

After a review of your Level of Determination notification and NECounts data analysis on ILCD, here are some suggested areas to find technical assistance in each area of risk that was calculated.

Indicator 4B: Suspension/Expulsion

Data Type: Indicator 4B: Suspension/Expulsion

Data Description: District with 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 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.

Resources to Improve:

- Review your Significant Discrepancy finding(s) and Corrective Action Plan with the NDE, OSE Equity Team.
- [Equity in Special Education resources](#) (Nebraska Department of Education)
- [Success Gaps Toolkit](#) (IDEA Data Center)
- [Supporting Behavior](#) (Nebraska Department of Education)
- [Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders](#) (U.S. Department of Education)
- [Supporting Students with Disabilities and Avoiding Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#) (U.S. Department of Education)

NDE, OSE Contact: [Marci Haight](#) and [Mary Lenser](#), [Ginny Howard](#) for suspension and expulsion of children with IEPs attending preschool.

Indicator 9: Disproportionate Representation

Data Type: Indicator 9: Disproportionate Representation

Data Description: District with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Resources to Improve:

- [Equity in Special Education resources](#)
- [Success Gaps Toolkit](#) (IDEA Data Center)

NDE, OSE Contact: [Marci Haight](#) and [Mary Lenser](#)

Indicator 10: Disproportionate Representation in Specific Disability Categories

Data Type: Indicator 10: Disproportionate Representation in Specific Disability Categories

Data Description: District with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Resources to Improve:

- [Equity in Special Education resources](#)
- [Success Gaps Toolkit](#) (IDEA Data Center)

NDE, OSE Contact: [Marci Haight](#) and [Mary Lenser](#)

Indicator 11: Child Find

Data Type: Indicator 11: Child Find

Data Description: Children evaluated more than 45 school days or 60 calendar days of receiving parental consent for initial evaluation.

Resources to Improve:

- [Federal and State Child Find Policies and Procedures Guidance Document](#) (Nebraska Department of Education)
- [SOS: Should districts follow Rule 51 or IDEA when it comes to the initial evaluation timelines?](#) (Nebraska Department of Education)
- [SOS: What are the procedure steps and relevant timelines in the initial evaluation process?](#) (Nebraska Department of Education)
- [Memo Re: Clarification on guidance for 92 NAC 51 – 009.04 and IDEA 60 Day Timeline for School Age Children](#) (Nebraska Department of Education)
- [IDEA Section 300.111- Child Find](#)
- [Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act](#) (Office of Special Education and Rehabilitative Services)
- [Memo 11.07](#) (Office of Special Education Programs)

NDE, OSE Contact: [Christopher Chambers](#) and [Tara Korshoj](#)

Indicator 12: Early Childhood Transition

Data Type: Indicator 12: Early Childhood Transition

Data Description: 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.

Resources to Improve:

- Indicator B12 Nebraska Specific Crosswalk, COMING SOON!
- [Early Childhood Transitions for Children and Families Birth – Age 5](#) (Nebraska Early Development Network)
- [Transition Planning and Implementation](#) (Nebraska Early Development Network)

NDE, OSE Contact: [Heather Ottoson](#) and [Ginny Howard](#)

Indicator 13: Secondary Transition

Data Type: Indicator 13: Secondary Transition

Data Description: Youth with IEPs aged 14 and above with:

- An IEP that includes:
 - Appropriate measurable postsecondary goals that are annually updated and based upon age-appropriate transition assessments;
 - 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.
- Evidence that:
 - The student was invited to the IEP Team meeting where transition services are to be discussed and
 - If appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP

Team meeting with the prior consent of the parent or student who has reached the age of majority.

Resources to Improve:

- Connect with your district's Regional Transition Facilitators:
 - Northeast Region – Amy Slama, aslama@esu7.org
 - Metro Region – Whitney Fagan, wfagan@esu3.org
 - Southeast Region – Michalla Schartz, michalla.schartz@esu6.org
 - Central Region – Blair Hartman, bhartman@esu10.org
 - Western Region – Megan Lantis, mlantis@esu13.org and Diane Reinhardt, dreinhardt@esu13.org
- [Nebraska Transition](#) (Nebraska Department of Education)
- [Transition Planning](#) (Nebraska Department of Education)
- [Indicator 13 Presenter Guide](#) (National Technical Assistance Center on Transition; will need to get a free account to access)
- [Secondary Transition: Helping Students with Disabilities Plan for Post-High School Settings](#) (IRIS Center)

NDE, OSE Contact: [Theresa Hayes](#), [Christopher Chambers](#), and [Jordyn Brummund](#)

Correction of Noncompliance

Data Type: Correction of Noncompliance

Data Description: Whether a district corrected identified noncompliance with compliance indicators (Indicators 4B, 9, 10, 11, 12, and 13) pursuant to requirements from OSEP Memorandum 09-02, dated October 17, 2008

Resources to Improve: If your district had identified noncompliance with any compliance indicator, review your district's corrective action plan, gather evidence of correction, complete corrective action by established due dates, and demonstrate 100% compliance in the subsequent data collection. Connect with the relevant NDE, OSE contact, if desired.

NDE, OSE Contact:

- Correction of Noncompliance for Indicators 4B, 9, and 10: [Marci Haight](#) and [Mary Lenser](#)
- Correction of Noncompliance for Indicator 11: [Christopher Chambers](#) and [Tara Korshoj](#)
- Correction of Noncompliance for Indicator 12: [Heather Ottoson](#) and [Ginny Howard](#)
- Correction of Noncompliance for Indicator 13: [Theresa Hayes](#), [Christopher Chambers](#), and [Jordyn Brummund](#)

Timely, Accurate, and Complete Data Submission

Data Type: Timely, Accurate, and Complete Data Submission

Data Description: Timely: Submitted by deadline

Accurate: Does not need correction

Complete: Is not missing any required parts

Resources to Improve:

- SPEDFRS: Final Financial for Transportation, birth to five, School Age
 - <https://www.education.ne.gov/fos/special-education-reporting-information/>

- Indicator 11: Child Find
 - [Submitting Indicator 11 Data Slide Deck](#)
- Maintenance of Effort Eligibility and Maintenance of Effort Compliance
 - Resources provided under the heading [Maintenance of Effort \(M.O.E.\) Worksheet Instructions & Tracking Tool](#)
- Targeted Improvement Plan
 - [Navigating the Targeted Improvement Plan \(TIP\) – ILCD Guidance](#)
 - [TIP Review Information \(Fall 2022\)](#)
- Proportionate Share
 - Resources provided under the heading [SPED Proportionate Share Worksheet for Non-Public Schools](#)
- Submitting a Justification for Percentage of Students Taking the Alternate Assessment
 - [1% Justification Documents](#)
- IDEA Part B Grant
 - Resources provided under the heading [IDEA Application Process](#)

NDE, OSE Contact:

- SPEDFRS: Final Financial for Transportation, birth to five, School Age – [Greg Prochazka](#)
- Indicator 11: Child Find – [Christopher Chambers](#) and [Tara Korshoj](#)
- Maintenance of Effort Eligibility and Maintenance of Effort Compliance – [Greg Prochazka](#)
- Targeted Improvement Plan – [Micki Charf](#) and [Darsha Pelland](#)
- Proportionate Share – [Greg Prochazka](#)
- Submitting a Justification for Percentage of Students Taking the Alternate Assessment – [Sharon Heater](#) and [Mary Lenser](#)
- IDEA Part B Grant – [Greg Prochazka](#)

Fiscal Desk Review: Special Education Findings

Data Type: Fiscal Desk Review: Special Education Findings

Data Description: NDE's fiscal review for all subrecipients that meet certain criteria. Fiscal Desk Review reports distinguish special education findings.

Resources to Improve: NDE's Office of Budget and Grants Management will send the district an email providing the results of its Fiscal Desk Review. If there is a finding, the report will require a corrective action plan or may provide other guidance about how a district may correct this issue going forward. The email will also include resources and guidance on where to find the requirements on which the finding is based.

NDE, OSE Contact: [Megan Kassing](#)

Indicator 1: Graduation

Data Type: Indicator 1: Graduation

Data Description: Percent of youth with IEPs exiting special education due to graduating with a regular high school diploma. State target for the relevant Data Year is at least 77.85% of youth with IEPs exiting special education due to graduating with a regular high school diploma.

Resources to Improve:

- [Graduation Considerations for Students with Disabilities: A Decision-Making Framework for IEP Teams](#) (Nebraska Department of Education)
- [Preventing School Dropout Brief Resource Guide](#) (U.S. Department of Education's Title IV, Part A Technical Assistance Center)
- [On-Time Graduation Resource Guide](#) (Hanover Research)
- [OSEP Graduation Rate and Drop Out Rate Calculator](#) (IDEA Data Center and National Technical Assistance Center on Transition's (NTACT) Graduation Rate (Indicator 1) and Dropout Rate (Indicator 2) Calculator)

NDE, OSE Contact: [Jordyn Brummund](#), [Darsha Pelland](#), and [Abbey Cron](#)

Indicator 2: Drop Out

Data Type: Indicator 2: Drop Out

Data Description: Percent of youth with IEPs who exited special education due to dropping out. State target for the relevant Data Year is no more than 12.81% of youth with IEPs exiting special education due to dropping out.

Resources to Improve:

- [Graduation Considerations for Students with Disabilities: A Decision-Making Framework for IEP Teams](#) (Nebraska Department of Education)
- [Preventing School Dropout Brief Resource Guide](#) (U.S. Department of Education's Title IV, Part A Technical Assistance Center)
- [On-Time Graduation Resource Guide](#) (Hanover Research)
- [OSEP Graduation Rate and Drop Out Rate Calculator](#) (IDEA Data Center and National Technical Assistance Center on Transition's (NTACT) Graduation Rate (Indicator 1) and Dropout Rate (Indicator 2) Calculator)
- [Why Chronic Absenteeism Matters: What the Research Says](#) (U.S. Department of Education)
- [Chronic Absenteeism](#) (Nebraska Department of Education)

NDE, OSE Contact: [Jordyn Brummund](#), [Darsha Pelland](#), and [Abbey Cron](#)

Indicator 3: Assessment

Data Type: Indicator 3: Participation rate, Proficiency rate against grade level and alternate academic achievement standards, and Gap in proficiency rates against grade level

Data Description:

- NDE calculates one composite score for math and one composite score for reading.
- Some districts do not have any fourth or eighth graders or third-year high school students take the alternate assessment. To account for this NDE calculates the composite score for math and the composite score for reading as a percentage of each data element where the State target is met as compared to the data elements available for that district to meet State targets.
- State targets for the relevant Data Year are:
 - Indicator 3A: Participation for Children with IEPs
 - At least 95.00% of children with IEPs in the district participated in the state math assessment and state reading assessment.
 - Indicator 3B: Proficiency rate for children with IEPs against grade level academic achievement standards

- At least 24.02% of fourth graders with IEPs, 16.52% of eighth graders with IEPs, and 10.63% of third-year high school students with IEPs were proficient on the state reading assessment.
- At least 20.33% of fourth graders with IEPs, 13.35% of eighth graders with IEPs, and 9.53% of third-year high school students with IEPs were proficient on the state math assessment.
- Indicator 3C: Proficiency rate for children with IEPs against alternate academic achievement standards
 - At least 44.94% of fourth graders with IEPs, 33.09% of eighth graders with IEPs, and 43.16% of third-year high school students with IEPs were proficient on the state reading alternate assessment.
 - At least 43.02% of fourth graders with IEPs, 43.55% of eighth graders with IEPs, and 35.52% of third-year high school students with IEPs were proficient on the state math alternate assessment.
- Indicator 3D: Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards
 - The gap in proficiency rate between all students scoring at or above proficient and students with IEPs scoring at or above proficient on the state reading assessment is no more than 29.68% for fourth graders, 34.07% for eighth graders, and 37.32% for third-year high school students.
 - The gap in proficiency rate between all students scoring at or above proficient and students with IEPs scoring at or above proficient on the state math assessment is no more than 25.33% for fourth graders, 31.93% for eighth graders, and 36.13% for third-year high school students.

Resources to Improve:

- Review districts policies and procedures on identification of students and how district staff are determining what are appropriate interventions and needed support for student success. Review how district staff are monitoring that interventions are being implemented with fidelity and are being successful for each individual student.
- Review [IEP Team Guidelines for the Selection and Use of Accommodations for Students with Disabilities](#) on how to select, administer, and evaluate accommodations and accessibility supports to students.
- Ensure students are getting the appropriate accommodations and accessibility supports needed to help them be successful in instruction and assessments.
- Review alternate assessment criteria, definition, characteristics, and other information to make sure the appropriate students are being identified for participation. Review the [NSCAS Accessibility Manual](#) for allowable accommodations and accessibility supports. [School Age Statewide Assessment Tests for Students with Disabilities – Nebraska Department of Education](#)
- Ensure educators are aware of the [Nebraska College and Career Academic Standards](#) and, for those students with the most significant cognitive disabilities, the [Nebraska College and Career Ready Academic Standards Extended Indicators](#) Are district educators able to create lessons to support these standards so students can be proficient? How is the district monitoring this?

NDE, OSE Contact: [Sharon Heater](#) and [Mary Lenser](#)

Indicator 5: Education Environments

Data Type: Indicator 5: Education Environments (children 5 (Kindergarten) – 21)

Data Description:

- Percent of children with IEPs aged 5 who are enrolled in kindergarten and 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.
- NDE calculates a composite score based on whether the district met State targets for Indicator 5A, 5B, and 5C (three components).
- State targets for the relevant Data Year are:
 - A. At least 81.32% of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 are served inside the regular class 80% or more of the day;
 - B. No more than 5.44% of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 are served inside the regular class less than 40% of the day; and
 - C. No more than 2.25% of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 are served in separate schools, residential facilities, or homebound/hospital placements.

Resources to Improve:

- [Least Restrictive Environment \(LRE\) Guidance Document](#) (Nebraska Department of Education)
- [Federal and State Placement and LRE Requirements and Policies and Procedures Guidance](#) (Nebraska Department of Education)
- [A Guide to Inclusive Education](#) (SPED Strategies)
- [Equity For All Learners: Inclusion At Every Level Guidance Document](#) (Nebraska Department of Education)

NDE, OSE Contact: [Tara Korshoj](#) and [Darsha Pelland](#)

Indicator 6: Preschool Environments

Data Type: Indicator 6: Preschool Environments

Data Description:

- Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:
 - A. Regular early childhood programs and receiving the majority of special education and related services in the regular early childhood program;
 - B. Separate special education class, separate school, or residential facility; and
 - C. Receiving special education and related services in the home.
- NDE calculates a composite score based on whether the district met State targets for Indicator 6A, 6B, and 6C for children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program (nine components).
- State targets for the relevant Data Year are:
 - A. At least 65.95% of three-year-olds with IEPs, 82.15% of four-year-olds with IEPs, and 78.73% of five-year-olds with IEPs are enrolled in a preschool

program attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program;

- B. No more than 4.26% of three-year-olds with IEPs, 2.60% of four-year-olds with IEPs, and 2.78% of five-year-olds with IEPs are enrolled in a preschool program attending a separate special education class, separate school or residential facility; and
- C. No more than 19.66% of three-year-olds with IEPs, 7.06% of four-year-olds with IEPs, and 6.63% five-year-olds with IEPs are receiving special education and related services in the home.

Resources to Improve:

- [Preschool \(Ages 3–5\) Environments Crosswalk 619 \(District Level\)](#) (Nebraska Department of Education)
- [Indicator B6 Coding Examples \(Preschool Inclusion\) Ages 3–5: Companion Document to B6 Crosswalk](#) (Nebraska Department of Education)
- [Kindergarten Age Eligible \(5-year-old\) Preschool IEPs and LRE](#) (Nebraska Department of Education)
- [Preschool LRE](#) (Nebraska Department of Education)
- Preschool LRE Toolkit Training Recording on [NDE Early Childhood Special Education Services Webpage](#) (COMING SOON!!)

NDE, OSE Contact: [Heather Ottoson](#) and [Ginny Howard](#)

Indicator 7: Preschool Outcomes

Data Type: Indicator 7: Preschool Outcomes

Data Description:

- 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.
- NDE calculates a composite score based on whether the district met State targets for Indicator 7A1, 7A2, 7B1, 7B2, 7C1, and 7C2 (six components). Some districts do not have any preschool children that enter the program below age expectations in a given outcome. To account for this NDE calculates the composite score as a percentage of each data element met as compared to the data elements available for that district to meet.
- State targets for the relevant Data Year are:
 - A1. Of those children who entered or exited the preschool program below age expectations in positive social-emotional skills (including social relationships), at least 56.95% substantially increased their rate of growth by the time they turned six or exited the preschool program;
 - A2. At least 59.75% of preschool children functioning within age expectations in positive social-emotional skills (including social relationships) by the time they turned six or exited the preschool program;
 - B1. Of those children who entered or exited the preschool program below age expectations in acquisition and use of knowledge and skills (including

early language/ communication and early literacy), at least 61.95% substantially increased their rate of growth by the time they turned six or exited the preschool program;

- B2. At least 55.15% of preschool children functioning within age expectations in acquisition and use of knowledge and skills (including early language/ communication and early literacy) by the time they turned six or exited the preschool program;
- C1. Of those children who entered or exited the preschool program below age expectations in use of appropriate behaviors to meet their needs, at least 57.85% substantially increased their rate of growth by the time they turned six or exited the preschool program; and
- C2. At least 63.85% of preschool children functioning within age expectations in use of appropriate behaviors to meet their needs by the time they turned six or exited the preschool program.

Resources to Improve:

- [Results Matter Nebraska](#) (Nebraska Department of Education)
- [2022 OSEP GOLD Admin Training](#) (Nebraska Department of Education)
- [GOLD Professional Development Flyer](#) (Nebraska Department of Education)
- [Administrator GOLD® Online Assessment Monthly Job Targets](#) (Nebraska Department of Education)

NDE, OSE Contact: [Heather Ottoson](#) and [Ginny Howard](#)

State Complaint Filings and Findings

Data Type: State Complaint Filings and Findings

Data Description: Did the district have special education state complaints filed against it and did a complaint investigation make findings of violations of special education law for an individual child (or children) or systemic findings.

Resources to Improve:

- [S.O.S. – Statements on SPED](#) (Nebraska Department of Education)
- [State Complaint Final Investigation Reports](#) (Nebraska Department of Education)
- [The Center for Appropriate Dispute Resolution in Special Education \(CADRE\) Stage I: Prevention](#)

NDE, OSE Contact: [Kelly Wojcik](#)

Maintenance of Effort

Data Type: Maintenance of Effort

Data Description: In the years 2018–19, 2019–20, and 2020–21 did the district meet maintenance of effort?

Resources to Improve: Resources provided under the heading [Maintenance of Effort \(M.O.E.\) Worksheet Instructions & Tracking Tool](#)

NDE, OSE Contact: [Greg Prochazka](#) and [Megan Kassing](#)

Targeted Improvement Plan (TIP)

Data Type: Targeted Improvement Plan (TIP)

Data Description:

- Did the TIP the district submitted May 1, 2022, include:

- Summarized and uploaded:
 - Updated student outcome data;
 - Implementation data;
- A measurable goal;
- An explanation for the rating of the district's selected evidence-based strategy;
- An explanation for the rating of MTSS implementation; and
- A description of changes made to the TIP based on data.

Resources to Improve:

- [ILCD Website](#)
- [NDE Portal](#)
- [Implementation Resources](#)
- [TIP Guidance Document Implementation Resources](#)
- [TIP Review Information \(Fall 2022\)](#)
- [Outcome/Implementation Data \(Jan 2023\)](#)
- [TIP Information \(March 2023\)](#)

NDE, OSE Contact: [Darsha Pelland](#) and [Micki Charf](#)

Chronic Absenteeism

Data Type: Chronic Absenteeism for Students with IEPs

Data Description: Students with IEPs who were absent, meaning not physically on school grounds and not participating in instruction or instruction-related activities at an approved off-grounds location, for at least half the school day. NDE calculates a percentage by dividing the number of chronically absent students with IEPs by the number of students with an IEP in the district.

Resources to Improve:

- [Why Chronic Absenteeism Matters: What the Research Says](#) (U.S. Department of Education)
- [Chronic Absenteeism](#) (Nebraska Department of Education)
- [Nebraska School, Family, and Community Engagement Framework](#) (Nebraska Department of Education)

NDE, OSE Contact: [Micki Charf](#)