.69%	75.30%	57.23%

### FFY 2019 Targets

FFY	2019
Target A >=	39.60%
Target B >=	67.00%
Target C >=	83.65%

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

**FFY 2019 SPP/APR Data**

Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	1,038
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	319
2. Number of respondent youth who competitively employed within one year of leaving high school	42
3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed)	78
4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).	23

Measure	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
A. Enrolled in higher education (1)	319	1,038	30.86%	39.60%	30.73%	Did Not Meet Target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	361	1,038	43.50%	67.00%	34.78%	Did Not Meet Target	Slippage
C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4)	462	1,038	57.23%	83.65%	44.51%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
<b>B</b>	The current target saw a 7.1% drop from last year to this year. The coronavirus pandemic most likely played a part in this drop because the nation as a whole saw high levels of unemployment. A record number of people were out of work so it is unsurprising that the target that looks at competitive employment took a hit. While this number moved in the wrong direction, we can look at another question asked and see a more positive note. When respondents were asked: "At any time since leaving high school, have you ever had a job" the percent went up from last year to this year. Last year only 53.3% of respondents said that they had in fact had a job since leaving high school. This year the number went up by 3.2% to 56.5% of respondents stating that they had in fact had a job since leaving high school. This could help indicate that the target should be higher had it not been for the pandemic. In addition, this reporting methodology is only in year two of implementation, creating continued opportunities for technical assistance for those LEAs who struggle to meet the reporting requirements.
<b>C</b>	This target sums up the previous two targets, which both decreased, as well as another other employment or education enrollment. It is not surprising then that this target decreased like the two previous ones. While we do not want to lay sole blame on the pandemic for the decrease in this target, it is unsurprising to see a target that is asking for both competitive employment and other forms of employment to take a hit. Again, the nation as a whole saw lower levels of employment so it would make sense to see this target fall. This target is also asking about higher education enrollment/other postsecondary education enrollments which when we started asking respondents (July 2020) most people were still uncertain or fearful of how education institutions would adapt to the pandemic. In addition, this reporting methodology is only in year two of implementation, creating continued opportunities for technical assistance for those LEAs who struggle to meet the reporting requirements.

**Please select the reporting option your State is using:**

Option 1: Use the same definition as used to report in the FFY 2015 SPP/APR, i.e., competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Sampling Question	Yes / No
Was sampling used?	NO

Describe the sampling methodology outlining how the design will yield valid and reliable estimates.

Survey Question	Yes / No
Was a survey used?	YES
If yes, is it a new or revised survey?	NO

Include the State's analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

The data included in the State's analysis is representative of the student population, age 14-21 demographics. The survey used for this data collection includes demographic information of the graduates surveyed and the contracted organization analyzing the data provides reports reflecting those demographics. The demographics of the students reflected in the survey are similar to those that reflect Nebraska students between the ages of 14-21 as a whole. The contracted organization utilizes demographic data as well as results of the survey to create reports for the State annually, reflecting the demographic makeup of the respondents and student exiter population as a whole by LEA, Educational Service Unit, and the SEA. Should an abnormality arise, the State would utilize the opportunity to provide targeted support to any affected areas.

Question	Yes / No
Are the response data representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school?	YES

Provide additional information about this indicator (optional)

#### 14 - Prior FFY Required Actions

None

#### 14 - OSEP Response

In its description of its FFY 2019 data, the State did not address whether the response group was representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. Additionally, the State reported "The data included in the State's analysis is representative of the student population, age 14-21" and "The demographics of the students reflected in the survey are similar to those that reflect Nebraska students between the ages of 14-21 as a whole. The State must include the State's analyses of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, as required by the measurement table.

#### 14 - Required Actions

In the FFY 2020 SPP/APR, the State must report whether the FFY 2020 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

## Indicator 15: Resolution Sessions

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

**Results Indicator:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. (20 U.S.C. 1416(a)(3)(B))

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

#### Measurement

Percent = (3.1(a) divided by 3.1) times 100.

#### Instructions

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.

States are not required to report data at the LEA level.

### 15 - Indicator Data

Select yes to use target ranges

Target Range not used

#### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1 Number of resolution sessions	7
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/04/2020	3.1(a) Number resolution sessions resolved through settlement agreements	1

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

#### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

#### Historical Data

Baseline Year	Baseline Data
2005	

FFY	2014	2015	2016	2017	2018
Target >=					0.00%
Data	100.00%	50.00%	50.00%	0.00%	28.57%

**Targets**

FFY	2019
Target >=	0.00%

**FFY 2019 SPP/APR Data**

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
1	7	28.57%	0.00%	14.29%	Met Target	No Slippage

Provide additional information about this indicator (optional)

**15 - Prior FFY Required Actions**

None

**15 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2019. The State is not required to meet its targets until any fiscal year in which ten or more resolution sessions were held.

**15 - Required Actions**

## Indicator 16: Mediation

### Instructions and Measurement

**Monitoring Priority:** Effective General Supervision Part B / General Supervision

**Results indicator:** Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3(B)))

#### Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

#### Measurement

Percent =  $(2.1(a)(i) + 2.1(b)(i))$  divided by 2.1 times 100.

#### Instructions

Sampling is not allowed.

Describe the results of the calculations and compare the results to the target.

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and improvement activities, and report on them in the corresponding SPP/APR.

States may express their targets in a range (e.g., 75-85%).

If the data reported in this indicator are not the same as the State's data under IDEA section 618, explain.

States are not required to report data at the LEA level.

## 16 - Indicator Data

### Select yes to use target ranges

Target Range not used

### Prepopulated Data

Source	Date	Description	Data
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1 Mediations held	4
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.a.i Mediations agreements related to due process complaints	0
SY 2019-20 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/04/2020	2.1.b.i Mediations agreements not related to due process complaints	3

Select yes if the data reported in this indicator are not the same as the State's data reported under section 618 of the IDEA.

NO

### Targets: Description of Stakeholder Input

Stakeholder Involvement: Nebraska regularly seeks input from Stakeholders when establishing policy, regulation or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report, Nebraska established a broad-based Stakeholder group. The group includes representatives of parents, special education directors, special education staff, general education administration (principals, superintendents), institutions of higher education, NDE teams (Approval/Accreditation, School Improvement, Curriculum and Instruction), community agencies, non-public schools, and the Nebraska State Education Association and the Nebraska Association of Special Education Supervisors.

This group has met periodically throughout the past year and will continue meeting to establish/review targets and performance as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far the Stakeholders have reviewed historical data around each of the indicators and established targets for each of the indicators. Additionally, the Stakeholders assisted NDE in establishing the State Identified Measurable Result (SIMR). As the Stakeholders continue meeting they will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the Stakeholder group established specifically for the purpose of gathering input on the SPP/APR, Nebraska also obtained input from two longstanding Stakeholder groups with some members serving as liaisons to the RDA Stakeholder committees: Special Education Advisory Council

(SEAC) and the State Results Matter Task Force. The council is established pursuant to 34 CFR 300.167 and as such provides for input from a diverse group of Stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed and supported the work of the Stakeholder group. SEAC and the Task Force will continue to be utilized for input on the development of Phases II and III of the SSIP and the SIMRs.

### Historical Data

Baseline Year	Baseline Data
2005	

FFY	2014	2015	2016	2017	2018
Target >=					0.00%
Data	100.00%	100.00%	100.00%	0.00%	100.00%

**Targets**

FFY	2019
Target >=	0.00%

**FFY 2019 SPP/APR Data**

2.1.a.i Mediation agreements related to due process complaints	2.1.b.i Mediation agreements not related to due process complaints	2.1 Number of mediations held	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
0	3	4	100.00%	0.00%	75.00%	Met Target	No Slippage

Provide additional information about this indicator (optional)

**16 - Prior FFY Required Actions**

None

**16 - OSEP Response**

The State reported fewer than ten mediations held in FFY 2019. The State is not required to meet its targets until any fiscal year in which ten or more mediations were held.

**16 - Required Actions**

## **Certification**

### **Instructions**

Choose the appropriate selection and complete all the certification information fields. Then click the "Submit" button to submit your APR.

#### **Certify**

I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.

#### **Select the certifier's role:**

Designated by the Chief State School Officer to certify

**Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.**

#### **Name:**

Amy Rhone

#### **Title:**

State Special Education Administrator

#### **Email:**

amy.rhone@nebraska.gov

#### **Phone:**

402-471-4323

#### **Submitted on:**

04/29/21 3:17:19 PM