

# **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**

**Montana**



**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

402

#### General Supervision System

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

The Montana comprehensive system of general supervision includes multiple components: A review of IDEA Part B applicants' policies and procedures, the application, allocation, distribution, fiscal risk assessment, and accountability of special education funds, and formal complaints, due process hearings, mediation, and an Early Assistance Program. The special education and legal units track data to ensure required compliance and/or corrections are made. Continuous improvement, based on each LEA's five-year comprehensive plan, is reported by LEAs annually and tracked through the Accreditation Unit.

#### Compliance Monitoring

The OPI reviews individual student records to verify processes and procedures meet IDEA requirements and Montana's standards. Compliance monitoring activities consist of: review of individual student records; review of district policy, practices, and procedures; virtual records review and/or site visits, when appropriate; and communication with teachers and specialists.

All identified noncompliance is recorded, verified, and accounted for through a process of: notification of all identified noncompliance; required correction of all identified noncompliance; district submission of up-dated data verifying 100 percent post-monitoring compliant policy, practice, and procedure; timely issuance of findings; completion of required technical assistance and professional development activities; and the issuance of a final report to the district upon completion of all required compliance monitoring requirements.

Each LEA is monitored on a five-year cycle. Residential and correctional facilities are monitored on a three-year cycle. Records for review are selected and a standard record review protocol is used. If an LEA completes the correction of each instance of noncompliance and provides the OPI with sufficient additional records to verify ongoing evidence of compliance, no finding is issued. This practice is based on guidance provided by OSEP in the FREQUENTLY ASKED QUESTIONS REGARDING IDENTIFICATION AND CORRECTION OF NONCOMPLIANCE AND REPORTING ON CORRECTION IN THE STATE PERFORMANCE PLAN (SPP)/ANNUAL PERFORMANCE REPORT (APR) document. In the process for determination of findings, the OPI considers the following: (1) whether the noncompliance was extensive or found in only a small percentage of files; (2) whether the noncompliance showed a denial of a basic right under the IDEA; and (3) whether the noncompliance represents an isolated incident or reflects a long-standing failure to meet requirements. When data indicates evidence of sustained post-monitoring compliance is necessary, the OPI requires the district to obtain additional training and/or submit additional evidence of sustained compliance. The same verification procedures are used for all noncompliance.

During the last LEA monitoring cycle, the state identified 12 instances of non-compliance that were not related to any of the SPP/APR indicators. These instances were verified using both prongs of the verification process described in the OSEP's 09-02 Memorandum and subsequent OSEP guidance. Of the 12 instances, 11 of them were not corrected within the one-year timeline. All the noncompliance cases not corrected within one year were in one LEA. To address the issues, the OPI met with the superintendent, principals, School Board Chair, and incoming Special Education Director to discuss the issues, progress towards completing them, and plan of action moving forward. Following this meeting, the monitoring unit manager worked with the LEA Special Education Director to correct every outstanding instance of non-compliance and to show on-going compliance. The corrections were completed in May 2020, 17 months after issuance.

#### IDEA Part B Program - Fiscal

The special education unit oversees the application, allocation and distribution of approximately \$80 million of state and federal special education funds, ensures the accountability for the use of those funds, and oversees all related IDEA grant reporting and requirements. The program manager reviews and approves the applications for the IDEA funds, determines what expenditures are allowable, and collaborates to set the special education rates for state appropriations. District eligibility for funds is determined through an approved special education narrative and through meeting state and federal fiscal effort maintenance requirements. This unit oversees the distribution of IDEA discretionary funds to support programs that are a specific need area as identified in the APR and is responsible for submitting the IDEA Annual Application for Funding and all related grant reporting and fiscal requirements. The SEA received an audit finding related to our fiscal risk assessment of sub-recipients. The special education staff has been included on a task force to address the finding and will carry that work into the Differentiated Monitoring cycle.

#### Early Assistance Program

The Early Assistance Program (EAP) provides technical assistance to help parents, adult students, guardians, school district staff, advocates and other members of the special education community understand the requirements of IDEA and implementing Montana laws. The EAP provides informal dispute resolution for special education issues relating to a student's free and appropriate public education or any violation of Part B of the IDEA or implementing Montana laws. Our philosophy is to resolve special education disagreements amicably, with the lowest level of third-party involvement as possible, thereby preventing costly legal entanglements. In addition to the EAP, there are several other dispute resolution options available under the IDEA, including: Individualized Education Program (IEP) facilitation, mediation, state administrative complaints, due process hearings, and expedited due process hearings. These options are administered and overseen by the EAP staff in conjunction with special education staff.

#### Data and Accountability

The Data and Accountability staff oversee the collection, analysis and reporting of all special education data required for federal and state reporting purposes. The staff provides technical assistance and support to local district staff in the management of student data related to special education. The

staff also provide technical assistance to LEAs for the Special Education module of our statewide student information system and works with the system vendor to ensure compliance with state and federal regulations.

#### Federal Differentiating Monitoring Report

In Montana's Differentiated Monitoring Report for FFY2019, Montana was found to need a universal level of support for the Results, Compliance, and Fiscal areas, and intensive support for the SSIP area. Factors leading to the Intensive level of engagement for the SSIP included failure to report specific stakeholder involvement and evidence-based practices. Staffing was altered to allow one position to assume specific improvement activities with targeted schools in coordination with agency-wide efforts for improvement under the State's ESSA plan and accreditation standards. This position is responsible for working with targeted districts and OPI divisions to coordinate program participation in various initiatives throughout the office, work with the target districts on infrastructure analysis and data analysis of their systems, assist the districts in identifying evidence based practices and improvement activities support SiMR goals. More details on this are included in the SSIP section. The spring 2020 stakeholder meeting was canceled due to COVID-19. However, Special Education staff worked with NCSI staff to update the Theory of Action, Evaluation questions, and narrative of the SSIP to include the missing information for the April 2020 submission.

#### 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.**

The Special Education Unit is organized into five work units that have specific functions and provide technical assistance related to those functions. These units include: School Improvement, Continuing Education and Technical Assistance, Data and Accountability, IDEA Part B, and Early Learning.

The School Improvement/compliance monitoring unit provides both broad and specific technical assistance and training related to all aspects of the special education process, proper use and documentation of records, and student specific issues. General technical assistance training is regularly scheduled, and specific LEA technical assistance is provided whenever requested or required. Annually trainings are provided across the state for novice teachers on compliance and the implementation of IDEA, and for more experienced teachers, training on current hot topics are provided. Technical assistance is also provided to ensure timely correction of all identified noncompliance and training is given related to such non-compliance. The unit also includes an assessment specialist and data support position.

The Continuing Education and Technical Assistance (CETA) unit is responsible for implementing several major training initiatives for the OPI that focus more on instructional practices. The CETA unit activities are expanded upon in the Professional Development section.

The Data and Accountability unit provides LEA's technical assistance for all data entry and reporting for required state and federal special education reporting purposes. This is done across a variety of platforms and applications. Again, technical assistance training is regularly scheduled, and specific LEA technical assistance is provided whenever requested.

The IDEA Part B Program unit provides technical assistance to LEA's in applying for, use, and accounting of state and federal special education funds. Assistance is also provided in developing and implementing program narratives and special education procedures. This unit also completes the state's annual application for IDEA funds.

Technical assistance and up-dates are regularly provided to directors of special education at conferences and regional meetings. In addition, OPI professional staff have areas of professional expertise that is available to LEA's, at request, for technical assistance and/or training. Starting in the spring of 2020, the state special education unit staff have been meeting with special education directors regularly to provide technical assistance. When COVID first hit, technical assistance was provided on a weekly basis and has recently tapered off to monthly.

Montana currently works with several federal Technical Assistance Providers and participates in federal grants which include: National Center for Systemic Improvement, Positive Behavioral Interventions and Supports Center, Technical Assistance for Excellence in Special Education, Early Childhood Technical Assistance, Center for the Integration of IDEA Data, and IDEA Data Center.

Montana has been a member of the Results-Based Accountability Cross-State Learning Collaborative through the National Center for Systemic Improvement (NCSI). Based on the state's general supervision responsibilities, we are evaluating our monitoring process and data to improve our assessment of special education program effectiveness at the LEA level. This, then, will drive not only the focus of our program reviews and monitoring, but also the scope of those activities. The purpose of this work is to better identify and meet the individual unique needs of each Montana LEA as they work to improve the outcomes for students with disabilities.

All initiatives across the OPI have been developed to include evidence-based practices. Montana's MTSS initiative, for example, is based on the research and program developed by the Positive Behavioral Interventions and Supports Center, an OSEP Technical Assistance Center. Montana's model for our SSIP implementation is premised on the commitment to target and focus on existing supports already in place throughout the SEA. These major initiatives were all developed under strict planning, research, stakeholder involvement, and based on known evidence-based practices that produce positive results.

Working with staff from the Center for Technical Assistance for Excellence in Special Education (TAESE) Center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for over fifteen years. The HEC continues to bring together faculty from each of the colleges and universities in Montana with teacher preparation programs to learn, discuss, and stay abreast of special education topics and issues across the state. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group is also analyzing dispositions of teacher candidates and how to support them, resulting in better prepared educators.

The TAESE Center also provides technical assistance to the state through facilitating our large stakeholder meeting, conducting stakeholder input activities, and compiling and analyzing input. In addition, TAESE provides specific orientation training to Montana's State Special Education Advisory Panel.

The division's 619 Coordinator works with the Early Childhood Technical Assistance (ECTA) center to improve Indicator 6, Preschool Least Restrictive Environment (LRE), Indicator 7, Preschool Outcomes, and Indicator 12, Early Childhood Transition. The 619 Coordinator participates in calls regarding how inclusion looks in rural states and participates in inclusion webinars presented by ECTA and OSEP.

The Early Learning Unit Manager is currently working with Waterford to support the UPSTART program in Montana. This is a free online program for four-year-old children who are unserved or underserved. We currently have 214 families of four-year-old children registered. UPSTART focuses on reading, math and science with some focus on social and emotional as well. Starting in January of 2021, we will begin to actively recruit another 400+ families in Montana for the second year of the program.

The Part B Data Manager has worked with staff from the Center for the Integration of IDEA Data (CIID), and other OPI staff to begin utilizing the Generate system for EdFacts reporting as well as participated in, and presented on, various webinars presented by the IDEA Data Center (IDC).

Montana has been assigned a new OSEP State Lead. In the past Montana has had a supportive relationship with their state lead and looks forward to continuing this with the new lead.

### **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.**

A priority is to strengthen the work across units within the department as well as aligning work with other departments to provide more efficient and effective supports to schools. This priority includes aligning initiatives and improving processes. Professional development is provided through the Continuing Education and Technical Assistance Unit (CETA). The CETA and Monitoring unit's leadership and staff have integrated responsibilities.

Montana's Comprehensive System of Personnel Development (CSPD) is comprised of regional professional development offerings, the Paraprofessional Consortium, the State Personnel Development Grant, the Multi-Tiered Systems of Support, the Montana Autism Education Project, and the Higher Education Consortium. The CSPD Regions are providers of "just in time" professional development. The current structure consists of five (5) regional councils that analyze the alignment between the data in the APR and the professional development activities offered in each region. The CSPD regions provide trainings for parents, special educators, general educators, and paraprofessionals to ensure access to the general education curriculum. The OPI provides reports to the CSPD councils that include data on the SPP/APR indicators, trends in monitoring findings, results of the statewide CSPD Training Needs Survey and ESSA identifications. Based on analysis of the data for a given region, the regional council identifies training needs for the region and provides the OPI with a description of which indicator(s) each professional development activity addresses. This process focused the professional development activities offered throughout Montana on improving the results for students related to each SPP/APR indicator. Due to COVID-19, fourteen professional development sessions were cancelled, however, 109 opportunities were successfully carried out serving 2,415 attendees.

Through the State Personnel Development Grant (SPDG) Montana has long supported tiered systems approaches through the MBI, RTI, and MTSS initiatives. Montana was fortunate enough to be awarded another 5-year grant starting in November of 2020. This grant will allow Montana to continue to improve the MTSS system and implementation across the state. This new grant's focus is to improve and expand professional development and coaching support focused on data-analytic problem solving at the systems level and improve the management structured at the state, regional, district and building levels. The grant will allow professional development autonomy to districts allowing them access to professional development based on their individual needs. During this first year of the grant, the focus will be on training coaching, developing materials, and working on online courses (Teacher Learning Hub). Beginning in the fall of 2021 training and supports will be piloted in Regions 1 and 3 and expanded to other regions in subsequent years. During the 5 years of the grant additional courses will be added to the Teacher Learning Hub, MTSS Webpage will continue to be improved, and professional development opportunities will be provided through the CSPD regions.

In 2019-2020 the work focused on the development of a MTSS Webpage to include links to online courses, resources, and materials. These tools serve to support schools in implementing MTSS and are supplemented with face-to-face trainings and direct consultation. In response to the needs of secondary schools, an annual High School Forum was held addressing the use of a multi-tiered framework around academics, behavior, and mental health, drop-out prevention, attendance, student engagement, the Early Warning System and Family Engagement. In 2019-20, twenty high schools participated with 91 participants.

The Special Education Unit staff collaborated with the Division of Indian Education and other OPI staff on the development and delivery of professional development related to the unique needs of Montana's American Indian students. Through the SAMHSA Grant, training on Restorative Practice was provided face-to-face in the fall of 2019. Follow-up training in a Train-the-Trainer model was provided in the fall of 2020. Agency staff continue to provide TA to schools involved in implementing Restorative Practice within their buildings and/or districts. As with all students, data on American Indian students with disabilities who have dropped out of school is analyzed and shared with the Division of Indian Education and the Board of Public Education. Special Education staff analyzed data on American Indian students with disabilities for the Indian Education staff to facilitate in designing activities to decrease the dropout rates of American Indian students.

Training activities for general education personnel continue to be supported by the regional CSPDs, SPDG, and IDEA funds to provide them with skill sets to respond to the needs of students with disabilities in the regular education classroom. A significant professional development activity that was canceled in 2020 is the annual Summer Institute which has been extremely successful in providing general education personnel the skills necessary to implement positive supports in the regular education setting. However, the planning committee is fully engaged in planning for a 2021 virtual offering.

The Montana Autism Education Project (MAEP) expanded the provision of on-site assessment and consultation regarding individual children as well as broader training opportunities at LEA, regional, and state-wide levels to improve the LEA's ability to respond to the challenging behaviors and other instructional needs of children with autism and other low-incidence disabilities.

Student-specific technical assistance activities include observations of students and discussion with current staff; review of the IEP with technical assistance on developing comprehensive autism services; and consultations on the development of behavioral intervention and communication strategies. Professional development activities included: providing training in communication strategies; Tier 2/3 behavior intervention strategies; providing training on effective components of programs for students with autism; and functional behavior assessment and the development of behavior intervention plans. The MAEP also provided financial assistance to school and pre-service staff to attend multiple non-MAEP workshops and trainings. Additionally, the MAEP sponsors access to a 40+ hour online training curriculum in educating students with autism spectrum disorders and behavioral challenges.

The Montana Higher Education Consortium (HEC) is a unique community of practice that has brought together general and special education faculty members from all teacher training programs in the state of Montana. Very few SEAs in the country engage and involve their Institutions of Higher Education (IHEs) with improvement efforts. In Montana there is a direct connection with the IHE and the Comprehensive System of Professional Development and the special education advisory panel. In the past three years, the IHEs have been involved in a larger stakeholder group of around 100 participants that have provided feedback to the OPI on the Montana SSIP. However, due to COVID -19 this stakeholder meeting was canceled in 2020. A virtual meeting for the spring of 2021 is being planned. The HEC has become involved with, and assisted Montana with their large-scale initiatives and systems change efforts. The HEC has met twice a year for the past eighteen years, in the spring and fall, to discuss critical issues and share ideas relating to teacher training programs. The meetings have created a strong partnership and collaboration between faculty members at the teacher training programs. The universities and colleges in Montana benefit from the information they receive from the Montana Office of Public Instruction.

### **Stakeholder Involvement**

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

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children's Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana's youth to facilitate smooth transitions from birth to adulthood.
- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.
- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.
- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

#### **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.**

The February 1, 2021, Montana Annual Performance Report and revised State Performance Plan will be made available to the public via the OPI Web site (<http://opi.mt.gov/Educators/Teaching-Learning/Special-Education/Special-Education-Annual-Performance-Report>) by no later than June 1, 2021. For the FFY 2019 SPP/APR, all information related to Indicator 17, State Systemic Improvement Plan, including baseline and targets, due April 1, 2021, will be made available to the public via the OPI Web site by no later than June 1, 2021. An electronic announcement of the report with links to the Montana State Performance Plan and Annual Performance Report will be sent to the authorized representatives of the LEAs, directors of special education, the parent training and information center, Disability Rights Montana, and to state and regional CSPD Council members. Hard copies of both documents are given to members of the state Special Education Advisory Panel.

## Reporting to the Public on the Performance of each LEA

In accordance with 20 U.S.C. 1416(b)(C)(ii), the OPI will report annually to the public on the performance of each local educational agency (LEA) on the targets in the State Performance Plan. The report on performance of LEAs will be made available to the public on the OPI Web site (<https://gems.opi.mt.gov/school-district-data>) no later than June 1, 2021. The OPI will not report information on performance to the public that would result in the disclosure of personally identifiable information about individual children or data that is insufficient to yield statistically reliable information.

To access the reports from the link above, select the District Profile option. Select a district from the list on the right side, and then click on the Program & Course Offerings tab above the district list. Select the Special Education button, the bottom button will then say "Special Education District Performance Report", and when you select that button, you will be at the report, looking at the relevant district for the current FY.

## Intro - Prior FFY Required Actions

The State has not publicly reported on the FFY 2017 (July 1, 2017-June 30, 2018) performance of each LEA located in the State on the targets in the State's performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA. With its FFY 2019 SPP/APR, the State must provide a Web link demonstrating that the State reported to the public on the performance of each LEA located in the State on the targets in the SPP/APR for FFY 2017. In addition, the State must report with its FFY 2019 SPP/APR, how and where the State reported to the public on the FFY 2018 performance of LEA located in the State on the targets in the SPP/APR.

In the FFY 2019 SPP/APR, the State must provide a FFY 2019 target and report FFY 2019 data for the State-identified Measurable Result (SiMR) and must describe its coherent improvement strategies for the correct reporting period – i.e., FFY 2019. 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 by the State 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. If, in its FFY 2019 SPP/APR, the State is not able to demonstrate progress in implementing its coherent improvement strategies, including progress in the areas of infrastructure improvement strategies or the implementation of evidence-based practices with fidelity, the State must provide its root cause analysis for each of these challenges.

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 accordance with 20 U.S.C. 1416(b)(C)(ii), the OPI will report annually to the public on the performance of each local educational agency (LEA) on the targets in the State Performance Plan. The report on performance of LEAs for FFY2017 and FFY2018 is available to the public on the OPI Web site (<https://gems.opi.mt.gov/StudentCharacteristics/Pages/SpecialEducationDistrictPerformance.aspx>). The OPI will not report information on performance to the public that would result in the disclosure of personally identifiable information about individual children or data that is insufficient to yield statistically reliable information.

In the FFY2019 SSIP submission, due April 2021, Montana will report on its progress toward the FFY2019 target and report data for the SiMR. Montana will describe the coherent improvement strategies for the correct reporting period and will assess and report on progress on those improvement strategies.

Montana has posted its FFY2018 APR, in its entirety, on its website. The link directly to the APR page is: <http://opi.mt.gov/Educators/Teaching-Learning/Special-Education/Special-Education-Annual-Performance-Report>.

## Intro - OSEP Response

The State has not publicly reported on the FFY 2018 (July 1, 2018-June 30, 2019) and FFY 2017 (July 1, 2017-June 30, 2018) performance of each local educational agency (LEA) located in the State on the targets in the State's performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA.

## Intro - Required Actions

The State has not publicly reported on the FFY 2018 (July 1, 2018-June 30, 2019) and FFY 2017 (July 1, 2017-June 30, 2018) performance of each LEA located in the State on the targets in the State's performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA. With its FFY 2020 SPP/APR, the State must provide a Web link demonstrating that the State reported to the public on the performance of each LEA located in the State on the targets in the SPP/APR for FFY 2018 and FFY 2017. In addition, the State must report with its FFY 2020 SPP/APR, how and where the State reported to the public on the FFY 2019 performance of LEA located in the State on the targets in the SPP/APR.

The State's IDEA Part B determination for both 2020 and 2021 is Needs Assistance. In the State's 2021 determination letter, the Department advised the State of available sources of technical assistance, including OSEP-funded technical assistance centers, and required the State to work with appropriate entities. The Department directed the State to determine the results elements and/or compliance indicators, and improvement strategies, on which it will focus its use of available technical assistance, in order to improve its performance. The State must report, with its FFY 2020 SPP/APR submission, due February 1, 2022, on: (1) the technical assistance sources from which the State received assistance; and (2) the actions the State took as a result of that technical assistance.

## 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	69.20%

FFY	2014	2015	2016	2017	2018
Target >=	81.20%	81.40%	81.60%	81.80%	82.00%
Data	75.78%	75.23%	77.75%	76.76%	76.53%

### Targets

FFY	2019
Target >=	82.90%

### Targets: Description of Stakeholder Input

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independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana's youth to facilitate smooth transitions from birth to adulthood.

- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.

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#### 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	1,023
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	1,311
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	78.03%

#### 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
1,023	1,311	76.53%	82.90%	78.03%	Did Not Meet Target	No Slippage

#### Graduation Conditions

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

4-year ACGR

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.

The Montana Board of Public Education has set the following as the minimum graduation requirements for all Montana students. Each local school board has the option to add additional requirements and most choose to add more rigorous requirements that all students in their district must meet. In some cases, this may result in a special education student needing to spend more than 4 years working towards their high school diploma. It also creates a barrier to graduation for students who transfer to or from one Montana High School to another with more rigorous graduation standards.

10.55.905 : GRADUATION REQUIREMENTS - Administrative Rules of the State of Montana



## 10.55.905 GRADUATION REQUIREMENTS

(1) As a minimum, a school district's requirements for graduation shall include a total of 20 units of study that enable all students to meet the content standards and content-specific grade-level learning progressions.

(2) In order to meet the content and performance standards, the following 13 units shall be part of the 20 units required for all students to graduate:

(a) 4 units of English language arts;

(b) 2 units of mathematics;

(c) 2 units of social studies;

(d) 2 units of science;

(e) 1 unit of health enhancement, with 1/2 unit each year for two years;

(f) 1 unit of arts; and

(g) 1 unit of career and technical education.

(3) Units of credit earned in any Montana high school accredited by the Board of Public Education shall be accepted by all Montana high schools.

(4) In accordance with the policies of the local board of trustees, students may be graduated from high school with less than four years enrollment.

History: 20-2-114, MCA; IMP, 20-2-121, 20-3-106, 20-7-101, MCA; NEW, 1989 MAR p. 342, Eff. 7/1/89; AMD, 1998 MAR p. 2707, Eff. 10/9/98; AMD, 2000 MAR p. 3340, Eff. 12/8/00; AMD, 2012 MAR p. 2042, Eff. 7/1/13.

**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 EDFacts 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	4.00%

FFY	2014	2015	2016	2017	2018
Target <=	3.60%	3.50%	3.50%	3.40%	3.40%
Data	3.73%	3.63%	3.42%	3.72%	3.16%

### Targets

FFY	2019
Target <=	3.40%

### Targets: Description of Stakeholder Input

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**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)	871
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)	0
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)	0
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)	307
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)	2

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)

YES

Change numerator description in data table (yes/no)

YES

Change denominator description in data table (yes/no)

YES

If use a different calculation methodology is yes, provide an explanation of the different calculation methodology

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

The calculation method used in this report is an event rate (snapshot of those who drop out in a single year) adapted from the National Center for Education Statistics (NCES) at the U.S. Department of Education and is consistent with the requirements of the NCES Common Core of Data (CCD) reporting.

Dropout Rate Calculation:

Dropout rates are calculated by dividing the number of special education dropouts, grades 7-12, by the number of students with disabilities, grades 7-12, enrolled in school as of the first Monday in October.

Number of Special Education dropouts, grades 7-12

Number of students with disabilities enrolled in school as of October 1, grades 7-12

**FFY 2019 SPP/APR Data**

Number of special education dropouts, grades 7-12	Number of students with disabilities enrolled in school as of October 1, grades 7-12	FFY 2018 Data	FFY 2019 Target	FFY 2019 Data	Status	Slippage
310	8,141	3.16%	3.40%	3.81%	Did Not Meet Target	Slippage

**Provide reasons for slippage, if applicable**

The slippage can be explained by an increase in both the number of LEAs that reported dropouts, and in the number that did not meet the target for FFY2019. In FFY2018, 11 of 313 reporting LEAs did not meet the target, and in FFY2019, 19 of 305 reporting LEAs did not meet the target. The number of dropouts in those LEAs ranged from 2 to 43. The total number of students with disabilities in those LEAs ranged from 10 to 646. The relatively small number of LEAs reporting, and the small number of dropouts in each LEA, means that a small change in the number of LEAs that meet/do not meet the target can cause slippage in the overall state number.

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

Dropouts are the count of individuals who:

were enrolled in school on the date of the previous year October enrollment count or at some time during the previous school year and were not enrolled on the date of the current school year October count,

or

were not enrolled at the beginning of the previous school year but were expected to enroll and did not re-enroll during the year, "no show", and were not enrolled on the date of the current school year October count,

and

have not graduated from high school or completed a state or district-approved high school educational program,

and

have not transferred to another school, been temporarily absent due to a school-recognized illness or suspension, or died.

**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	2014	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Overall	52.35%	Actual	52.35%	97.75%	79.77%	95.76%	94.60%

### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2014	Target >=	100.00%	100.00%	100.00%	100.00%	100.00%
A	Overall	79.13%	Actual	79.13%	88.19%	91.53%	94.78%	94.70%

### Targets

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

### Targets: Description of Stakeholder Input

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**FFY 2019 Data Disaggregation from EDFacts**

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

NO

**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											

Grade	3	4	5	6	7	8	9	10	11	12	HS
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			94.60%	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			94.70%	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.

Provide additional information about this indicator (optional)

**3B - Prior FFY Required Actions**

Within 90 days of the receipt of the State's 2020 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2018, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). In addition, OSEP reminds the State that in the FFY 2019 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2019.

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



The FFY2018 Assessment Participation data can be found at <http://opi.mt.gov/Educators/Teaching-Learning/Special-Education/IDEA-Data>. The data was posted during the FFY2018 clarification period and reviewed by OSEP in November 2019.

### **3B - OSEP Response**

OSEP's response to the State's FFY 2018 SPP/APR required the State to provide OSEP with a Web link that demonstrates that it has reported, for FFY 2018, to the public, on the statewide assessments of children with disabilities in accordance with 34 C.F.R. § 300.160(f). The State provided the required information.

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	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	2016	Target >=				18.78%	19.78%
A	Overall	17.78%	Actual	22.41%	16.26%	17.78%	16.44%	16.81%

### Historical Data: Math

Group	Group Name	Baseline	FFY	2014	2015	2016	2017	2018
A	Overall	2016	Target >=				15.09%	16.09%
A	Overall	14.09%	Actual	14.25%	14.96%	14.09%	13.72%	13.87%

### Targets

Subject	Group	Group Name	2019
Reading	A >=	Overall	20.00%
Math	A >=	Overall	20.00%

### Targets: Description of Stakeholder Input

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children's Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana's youth to facilitate smooth transitions from birth to adulthood.
- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.
- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.
- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

**FFY 2019 Data Disaggregation from EDFacts**

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

NO

**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											

Grade	3	4	5	6	7	8	9	10	11	12	HS
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											

**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	Overall			16.81%	20.00%		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	Overall			13.87%	20.00%		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.

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
2016	0.00%

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%	

### Targets

FFY	2019
Target <=	0.00%

### Targets: Description of Stakeholder Input

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
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- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.
- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.
- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

**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	0		0.00%		N/A	N/A

**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**

State Definition of Significant Discrepancy

An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval.

Montana conducted a review of LEA long-term suspension and expulsion rates for students with disabilities to determine if a significant discrepancy occurred within an LEA. To do this, the rates of long-term suspensions and expulsions of students with disabilities are compared to the rates of long-term suspension and expulsion rates of nondisabled students within each LEA. Using a test of the difference between proportions as the methodology for identifying significant discrepancy, an LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval. The minimum N of 10 is applied to the numerator of this equation - that is, if an LEA does not have at least 10 students with disabilities who had a long-term suspension or expulsion, the data is not reviewed for that LEA.

As noted in OSEP’s Part B Indicator Measurement Table, data used in the state’s examination is from the 2018-2019 school year, resulting in a one-year data lag for this indicator.

Montana did not have any districts that met the minimum "n" for this indicator.

**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.**

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
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

**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
2016	0.00%

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

**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
0	0	0		0%		N/A	N/A

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

YES

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

An LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term (greater than 10 days) suspension and expulsion rates, by race or ethnicity, for students with disabilities when compared to the long-term suspension and expulsion rates for all students without disabilities.

Montana conducted a review of LEA long-term suspension and expulsion rates for students with disabilities to determine if a significant discrepancy occurred within an LEA. To do this, the rates of long-term suspensions and expulsions of students with disabilities are compared to the rates of long-term suspension and expulsion rates of non-disabled students within each LEA. Using a test of the difference between proportions as the methodology for identifying significant discrepancy, an LEA is determined to have a significant discrepancy if, given a minimum N of 10, an LEA demonstrates a statistical difference in long-term suspension and expulsion rates for students with disabilities when compared to the long-term suspension and expulsion rates for students without disabilities, within a 99 percent confidence interval. The minimum N of 10 is applied to the numerator of this equation - that is, if an LEA does not have at least 10 students with disabilities who had a long-term suspension or expulsion in a particular racial/ethnic category, the data is not reviewed for that LEA.

As noted in OSEP's Part B Indicator Measurement Table, data used in the state's examination is from the 2018-2019 school year, resulting in a one-year data lag for this indicator.

**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.**

No significant discrepancies were found, so no review of policies, procedures, and practices occurred

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
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

**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**

None

**4B - OSEP Response**

**4B- Required Actions**

## 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	2019	Target >=	52.10%	52.20%	52.30%	52.40%	52.50%
A	53.10%	Data	46.83%	46.96%	47.72%	49.51%	51.08%
B	2019	Target <=	11.20%	11.20%	11.10%	11.10%	11.10%
B	10.67%	Data	12.74%	12.02%	12.28%	11.32%	10.78%
C	2019	Target <=	1.50%	1.50%	1.40%	1.40%	1.40%
C	1.54%	Data	1.40%	1.49%	1.07%	1.06%	1.35%

### Targets

FFY	2019
Target A >=	
Target B <=	
Target C <=	

### Targets: Description of Stakeholder Input

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children's Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana's youth to facilitate smooth transitions from birth to adulthood.
- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.
- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.
- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities. These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

#### 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	18,598
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	9,876
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	1,984
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	175
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	77
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	35

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	9,876	18,598	51.08%		53.10%	N/A	N/A
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	1,984	18,598	10.78%		10.67%	N/A	N/A
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	287	18,598	1.35%		1.54%	N/A	N/A

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

NO

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

Montana was able to make the reporting change to the FS002 EdFacts file report that was submitted in April 2020. This reporting change resulted in 5-year olds who were enrolled in Kindergarten being reported in FS002, thus changing the reporting measure for Indicator 5. Montana is resetting baseline in the FFY2019 APR to reflect this change in the reporting measure data.

**5 - Prior FFY Required Actions**

None

**5 - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.

Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State's data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State's slippage status indicates "NA" for this indicator.

**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	2019	Target >=	44.90%	45.00%	45.00%	45.10%	45.10%
A	29.99%	Data	43.83%	43.72%	43.31%	40.54%	40.53%
B	2019	Target <=	27.70%	27.60%	27.60%	27.50%	27.50%
B	44.32%	Data	28.70%	26.76%	27.81%	32.23%	34.67%

#### Targets

FFY	2019
Target A >=	
Target B <=	

#### Targets: Description of Stakeholder Input

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trainings and work closely with the Striving Readers program.

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The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana’s new Every Student Succeeds Act (ESSA) state plan.

**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	1,047
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	314
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	449
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	15
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	0

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	314	1,047	40.53%		29.99%	N/A	N/A
B. Separate special education class, separate school or residential facility	464	1,047	34.67%		44.32%	N/A	N/A

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

NO

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

Montana was able to make the reporting change to the FS089 EdFacts file report that was submitted in April 2020. This reporting change resulted in 5-year olds who were enrolled in Kindergarten being reported in FS002, thus changing the reporting measure for Indicator 6. Montana is resetting baseline in the FFY2019 APR to reflect this change in the reporting measure data.

**6 - Prior FFY Required Actions**

None

**6 - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2019, and OSEP accepts that revision.

Reporting requirements for the IDEA section 618 data collection (specifically, IDEA Part B Child Counts and Educational Environments) were updated to allow States to include five-year-olds in Kindergarten in file specification FS002 - Children with Disabilities (IDEA) School Age and exclude these children from file specification FS089 - Children with Disabilities (IDEA) Early Childhood for School Year (SY) 2019-20. SY 2019-20 (i.e., FFY 2019) was the transition year for this change; States had the option to report five-year-olds in Kindergarten in FS002 in their SY 2019-20 submission or wait to do so with their SY 2020-21 submission, when the change becomes permanent. The State transitioned to reporting five-year-olds in Kindergarten in FS002 for its SY 2019-20 submission under IDEA section 618. This change impacts the State's data for SPP/APR Indicators 5 and 6, because the required data source for SPP/APR Indicators 5 and 6 is the same data as used for reporting to the Department under IDEA section 618. Therefore, the State's slippage status indicates "NA" for this indicator.

**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	2008	Target >=	76.60%	76.70%	76.80%	76.90%	77.00%
A1	61.40%	Data	80.66%	79.20%	80.65%	84.62%	76.19%
A2	2008	Target >=	75.10%	75.20%	75.30%	75.40%	75.50%

A2	59.20%	Data	75.95%	71.04%	77.50%	63.49%	64.43%
B1	2008	Target >=	80.60%	80.70%	80.80%	80.90%	81.00%
B1	70.30%	Data	81.88%	78.37%	84.00%	85.00%	85.23%
B2	2008	Target >=	58.10%	58.20%	58.30%	58.40%	58.50%
B2	31.60%	Data	50.95%	53.85%	55.83%	50.40%	50.52%
C1	2008	Target >=	75.50%	75.60%	75.70%	75.80%	75.90%
C1	58.10%	Data	80.92%	76.34%	80.95%	82.35%	76.23%
C2	2008	Target >=	75.50%	75.60%	75.70%	75.80%	75.90%
C2	64.10%	Data	75.95%	69.06%	80.00%	63.10%	64.43%

**Targets**

FFY	2019
Target A1 >=	77.00%
Target A2 >=	75.50%
Target B1 >=	81.00%
Target B2 >=	58.50%
Target C1 >=	75.90%
Target C2 >=	75.90%

**Targets: Description of Stakeholder Input**

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana’s State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana’s unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children’s Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana’s youth to facilitate smooth transitions from birth to adulthood.
- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.
- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.
- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80

front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

**FFY 2019 SPP/APR Data**

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

185

**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	0	0.00%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	24	12.97%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	35	18.92%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	61	32.97%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	65	35.14%

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>	96	120	76.19%	77.00%	80.00%	Met Target	No 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>	126	185	64.43%	75.50%	68.11%	Did Not Meet Target	No 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	0	0.00%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	27	14.59%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	50	27.03%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	97	52.43%

Outcome B Progress Category	Number of Children	Percentage of Children
e. Preschool children who maintained functioning at a level comparable to same-aged peers	11	5.95%

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>	147	174	85.23%	81.00%	84.48%	Met Target	No 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>	108	185	50.52%	58.50%	58.38%	Did Not Meet Target	No 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	0	0.00%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	23	12.43%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	32	17.30%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	57	30.81%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	73	39.46%

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>	89	112	76.23%	75.90%	79.46%	Met 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>	130	185	64.43%	75.90%	70.27%	Did Not Meet Target	No Slippage

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)**

YES

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

Montana uses a standardized required editor-based reporting form to collect entering and exiting preschool outcomes data. The form is included in our state-wide student data system special education module along with all other special education required forms. The Part B data manager runs a permanent report to collect the data.

**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

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Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

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worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.

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#### Historical Data

Baseline Year	Baseline Data
2005	65.50%

FFY	2014	2015	2016	2017	2018
Target >=	70.10%	70.20%	70.30%	70.40%	70.50%
Data	74.71%	71.09%	66.96%	74.00%	73.88%

#### Targets

FFY	2019
Target >=	70.50%

#### 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
483	611	73.88%	70.50%	79.05%	Met Target	No Slippage

The number of parents to whom the surveys were distributed.

3,859

Percentage of respondent parents

15.83%

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 students with disabilities, including preschool students, are given an opportunity to complete the survey. As in previous years, in FFY2019, the survey was given to parents at the annual IEP meeting, parent-teacher conferences, and community functions; in many cases it was also sent via mail. This personalized distribution method ensured all parents received the survey; furthermore, school staff personally encouraged the parents to complete the survey. Parents of students at all grade levels, including preschool, received and were encouraged to respond to the survey.

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 OPI employed a sampling methodology to gather data for this indicator. The sampling process was conducted in accord with the OPI's five-year compliance monitoring cycle. The cycle annually ensures statewide representation of LEAs through representation of large, small, urban, and rural LEAs and a broad representation of parents of children with disabilities across the spectrum of disabilities. All parents of children with disabilities within the schools identified in the monitoring cycle are included in the sample. At the end of the five-year cycle, all parents of children with disabilities will have had an opportunity to respond to the survey instrument. The sampling methodology was reviewed by the Office of Special Education Programs (OSEP) and in an e-mail received from Larry Wexler, Deputy Director of Monitoring and State Improvement Planning on it was stated, "...Thank you for your letter dated March 29, 2006, in which you provided additional information on how Montana plans to collect baseline data for performance indicator eight of your State Performance Plan. Your sampling plan for Indicator eight, as revised, is consistent with the State Performance Plan sampling directions...".

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.	NO

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

For the FFY2020 Annual Performance Report (to be submitted February 2021), Montana has partnered with the Montana Empowerment Center (MEC), the OSEP funded PTI Center for Montana, to send out the surveys. Montana will be working with the MEC to reach out to districts and parents to encourage completion of the survey. The SSIP Coordinator will work with the SSIP Target Schools that are scheduled to be surveyed to ensure they understand the requirements and to help them reach out to their parents to encourage completion of the survey.

**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 (1) by geographic region where the child attends school; (2) by size of district where the child attends school; (3) by the race/ethnicity of the child; and (4) by the age of the child. For example, 82% of the parents who returned a survey indicated that their children are white, and 74.32% of special education students in the monitored districts are white. Another example is 28% of the parents who returned a survey indicated that their children have a specific learning disability, and 29.05% of special education students in the monitored districts have a specific learning disability. However, even given these slightly differential response rates, a large enough number of parents from each demographic group responded to the survey in order to arrive at an overall State score that is representative of all students in the population.

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

**8 - Prior FFY Required Actions**

None

**8 - OSEP Response**

**8 - Required Actions**

In the FFY 2020 SPP/APR, the State must report whether its FFY 2020 data are from a response group that is representative of the demographics of children receiving special education services, 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 demographics of the parents responding are representative of the demographics of children receiving special education services.

## 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
2016	0.00%

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

#### 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.

185

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
4	0	217	0.00%	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).

Using a weighted risk ratio with one year of data and a 2.576 threshold, an LEA is determined to have disproportionate overrepresentation if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial and ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities of all other racial and ethnic groups and within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.

Once an LEA is flagged for disproportionate representation, the policies and procedures of that LEA, results of on-site compliance monitoring, and dispute resolution data are reviewed to determine if the disproportionate representation is due to inappropriate identification. The district is informed of the results of the review.

Using a minimum N of 10 and a 99 percent confidence interval, a test of difference between proportions was used to measure statistically significant differences between the special education identification rate for students of a specific racial and ethnic group and the special education identification rate for all other students within that LEA. Target data show that none of the 402 LEAs demonstrated a statistically significant difference, resulting in determination of disproportionate representation of racial and ethnic groups in special education and related services. The minimum N of 10 is applied to the denominator of this equation - that is, if an LEA does not have at least 10 students with disabilities in a particular racial/ethnic category, the data is not reviewed for that LEA.

Of the 402 districts in Montana, 217 met the minimum N in at least one of the racial groups and were included in the calculations for that racial group. 185 did not meet the minimum N in any of the racial groups reviewed and were excluded from all calculations.

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.

A review of LEA racial and ethnic disproportionality data indicates that three LEAs showed over-representation in the number of students with disabilities receiving special education and related services that are reported as American Indian/Alaskan Native. Based on the review of 618 data for FFY 2019, the OPI informed the LEAs of their determination and conducted a review of the LEA's policies, practices and procedures to ensure identification was not the result of inappropriate identification. The LEA reviews included review of selected student files, review of LEA policies, practices and procedures, the most current compliance monitoring data, and selected interviews with LEA staff. As a result of this process, the OPI determined that the disproportionate representation (over-representation) was NOT the result of inappropriate identification.

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

**9 - Prior FFY Required Actions**

None

**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
2016	0.00%

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

#### 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.

265

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
0	0	137	0.00%	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).

Using a weighted risk ratio with one year of data and a 2.576 threshold, an LEA is determined to have disproportionate overrepresentation if, given a minimum N of 10, an LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial and ethnic groups within a specific disability category receiving special education and related services compared to the proportion of students with disabilities of all other racial and ethnic groups and within all other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval. The minimum N of 10 is applied to the denominator of this equation - that is, if an LEA does not have at least 10 students with disabilities in a particular racial/ethnic and disability category, the data is not reviewed for that LEA.

Once an LEA is flagged for disproportionate representation, the policies and procedures of that LEA, results of on-site compliance monitoring, and dispute resolution data are reviewed to determine if the disproportionate representation is due to inappropriate identification. The district is informed of the results of the review.

Of the 402 districts in Montana, 137 met the minimum N in at least 1 disability category in at least 1 racial group and were included in the calculations for those racial groups. 265 did not meet the minimum N in any disability category in any racial group and were excluded from all calculations.

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.

No disproportionate overrepresentation was found, so no review of policies, procedures, and practices occurred.

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

**10 - Prior FFY Required Actions**

None

**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	93.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	99.26%	99.17%	98.62%	97.91%	99.44%

### 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
256	256	99.44%	100%	100.00%	Met Target	No Slippage



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

0

**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.**

**Indicate the evaluation timeline used:**

The State used the 60 day timeframe within which the evaluation must be conducted

**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 data for Indicator 11 is taken from the statewide monitoring system. The data is entered into the monitoring system when OPI Monitors are monitoring an LEA. When they review a file, they note the dates of the Consent to Evaluate, the Evaluation Report Meeting, and the last Assessment. They also note if it is an initial evaluation. If more than 60 days have passed between the dates, the monitor is prompted to enter a reason for why it went past 60 days. That data is then imported into a database that is accessed by the IDEA Part B Data Manager. The Data Manager runs a report to determine if the reason for the delay is due to parents not producing the child or refusing evaluation after giving initial consent. Those are then exempted from the count of children who went more than 60 days from consent to evaluation, and the Data Manager enters the information into the APR.

For FFY 2018, target data indicate that for one of the 69 LEAs participating in the compliance monitoring for the 2018-2019 school year one evaluation was not completed within the 60-day timeline. The number of days beyond the timeline when the evaluation was completed was four days. The district failed to meet the deadline, and no reason was given as to why. The district was required to provide additional documentation for the next several initial evaluations showing that they were able to complete the process in the timeline required.

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

For FFY 2018, target data indicate that for one of the 69 LEAs participating in the compliance monitoring for the 2018-2019 school year one evaluation was not completed within the 60-day timeline. The number of days beyond the timeline when the evaluation was completed was four days. The district failed to meet the deadline, and no reason was given as to why. The district was required to provide additional documentation for the next several initial evaluations showing that they were able to complete the process in the timeline required.

**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

**11 - Prior FFY Required Actions**

None

**11 - OSEP Response**

**11 - Required Actions**

## 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	67.00%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	96.12%	93.02%	97.44%	97.73%	93.67%

#### 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.	86
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	16

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	41
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.	13
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	14
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.	1

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.	41	42	93.67%	100%	97.62%	Did Not Meet Target	No Slippage

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

1

**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.**

One child, who was in a, but not in b, c, d, e, or f is from one LEA, and did not have an IEP implemented by their 3rd birthday due to the district not understanding the requirements of IDEA. The OPI specifically worked with this LEA to ensure the requirements are well understood and to ensure this does not happen again. The child had their IEP implemented 3 days after their 3rd birthday, which was prior to this data collection. The LEA was able to show subsequent compliance with the regulation.

For FFY 2018, at the time of data collection, the evaluation process and IEP development had occurred for all children for whom the eligibility determination had not been made or an IEP developed by their third birthday. All instances of noncompliance with this requirement had been corrected in a timely manner. Each LEA which had an identified instance of noncompliance was required to provide subsequent documentation of 100 percent compliance with the Part C to Part B transition requirements. For each of these LEAs, their FFY2019 data demonstrated that they did understand the requirements of IDEA, and they were able to get all determinations and IEPs written by the 3rd birthdays for children referred from a Part C Agency.

**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.**

The OPI uses a census-level data collection for this indicator. The Part C Lead Agency submits data regarding all children referred to a school district to the OPI. The OPI collates this data and verifies the referral through the statewide student database system. This system contains documentation of the referral, the eligibility determination and, if appropriate, the student's IEP. This allows the OPI to determine district compliance with the Part C to Part B transition requirements. By using this method, the OPI can account for all children in the state who transition from Part C to Part B.

**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	85.30%

FFY	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%
Data	100.00%	96.94%	98.70%	98.68%	69.03%

### 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
50	68	69.03%	100%	73.53%	Did Not Meet Target	No Slippage

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 OPI collected the indicator data as a part of its compliance monitoring procedures during the 2019-2020 school year. Compliance monitors reviewed a sampling of student records for students, ages 16 and older, to ensure their IEPs include appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessments, transition services, including courses of study, that will reasonably enable the student to meet their 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 were to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP meeting with the prior consent of the parent or student who has reached the age of majority.

Correction of identified noncompliance related to indicator 13, was verified using both prongs of the verification process described in the OSEP’s 09-02 Memorandum and subsequent guidance from the OSEP. Each LEA in Montana has an on-site monitoring record review which is on a five-year cycle. Residential and correctional facilities are reviewed on a three-year cycle. The OPI monitoring staff selects records for review and uses a standard record review protocol to conduct the reviews. During this process, instances of IDEA noncompliance are identified. Following the on-site review, each LEA is provided a list, by student, of every instance of noncompliance identified during the review. The LEAs are given a specific set of timelines in which to correct every instance of noncompliance. Following the initial verification of correction, the OPI staff review additional records completed subsequent to the identification of the noncompliance to verify the LEA is complying with all IDEA regulations. If an LEA completes the correction of each instance of noncompliance, and provides the OPI with sufficient additional records to verify ongoing evidence of compliance, then no finding is issued to the LEA. This practice is based on the guidance provided by OSEP in the FREQUENTLY ASKED QUESTIONS REGARDING IDENTIFICATION AND CORRECTION OF NONCOMPLIANCE AND REPORTING ON CORRECTION IN THE STATE PERFORMANCE PLAN (SPP)/ANNUAL PERFORMANCE REPORT (APR) document. In the process for determination of findings, the OPI considers a variety of factors including: (1) whether the noncompliance was extensive or found in only a small percentage of files; (2) whether the noncompliance showed a denial of a basic right under the IDEA (e.g., an extended delay in initial evaluation beyond applicable timelines with a corresponding delay in the child’s receipt of FAPE, or a failure to provide any services in accordance with the IEP); and (3) whether the noncompliance represents an isolated incident, or reflects a long-standing failure to meet IDEA requirements. When data indicates additional evidence of sustained post-monitoring compliance is necessary, the OPI requires the district to obtain additional training and/or submit additional evidence of sustained compliance.

The same verification procedures are used for all noncompliance, whether collected through the state’s on-site monitoring system, desk review of records, state complaint or due process hearing decisions, or statewide student data system.

Question	Yes / No
Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	NO

**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
4	1	3	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 OPI reviews individual student records to verify LEA’s child find, evaluation/re-evaluation, and Individualized Education Program (IEP) processes and procedures meet IDEA requirements and Montana’s standards. This student record review also addresses transfers, expulsion, suspension, aversive treatment plans, manifestation determinations, surrogate parents, private schools, high school graduates, exited students, students found not eligible, students who have had an evaluation report, other unique circumstances, IEPs during the current year and students whose parents revoked consent for special education services. Compliance monitoring activities consist of:

- review of a sampling of individual student records to examine current practices and documentation;
- review of district policy, practices, and procedures;
- visit selected schools, when appropriate; and
- communication with individual teachers and specialists to discuss records, when appropriate.

All identified noncompliance is recorded, verified, and accounted for through a process of:

- notification to the district of all identified noncompliance;
- required correction of all identified noncompliance as per OSEP’s 09-02 memo (Prong 1 of correction);
- district submission of up-dated data verifying 100 percent post-monitoring compliant policy, practice, and procedure (Prong 2 of correction);
- timely issuance of findings, including corrective actions, for uncorrected identified noncompliance. Each finding cites a specific regulation, either federal or state, and describes the nature of the noncompliance;
- Additional issuance, when appropriate, of required technical assistance, professional development and/or district submission of up-dated data verifying 100 percent post-monitoring compliance in policy, practice, and procedure for issues corrected but originally identified to a degree that is indicative of systemic concern;
- Completion of required technical assistance and professional development activities; and
- The issuance of a final report to the district upon completion of all required compliance monitoring requirements.

The OPI maintains tracking systems for compliance monitoring and due process hearings, mediation, complaints, and other EAP activities. The tracking systems are reviewed, on no less than a monthly basis, to ensure timelines are met and procedures are being followed. Personnel maintaining the tracking systems are responsible for ensuring program specialists are kept aware of the timelines. Program specialists follow up with the LEAs, as appropriate, to ensure corrective actions required are being completed in accord with the designated times.

The noncompliance cases reported in the FFY2018 APR that were not corrected within one year were in one LEA. To address the issues, the OPI met with the superintendent, principals, School Board Chair, and incoming Special Education Director to discuss the issues, progress towards completing them, and plan of action moving forward. Following this meeting, the monitoring unit manager worked with the LEA Special Education Director to correct every outstanding instance of non-compliance and to show on-going compliance. The corrections were completed in May 2020, 17 months after issuance.

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

The lead monitor for the district in which the noncompliance was found worked specifically with that district and teacher to correct the noncompliance within a specified timeline (30, 60, 90 days) . The monitor sent a report to the district describing the incident of noncompliance that must be corrected and for which student(s). Once it had been corrected for that specific student, the teacher then had to submit evidence of sustained post monitoring compliance to show that they understand how to do it correctly after working with the monitor.

For the LEA in the FFY2018 APR that did not meet the one year timeline, staff from the OPI met with Leadership from the LEA (Superintendent, principals, board members, and newly appointed special education director) to discuss the supports and expectations to correct the noncompliance. The Lead Monitor met with the special education director once per month to "check in" on progress and provide additional support as needed.

This same process was used for the FFY2017 identifications of non-compliance.

**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	3	3	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 OPI reviews individual student records to verify LEA’s child find, evaluation/re-evaluation, and Individualized Education Program (IEP) processes and procedures meet IDEA requirements and Montana’s standards. This student record review also addresses transfers, expulsion, suspension, aversive treatment plans, manifestation determinations, surrogate parents, private schools, high school graduates, exited students, students found not eligible, students who have had an evaluation report, other unique circumstances, IEPs during the current year and students whose parents revoked consent for special education services. Compliance monitoring activities consist of:

- review of a sampling of individual student records to examine current practices and documentation;
- review of district policy, practices, and procedures;
- visit selected schools, when appropriate; and
- communication with individual teachers and specialists to discuss records, when appropriate.

All identified noncompliance is recorded, verified, and accounted for through a process of:

- notification to the district of all identified noncompliance;
- required correction of all identified noncompliance as per OSEP’s 09-02 memo (Prong 1 of correction);
- district submission of up-dated data verifying 100 percent post-monitoring compliant policy, practice, and procedure (Prong 2 of correction);
- timely issuance of findings, including corrective actions, for uncorrected identified noncompliance. Each finding cites a specific regulation, either federal or state, and describes the nature of the noncompliance;
- Additional issuance, when appropriate, of required technical assistance, professional development and/or district submission of up-dated data verifying 100 percent post-monitoring compliance in policy, practice, and procedure for issues corrected but originally identified to a degree that is indicative of systemic concern;
- Completion of required technical assistance and professional development activities; and
- The issuance of a final report to the district upon completion of all required compliance monitoring requirements.

The OPI maintains tracking systems for compliance monitoring and due process hearings, mediation, complaints, and other EAP activities. The tracking systems are reviewed, on no less than a monthly basis, to ensure timelines are met and procedures are being followed. Personnel maintaining the tracking systems are responsible for ensuring program specialists are kept aware of the timelines. Program specialists follow up with the LEAs, as appropriate, to ensure corrective actions required are being completed in accord with the designated times.

The noncompliance cases reported in the FFY2018 APR that were not corrected within one year were in one LEA. To address the issues, the OPI met with the superintendent, principals, School Board Chair, and incoming Special Education Director to discuss the issues, progress towards completing them, and plan of action moving forward. Following this meeting, the monitoring unit manager worked with the LEA Special Education Director to correct every outstanding instance of non-compliance and to show on-going compliance. The corrections were completed in May 2020, 17 months after issuance.

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

The lead monitor for the district in which the noncompliance was found worked specifically with that district and teacher to correct the noncompliance within a specified timeline (30, 60, 90 days) . The monitor sent a report to the district describing the incident of noncompliance that must be corrected and for which student(s). Once it had been corrected for that specific student, the teacher then had to submit evidence of sustained post monitoring compliance to show that they understand how to do it correctly after working with the monitor.

For the LEA in the FFY2018 APR that did not meet the one year timeline (findings of non-compliance for FFY2017, staff from the OPI met with Leadership from the LEA (Superintendent, principals, board members, and newly appointed special education director) to discuss the supports and expectations to correct the noncompliance. The Lead Monitor met with the special education director once per month to "check in" on progress and provide additional support as needed.

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

None

### **13 - OSEP Response**

#### **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. 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 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	2018	Target >=	26.60%	26.70%	26.80%	26.90%	27.00%
A	15.51%	Data	20.71%	19.55%	22.14%	22.85%	15.51%
B	2018	Target >=	73.40%	73.50%	73.60%	73.70%	73.80%
B	60.58%	Data	71.77%	71.28%	73.86%	75.30%	60.58%
C	2018	Target >=	87.00%	87.10%	87.20%	87.30%	87.40%
C	79.57%	Data	85.11%	84.97%	86.86%	87.58%	79.57%

### FFY 2019 Targets

FFY	2019
Target A >=	15.75%
Target B >=	60.75%
Target C >=	79.75%

### Targets: Description of Stakeholder Input

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.

- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children’s Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana’s youth to facilitate smooth transitions from birth to adulthood.
- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.
- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.
- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana’s SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities. These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana’s new Every Student Succeeds Act (ESSA) state plan.

**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	711
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	123
2. Number of respondent youth who competitively employed within one year of leaving high school	324
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)	50
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).	61

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)	123	711	15.51%	15.75%	17.30%	Met Target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	447	711	60.58%	60.75%	62.87%	Met Target	No Slippage

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
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)	558	711	79.57%	79.75%	78.48%	Did Not Meet Target	Slippage

Part	Reasons for slippage, if applicable
C	Montana's FFY2019 data reflect a slippage. The small number of students reported for this indicator can result in percentage changes driven by a handful of student surveys. Many young adults are exploring alternative paths to training, and specific expertise in areas not necessarily offered by traditional post-secondary education pathways. College costs in Montana have risen and students are finding other post-secondary training options.

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

Option 2: 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.

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 representativeness of the surveys was assessed by using the Response Calculator from the National Technical Assistance Center on Transition (NTACT) to examine the demographic characteristics of the students who responded to the survey compared to the demographic characteristics of all high school students with disabilities who left school during the 2018-2019 school year. The Response Calculator indicated all groups were proportionately represented in the overall sample, with the exception of the Learning Disability, All Other Disabilities, and Dropout groups. The Learning Disability group was over-represented by 7.12%, and the All Other Disabilities group was under-represented by 6.37%. The dropout group was underrepresented by 8.39%. This data is reflective of the difficulty contacting students who have dropped out, many of which are our minority and other disability groups. Additionally, LEAs experience greater difficulty locating students from the dropout group for survey completion. Further review of the distribution of survey respondents by primary disability showed the respondent group is closely comparable to the distribution of high school students leaving school by primary disability.

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?	NO

**If no, describe the strategies that the State will use to ensure that in the future the response data are representative of those demographics.**

The collection of post-school outcomes is completed by each LEA, not by the SEA or an outside contractor. The Montana Office of Public Instruction has identified the LEAs that appear to be having the greatest problem with locating dropout and minority youths to survey. We will be working with these specific LEAs on strategies to more effectively find and survey these youth. The Data Manager has been in discussion with other state Data Managers on strategies used by other states to increase the representativeness of this subgroup and will be utilizing the National Technical Assistance Center on Transition (NTACT) for additional resources.

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

## **14 - Prior FFY Required Actions**

In the FFY 2019 SPP/APR, the State must report whether the FFY 2019 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.

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

The representativeness of the surveys was assessed by using the Response Calculator from the National Technical Assistance Center on Transition (NTACT) to examine the demographic characteristics of the students who responded to the survey compared to the demographic characteristics of all high school students with disabilities who left school during the 2018-2019 school year. The Response Calculator indicated all groups were proportionately represented in the overall sample, with the exception of the Learning Disability, All Other Disabilities, and Dropout groups. The Learning Disability group was over-represented by 7.12%, and the All Other Disabilities group was under-represented by 6.37%. The dropout group was underrepresented by 8.39%. This data is reflective of the difficulty contacting students who have dropped out, many of which are our minority and other disability groups. Additionally, LEAs experience greater difficulty locating students from the dropout group for survey completion. Further review of the distribution of survey respondents by primary disability showed the respondent group is closely comparable to the distribution of high school students leaving school by primary disability.

The collection of post-school outcomes is completed by each LEA, not by the SEA or an outside contractor. The Montana Office of Public Instruction has identified the LEAs that appear to be having the greatest problem with locating dropout and minority youths to survey. We will be working with these specific LEAs on strategies to more effectively find and survey these youth. The Data Manager has been in discussion with other state Data Managers on strategies used by other states to increase the representativeness of this subgroup and will be utilizing the National Technical Assistance Center on Transition (NTACT) for additional resources.

## **14 - OSEP Response**

### **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 is 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	0
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	0

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

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children's Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working

with Montana's youth to facilitate smooth transitions from birth to adulthood.

- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.

- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.

- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

#### Historical Data

Baseline Year	Baseline Data
2005	

FFY	2014	2015	2016	2017	2018
Target >=	100.00%	100.00%	100.00%	75.00% - 100.00%	75.00% - 100.00%
Data	0.00%	0.00%		100.00%	0.00%

#### Targets

FFY	2019 (low)	2019 (high)
Target		

#### 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 (low)	FFY 2019 Target (high)	FFY 2019 Data	Status	Slippage
0	0	0.00%				N/A	N/A

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

Montana does not meet the minimum N for this indicator. Per OSEP through PSC: Montana's "submissions will be reviewed by OSEP Staff, but they will take the state's N size into account and act accordingly. An explanation from the state included with the indicators the issue with low N size would be appropriate."

#### 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)(ii)) 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 is 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	0
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	0

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

The Student Support Services Division of the Office of Public Instruction (OPI) provides multiple services to Montana schools to assist them in providing quality education to all students. The programs managed through this division are aligned with the common core standards, Montana's State Personnel Development Grant, our Comprehensive System of Personnel Development (CSPD), our State Performance Plan, including its improvement activities, and the states ESSA state plan.

Montana is a frontier state that is often described as a small town with very long streets. The special education and disability communities are relatively small, but close knit. Personal acquaintanceships and relationships are cultivated and nurtured. We maintain an ability to communicate and exchange information on a less formal basis than in many other states and agencies. To promote these valued relationships, we hold a strong presence in the public forum where there is an intense interrelationship between agencies, associations, and advisory panels and councils with special education staff serving both appointed and designated advisory and liaison roles. The same holds true with the membership of the state special education advisory panel; strong representation, including not only required member roles, but from a cross section of the disability community including students. Dissemination of information from these forums is routinely distributed to participants and to the public which then encourages ongoing input and discussion.

Discussions and Stakeholder input of the SPP, APR, SSIP, and RDA/RBA began in 2013 with our State Special Education Advisory Panel. The Panel is fully vested and broadly representative of Montana. Additionally, many of the panel members as well as SEA staff serve in other agency or organization leadership positions or on advisory groups in the disability community. This enables us to draw insight and advice from a very encompassing overview and understanding of Montana's unique needs, potentials, weaknesses and strengths.

Other stakeholder groups we sponsor and/or engage include:

- Our state CSPD includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.
- The CSPD coordinators and SPDG director participates in the RESA State Advisory Council. The RESAs and CSPD regions assist with Common Core trainings and work closely with the Striving Readers program.
- The OPI School Mental Health (SMH) coordinator worked collaboratively with the Children's Mental Health Bureau at the DPHHS to facilitate the provision of mental health services in schools through CSCT (Comprehensive School and Community Treatment Services).
- The OPI staff has developed productive working relationships with other Montana Agencies that serve youth and adults with disabilities. OPI staff participated as members of advisory councils for early childhood, vocational rehabilitation, juvenile justice, developmental disabilities, the state

independent living council and the mental health divisions of the DPHHS. These connections have allowed the OPI staff to build strong working relationships with other agencies, which resulted in multiple collaborative projects that have strengthened the commitments of all involved to working with Montana's youth to facilitate smooth transitions from birth to adulthood.

- Working with staff from the Technical Assistance for Excellence in Special Education (TAESE) center, the OPI has facilitated the Montana Higher Education Consortium (HEC) for eighteen years. The HEC continues to be a part of CSPD and brings together members of faculty from each of the colleges and universities teacher prep programs in Montana. Participation in the consortium is strong and includes faculty members from each of the public and private colleges in Montana. This group has worked to provide greater standardization of the teacher training programs in Montana and has worked together to improve pre-service training programs. This group also is analyzing dispositions of teacher candidates and how to address them, resulting in better prepared educators.

- OPI staff is involved in an additional coalition to engage in discussion and activity with our new PTI (Montana Empowerment Center) and Disability Rights Montana. The goal of this coalition for this first year is to understand the role and limitations of each agency, to develop materials for schools and parent to understand the roles of each agency and to explore the possibility of jointly producing materials and providing trainings.

- The OPI staff is also highly engaged with the Schools Administrators of Montana which include affiliates for Superintendents, Principals, Special Education Administrators, and IT Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff.

Annually, the SEA brings together representatives from these stakeholder groups for a joint meeting facilitated by TAESE. This meeting gathers over 80 front-line stakeholders together to share up-dates of issues and gather input from a comprehensive representation of the Montana disability community, families and parents of regular and special education children and students. For the past five years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. This meeting was not held in the 2019-2020 year due to COVID but is already being actively planned for spring 2021.

The SEA internal stakeholder work continues particularly through the ESSA comprehensive and targeted schools taskforces. These taskforces were created to 1) provide cohesive supports for the development and implementation of a system wide continuous improvement plan across all area of need for the identified comprehensive school and 2) Support schools identified as targeted by bringing together OPI staff with deep knowledge of struggling student groups to develop a range of improvement activities. These task forces include membership from all program divisions of the agency. Given that our Indian schools will comprise our lowest performing schools, the overall agency, the task force and the SSIP will be aligned.

The comprehensive task force identifies and examines barriers that exist in our professional relationships with Indian schools. Barriers in the districts, and in the agency, were identified and analyzed. This began an assessment of interagency collaboration and professional relationships. Common ground was found for improved methodologies in our approach to districts, our analysis of district data and community, tribal, and cultural conditions, district capacities, and how better to target and support improvement efforts. As a result, SSIP improvement activities are now supported and reinforced through cross-divisional coordinated efforts. The Student Support Services division has also been heavily involved in the development of Montana's new Every Student Succeeds Act (ESSA) state plan.

#### Historical Data

Baseline Year	Baseline Data
2005	

FFY	2014	2015	2016	2017	2018
Target >=				80.00% - 100.00%	80.00% - 100.00%
Data	50.00%	100.00%	0.00%	100.00%	0.00%

#### Targets

FFY	2019 (low)	2019 (high)
Target		

#### 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 (low)	FFY 2019 Target (high)	FFY 2019 Data	Status	Slippage
0	0	0	0.00%				N/A	N/A

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

Montana does not meet the minimum N for this indicator. Per OSEP through PSC: Montana's "submissions will be reviewed by OSEP Staff, but they will take the state's N size into account and act accordingly. An explanation from the state included with the indicators the issue with low N size would be appropriate."

#### 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:**

Anne Rainey

#### **Title:**

IDEA Part B Data Manager

#### **Email:**

arainey@mt.gov

#### **Phone:**

406-444-4430

#### **Submitted on:**

04/29/21 10:53:55 AM