2027 NECounts and District Annual Determination

Improving Outcomes for Children and Youth with Disabilities (Ages 3 through 21)

This technical guide outlines the processes the Nebraska Department of Education (NDE), Office of Special Education proposes to use for NECounts and District Annual Determinations in 2027.

March 2025

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Overview

NDE is required to make an annual determination on the performance of each school district under and consistent with Part B of the IDEA. 20 U.S.C. § 1416(a), (e). NDE makes this district annual determination using both outcome and compliance data. NDE is also required to assess each school district for risk under the Uniform Grant Guidance, determining the school district's risk of noncompliance with federal statutes and regulations and whether the school district may not achieve intended outcomes with federal special education dollars. 2 C.F.R. § 200.332. NDE fulfills this requirement through a process called NECounts. Beginning with the 2023 NECounts and district annual determination NDE combined the data analysis, technical assistance, and monitoring of NECounts and district annual determinations into one process.

Following is an explanation of each data category for NECounts and district annual determination, how NDE analyzes the data, and the monitoring and technical assistance NDE provides based on NECounts and district annual determination. NDE generally uses the most recent data available at the time of calculating NECounts and district annual determination but will make exceptions to that when needed and will clearly indicate which data year it uses for each category.

Calculations Explanation

For each data category, NDE first assigns a score based on risk of not achieving objectives. Many of the data categories are a district's performance on an indicator from the State Performance Plan and Annual Performance Report as compared to the state target for that indicator.

Points	Description
0	No Risk
1	Low Risk
2	Medium Risk
3	High Risk
N/A	The district was not measured in that category in the relevant data year. For example, Correction of Noncompliance is based on whether a district corrected certain noncompliance as required and within a certain timeline. Not all districts have been identified with the noncompliance identified in this category. Districts not identified with the specific noncompliance do not receive a Risk score.

Not all Risk scores are available in each category. For each data category, this document shows which Risk scores are available and the measurement for each. If a data category contains multiple subcategories, NDE calculates a composite score for the entire category and assigns a Risk score based on the composite score.

Once each district has been assigned a risk score for each data category, NDE then applies a weight to each category. The weight is intended to highlight NDE's focus on particular categories, prioritizing improvement in particular areas. NDE uses 1, 2, or 3 as weights and applies the weights by multiplying each district's score in each category by the weight for that category. NDE then sums the weighted scores together to get one total score per district.

NDE determines the denominator for each category for each district by multiplying the highest possible risk for the category by the category's weight. If a district was not measured in a given category in the relevant data year the denominator is N/A, just like the Risk score for the data category. Returning to the Correction of Noncompliance example, not all districts have been identified with the specific noncompliance for the relevant data year so the denominator for districts not monitored in a given year is N/A. NDE then sums the denominators for each data category to get a total denominator for each district.

NDE then divides each district's total score by each district's total denominator, obtaining a percentage risk score for each district. A higher percentage risk score means a district is at higher risk of federal dollars not achieving intended outcomes. A lower percentage risk score means a district is at lower risk of federal dollars not achieving intended outcomes. NDE then sorts all districts by total percentage score to determine the monitoring and technical assistance each district needs.

Data Categories

Chronic Absenteeism for Students with IEPs

Data Description: Students with IEPs (kindergarten through grade 12) 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. Chronically absent applies to any student with an IEP who was absent for 10% or more of the school days. NDE calculates a percentage by dividing the number of chronically absent students with IEPs by the number of students with IEPs in the district.

Data Year: SY 2025–26

Data Source: Year End Collection (Student School Attendance) in ADVISER due June 15

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	0 or no students	Students with disabilities chronically absent
1 (low risk)	Less than 10%	Students with disabilities chronically absent
2 (medium risk)	10.00% - 29.99%	Students with disabilities chronically absent
3 (high risk)	30% or more	Students with disabilities chronically absent

Weight: 2

Denominator: 6

Correction of Noncompliance

Data Description: Whether a district corrected identified noncompliance with compliance indicators (Indicators 4B, 9, 10, 11, 12, and 13) pursuant to OSEP QA 23-01, dated July 24, 2023, requirements.

Data Year: NDE findings from SY 2024–25

Data Source: NDE findings and follow-up for districts with identified noncompliance with Indicators 4B, 9, 10, 11, 12, and/or 13

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District corrected identified noncompliance with compliance indicators (Indicators 4B, 9, 10, 11, 12, and 13) pursuant to requirements from OSEP QA 23-01
3 (high risk)	District did **not** correct identified noncompliance with compliance indicators (Indicators 4B, 9, 10, 11, 12, and 13) pursuant to requirements from OSEP QA 23-01
N/A	District did not have identified noncompliance with any of the compliance indicators

Weight: 3

Denominator: N/A or 9

Fiscal Desk Review

Special Education Findings and Grants Management

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

Data Year: 2026 calendar year

Data Source: NDE Office of Budget & Grants Management Fiscal Desk Review reports

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District had a Fiscal Desk Review, but no special education findings
3 (high risk)	District had a Fiscal Desk Review and had one or more special education findings and/or was issued a Management Decision Letter
N/A	District did not have a Fiscal Desk Review

Weight: 1

Denominator: N/A or 3

Indicator 1: Graduation

Data Description: Percent of youth with IEPs exiting special education due to graduating with a regular high school diploma.

Data Year: SY 2025–26

Data Source: Year End Collection (Exiting Data) in ADVISER due June 15

Targets:

Governor's Target	Stakeholder Target
90%	79.35%

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	100%	Youth with IEPs in the district exited special education due to graduating with a regular high school diploma
1 (low risk)	99.99% - 88.85%	Youth with IEPs in the district exited special education due to graduating with a regular high school diploma
2 (medium risk)	88.84%–79.35%	Youth with IEPs in the district exited special education due to graduating with a regular high school diploma
3 (high risk)	79.34%–0%	Youth with IEPs in the district exited special education due to graduating with a regular high school diploma
N/A	0	This does not apply to your district because your district reported no youth with IEPs who exited.

Weight: 2

Denominator: N/A or 6

Indicator 2: Drop Out

Data Description: Percent of youth with IEPs who exited special education due to dropping out.

Data Year: SY 2025–26

Data Source: Year End Collection (Exiting Data) in ADVISER due June 15

Target: 11.31%

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	0%	Youth with IEPs in the district exited special education due to dropping out
1 (low risk)	0.01%–4.91%	Youth with IEPs in the district exited special education due to dropping out
2 (medium risk)	4.90%–11.31%	Youth with IEPs in the district exited special education due to dropping out
3 (high risk)	11.32%–100%	Youth with IEPs in the district exited special education due to dropping out
N/A	0	This does not apply to your district because your district reported no youth ages 14–21 with IEPs who exited.

Weight: 3

Denominator: N/A or 9

Indicator 3: Math Assessment

Participation rate, Proficiency rate against grade level and alternate academic achievement standards, and Gap in proficiency rates against grade level in math

Data Description:
- NDE calculates one composite score for math.
- 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 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.
- The Indicator Includes the following components for math:
  - o 3A is participation for children with IEPs
  - o 3B is proficiency rate for children with IEPs against grade level academic achievement standards
  - o 3C is proficiency rate for children with IEPs against alternate academic achievement standards
  - o 3D is gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards

Data Year: SY 2025–26

Data Source: NSCAS

State Targets:

Grade	Indicator 3A	Indicator 3B	Indicator 3C	Indicator 3D
4th Grade	95%	24.33%	47.02%	21.33%
8th Grade	95%	17.35%	47.55%	27.93%
11th Grade	95%	13.53%	39.52%	32.13%

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	100%	Percent of applicable State Targets the District met
1 (low risk)	99.99% - 75.00%	Percent of applicable State Targets the District met
2 (medium risk)	50%–74.99%	Percent of applicable State Targets the District met
3 (high risk)	Less than 50%	Percent of applicable State Targets the District met
N/A	0	District did not report any students with IEPs as taking the state math assessment or state alternate math assessment.

Weight: 2

Denominator: N/A or 6

Indicator 3: Reading Assessment

Participation rate, Proficiency rate against grade level and alternate academic achievement standards, and Gap in proficiency rates against grade level in reading

Data Description:

- NDE calculates 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 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.
- The Indicator Includes the following components for math:
    - 3A is participation for children with IEPs
    - 3B is proficiency rate for children with IEPs against grade level academic achievement standards
    - 3C is proficiency rate for children with IEPs against alternate academic achievement standards
    - 3D is gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards

Data Year: SY 2025–26

Data Source: NSCAS

State Targets:

Grade	Indicator 3A	Indicator 3B	Indicator 3C	Indicator 3D
4th Grade	95%	28.02%	48.94%	25.68%
8th Grade	95%	20.52%	37.09%	30.07%
11th Grade	95%	14.63%	47.16%	33.32%

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	100%	Percent of applicable State Targets the District met
1 (low risk)	99.99% - 75.00%	Percent of applicable State Targets the District met
2 (medium risk)	50%–74.99%	Percent of applicable State Targets the District met
3 (high risk)	Less than 50%	Percent of applicable State Targets the District met
N/A	0	District did not report any students with IEPs as taking the state reading assessment or state alternate reading assessment.

Weight: 3

Denominator: N/A or 9

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.

Data Year: SY 2024–25

Data Source: Year End Collection (Exiting Data) in ADVISER due June 15 and Policy, Procedure, Practice Review

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District did not have a significant discrepancy
1 (low risk)	District had a significant discrepancy for one single year, no consecutive years, and NDE review determined district policies, procedures, or practices did not contribute to the significant discrepancy and met legal requirements
2 (medium risk)	District had a significant discrepancy for two or more consecutive years and NDE review determined district policies, procedures, or practices did not contribute to the significant discrepancy and met legal requirements
3 (high risk)	District had a significant discrepancy and NDE review determined district policies, procedures, or practices contributed to the significant discrepancy and did not meet legal requirements

Weight: 1

Denominator: 3

Indicator 5: Educational Environments
(Children Aged 5 (Kindergarten) through 21)

Data Description:

- Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:
    - o A. Inside the regular class 80% or more of the day; and
    - o B. Inside the regular class less than 40% of the day
- NDE calculates a composite score based on whether the district met State targets for Indicator 5A and 5B (two components).

Data Year: SY 2025–26

Data Source: Fall Data Collection (October 1 Child Count Snapshot) due in ADVISER by October 15

State Targets:

5A	5B
>= 81.94%	<= 5.42%

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District met Indicator 5A and 5B targets
1 (low risk)	District met one of two Indicator 5A or 5B targets
2 (medium risk)	District met neither Indicator 5A or 5B targets

Weight: 3

Denominator: 6

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 program and receive the majority of special education and related services in that regular early childhood program;
    - B. Separate special education class, separate school, or residential facility; and
    - C. Receive 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 (up to nine components).

Data Year: SY 2025–26

Data Source: Fall Data Collection (October 1 Child Count Snapshot) due in ADVISER by October 15

State Targets:

Age	6A	6B	6C
3-year-olds	≥ 67.95%	≤ 3.26%	≤ 17.66%
4-year-olds	≥ 84.15%	≤ 2.20%	≤ 6.66%
5-year-olds	≥ 79.13%	≤ 1.98%	≤ 5.83%

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District met all applicable targets
1 (low risk)	District met two-thirds of the applicable targets
2 (medium risk)	District met one-third of targets
3 (high risk)	District met less than one-third of the applicable targets
N/A	District reported no three, four, or five-year-olds with IEPs

Weight: 3

Denominator: N/A or 9

Indicator 7: Preschool Outcomes

Data Description:

- Percent of preschool children aged 3 through 5 with IEPs (only children who received services for at least 6 months) who demonstrate improved:
  - A. Positive social-emotional skills (including social relationships);
    - 1. Substantially increased their rate of growth by the time they turned six or exited the preschool program
    - 2. Functioning within age expectations
  - B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
    - 1. Substantially increased their rate of growth by the time they turned six or exited the preschool program
    - 2. Functioning within age expectations
  - C. Use of appropriate behaviors to meet their needs.
    - 1. Substantially increased their rate of growth by the time they turned six or exited the preschool program
    - 2. Functioning within age expectations
- NDE calculates a composite score based on whether the district met applicable State targets for Indicator 7A1, 7A2, 7B1, 7B2, 7C1, and 7C2 (up to 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.

Data Year: SY 2025–26

Data Source: TS Gold system

State Targets:

A1	A2	B1	B2	C1	C2
58.20%	61.00%	63.20%	56.40%	59.10%	65.10%

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District met all relevant State targets
1 (low risk)	District met 75% of applicable State targets
2 (medium risk)	District met 50-74.99% of applicable State targets
3 (high risk)	District met less than 50% of applicable State targets
N/A	District did not have any preschool children aged 3 through 5 with IEPs

Weight: 2

Denominator: N/A or 6

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.

Data Year: SY 2025–26

Data Source: Fall Data Collection (October 1 Child Count Snapshot) due in ADVISER by October 15

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District did not have disproportionate representation of racial and ethnic groups in special education
1 (low risk)	District had disproportionate representation of racial and ethnic groups in special education for one single year, no consecutive years, and NDE review of district policies, procedures, and practices determined that the disproportionate representation was not the result of inappropriate identification.
2 (medium risk)	District had disproportionate representation of racial and ethnic groups in special education for two or more consecutive years and NDE review of district policies, procedures, and practices determined that the disproportionate representation was not the result of inappropriate identification
3 (high risk)	District had disproportionate representation of racial and ethnic groups in special education and NDE review of district policies, procedures, and practices determined that the disproportionate representation was the result of inappropriate identification

Weight: 1

Denominator: 3

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.
Data Year: SY 2025–26
Data Source: Fall Data Collection (October 1 Child Count Snapshot) due in ADVISER by October 15
Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District did not have disproportionate representation of racial and ethnic groups in special education
1 (low risk)	District had disproportionate representation of racial and ethnic groups in special education for one single year, no consecutive years, and NDE review of district policies, procedures, and practices determined that the disproportionate representation was not the result of inappropriate identification.
2 (medium risk)	District had disproportionate representation of racial and ethnic groups in special education for two or more consecutive years and NDE review of district policies, procedures, and practices determined that the disproportionate representation was not the result of inappropriate identification
3 (high risk)	District had disproportionate representation of racial and ethnic groups in special education and NDE review of district policies, procedures, and practices determined that the disproportionate representation was the result of inappropriate identification

Weight: 2
Denominator: 6

Indicator 11: Initial Evaluation Timelines

Data Description: Children evaluated within 45 school days or 60 calendar days, whichever comes first, of receiving parental consent for initial evaluation.
Data Year: SY 2025–26
Data Source: Indicator 11 data collection in ILCD
Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	All children evaluated within 45 school days or 60 calendar days of receiving parental consent for initial evaluation
3 (high risk)	Any number of children evaluated more than 45 school days or 60 calendar days after receiving parental consent for initial evaluation non-permissible delay reasons
N/A	District received no signed consents for initial evaluation

Weight: 2
Denominator: N/A or 6

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.

Data Year: SY 2025–26

Data Source: Year End Collection (Exiting Data) in ADVISER due June 15

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	All children who were referred by Part C prior to age 3 and, were determined eligible for Part B had an IEP developed and implemented by their third birthdays. Excluded from consideration are children whose parents chose to continue early intervention services beyond the child's third birthday and children for whom parent refusal to provide consent slowed the process.
3 (high risk)	One or more children who were referred by Part C prior to age 3 and determined eligible for Part B did not have an IEP developed and implemented by their third birthday. Excluded from consideration are children whose parents chose to continue early intervention services beyond the child's third birthday and children for whom parent refusal to provide consent slowed the process.
N/A	No children were referred by Part C prior to age 3 and determined eligible for Part B. Excluded from consideration are children whose parents chose to continue early intervention services beyond the child's third birthday and children for whom parent refusal to provide consent slowed the process.

Weight: 1

Denominator: N/A or 3

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 were 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.

Data Year: SY 2025–26

Data Source: NDE Indicator 13 self-assessment in ILCD and data verification

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	100%	Youth with IEPs aged 14 and older, reviewed by NDE in Indicator 13 monitoring, have IEPs that contain each of the required components for secondary transition.
1 (low risk)	66.67% - 99.99%	Youth with IEPs aged 14 and older, reviewed by NDE in Indicator 13 monitoring, have IEPs that contain each of the required components for secondary transition.
2 (medium risk)	33.34% - 66.66%	Youth with IEPs aged 14 and older, reviewed by NDE in Indicator 13 monitoring, have IEPs that contain each of the required components for secondary transition.
3 (high risk)	33.33% or less	Youth with IEPs aged 14 and older, reviewed by NDE in Indicator 13 monitoring, have IEPs that contain each of the required components for secondary transition.

Weight: 2

Denominator: 6

Maintenance of Effort (MOE)

Data Description: In the years 2022–23, 2023–24, and 2024-25, did the district meet maintenance of effort?

Data Year: 2022–23, 2023–24, and 2024-25

Data Source: Reports from the specific school year's Individuals with Disabilities Education Act (IDEA) Part B Maintenance of Effort (MOE) For Compliance Standard, system generated report is maintained on a school year Summary worksheet.

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District met MOE compliance standard in all three years
2 (medium risk)	District met MOE compliance standard in two of the three years
3 (high risk)	District met MOE compliance in one or zero of the three years, or the district did not submit MOE data for one or more of the prior three years
N/A	District did not report MOE for relevant years because it is considered a new local education agency

Weight: 2

Denominator: N/A or 6

State Complaint Filings and Findings

Data Description: Districts that have special education state complaints filed against it and whether the complaint investigation made findings of noncompliance for an individual child (or children) or systemic findings.

Data Year: State complaints filed between July 1, 2025–June 30, 2026

Data Source: NDE maintains data on all state complaints filings and findings

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District had no state complaints filed against it
1 (low risk)	District had at least one state complaint filed, but no findings
2 (medium risk)	District had at least one state complaint filed, and findings related to an individual child or children
3 (high risk)	District had at least one complaint filed and systemic findings

Weight: 3

Denominator: 9

Targeted Improvement Plan (TIP)

Data Description:

- For the review of the TIP submitted on May 1, 2026, the district's risk level was determined by whether the following items were included:
  - The district uploaded or provided a working link to a current Improvement Plan (includes items for 2025-2026 school year)
  - Outcome data reported after 5/1/2025 were uploaded
  - Implementation/fidelity data reported after 5/1/2025 were uploaded
  - The district provided a goal that is measurable
  - The district's explanation for their rating of their progress in implementing their evidence-based practice included support for their rating (e.g., data as evidence, describe use of data by team)
  - The district's explanation for their rating of their progress in implementing MTSS included support for their rating (e.g., data as evidence, describe use of data by team)
- In addition, districts that did not submit an updated TIP by May 1, 2026, or included personally identifiable information (PII) were categorized at High risk.

Data Year: SY 2025–26

Data Source: TIP Spring Update 2026 Review Rubric in ILCD

Risk Scores and Measurements:

Risk Score	Descriptor
0 (no risk)	District addressed each of the areas required with its TIP submission
1 (low risk)	District addressed all but one of the areas required with its TIP submission
2 (medium risk)	District addressed all but two or three of the areas required with its TIP submission
3 (high risk)	District did not address four or more of the areas required with its TIP submission or did not submit a TIP in spring 2026

Weight: 3

Denominator: 9

Timely, Accurate, and Complete IDEA Data

Data Description:

- Timely: Submitted by deadline
- Accurate: Does not need correction
- Complete: Is not missing any required parts

Total of 18 possible points.

Data Year: SY 2025–26

Data Source:

- Timely (8 points):
    - Indicator 11: Initial Evaluation Timeline
    - Indicator 13: Secondary Transition
    - Policies/Procedures
    - Maintenance of Effort Compliance
    - Maintenance of Effort Eligibility
    - SPEDFRS: Final Financial for Transportation, birth to five, School Age
    - Submitting a Justification for Percentage of Students Taking the Alternate Assessment
    - Targeted Improvement Plan Submission
- Accurate (7 points):
    - IDEA Annual Child Count (ADVISER Fall Collection)
    - Maintenance of Effort Eligibility
    - Submitting a Justification for Percentage of Students Taking the Alternate Assessment
    - Indicator 11: Initial Evaluation Timeline
    - Indicator 13: Secondary Transition
    - Child Count
    - Year End Data Submission
- Complete (3 points):
    - Indicator 11: Initial Evaluation Timeline
    - Indicator 13: Secondary Transition
    - Year End Data Submission

Risk Scores and Measurements:

Risk Score	Measurement	Descriptor
0 (no risk)	100%	All relevant data elements on time, accurate, and complete
1 (low risk)	99.99% - 88.88%	All relevant data elements on time, accurate, and complete
2 (medium risk)	88.87% - 77.77%	All relevant data elements on time, accurate, and complete
3 (high risk)	77.76% or less	All relevant data elements on time, accurate, and complete

Weight: 3

Denominator: 9

Levels of Determination

Level of Determination	Risk Score Range	Actions
Meets Requirements	0–40% of possible risk points	• NDE will notify the district of its determination and the data used to make the determination. • NDE will apply its monitoring protocol to all districts to consider conducting a special education monitoring of the district focused on compliance and student outcomes.
Needs Assistance	40.01% - 60% of possible risk points	• NDE will notify the district of its determination and the data used to make the determination. • NDE must prohibit the LEA from reducing its maintenance of effort under 34 C.F.R. § 300.203 for any fiscal year. 34 C.F.R. § 300.608(a). • NDE will inform district of available technical assistance which may include: • Advice from experts to address one or more areas of high risk, based on the NECounts data analysis; • Assistance in identifying and implementing professional development, instructional strategies and methods of instruction that are based on scientifically based research; • Designating and using professionals to provide advice, technical assistance, and support; • Devising additional approaches to providing technical assistance, such as collaborating with institutions of higher education, educational service agencies, and private providers of scientifically based technical assistance. • NDE will apply its monitoring protocol to consider conducting a special education monitoring of the district focused on compliance and student outcomes. • NDE may require the district to submit an Improvement Plan to address one or more areas of high risk, based on the NECounts data analysis. • NDE may require the district to revisit/revise its Targeted Improvement Plan (TIP) to address one or more areas of high risk, based on the NECounts data analysis. • If NDE determines that an LEA needs assistance for two consecutive years, NDE must take one or more of the following actions: • Advise the LEA of available sources of TA that may help the LEA address the areas in which the LEA needs assistance and require the LEA to work with the appropriate sources of TA. 34 C.F.R. § 300.604(a)(1). • Identify the LEA as a high-risk grantee and impose Specific Conditions on the LEA's IDEA Part B grant award. 34 C.F.R. § 300.604(a)(3).

Levels of Determination

Level of Determination	Risk Score Range	Actions
Needs Intervention	60.01% or more of possible risk points	• NDE will notify the district of its determination and the data used to make the determination. • NDE may take any of the actions described in the Level of Determination Needs Assistance. • NDE will provide multiple opportunities to engage in professional development and targeted support activities. • NDE may conduct a special education fiscal compliance review. If NDE determines that an LEA needs intervention for three or more consecutive years, NDE must take one or more of the following actions: • Require the LEA to prepare a corrective action plan or improvement plan to correct the identified area(s). 34 C.F.R. § 300.604(b)(2)(i). • Withhold, in whole or in part, further payments under Part B to the LEA. 34 C.F.R. § 300.604(b)(2)(v).
Needs Substantial Intervention	Multiple years of being in "needs intervention" or NDE Discretion	• NDE will notify the district of its determination and the data used to make the determination. • NDE may take any of the actions described in the Level of Determination Needs Assistance and Needs Intervention. • NDE may refer the LEA's accreditation status to the Nebraska State Board of Education. • NDE must withhold, (after reasonable notice and opportunity for a hearing, consistent with 34 C.F.R. §§ 300.155, 300.221, and 76.401(d)), in whole or in part, any further payments under IDEA Part B to the LEA. 34 C.F.R. §§ 300.604(c)(2).