**Ohio’s 2021 Special Education Ratings Process**

The special education program in a district or school is the basis of success for students with disabilities. Annually, the Ohio Department of Education issues a rating on the performance of the special education program for each district and community school in our state. This is known as the Special Education Rating and meets federal requirements\* for local education agencies that receive IDEA funding.

The district rating evaluates the implementation of federal requirements, also called compliance measures, as well as results for students with disabilities. The rating is one of the following:

* Meets Requirements;
* Needs Assistance;
* Needs Intervention; or
* Needs Substantial Intervention.

Districts submit final special education program data through Ohio’s Education Management Information System (EMIS). The Department used the data for the 2019-2020 school year to create each district’s Special Education Profile.

Special Education Ratings have historically been based on measures of procedural compliance. Starting in 2018, these ratings also included measures of results for students with disabilities. The 2021 Special Education Ratings do not include data for statewide testing for 2019-2020 due to the ordered school-building closure and the impact of the COVID-19 pandemic.

\*Section 300.600(a)(2) of the Individuals with Disabilities Education Improvement Act (IDEA)

**Rating Criteria**

The 2021 rating assesses districts’ performance on the following compliance measures:

* Discipline discrepancies by race (Indicator 4b);
* Disproportionality in identification into special education and specific disability categories (Indicators 9 & 10);
* Initial evaluation timelines (Indicator 11);
* Early childhood transition (Indicator 12);
* Secondary transition planning (Indicator 13);
* Timely correction of noncompliance (Indicator 15);
* Timely and accurate data reporting (Indicator 20); and
* Special education audit findings.

Future ratings also will include:

* Math proficiency rates for students with disabilities;
* Reading proficiency rates for students with disabilities;
* Alternate assessment rates; and
* The federal graduation rate for students without disabilities.

**Enforcement Actions**

The IDEA Part B regulations at §300.600(a) specifically designate the enforcement actions that states must apply after a district is determined to "Need Assistance" for two consecutive years, "Need Intervention" for three or more consecutive years, or immediately when a district is determined to "Need Substantial Intervention".

The table below displays the enforcement actions required by the Department for ratings other than Meets Requirements. In some cases, no action is required because the issues lowering the district’s rating have been corrected.

| **Category** | **Enforcement Actions** |
| --- | --- |
| Needs Assistance (Year 1) | Inform districts of technical assistance available from State Support Teams (SSTs) and other resources. |
| Needs Assistance (Year 2) | Require a district self-review and improvement plan to address compliance indicator(s) with lower scores. |
| Needs Intervention | Require a district self-review and improvement plan to address the compliance and/or student results indicator(s) with lower scores. |
| Needs Substantial Intervention | * Withhold, in whole or in part, any Part B funds;
* Require completion of specific corrective actions before release of funds; and
* Require intensive SST support.
 |

The maintenance of effort provisions of IDEA §300.203(b) require school districts to maintain (or increase) the amount of local, or state and local, funds spent for the education of children with disabilities when compared to the preceding fiscal year. When specific criteria are met within a given fiscal year, districts have the flexibility to reduce their maintenance of effort. According to IDEA §300.205(c), this flexibility is not available to districts receiving annual Special Education Ratings other than *Meets Requirements.*

**Calculating Ratings**

To determine each district’s overall rating, the Department totals the points across the compliance measures and divides that total by the number of measures for which the district has data. (That total can be up to eight, though not every district has data for every measure each year.) This is the **compliance score**.

Due to the ordered school-building closure as a result of the COVID-19 pandemic, statewide testing data is not available for the 2019-2020 school year. The 2021 Special Education Rating is based entirely on compliance indicators. Since there is no results score for the 2021 rating, the compliance score is equal to the overall score.

The compliance score corresponds to a point range for each rating category, as follows:

|  |  |
| --- | --- |
| **Overall Score** | **2021 Rating** |
| 3.75 – 4.00 points | Meets Requirements |
| 3.00 – 3.74 points | Needs Assistance |
| 1.25 – 2.99 points | Needs Intervention |
| <1.25 points | Needs Substantial Intervention |

**Performance on Compliance Indicators**

**Indicator 4b:** Disproportionality - Discipline

Target: Risk ratio less than or equal to 2.50

| **Indicator 4b - Significant discrepancies, 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 IDEA discipline requirements.** |
| --- |
| **Data Source** | Data collected in 2017-2018, 208-2019, and 2019-2020 EMIS year-end discipline and enrollment files, calculated to identify districts with significant discrepancies. |
| **Notes** | The measurement for Indicator 4b requires two steps:1. The Department identifies significant discipline discrepancies in districts with risk ratios greater than 2.50 for three consecutive years, using a minimum cell size of 10 and n-size of 30.
2. Districts with significant discipline discrepancies complete a self-review of their policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Using the results of this self-review and corresponding student records, the Department determines if the district has policies, procedures or practices that do not comply with IDEA discipline requirements.
 |
| **Indicator 4b Points** | **Criteria** |
| 4 | District does not have 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. |
| 1 | District has 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. |
| NR | District does not meet the minimum cell size of 10 or n-size of 30. |

**Disproportionality – Identification:** Disproportionality - All Categories and Specific Disability Categories (Indicators 9 & 10)

Target: Risk ratio less than or equal to 2.50

| **Disproportionate representation of racial and ethnic groups into special education and related services (Indicator 9) and specific disability categories (Indicator 10) that is the result of inappropriate identification.** |
| --- |
| **Data Source** | Data collected in 2017-2018, 208-2019, and 2019-2020 EMIS year-end enrollment files and calculated to identify districts with significant risk ratios. |
| **Notes** | The measurement for Disproportionality - Identification requires two steps:1. The Department identifies disproportionate representation either *across disability categories* or *in specific disability categories* within districts with risk ratios greater than 2.50 for three consecutive years, using a minimum cell size of 10 and n-size of 30.
2. Districts with disproportionate representation complete a self-review of their policies, procedures and practices relating to the identification of students with disabilities. Using the results of this self-review and corresponding student records, the Department determines if the disproportionate representation is a result of inappropriate identification.
 |
| **Disproportionality - Identification****Points** | **Criteria** |
| 4 | District does not have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (either across disability categories or in specific disability categories). |
| 1 | District has disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (either across disability categories or in specific disability categories). |
| NR | District does not meet the minimum cell size of 10 or n-size of 30. |

**Indicator 11:** Timely Initial Evaluations

Target: 100%

| **Indicator 11 – Percentage of children who were evaluated within 60 calendar days of receiving parental consent for initial evaluation.** |
| --- |
| **Data Source** | Data collected in 2019-2020 EMIS year-end Special Education Event Record. |
| **Notes** | There is no minimum group size used; all districts with at least one initial evaluation in 2019-2020 receive a score for Indicator 11. |
| **Indicator 11 Points** | **Criteria** |
| 4 | 95% or higher |
| 3 | 75 – 94% |
| 2 | 50 – 74% |
| 1 | 0 – 49% |
| NR | 0 students with initial evaluations in 2019-2020 |

**Indicator 12:** Early Childhood Transition from Part C to Part B

Target: 100%

| **Indicator 12 – Percentage of children referred by Part C (early intervention services) prior to age 3, who are found eligible for Part B (preschool services), and who have an IEP developed and implemented by their third birthdays.** |
| --- |
| **Data Source** | Data collected in 2019-2020 EMIS year-end Special Education Event Record. |
| **Notes** | There is no minimum group size used; all districts with at least one student transitioning from Part C to B in 2019-2020 receive a score for Indicator 12.Beginning with the 2020 ratings (based on 2018-2019 data), districts with systemic underreporting of students transitioning from Part C, identified through review by the Office of Early Learning and School Readiness, will automatically receive a score of 2. |
| **Indicator 12 Points** | **Criteria** |
| 4 | 95% or higher |
| 3 | 75 – 94% |
| 2 | 50 – 74% |
| 1 | 0 – 49% |
| NR | 0 students transitioning from Part C to Part B in 2019-2020 |

**Indicator 13:** Secondary Transition

Target: 100%

| **Indicator 13 - Percentage of youth with IEPs age 16 and above with an IEP that includes:**1. Appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment;
2. Transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals;
3. Annual IEP goals related to the student's transition services needs;
4. Evidence that the student was invited to the IEP Team meeting where transition services are to be discussed; and
5. 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.
 |
| --- |
| **Data Source** | Data collected in 2019-2020 EMIS year-end enrollment files and the Special Education Event Record. |
| **Notes** | There is no minimum group size used; all districts with at leastone student with a disability age 16 or above in 2019-2020receive a score for Indicator 13. Although transition planning and services are required beginning at age 14 in Ohio, the federal indicator is specific to students with disabilities ages 16 and above. |
| **Indicator 13 Points** | **Criteria** |
| 4 | 95% or higher |
| 3 | 75 – 94% |
| 2 | 50 – 74% |
| 1 | 0 – 49% |
| NR | 0 students with disabilities of transition age enrolled in 2019-2020 |

**Indicator 15: Timely Correction of Noncompliance**

Target: No late/uncorrected finding

| **Identified noncompliance is corrected within the timeline established by the Department.** |
| --- |
| **Data Source** | Findings of noncompliance identified from:1. IDEA monitoring;
2. Indicator monitoring (Indicators 4, 9, 10, 11, 12 and 13);
3. Fiscal reviews;
4. Selective reviews;
5. Complaints; and
6. Due process hearings.
 |
| **Notes** | Specific to findings made in *2018-2019* and due for correction in *2019-2020*. |
| **Indicator 15 Points** | **Criteria** |
| 4 | District corrected all identified noncompliance within timelines (or did not receive a finding of noncompliance). |
| 1 | District did not correct all identified noncompliance within timelines. |

**Indicator 20: Timely and Accurate Data**

Target: No data issues

| **District-reported data are timely and accurate.** |
| --- |
| **Data Source** | Timely and accurate data reporting evaluated for:1. Suspensions and expulsions (Indicator 4);
2. Disproportionality (Identification (Indicators 9 & 10), Placement, Discipline)
3. Initial evaluations (Indicator 11);
4. Early childhood transition (Indicator 12);
5. Secondary transition planning (Indicator 13);
6. Alternate assessment participation; and
7. Other EMIS data reported for students with disabilities.
 |
| **Notes** | Data are considered inaccurate if student records or other documentation do not match the data reported in EMIS, as determined through reviews completed by the Department. |
| **Indicator 20 Points** | **Criteria** |
| 4 | All data are timely and accurate. |
| 3 | One component of 1-7 is not timely or accurate. |
| 2 | Two components of 1-7 are not timely or accurate. |
| 1 | Three or more components of 1-7 are not timely or accurate. |

**IDEA Audit Findings**

Target: No audit findings

| **IDEA Audit Findings** |
| --- |
| **Data Source** | Single audits conducted by the Ohio Auditor of State's Office during the 2019-2020 school year.  |
| **Notes** | Scores of less than 4 are assigned to districts with IDEA-related audit findings whose reports were released by the Auditor of State by July 1, 2021. Click [here](https://www.edresourcesohio.org/ode/OEC%20Documents/Special%20Education%20Ratings%20-%20Examples%20of%20Audit%20Findings.pdf) for examples of minor, moderate and major audit findings. |
| **Audit Points** | **Criteria** |
| 4 | No IDEA audit findings. |
| 3 | Minor monitoring and/or reporting issues which can be easily remedied by implementing procedures according to [Uniform Guidance](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=9e0f79385c5005959f058c14ab8584a0&mc=true&n=pt2.1.200&r=PART&ty=HTML). |
| 2 | Moderate documentation and/or reporting issues which would require revision of internal financial processes. |
| 1 | Major financial tracking issues which would require the initiation of appropriate financial and accounting procedures. |
| NR | Not audited in 2019-2020. |

**Performance on Results Indicators**

Results indicators were included starting in 2018. However, due to the ordered school-building closure as a result of the COVID-19 pandemic, statewide testing data is not available for the 2019-2020 school year and will not be included in the 2021 Special Education Ratings.

**Federal Graduation Rate (Graduation by Standard Requirements**)

Target: TBD

| **Percentage of students with disabilities graduating by meeting the same requirements as students without disabilities.** |
| --- |
| **Data Source** | 2018-2019 EMIS Graduation, Assessment, and Student Collections |
| **Notes** | * 1. This calculation will reflect the number of students with disabilities, ages 14 through 21, who exited school by meeting the same requirements for graduation as their nondisabled peers, divided by the total number of students with disabilities ages 14 through 21 reported as exiting school.
	2. Students with disabilities taking alternate assessments, excused from the consequences of the standard high school assessment, or graduating by IEP team decision will be included in the denominator for this calculation, but not the numerator.
	3. Included in the data extraction and calculations are codes from the Student Standing (FS), Special Education Event (GE), Special Education Graduation (FE), Assessment (FA), and Student Detail (FD) files.
 |

**Ensure Data Security**

Each district is responsible to manage the security and local access to its rating report data. The data provided are for district use only and are NOT masked. Reports may contain information for group sizes of fewer than 10 individuals. They are not intended for public distribution. Districts should observe their local policies for security of unmasked data.

**Appeals Process**

Districts wishing to appeal their ratings must submit a completed appeal form and supporting documentation by **August 31, 2021**.

Districts or schools considering an appeal may contact the Office for Exceptional Children at determinations@education.ohio.gov.

**Public Reporting**

The Ohio Department of Education reports annually to the public on the performance of each district’s special education program, including their Special Education Indicator Data and Special Education Rating, on the Department’s [website](http://education.ohio.gov/Topics/Special-Education/Resources-for-Parents-and-Teachers-of-Students-wit/District-Level-Performance-Data). The Department will add the 2021 ratings to the district-level Special Education Indicator Data report after the appeals period has concluded.