

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

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

**For reporting on  
FFY 2021**

**Montana**



**PART B DUE February 1, 2023**

**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

399

#### 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 each Individual with Disabilities Education Act (IDEA) Part B applicant's policies and procedures; the application, allocation, distribution, fiscal risk assessment, and accountability of special education funds; 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 Local Education Agency's (LEA) five-year comprehensive plan, is reported by LEAs annually and tracked through the Accreditation Unit.

#### Compliance Monitoring

The Office of Public Instruction (OPI) reviews individual student records to verify processes and procedures meet IDEA and Montana requirements. 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 within the 1 year timeline; district submission of up-dated data verifying 100 percent post-monitoring compliance; and review of district practices, and procedures; 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. State Operated or State Funded programs 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) if the noncompliance was systemic or found in only a small percentage of files; (2) if the noncompliance showed a denial of a basic right under the IDEA; and (3) if the noncompliance represents an isolated incident or reflects a long-standing failure to meet requirements (systemic). 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 76 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 Office of Special Education Programs (OSEP) 09-02 Memorandum and subsequent OSEP guidance. Of the 76 instances, 37 of them were corrected within the one-year timeline.

Due to the impact of COVID upon SEA staff, it was determined at the onset of the 2021-22 Monitoring Cycle the SEA monitoring team consisted of two people expected to carry out the traditional monitoring protocol for the entire state. After much deliberation, it was determined that for the SEA to maintain its obligation to review districts and to provide adequate supports or technical assistance, adjusting the total number of files to review due to staffing restraints was necessary. It was determined the optimum strategy was to reduce the number of files reviewed with the understanding that additional files could be reviewed as needed. Ultimately the modification to the overall process consisted of reducing files to be reviewed from 2 to 1 file per case manager. In addition, 12 districts were not monitored due to the modifications of the monitoring. This was due to factors beyond the agencies control.

The primary number of compliance infractions beyond the one-year timeline involved a small number of school districts. These districts are all on the Fort Peck Indian Reservation which saw a greater impact from the COVID-19 Pandemic compared to other non-reservation districts. As a result of this, these districts were seeing the negative results of the COVID-19 Pandemic impacting their ability to hire and retain staff. The SEA leadership met to discuss and agreed to a 30-day extension for the involved districts. Additionally, the SEA has been hosting monthly meetings in support of the districts providing technical assistance, professional development, and on-going support. This will be implemented for at least a year or until the SEA is satisfied with the district's overall progress.

#### IDEA Part B Program - Fiscal

The special education unit oversees the application, allocation, and distribution of approximately \$43 million of federal special education funds, ensures the accountability for the use of those funds, and oversees all related IDEA grant reporting and requirements. The fiscal manager reviews and approves the applications for the IDEA funds, determines if expenditures are allowable. A district's eligibility for funds is determined through state and federal fiscal effort maintenance requirements. This unit oversees the distribution of IDEA discretionary funds to support programs that are a specific area of need as identified in the APR.

#### 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 or implementing Montana laws. The EAP provides informal dispute resolution for special education issues relating to a student's free and appropriate public education, any violation of Part B of the IDEA or implementing Montana laws. The intention is to resolve special education disagreements amicably, with the lowest level of third-party involvement as possible. 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 collaboration 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. The SEA has entered into contractual relationships with technical assistance centers to increase technical support in improving performance.

#### 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 teachers on compliance and the implementation of IDEA, as well as training on current hot topics. Topics are determined based on monitoring data, frequently asked questions from the field, and anything the state special education director feels is a hot topic (nationally or locally).

Technical assistance is also provided to ensure timely correction of all identified noncompliance and training is given related to such non-compliance.

The Continuing Education and Technical Assistance (CETA) unit is responsible for implementing several major training initiatives for the OPI that focus on instructional practices and interventions. 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. Training is conducted via phone, Zoom, TEAMS and in person for each data collection, depending on the needs of the LEAs. 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, using, and accounting of federal special education funds. Assistance is also provided in developing and implementing program narratives, interlocal agreements, and special education procedures.

Technical assistance and updates are regularly provided to directors of special education at conferences and regional Montana Council of Administrators of Special Education (MCASE) 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. Such expertise includes former special education teachers with knowledge from preschool classrooms, special education classrooms and inclusion, former Speech/Language Pathologists, and former classroom teachers. In addition, the OPI hires local LEA staff as short-term workers to provide training as needed. Starting in the fall of 2020, the special education staff provides monthly special education Community of Practice on various topics and hold monthly director calls to discuss current issues in special education & state updates.

Montana currently works with several federal Technical Assistance providers and participates in federal grants which include: National Center for Systemic Improvement (NCSI), the Center on Positive Behavioral Interventions and Supports (PBIS), Early Childhood Technical Assistance (ECTA), the Center for the Integration of IDEA Data (CIID), the Center for IDEA Fiscal Reporting (CIFR), the IDEA Data Center (IDC), and the Center for IDEA Early Childhood Data Systems (DaSy).

Working with staff from the Technical Assistance for Excellence in Special Education (TAESE), the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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 also provides technical assistance to the state through facilitating a 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, special education data collection and analysis of Indicator 8, Comprehensive System of Personnel Development (CSPD), TASK12 Educational Interpreters Performance Assessment (EIPA), Dispute Resolution in Special Education (DRSE) workgroups, Northern Plains Law Conference, Jobs Alike Work Groups (monitoring and low incidence disabilities) and other technical assistance as needed.

Montana has been a member of the Results-Based Accountability Cross-State Learning Collaborative through 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 Multi-Tiered Systems of Supports (MTSS) initiative, for example, is based on the research and program developed by the Center on PBIS, an OSEP Technical Assistance Center. Montana's model for our State Systemic Improvement Plan (SSIP) implementation is premised on the commitment to target and focus on existing supports already in place throughout the State Education Agency (SEA). These major initiatives were all developed under strict planning, research, stakeholder involvement, and based on known evidence-based practices that produce positive results.

The division's 619 Coordinator worked with the ECTA center. The 619 Coordinator also participates in monthly 619 calls and, along with the Part B Data Manager, in the 619 Data Quality Peer to Peer group run by IDC.

The Part B Data Manager continues working with IDC, DaSy, and CIID. The data manager participates in various Data Quality Peer to Peer groups to continue to increase capacity of understanding of IDEA data and to learn new ways to work with LEAs to better understand and report the data appropriately.

#### **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 children with disabilities.**

Professional development is provided through multiple areas in the Special Education department. The Continuing Education and Technical Assistance (CETA) and the School Improvement Units have integrated responsibilities.

Montana's Statewide Comprehensive System of Personnel Development (CSPD) is comprised of regional professional development offerings (Regional CSPD), the State Personnel Development Grant (SPDG), the Montana Autism Education Project (MAEP), Higher Education Consortium (HEC), courses available through the Montana Teacher Learning Hub (<https://opi.mt.gov/Educators/Teaching-Learning/Teacher-Learning-Hub>), and additional training at conferences. Training for general education personnel is supported by the projects above and IDEA funds to increase skills to respond to the needs of students with disabilities in the regular classroom. Special Education staff have a lead role in the annual OPI Summer Institute and High School Forum.

The Regional CSPD structure includes five councils, each led by a regional coordinator, who provide free training for parents, special educators, general educators, and paraprofessionals. The OPI provides reports to the councils that include indicator data, trends in monitoring findings, evaluation data for CSPD and Special Education trainings statewide, and ESSA identifications. The councils analyze the data and align their activities to the APR indicators. This process directs professional development toward improving student outcomes for each indicator. New for 2021-22 was the statewide priority area of "The Science of Reading." In 2021-22, CSPD regions delivered 110 training events with 2,386 attendees. The regional coordinators meet monthly as part of the statewide CSPD council.

The OPI completed the no cost extension year and final reporting in November 2021 for the 2015 SPDG which supported MTSS in schools across our state. MTSS work is strongly integrated into multiple areas of the OPI including ESSA, mental health, whole child supports, school climate, and literacy.

In 2020, Montana received a new 5-year SPDG for MTSS. The grant provides training and support to districts in building capacity to implement a systems-level problem-solving approach at the district, school, classroom, and individual student level to facilitate the adoption of evidence-based academic and behavioral practices. The grant provides autonomy to districts allowing them select professional development based on their individual needs. The focus for the 2021-22 school year was on developing modules for district teams, training MTSS Systems coaches, and supporting three pilot districts from CSPD Region 1. Materials and trainings developed are available on a MTSS training site. In Spring 2022, the SPDG accepted seven districts from CSPD Regions 2 & 3 and began initial grant onboarding with coaching support. Six districts from CSPD regions 4 & 5 will join in 2023-2024. Through the SPDG, our partnership with the MT Empowerment Center (MEC) provided MTSS parent training and resources.

The OPI Summer Institute and High School Forum provided professional development to general and special education faculty in 2021-22. A one-day High School Forum was held in November 2021 addressing the use of a MTSS framework around academics, behavior, school safety, and mental health with approximately 100 participants. The OPI Summer Institute returned to an in-person five-day institute in June 2022 with a focus on MTSS, best practices, positive behavior interventions and supports, mental health, and culturally and linguistically responsive classrooms. With the CETA Unit taking the lead, many other OPI Units collaborated to provide sessions at all tiers to meet the needs of all students, including students with disabilities. The 2022 event included over 140 sessions and 500 participants.

Special Education staff collaborates regularly with the Indian Education for All (IEFA) Unit, American Indian Student Achievement (AISA) Unit, and Tribal Relations and Resiliency Unit (TRRU) on the development and delivery of professional development to meet the unique needs of Montana's American Indian students. The IEFA, AISA, and TRRU Unit staff are the primary collaborators on Summer Institute and HS Forum providing relevant sessions to ensure the OPI addresses culturally and linguistically responsive components of MTSS.

Educating students with autism requires specific skills and knowledge beyond what is acquired through teacher preservice programs. The goals of the OPI Montana Autism Education Project (MAEP) are:

- to increase district-level knowledge of how to educate students with autism through in-person training, interactive video training, on-site technical assistance, and peer-to-peer collaboration; and
- to develop inter-agency collaboration between the OPI, school districts, Part C Agency providers, Department of Public Health and Human Services, the MEC, and Institutes of Higher Education (IHE).

The MAEP offers free autism and/or behavior consultations to public school students who qualify under the IDEA. Board Certified Behavior Analysts, Speech-Language Pathologists, and experienced educators are among the part-time consultants at OPI. During the 2021/22 school year, the MAEP provided 42 different trainings, for a total of 63 trainings. Over 1,300 Montana educators, parents, and others with an interest in autism and behavior management attended 6,372 hours of training. Training topics included: identifying students with autism, assistive technology, behavior management, brain differences in autism, executive functioning, life skills, self-advocacy, teaching communication and more.

The Montana Teacher Learning Hub is committed to provide active learning, high quality content, and relevant topics through an accessible, free online learning system. This past year the SPED Unit supported four Hub Courses specifically for improving skills for teachers of students with disabilities: The General Education Teacher Role in SPED, A Bit about Braille, Novice SPED Teacher Training, and Practical Strategies for Using Technology to Assist Notetaking with a total of 384 participants for 2021-22. The OPI revamped Novice SPED Teacher Training with a self-paced series which will have data in 2022-23. Three Courses in the series are: Special Education Overview for All School Staff, Referral, Evaluations, & Eligibility, and Writing Compliant IEPs. Through the Hub, the SPED unit also offered one online, facilitated course for paraeducators in 2021-22: Instructional Teamwork for Paraeducators with 4 participants. Other paraeducator facilitated courses were not available due to staff changes, and all paraeducator courses are being transitioned to self-paced courses to increase participation.

With the assistance of the Center for Technical Assistance for Excellence in Special Education (TAESE) at the Utah State University, the OPI continues to work with representatives of all Montana teacher preparation programs to improve preservice instruction through our Higher Education Consortium (HEC). The HEC has met twice a year for the past twenty years, in the spring and fall, to discuss critical issues and share ideas relating to teacher training programs. The focus of the HEC is to create a mechanism to foster greater involvement of the IHEs in important educational initiatives to ensure consistency between the message of the OPI and the IHEs. The meetings have created a strong partnership and collaboration between faculty members of the teacher training programs and the OPI.

The HEC met twice in 2021-2022, with guided discussions/presentations in the fall on Gifted and Talented, MTSS, the MAEP, and efforts to expand opportunities for Native Educators. The spring meeting included proficiency-based learning, review of teacher preparation program standards, and a presentation on Indian Education for All.

## **Broad Stakeholder Input:**

### **The mechanisms for soliciting broad stakeholder input on the State's targets in the SPP/APR and any subsequent revisions that the State has made to those targets, and the development and implementation of Indicator 17, the State's Systemic Improvement Plan (SSIP).**

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

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

YES

#### **Number of Parent Members:**

7

#### **Parent Members Engagement:**

### **Describe how the parent members of the State Advisory Panel, parent center staff, parents from local and statewide advocacy and advisory committees, and individual parents were engaged in setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

The State Advisory Panel has a diverse group of participants and parents from across the state of Montana. They meet four times a year, and each meeting includes an opportunity for engagement in setting targets, analyzing data, developing improvement strategies, and evaluating progress. The information presented and discussions can be found on the Advisory Panel webpage (<https://opi.mt.gov/Educators/School-Climate-Student-Wellness/Special-Education/Special-Education-Advisory-Panel>) in the Meeting Minutes for the individual meetings, or in the Annual Report which is a compilation of the minutes from each meeting and a description of the action items taken by the panel through the year.

#### **Activities to Improve Outcomes for Children with Disabilities:**

### **The activities conducted to increase the capacity of diverse groups of parents to support the development of implementation activities designed to improve outcomes for children with disabilities.**

Throughout the reporting period, the Montana special education advisory panel met four times. The advisory panel consisted of 17 members, five of them who have children with varying disabilities. During the advisory panel meetings, members provided input on targets and feedback on improvement strategies related to each indicator.

In October 2021, the advisory panel members and a diverse set of stakeholders were asked to complete a survey to provide feedback on the 16 indicators. The OPI staff compiled the survey data and reviewed the feedback to inform target determinations.

In January 2022, the APR, with the adjustments to the indicator targets based on stakeholder feedback, was reviewed with the panel members. The panel members provided feedback specific to Indicators 6 and 13. They also prioritized the areas for improvement.

Based on a poll from the advisory panel in March 2022, secondary education, secondary transitions, and Part C to Part B transitions (Indicators 1, 2, 12, 13 & 14) were among the top three priorities. These priorities were set as the focus for the panel in the years to come.

#### **Soliciting Public Input:**

### **The mechanisms and timelines for soliciting public input for setting targets, analyzing data, developing improvement strategies, and evaluating progress.**

The APR was presented to the Advisory Panel in January 2022. At that meeting, they were asked to provide feedback on the activities currently being conducted by the OPI (what was working, what was not), and to give ideas about other activities the OPI could engage in to improve outcomes for students with disabilities.

#### **Making Results Available to the Public:**

**The mechanisms and timelines for making the results of the target setting, data analysis, development of the improvement strategies, and evaluation available to the public.**

The APR will be posted to the OPI Website (<https://opi.mt.gov/Educators/School-Climate-Student-Wellness/Special-Education/Special-Education-Annual-Performance-Report>) as a part of the Annual Performance Report after the OPI receives its determination letter from OSEP.

**Reporting to the Public**

**How and where the State reported to the public on the FFY 2020 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 2020 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/APR, including any revision if the State has revised the targets that it submitted with its FFY 2020 APR in 2022, is available.**

The February 1, 2023, Montana Annual Performance Report will be made available to the public via the OPI Web site (<https://opi.mt.gov/Educators/School-Climate-Student-Wellness/Special-Education/Special-Education-Annual-Performance-Report>). An electronic announcement of the report with links to the Montana Annual Performance Report will be sent stakeholders through the OPI Compass Monthly Newsletter.

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

In accordance with section 616(b)(2)(C)(ii)(I) of IDEA, 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, 2023. 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:

1. Select the District Profile option.
2. Select a district from the list on the right side.
3. Click on the Program & Course Offerings tab above the district list.
4. Select the Special Education District Performance Report
5. When you select that button, you will be at the report, looking at the relevant district for the prior FY.
6. To review a different year, select the desired year from the drop down in the upper left of the screen.

Please note these reports may take a few minutes to load.

The GEMS platform is built to be used with Safari, Firefox, Chrome, and Edge. It will not work with older versions of Internet Explorer as it is no longer supported by Microsoft. Occasionally, an error report is received that the PowerBI will not load. If that happens, wait a couple minutes and refresh the page.

**Intro - Prior FFY Required Actions**

The State's IDEA Part B determination for both 2021 and 2022 is Needs Assistance. In the State's 2022 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 2021 SPP/APR submission, due February 1, 2023, 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.

**Response to actions required in FFY 2020 SPP/APR**

Montana engaged with numerous Technical Assistance (TA) centers through the FFY2021 year. Specifically, Montana:

- Worked with IDC to beta test the Non-Response Bias Tool. This work allowed Montana to better understand, report, and thoroughly explain response rates and non-response bias for indicators 8 and 14.
- Participated in the SSIP Data Quality Peer to Peer Group calls facilitated by IDC. As a result, the SSIP Coordinator was better equipped to engage and build the capacity of educators at target schools. The engagement opportunities and technical assistance in -turn provided by the SSIP Coordinator empowered educators to put programs into place that resulted in an increase in high school completion rate of American Indian students with disabilities.
- Participated in the SPP/APR Data Quality Peer to Peer Group calls facilitated by IDC. This TA resulted in the APR Coordinator and Data Manager being able to complete the APR in a more efficient and effective manner.
- Engaged in Significant Disproportionality Calls, which allowed the Data Manager to develop new business rules for significant disproportionality and work with the system developer to code and make the rules operational. By automating operational decisions and improving the ability to audit the data for compliance purposes, the quality and use of data is likely to improve. These calls also served as supplemental training for the Fiscal and Reporting Manager, which lead to the facilitation of data talks about Significant Disproportionality for various outcome data for children with disabilities.
- Participated in DMS calls by OSEP, CADRE, NCSI, IDC. These calls allowed (and continue to allow) OPI staff to be prepared for their upcoming DMS Visit in June 2023 and immediately improve processes and procedures. Actions taken based on these calls included completion of the protocols provided by OSEP, discussions among staff of current processes, and ideas for change to improve and better meet the requirements of general supervision.
- Engaged in RBAS calls with NCSI. These calls have allowed the School Improvement Unit manager to work with his team to begin developing an RBAS process for differentiated monitoring.

**Intro - OSEP Response**

The State did not describe the mechanisms for soliciting broad stakeholder input on the State's targets in the SPP/APR and subsequent revisions that the State made to those targets. Specifically, the State did not report a description of the activities conducted to increase the capacity of diverse groups of parents.

The State's determinations for both 2021 and 2022 were Needs Assistance. Pursuant to section 616(e)(1) of the IDEA and 34 C.F.R. § 300.604(a), OSEP's June 24, 2022determination letter informed the State that it must report with its FFY 2021 SPP/APR submission, due February 1, 2023, 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. The State provided the required information.

### **Intro - Required Actions**

The State has not provided a description of the activities conducted to increase the capacity of diverse groups of parents. In its FFY 2022 SPP/APR, the State must provide the required information.

The State's IDEA Part B determination for both 2022 and 2023 is Needs Assistance. In the State's 2023 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 2022 SPP/APR submission, due February 1, 2024, 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) exiting special education due to graduating 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 under section 618 of the Individuals with Disabilities Education Act (IDEA), using the definitions in EDFacts file specification FS009.

### Measurement

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

### Instructions

*Sampling is not allowed.*

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 2021 SPP/APR, use data from 2020-2021), and compare the results to the target. Provide the actual numbers used in the calculation.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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.

Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma. If the conditions that youth with IEPs must meet in order to graduate with a regular high school diploma are different, please explain.

## 1 - Indicator Data

### Historical Data

Baseline Year	Baseline Data
2020	78.65%

FFY	2016	2017	2018	2019	2020
Target >=	81.60%	81.80%	82.00%	82.90%	76.00%
Data	77.75%	76.76%	76.53%	78.03%	78.65%

### Targets

FFY	2021	2022	2023	2024	2025
Target >=	77.00%	78.00%	79.00%	80.00%	80.00%

### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State’s Performance Plan (SPP), Annual Performance Report (APR), State’s Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana’s unique needs, strengths, and potential weaknesses.

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--Working with staff from TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

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Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**Prepopulated Data**

Source	Date	Description	Data
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	769
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	57
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	2
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	215

**FFY 2021 SPP/APR Data**

Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
769	1,043	78.65%	77.00%	73.73%	Did not meet target	Slippage

**Provide reasons for slippage, if applicable**

Montana has a relatively small number of exiting students each year, and a small number of graduates reported on the exit report. Part of that is because of the nature of the collection – students who move during their senior year are counted as moved, rather than graduates. This is the cause for differences in the data each year. The 2020-2021 school year was still experiencing the effects of COVID, part of which involved a high level of movement in and around our Native American reservations. Those students who did successfully graduate during the exiting reporting year but moved at some point, did not count as graduates, accounting for the slippage in our graduation rate.

**Graduation Conditions**

**Provide a narrative that describes the conditions youth must meet in order to graduate with a regular high school diploma.**

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 who exited special education due to dropping out. (20 U.S.C. 1416 (a)(3)(A))

**Data Source**

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.

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**

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 exited special education (ages 14-21) in the denominator.

**Instructions**

*Sampling is not allowed.*

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 2021 SPP/APR, use data from 2020-2021), and compare the results to the target.

Include in the denominator the following exiting categories: (a) graduated with a regular high school diploma; (b) graduated with a state-defined alternate diploma; (c) received a certificate; (d) reached maximum age; or (e) dropped out.

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.

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.

Provide a narrative that describes what counts as dropping out for all youth. Please explain if there is a difference between what counts as dropping out for all students and what counts as dropping out for students with IEPs.

## 2 - Indicator Data

**Historical Data**

Baseline Year	Baseline Data
2020	21.26%

FFY	2016	2017	2018	2019	2020
Target <=	3.50%	3.40%	3.40%	3.40%	21.26%
Data	3.42%	3.72%	3.16%	3.81%	21.26%

**Targets**

FFY	2021	2022	2023	2024	2025
Target <=	21.16%	21.06%	20.96%	20.86%	20.76%

**Targets: Description of Stakeholder Input**

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

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--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

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school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

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**Prepopulated Data**

Source	Date	Description	Data
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	769
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	57
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	2
SY 2020-21 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/25/2022	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	215

**FFY 2021 SPP/APR Data**

Number of youth with IEPs (ages 14-21) who exited special education due to dropping out	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
215	1,043	21.26%	21.16%	20.61%	Met target	No Slippage

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

The dropout definition for all students in the state of Montana is:

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)**

YES

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

Dropouts for Indicator 2 are counted based on the requirements in the EDFacts File specifications for FS009:

Dropped out

These students were enrolled at the start of the reporting period but were not enrolled at the end of the reporting period and did not exit special education through any of the other means. This includes dropouts, runaways, GED recipients (in cases where students are required to drop out of the secondary educational program in order to pursue the GED certificate), expulsions, status unknown, students who moved but are not known to be continuing in another educational program, and other exiters from special education.

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

Based on the revised measurement table that started with the FFY2020 Annual Performance Report, states are now required to report Indicator 2 data using the Special Education Exiting data rather than graduation/dropout cohort data. For the FFY2020 APR, Montana chose to set the baseline year for this indicator to the SY2019-2020 data – the data that was reported in the FFY2020 APR due to the required one-year lag for this indicator. This was based on stakeholder feedback. Targets were set to start at the baseline year and decrease in 0.10% increments until the end of this APR cycle, thus showing the required improvement over baseline in FFY2025.

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

The State has revised the baseline using data from FFY 2020, but OSEP cannot accept the because there is no explanation for the revision. With the FFY 2021 SPP/APR, the State must provide an explanation for the baseline revision for this indicator, and ensure that its FFY 2025 target reflects improvement over baseline.

### **Response to actions required in FFY 2020 SPP/APR**

Based on the revised measurement table that started with the FFY2020 Annual Performance Report, states are now required to report Indicator 2 data using the Special Education Exiting data rather than graduation/dropout cohort data. For the FFY2020 APR, Montana chose to set the baseline year for this indicator to the SY2019-2020 data – the data that was reported in the FFY2020 APR due to the required one-year lag for this indicator. This was based on stakeholder feedback. Targets were set to start at the baseline year and decrease in 0.10% increments until the end of this APR cycle, thus showing the required improvement over baseline in FFY2025.

## **2 - OSEP Response**

The State has revised the baseline for this indicator, using data from FFY 2020, and OSEP accepts that revision.

The State revised its targets for this indicator, and OSEP accepts those targets.

## **2 - Required Actions**

## Indicator 3A: Participation for Children with IEPs

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

#### Data Source

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

#### Measurement

A. 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. Calculate separately for grades 4, 8, and high school. 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 3A: Provide separate reading/language arts and mathematics participation rates for children with IEPs for each of the following grades: 4, 8, & high school. Account for ALL children with IEPs, in grades 4, 8, and high school, 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.

### 3A - Indicator Data

#### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	96.71%
Reading	B	Grade 8	2018	93.65%
Reading	C	Grade HS	2018	81.38%
Math	A	Grade 4	2018	70.53%
Math	B	Grade 8	2018	92.75%
Math	C	Grade HS	2018	85.68%

#### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%	95.00%
Reading	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%	95.00%
Reading	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%	95.00%
Math	A >=	Grade 4	95.00%	95.00%	95.00%	95.00%	95.00%
Math	B >=	Grade 8	95.00%	95.00%	95.00%	95.00%	95.00%
Math	C >=	Grade HS	95.00%	95.00%	95.00%	95.00%	95.00%

## Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

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## FFY 2021 Data Disaggregation from EDFacts

### Data Source:

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

### Date:

04/05/2023

### Reading Assessment Participation Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,439	1,396	1,010
b. Children with IEPs in regular assessment with no accommodations	719	681	609
c. Children with IEPs in regular assessment with accommodations	579	564	114
d. Children with IEPs in alternate assessment against alternate standards	104	83	84

### Data Source:

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

### Date:

04/05/2023

### Math Assessment Participation Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs*	1,438	1,394	1,010
b. Children with IEPs in regular assessment with no accommodations	468	441	658
c. Children with IEPs in regular assessment with accommodations	823	761	120

d. Children with IEPs in alternate assessment against alternate standards	104	80	84
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\*The children with IEPs count excludes children with disabilities who were reported as exempt due to significant medical emergency in row a for all the prefilled data in this indicator.

**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	1,402	1,439	96.44%	95.00%	97.43%	Met target	No Slippage
B	Grade 8	1,328	1,396	93.76%	95.00%	95.13%	Met target	No Slippage
C	Grade HS	807	1,010	77.82%	95.00%	79.90%	Did not meet target	No Slippage

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	1,395	1,438	96.17%	95.00%	97.01%	Met target	No Slippage
B	Grade 8	1,282	1,394	90.98%	95.00%	91.97%	Did not meet target	No Slippage
C	Grade HS	862	1,010	79.57%	95.00%	85.35%	Did not meet target	No Slippage

**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.

Special Education Assessment Participation data can be found at <https://opi.mt.gov/Educators/School-Climate-Student-Wellness/Special-Education/IDEA-Data>.

Provide additional information about this indicator (optional)

**3A - Prior FFY Required Actions**

None

**3A - OSEP Response**

**3A - Required Actions**



## Indicator 3B: Proficiency for Children with IEPs (Grade Level Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level 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 FS175 and 178.

### Measurement

B. Proficiency rate percent = [(# of children with IEPs scoring at or above proficient against grade level academic achievement standards) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned for the regular assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. 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 3B: Proficiency calculations in this SPP/APR must result in proficiency rates for children with IEPs on the regular assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 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.

## 3B - Indicator Data

### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	17.18%
Reading	B	Grade 8	2018	10.50%
Reading	C	Grade HS	2018	5.71%
Math	A	Grade 4	2018	15.17%
Math	B	Grade 8	2018	5.74%
Math	C	Grade HS	2018	4.76%

### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	17.30%	17.40%	17.50%	17.60%	17.70%
Reading	B >=	Grade 8	10.60%	10.70%	10.80%	10.90%	11.00%
Reading	C >=	Grade HS	5.80%	5.90%	6.00%	6.10%	6.20%
Math	A >=	Grade 4	15.30%	15.40%	15.50%	15.60%	15.70%
Math	B >=	Grade 8	5.80%	5.90%	6.00%	6.10%	6.20%
Math	C >=	Grade HS	4.90%	5.00%	5.10%	5.20%	5.30%

### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

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--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,297	1,245	723
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	149	115	57
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	52	45	4

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the regular assessment	1,290	1,202	778
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	117	41	21
c. Children with IEPs in regular assessment with accommodations scored at or	55	24	2

above proficient against grade level			
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**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	201	1,297	18.10%	17.30%	15.50%	Did not meet target	Slippage
B	Grade 8	160	1,245	11.73%	10.60%	12.85%	Met target	No Slippage
C	Grade HS	61	723	6.15%	5.80%	8.44%	Met target	No Slippage

**Provide reasons for slippage for Group A, if applicable**

Montana cannot explain slippage directly since the assessments used in FFY2022 were the same shortened versions used in FFY2021. However, one possible explanation of slippage may be due to the grade 4 cohort taking the statewide assessment in the 2021-2022 school year being the cohort of students tested that were most impacted by the COVID 19 pandemic. On March 15, 2020, the Governor temporarily shut down the state, including all school districts. The length of closure of school districts varied due to local control and tribal government. The length of school closures, or remote instruction, a model new to both students and teachers, are one of the key factors in unfinished learning as reflected by the slippage in student achievement. Montana compared the special education data to the data for all students in 4th grade across the state for both the regular assessment, the alternate assessment, and the NAEP in reading, and see similar trends in slippage which leads us to believe that COVID 19 was the leading factor for the special education slippage.

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Grade Level Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Regular Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	172	1,290	13.10%	15.30%	13.33%	Did not meet target	No Slippage
B	Grade 8	65	1,202	4.49%	5.80%	5.41%	Did not meet target	No Slippage
C	Grade HS	23	778	2.60%	4.90%	2.96%	Did not meet target	No Slippage

### **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.**

Montana publicly reports Assessment proficiency data on its GEMS website (<https://gems.opi.mt.gov/student-data>). This is the public data store and reporting platform used for all data within the OPI. Instructions to access the data can be found on the IDEA Data page on the OPI website (<https://opi.mt.gov/Portals/182/Page%20Files/Special%20Education/IDEA%20Data/Accessing%20Assessment%20Proficiency%20Data%20in%20GEM%20S.pdf?ver=2022-09-30-083434-713>)

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

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

Within 90 days of the receipt of the State's 2022 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, 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 2021 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

#### **Response to actions required in FFY 2020 SPP/APR**

Upon receipt of the FFY2020 APR Determination Letter, Montana began a review of its public data reporting website to determine why the link provided in the FFY2020 APR did not work for OSEP. It was determined that while the link to the main GEMS site was still good, access to the required data had changed slightly from what was provided during clarification. On August 8, 2022, OPI Special Education Leadership and the IDEA Part B Data Manager met with their OSEP State Lead and Associate Division Director (ADD) to apprise OSEP of their findings and determine the best way to move forward and meet the required action from the determination letter. It was determined in that meeting that creating step by step directions for how to find the required data and posting them to the IDEA Data section of the OPI website would be the most appropriate and expedient way to address the required action. That document was created, reviewed by OPI Leadership, approved, and posted on the OPI website within the required 90 days. The document and link to the website were also sent to the OSEP State Lead and ADD.

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

### **3B - Required Actions**

## Indicator 3C: Proficiency for Children with IEPs (Alternate Academic Achievement Standards)

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level 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 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 for the alternate assessment)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. 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 children with IEPs on the alternate assessment in reading/language arts and mathematics assessments (separately) in each of the following grades: 4, 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

#### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	48.33%
Reading	B	Grade 8	2018	41.75%
Reading	C	Grade HS	2018	51.11%
Math	A	Grade 4	2018	50.85%
Math	B	Grade 8	2018	45.63%
Math	C	Grade HS	2018	43.33%

#### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A >=	Grade 4	48.60%	48.70%	48.80%	48.90%	50.00%
Reading	B >=	Grade 8	41.90%	42.00%	42.10%	42.20%	42.30%
Reading	C >=	Grade HS	51.30%	51.40%	51.50%	51.60%	51.70%
Math	A >=	Grade 4	51.10%	51.20%	51.30%	51.40%	51.50%
Math	B >=	Grade 8	45.90%	46.00%	46.10%	46.20%	46.30%
Math	C >=	Grade HS	43.60%	43.70%	43.80%	43.90%	44.00%

**Targets: Description of Stakeholder Input**

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**FFY 2021 Data Disaggregation from EDFacts****Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	104	83	84
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	45	39	45

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs who received a valid score and a proficiency level was assigned for the alternate assessment	104	80	84
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	53	43	37

**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	45	104	46.15%	48.60%	43.27%	Did not meet target	Slippage
B	Grade 8	39	83	40.48%	41.90%	46.99%	Met target	No Slippage
C	Grade HS	45	84	59.57%	51.30%	53.57%	Met target	No Slippage

**Provide reasons for slippage for Group A, if applicable**

Montana cannot explain slippage directly since the assessments used in FFY2022 were the same shortened versions used in FFY2021. However, one possible explanation of slippage may be due to the grade 4 cohort taking the statewide assessment in the 2021-2022 school year being the cohort of students tested that were most impacted by the COVID 19 pandemic. On March 15, 2020, the Governor temporarily shut down the state, including all school districts. The length of closure of school districts varied due to local control and tribal government. The length of school closures, or remote instruction, a model new to both students and teachers, are one of the key factors in unfinished learning as reflected by the slippage in student achievement. Montana compared the special education data to the data for all students in 4th grade across the state for both the regular assessment, the alternate assessment, and the NAEP in reading, and see similar trends in slippage which leads us to believe that COVID 19 was the leading factor for the special education slippage.

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Number of Children with IEPs Scoring At or Above Proficient Against Alternate Academic Achievement Standards	Number of Children with IEPs who Received a Valid Score and for whom a Proficiency Level was Assigned for the Alternate Assessment	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	53	104	58.24%	51.10%	50.96%	Did not meet target	Slippage
B	Grade 8	43	80	46.99%	45.90%	53.75%	Met target	No Slippage
C	Grade HS	37	84	53.85%	43.60%	44.05%	Met target	No Slippage

**Provide reasons for slippage for Group A, if applicable**

Montana cannot explain slippage directly since the assessments used in FFY2022 were the same shortened versions used in FFY2021. However, one possible explanation of slippage may be due to the grade 4 cohort taking the statewide assessment in the 2021-2022 school year being the cohort of students tested that were most impacted by the COVID 19 pandemic. On March 15, 2020, the Governor temporarily shut down the state, including all school districts. The length of closure of school districts varied due to local control and tribal government. The length of school closures, or remote instruction, a model new to both students and teachers, are one of the key factors in unfinished learning as reflected by the slippage in student achievement. Montana compared the special education data to the data for all students in 4th grade across the state for both the regular assessment, the alternate assessment, and the NAEP in math, and see similar trends in slippage which leads us to believe that COVID 19 was the leading factor for the special education slippage.

**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.**

Montana publicly reports Assessment proficiency data on its GEMS website (<https://gems.opi.mt.gov/student-data>). This is the public data store and reporting platform used for all data within the OPI. Instructions to access the data can be found on the IDEA Data page on the OPI website (<https://opi.mt.gov/Portals/182/Page%20Files/Special%20Education/IDEA%20Data/Accessing%20Assessment%20Proficiency%20Data%20in%20GEM%20S.pdf?ver=2022-09-30-083434-713>)

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

**3C - Prior FFY Required Actions**

Within 90 days of the receipt of the State's 2022 determination letter, the State must provide to OSEP a Web link that demonstrates that it has reported, for FFY 2020, 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 2021 SPP/APR, the State must include a Web link that demonstrates compliance with 34 C.F.R. § 300.160(f) for FFY 2021.

**Response to actions required in FFY 2020 SPP/APR**

Upon receipt of the FFY2020 APR Determination Letter, Montana began a review of its public data reporting website to determine why the link provided in the FFY2020 APR did not work for OSEP. It was determined that while the link to the main GEMS site was still good, access to the required data had changed slightly from what was provided during clarification. On August 8, 2022, OPI Special Education Leadership and the IDEA Part B Data Manager met with their OSEP State Lead and Associate Division Director (ADD) to apprise OSEP of their findings and determine the best way to move forward and meet the required action from the determination letter. It was determined in that meeting that creating step by step directions for how to find the required data, and posting them to the IDEA Data section of the OPI website would be the most appropriate and expedient way to address the required action. That document was created, reviewed by OPI Leadership, approved, and posted on the OPI website within the required 90 days. The document and link to the website were also sent to the OSEP State Lead and ADD.

**3C - OSEP Response**

**3C - Required Actions**



### Indicator 3D: Gap in Proficiency Rates (Grade Level Academic Achievement Standards)

#### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Participation rate for children with IEPs.
- B. Proficiency rate for children with IEPs against grade level academic achievement standards.
- C. Proficiency rate for children with IEPs against alternate academic achievement standards.
- D. Gap in proficiency rates for children with IEPs and all students against grade level academic achievement standards.

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

#### Data Source

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

#### Measurement

D. Proficiency rate gap = [(proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2021-2022 school year)]. Calculate separately for reading and math. Calculate separately for grades 4, 8, and high school. The proficiency rate includes all children 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 3D: Gap calculations in this SPP/APR must result in the proficiency rate for children with IEPs were proficient against grade level academic achievement standards for the 2021-2022 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2021-2022 school year. Calculate separately for reading/language arts and math in each of the following grades: 4, 8, and high school, including both children 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.

### 3D - Indicator Data

#### Historical Data:

Subject	Group	Group Name	Baseline Year	Baseline Data
Reading	A	Grade 4	2018	30.12
Reading	B	Grade 8	2018	37.29
Reading	C	Grade HS	2018	40.54
Math	A	Grade 4	2018	30.20
Math	B	Grade 8	2018	30.65
Math	C	Grade HS	2018	28.85

#### Targets

Subject	Group	Group Name	2021	2022	2023	2024	2025
Reading	A <=	Grade 4	30.02	29.92	29.82	29.72	26.20
Reading	B <=	Grade 8	37.19	37.09	36.99	36.89	36.79
Reading	C <=	Grade HS	40.44	40.34	40.24	40.14	40.04
Math	A <=	Grade 4	30.10	30.00	29.90	29.80	29.70
Math	B <=	Grade 8	30.55	30.45	30.35	30.25	30.15
Math	C <=	Grade HS	28.75	28.65	28.55	28.45	28.35

#### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**FFY 2021 Data Disaggregation from EDFacts**

**Data Source:**

SY 2021-22 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

**Date:**

04/05/2023

**Reading Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	10,967	11,531	9,056
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,297	1,245	723
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	4,954	5,191	3,809
d. All students in regular assessment with accommodations scored at or above proficient against grade level	79	66	18
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	149	115	57
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	52	45	4

**Data Source:**

SY 2021-22 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

**Date:**

04/05/2023

**Math Assessment Proficiency Data by Grade**

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	10,937	11,163	9,191

b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	1,290	1,202	778
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	4,426	3,321	2,300
d. All students in regular assessment with accommodations scored at or above proficient against grade level	136	79	12
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	117	41	21
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	55	24	2

**FFY 2021 SPP/APR Data: Reading Assessment**

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	15.50%	45.89%	28.05	30.02	30.39	Did not meet target	Slippage
B	Grade 8	12.85%	45.59%	36.18	37.19	32.74	Met target	No Slippage
C	Grade HS	8.44%	42.26%	39.03	40.44	33.82	Met target	No Slippage

**Provide reasons for slippage for Group A, if applicable**

Montana cannot explain slippage directly since the assessments used in FFY2022 were the same shortened versions used in FFY2021. However, one possible explanation of slippage may be due to the grade 4 cohort taking the statewide assessment in the 2021-2022 school year being the cohort of students tested that were most impacted by the COVID 19 pandemic. On March 15, 2020, the Governor temporarily shut down the state, including all school districts. The length of closure of school districts varied due to local control and tribal government. The length of school closures, or remote instruction, a model new to both students and teachers, are one of the key factors in unfinished learning as reflected by the slippage in student achievement. Montana compared the special education data to the data for all students in 4th grade across the state for both the regular assessment, the alternate assessment, and the NAEP in reading, and see similar trends in slippage which leads us to believe that COVID 19 was the leading factor for the special education slippage.

**FFY 2021 SPP/APR Data: Math Assessment**

Group	Group Name	Proficiency rate for children with IEPs scoring at or above proficient against grade level academic achievement standards	Proficiency rate for all students scoring at or above proficient against grade level academic achievement standards	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A	Grade 4	13.33%	41.71%	26.71	30.10	28.38	Met target	No Slippage
B	Grade 8	5.41%	30.46%	26.82	30.55	25.05	Met target	No Slippage
C	Grade HS	2.96%	25.16%	24.49	28.75	22.20	Met target	No Slippage

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

**3D - Prior FFY Required Actions**

None

**3D - OSEP Response**

### 3D - 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 local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, 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 LEAs that meet the State-established n and/or cell size (if applicable) that have a significant discrepancy, as defined by the State, in the rates of suspensions and expulsions for more than 10 days during the school year of children with IEPs) divided by the (# of LEAs in the State that meet the State-established n and/or cell size (if applicable))] times 100.

Include State's definition of "significant discrepancy."

#### Instructions

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, LEAs 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 LEAs 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 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) 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.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon districts that met the minimum n and/or cell 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 LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, 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 (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 2021 SPP/APR, the data for FFY 2020), 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	2016	2017	2018	2019	2020
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%
Data	0.00%	0.00%			

**Targets**

FFY	2021	2022	2023	2024	2025
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%

**Targets: Description of Stakeholder Input**

Discussions and Stakeholder input of the State’s Performance Plan (SPP), Annual Performance Report (APR), State’s Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana’s unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana’s SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**FFY 2021 SPP/APR Data**

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

YES

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

400

Number of LEAs that have a significant discrepancy	Number of LEAs that met the State's minimum n/cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 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**

A LEA is determined to have a significant discrepancy if, given a minimum N of 10, it 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. The statistical test is a one-tail test at the .01 significance level. Montana uses a Z score of 2.33 to determine a statistical difference.

Montana conducted a review of LEA long-term suspension and expulsion rates for students with disabilities to determine if a significant discrepancy occurred within a LEA. This is calculated by comparing the rates of long-term suspensions and expulsions of students with disabilities to the rates of long-term suspension and expulsion rates of nondisabled students within each LEA. Montana uses a test of the difference between proportions as the methodology for identifying significant discrepancy. 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.

For any districts that do meet the minimum N of 10 and are determined to have a significant discrepancy, a full Policy, Practice Procedure review is completed. If it is determined that the LEA has inappropriate policies, practices, or procedures that led to the discrepancy, the OPI would issue a finding

and work with the LEA to correct the issues, utilizing the OSEP 09-02 memo requirements.

As noted in OSEP's Part B Indicator Measurement Table, data used in the state's examination is from the 2020-2021 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 2021 using 2020-2021 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 2020**

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 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4A - Prior FFY Required Actions**

None

**4A - OSEP Response**

In the FFY 2021 SPP/APR the State included none of the State's LEAs in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs. OSEP reminds the State that if the examination for significant discrepancies in the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs is not occurring in any meaningful way at the LEA level, OSEP may determine that a State's chosen methodology is not reasonably designed to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with IEPs.

The State's chosen methodology results in a threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions of children with IEPs that falls above the median of thresholds used by similarly situated States.

**4A - Required Actions**

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State's LEAs are being examined for significant discrepancy under the State's chosen methodology; and how the State's threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions is reasonably designed.

## Indicator 4B: Suspension/Expulsion

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

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

- A. Percent of local educational agencies (LEA) that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of LEAs that have: (a) a significant discrepancy, as defined by the State, 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, as defined by the State, 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 LEAs that meet the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of suspensions and expulsions of more than 10 days during the school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy, as defined by the State, 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 LEAs 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 "significant discrepancy."

#### Instructions

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, LEAs 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 LEAs totally 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 2021 SPP/APR, use data from 2020-2021), including data disaggregated by race and ethnicity to determine if significant discrepancies, as defined by the State, are occurring in the rates of long-term suspensions and expulsions (more than 10 days during the school year) 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.

Because the measurement table requires that the data examined for this indicator are lag year data, States should examine the 618 data that was submitted by LEAs that were in operation during the school year before the reporting year. For example, if a State has 100 LEAs operating in the 2020-2021 school year, those 100 LEAs would have reported 618 data in 2020-2021 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2021-2022, suspension/expulsion data from those 15 new LEAs would not be in the 2020-2021 618 data set, and therefore, those 15 new LEAs should not be included in the denominator of the calculation. States must use the number of LEAs from the year before the reporting year in its calculation for this indicator. For the FFY 2021 SPP/APR submission, States must use the number of LEAs reported in 2020-2021 (which can be found in the FFY 2020 SPP/APR introduction).

Indicator 4B: Provide the following: (a) the number of LEAs that met the State-established n and/or cell size (if applicable) for one or more racial/ethnic groups that have a significant discrepancy, as defined by the State, by race or ethnicity, in the rates of long-term suspensions and expulsions (more than 10 days during the school year) for children with IEPs; and (b) the number of those LEAs 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 LEA with discrepancies had policies, procedures or practices that contributed to the significant discrepancy, as defined by the State, 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 (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 2021 SPP/APR, the data for FFY 2020), 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	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%			

**Targets**

FFY	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%

**FFY 2021 SPP/APR Data**

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

YES

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

400

Number of LEAs that have a significant discrepancy, by race or ethnicity	Number of those LEAs that have policies, procedure or practices that contribute to the significant discrepancy and do not comply with requirements	Number of LEAs that met the State's minimum n/cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 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**

A LEA is determined to have a significant discrepancy, by race or ethnicity, if, given a minimum N of 10, it 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. The statistical test is a one-tail test at the .01 significance level. Montana uses a Z score of 2.33 to determine a statistical difference. This analysis is completed for all required racial/ethnic categories.

Montana conducted a review of LEA long-term suspension and expulsion rates for students with disabilities to determine if a significant discrepancy, by race or ethnicity, occurred within a 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. Montana uses a test of the difference between proportions as the methodology for identifying significant discrepancy by race or ethnicity. 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. For any districts that do meet the minimum N of 10 and are determined to have a significant discrepancy by race or ethnicity, a full Policy, Practice Procedure review is completed. If it is determined that the LEA has inappropriate policies, practices, or procedures that led to the discrepancy by race or ethnicity, the OPI would issue a finding and work with the LEA to correct the issues, utilizing the OSEP 09-02 memo requirements.

As noted in OSEP's Part B Indicator Measurement Table, data used in the state's examination is from the 2020-2021 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 2021 using 2020-2021 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 2020**

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 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**4B - Prior FFY Required Actions**

None

**4B - OSEP Response**

In the FFY 2021 SPP/APR the State included none of the State’s LEAs in its analysis of rates of suspension and expulsion of greater than 10 days in a school year for children with IEPs. OSEP reminds the State that if the examination for significant discrepancies, by race and ethnicity, in the rates of suspensions and expulsions greater than 10 days in a school year for children with IEPs is not occurring in any meaningful way at the LEA level, OSEP may determine that a State’s chosen methodology is not reasonably designed to determine if significant discrepancies, by race and ethnicity, are occurring in the rate of long-term suspensions and expulsions of children with IEPs.

The State’s chosen methodology results in a threshold for measuring significant discrepancy, by race or ethnicity, in the rate of long-term suspensions and expulsions of children with IEPs that falls above the median of thresholds used by similarly situated States.

**4B- Required Actions**

In the FFY 2022 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies, by race or ethnicity, are occurring in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs, including how the State’s LEAs are being examined for significant discrepancy under the State’s chosen methodology; and how the State’s threshold for measuring significant discrepancy, by race or ethnicity, in the rate of long-term suspensions and expulsions is reasonably designed.

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

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(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

- A. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class 80% or more of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.
- B. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class less than 40% of the day) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 5 who are enrolled in kindergarten and aged 6 through 21 with IEPs)] times 100.

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in kindergarten in this indicator. Five-year-old children with disabilities who are enrolled in preschool programs are included in Indicator 6. 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	2016	2017	2018	2019	2020
A	2019	Target >=	52.30%	52.40%	52.50%		52.50%
A	53.10%	Data	47.72%	49.51%	51.08%	53.10%	54.60%
B	2019	Target <=	11.10%	11.10%	11.10%		11.10%
B	10.67%	Data	12.28%	11.32%	10.78%	10.67%	10.13%
C	2019	Target <=	1.40%	1.40%	1.40%		1.40%
C	1.54%	Data	1.07%	1.06%	1.35%	1.54%	1.36%

### Targets

FFY	2021	2022	2023	2024	2025
Target A >=	52.60%	52.70%	52.80%	52.90%	53.20%
Target B <=	11.00%	10.90%	10.80%	10.70%	10.60%
Target C <=	1.30%	1.20%	1.10%	1.00%	0.90%

#### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**Prepopulated Data**

Source	Date	Description	Data
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	Total number of children with IEPs aged 5 (kindergarten) through 21	19,241
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	10,794
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	1,897
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools	143
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities	37
SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	07/06/2022	c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements	27

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 2021 SPP/APR Data**

Education Environments	Number of children with IEPs aged 5 (kindergarten) through 21 served	Total number of children with IEPs aged 5 (kindergarten) through 21	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	10,794	19,241	54.60%	52.60%	56.10%	Met target	No Slippage
B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	1,897	19,241	10.13%	11.00%	9.86%	Met target	No Slippage

Education Environments	Number of children with IEPs aged 5 (kindergarten) through 21 served	Total number of children with IEPs aged 5 (kindergarten) through 21	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	207	19,241	1.36%	1.30%	1.08%	Met target	No Slippage

Provide additional information about this indicator (optional)

**5 - Prior FFY Required Actions**

None

**5 - OSEP Response**

**5 - Required Actions**

## Indicator 6: Preschool Environments

### Instructions and Measurement

**Monitoring Priority:** FAPE in the LRE

**Results indicator:** Percent of children with IEPs aged 3, 4, and aged 5 who are enrolled in a preschool program attending a:

- A. Regular early childhood program and 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.
- C. Receiving special education and related services in the home.

(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

- A. Percent = [(# of children ages 3, 4, and 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 ages 3, 4, and 5 with IEPs)] times 100.
- B. Percent = [(# of children ages 3, 4, and 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.
- C. Percent = [(# of children ages 3, 4, and 5 with IEPs receiving special education and related services in the home) divided by the (total # of children ages 3, 4, and 5 with IEPs)] times 100.

#### Instructions

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

States must report five-year-old children with disabilities who are enrolled in preschool programs in this indicator. Five-year-old children with disabilities who are enrolled in kindergarten are included in Indicator 5.

States may choose to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age.

For Indicator 6C: States are not required to establish a baseline or targets if the number of children receiving special education and related services in the home is less than 10, regardless of whether the State chooses to set one target that is inclusive of children ages 3, 4, and 5, or set individual targets for each age. In a reporting period during which the number of children receiving special education and related services in the home reaches 10 or greater, States are required to develop baseline and targets and report on them in the corresponding SPP/APR.

For Indicator 6C: States may express their targets in a range (e.g., 75-85%). 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 IDEA section 618, explain.

## 6 - Indicator Data

### Not Applicable

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

NO

### Historical Data – 6A, 6B

Part	FFY	2016	2017	2018	2019	2020
A	Target >=	45.00%	45.10%	45.10%		45.10%
A	Data	43.31%	40.54%	40.53%	29.99%	28.28%
B	Target <=	27.60%	27.50%	27.50%		27.50%
B	Data	27.81%	32.23%	34.67%	44.32%	48.05%

### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

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**Targets**

Please select if the State wants to set baseline and targets based on individual age ranges (i.e. separate baseline and targets for each age), or inclusive of all children ages 3, 4, and 5.

Inclusive Targets

Please select if the State wants to use target ranges for 6C.

Target Range not used

**Baselines for Inclusive Targets option (A, B, C)**

Part	Baseline Year	Baseline Data
A	2019	29.99%
B	2019	44.32%
C		

**Inclusive Targets – 6A, 6B**

FFY	2021	2022	2023	2024	2025
Target A >=	45.20%	45.30%	45.50%	45.50%	45.60%
Target B <=	27.40%	27.30%	27.20%	27.10%	27.00%

**Inclusive Targets – 6C**

FFY	2021	2022	2023	2024	2025
Target C <=					

**Prepopulated Data**

**Data Source:**

SY 2021-22 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

**Date:**

07/06/2022

Description	3	4	5	3 through 5 - Total
Total number of children with IEPs	230	447	96	773
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	55	147	30	232
b1. Number of children attending separate special education class	115	198	33	346

Description	3	4	5	3 through 5 - Total
b2. Number of children attending separate school	12	18	1	31
b3. Number of children attending residential facility	0	0	0	0
c1. Number of children receiving special education and related services in the home	1	2	2	5

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 2021 SPP/APR Data - Aged 3 through 5**

Preschool Environments	Number of children with IEPs aged 3 through 5 served	Total number of children with IEPs aged 3 through 5	FFY 2020 Data	FFY 2021 Target	FFY 2021 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	232	773	28.28%	45.20%	30.01%	Did not meet target	No Slippage
B. Separate special education class, separate school or residential facility	377	773	48.05%	27.40%	48.77%	Did not meet target	No Slippage
C. Home	5	773	0.92%		0.65%	N/A	N/A

Provide additional information about this indicator (optional)

**6 - Prior FFY Required Actions**

None

**6 - OSEP Response**

The State reported fewer than ten children receiving special education and related services in the home in FFY 2021. The State is not required to provide targets for Indicator 6C until any fiscal year in which ten or more children receive special education and related services in the home.

**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	2016	2017	2018	2019	2020
A1	2008	Target >=	76.80%	76.90%	77.00%	77.00%	77.00%
A1	61.40%	Data	80.65%	84.62%	76.19%	80.00%	86.59%

A2	2008	Target >=	75.30%	75.40%	75.50%	75.50%	75.50%
A2	59.20%	Data	77.50%	63.49%	64.43%	68.11%	71.64%
B1	2008	Target >=	80.80%	80.90%	81.00%	81.00%	81.00%
B1	70.30%	Data	84.00%	85.00%	85.23%	84.48%	81.60%
B2	2008	Target >=	58.30%	58.40%	58.50%	58.50%	58.50%
B2	31.60%	Data	55.83%	50.40%	50.52%	58.38%	55.97%
C1	2008	Target >=	75.70%	75.80%	75.90%	75.90%	75.90%
C1	58.10%	Data	80.95%	82.35%	76.23%	79.46%	84.34%
C2	2008	Target >=	75.70%	75.80%	75.90%	75.90%	75.90%
C2	64.10%	Data	80.00%	63.10%	64.43%	70.27%	68.66%

### Targets

FFY	2021	2022	2023	2024	2025
Target A1 >=	77.10%	77.20%	77.30%	77.40%	77.50%
Target A2 >=	75.60%	75.70%	75.80%	75.90%	76.00%
Target B1 >=	81.10%	81.20%	81.30%	81.40%	81.50%
Target B2 >=	58.60%	58.70%	58.80%	58.90%	59.00%
Target C1 >=	76.00%	76.10%	76.20%	76.30%	76.40%
Target C2 >=	76.00%	76.10%	76.20%	76.30%	76.40%

### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

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### FFY 2021 SPP/APR Data

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

113

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

<b>Outcome A Progress Category</b>	<b>Number of children</b>	<b>Percentage of Children</b>
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	4	3.54%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	24	21.24%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	34	30.09%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	51	45.13%

<b>Outcome A</b>	<b>Numerator</b>	<b>Denominator</b>	<b>FFY 2020 Data</b>	<b>FFY 2021 Target</b>	<b>FFY 2021 Data</b>	<b>Status</b>	<b>Slippage</b>
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>	58	62	86.59%	77.10%	93.55%	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>	85	113	71.64%	75.60%	75.22%	Did not meet target	No Slippage

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

<b>Outcome B Progress Category</b>	<b>Number of Children</b>	<b>Percentage of Children</b>
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	11	9.73%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	37	32.74%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	53	46.90%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	12	10.62%

<b>Outcome B</b>	<b>Numerator</b>	<b>Denominator</b>	<b>FFY 2020 Data</b>	<b>FFY 2021 Target</b>	<b>FFY 2021 Data</b>	<b>Status</b>	<b>Slippage</b>
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>	90	101	81.60%	81.10%	89.11%	Met target	No Slippage
B2. The percent of preschool children who were functioning within age	65	113	55.97%	58.60%	57.52%	Did not meet target	No Slippage

Outcome B	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
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>							

**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	2	1.77%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	24	21.24%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	36	31.86%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	51	45.13%

Outcome C	Numerator	Denominator	FFY 2020 Data	FFY 2021 Target	FFY 2021 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>	60	62	84.34%	76.00%	96.77%	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>	87	113	68.66%	76.00%	76.99%	Met 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 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 and the number of respondent parents. The survey response rate is automatically calculated using the submitted data.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate) and describe strategies that will be implemented which are expected to increase the response rate, particularly for those groups that are underrepresented.

**Beginning with the FFY 2021 SPP/APR, due February 1, 2023,** include in the State's analysis the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services. States must consider race/ethnicity. In addition, the State's analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

If the analysis shows that the demographics of the children for whom 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

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

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Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**Historical Data**

Baseline Year	Baseline Data
2005	65.50%

FFY	2016	2017	2018	2019	2020
Target >=	70.30%	70.40%	70.50%	70.50%	70.50%
Data	66.96%	74.00%	73.88%	79.05%	73.35%

**Targets**

FFY	2021	2022	2023	2024	2025
Target >=	70.60%	70.70%	70.80%	70.90%	71.00%

**FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
218	332	73.35%	70.60%	65.66%	Did not meet target	Slippage

**Provide reasons for slippage, if applicable**

Montana uses an approved sampling plan for Indicator 8. This results in differences in the data each year are based on the LEAs included in the sample.

When reviewing the data for the districts, it became apparent that the districts with the lowest response rates were our largest school district, and bigger districts on a few of the Indian Reservations. The smaller schools in the sample had higher response rates – even those on the Reservations, whereas our larger schools had the smaller response rates

**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 FFY2020, 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.

**The number of parents to whom the surveys were distributed.**

3,532

**Percentage of respondent parents**

9.40%

**Response Rate**

FFY	2020	2021
Response Rate	11.50%	9.40%

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

Montana historically has obtained high response rates from parents of children who are white and/or have learning disabilities, while getting low response rates from parents of Hispanic students, American Indian students, and students with lower incidence disabilities. To address the low response rates among these groups, the Montana OPI has hired a Family Engagement Coordinator, to work with the special education staff to encourage parents to complete the survey. Montana has also started looking into providing the survey in languages other than English to help

encourage our Spanish and Native speaking parents to complete the survey in their native language. Adding an online option will also help to reach those groups.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of parents of children with disabilities.**

Nonresponse bias measures the differences in opinions between respondents and non-respondents in meaningful ways, such as the positivity of responses. A few things can be examined to determine nonresponse bias. One is the overall response rate. The higher the response rate, the less likely nonresponse bias will occur. Our response rate is 9.4%, which is lower than we would like. It is possible that those parents who did not respond are different in some meaningful way in their level of positivity from those who did respond. Thus, we proceeded with the next two ways for examining nonresponse bias.

Second, the representativeness of the responses can be examined. We describe this in the next section where we state: The State used statistical significance testing to determine if one group was over- or under-represented based on their response rate. Although significant differences were found in response rates by disability, race/ethnicity, and age of the child, the actual responses of these different groups of parents showed no significant differences in the overall parent involvement percentage.

Third, we can compare the responses of parents who responded early in the process to those who responded later in the process. The idea being that perhaps those who do not immediately respond are different in some meaningful way than those who respond immediately. These results showed no statistically significant differences between parents who responded earlier and parents who responded later. Therefore, we conclude that nonresponse bias is not present.

**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. States must include race/ethnicity in their analysis. In addition, the State’s analysis must also include at least one of the following demographics: age of the student, disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

The State used statistical significance testing of response rates to determine if one group was over-or under-represented. Note that our survey sample was such that if all disaggregated groups have the same response rate, then, the disaggregated groups are representative of the population. For example, if all racial/ethnic groups had a 30% response rate, then the population of the respondents would mirror the actual population in terms of its racial/ethnic make-up. On the other hand, if one racial/ethnic group has a 30% response rate for example and another a 20% response rate, then the population of the respondents would not mirror the actual population in terms of its racial/ethnic make-up. Significant differences were found in response rates by disability, and race/ethnicity. In terms of disability, parents of students with a Specific Learning Disability were more likely to respond (response rate=27%) than parents of students with an Emotional Disturbance (response rate=9%). In terms of race/ethnicity, parents of White students were more likely to respond (response rate=79%) than parents of Hispanic students (response rate=5%). Although there are a few significant differences in response rates between groups of parents by race/ethnicity, primary disability, and age group, there were no significant differences in the parent involvement percentage itself between these groups of parents. For example, parents of white students had a similar parent involvement percentage as parents of Hispanic students. So, we are confident that the overall results are representative of the State despite the differences in response rates. Furthermore, parents from a wide range of districts from across the state responded to the survey. Thus, the results are representative of all racial/ethnic groups and all disability categories and reflect the population of parents in terms of geographic distribution.

**The demographics of the parents responding are representative of the demographics of children receiving special education services. (yes/no)**

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**

Montana historically has gotten high response rates from parents of children who are white and/or have learning disabilities, while getting low response rates from parents of Hispanic students, American Indian students, and students with lower incidence disabilities. The American Indian and Hispanic populations in Montana are the second and third largest racial/ethnic subgroups. However, they still account for less than 10% of the total population of students surveyed. Given this, even having one or two surveys from that subgroup not returned will lower the representative rate for that group. To help increase the representativeness in this indicator, and overall, the participation of these subgroups in the educational process, the Montana OPI has hired a Family Engagement Coordinator. The Family Engagement Coordinator will work with the special education unit to specifically reach out to low response rates groups in districts to encourage parents to complete the survey. Montana has also started looking into providing the survey in languages other than English to help encourage our Spanish and Native speaking parents to complete the survey in their native language. Adding an online option will also help to reach those groups.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

Statistical significance testing of response rate was used to determine representativeness with a threshold of  $p < 0.05$ .

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..."

Montana reviewed its sampling plan based on a review of data from the October 2021 Child Count, and Enrollment Count. The data showed the following:



- There are 399 operating districts (as of July 1, 2021) in MT (64 K-12 Districts, 235 Elementary Districts, 98 High School Districts, 2 State Operated Programs);
- There are no districts with more than 50,000 enrolled students;
- 216 (based on October 2021 enrollment count) districts have an enrollment of fewer than 200 students; and
- There are a total of 20,014 special education students ages 3-21 (October 2021 Child Count).
- Because the vast majority of the districts have very small enrollments, 317 of the districts are grouped into one of twenty-one special education cooperatives. The cooperative structure ensures all districts have access to the full range of instructional and related services to address free appropriate public education (FAPE).

Based on that review, Montana determined that:

- For districts monitored during the 2022-2023 school year, the Part B Parent Involvement Survey will be administered in Spring 2022;
- For districts monitored in subsequent school years, the Parent Involvement Survey will be administered in the spring prior to their monitoring year. For example, the Parent Involvement Survey will be administered in spring 2023 for districts monitored during the 2023-2024 school year. This will allow survey results to be used during the monitoring process; and
- All parents of children with disabilities in the districts scheduled within each monitoring cycle will be asked to complete a survey.

Reasons for tying the Parent Involvement Survey to the monitoring cycle and administering the survey to all parents of children with disabilities:

- The Division of Special Education determined that the monitoring cycle would be the best way to reach parents of children with disabilities in a systematic manner. Aligning the districts to be surveyed with the districts to be monitored will allow for seamless integration of information concerning parent involvement with the compliance monitoring process. Furthermore, the results obtained from the survey will have a direct benefit for both parents and districts since they can actively utilize the data obtained from their districts to improve results. Additionally, by linking the distribution of the survey to those districts scheduled for an upcoming monitoring visit, it is anticipated that Montana schools will be actively involved in encouraging a high return rate of parent responses;
- The Special Education unit chose not to limit the survey to a sample of parents from each district. This is because of the small numbers of special education students at many districts and wanting to give all parents an opportunity to respond. If not all parents had an opportunity to complete the survey, this would degrade the acceptance of results by the districts; and
- The same survey will be used for both Part B parents and Part B 619 parents. Most of the issues critical to parents of children age 6-21 are the same as those that are critical to parents of children age 3-5. Using the same survey will enable results to be compared across the entire Part B age range and will allow for ease and efficiency of the data collection process.

Since the approval of this plan in March 2006, the methodology has not changed. The demographics of the districts are reviewed approximately every 4 years to determine if changes need to be made to the monitoring cycle to continue to ensure representativeness. Free and Reduced Lunch status is no longer looked at, as it is not used for any other special education data reviews.

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

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

**8 - Prior FFY Required Actions**

In the FFY 2021 SPP/APR, the State must report whether its FFY 2021 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.

With the FFY 2021 APR, the State must submit its sampling plan and provide data consistent with the approved sampling plan.

**Response to actions required in FFY 2020 SPP/APR**

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..."

Montana reviewed its sampling plan based on a review of data from the October 2021 Child Count, and Enrollment Count. The data showed the following:

- There are 399 operating districts (as of July 1, 2021) in MT (64 K-12 Districts, 235 Elementary Districts, 98 High School Districts, 2 State Operated Programs);
- There are no districts with more than 50,000 enrolled students;
- 216 (based on October 2021 enrollment count) districts have an enrollment of fewer than 200 students; and
- There are a total of 20,014 special education students ages 3-21 (October 2021 Child Count).
- Because the vast majority of the districts have very small enrollments, 317 of the districts are grouped into one of twenty-one special education cooperatives. The cooperative structure ensures all districts have access to the full range of instructional and related services to address free appropriate public education (FAPE).

Based on that review, Montana determined that:

- For districts monitored during the 2022-2023 school year, the Part B Parent Involvement Survey will be administered in Spring 2022;

- For districts monitored in subsequent school years, the Parent Involvement Survey will be administered in the spring prior to their monitoring year. For example, the Parent Involvement Survey will be administered in spring 2023 for districts monitored during the 2023-2024 school year. This will allow survey results to be used during the monitoring process; and
- All parents of children with disabilities in the districts scheduled within each monitoring cycle will be asked to complete a survey.

Reasons for tying the Parent Involvement Survey to the monitoring cycle and administering the survey to all parents of children with disabilities:

- The Division of Special Education determined that the monitoring cycle would be the best way to reach parents of children with disabilities in a systematic manner. Aligning the districts to be surveyed with the districts to be monitored will allow for seamless integration of information concerning parent involvement with the compliance monitoring process. Furthermore, the results obtained from the survey will have a direct benefit for both parents and districts since they can actively utilize the data obtained from their districts to improve results. Additionally, by linking the distribution of the survey to those districts scheduled for an upcoming monitoring visit, it is anticipated that Montana schools will be actively involved in encouraging a high return rate of parent responses;
- The Special Education unit chose not to limit the survey to a sample of parents from each district. This is because of the small numbers of special education students at many districts and wanting to give all parents an opportunity to respond. If not all parents had an opportunity to complete the survey, this would degrade the acceptance of results by the districts; and
- The same survey will be used for both Part B parents and Part B 619 parents. Most of the issues critical to parents of children age 6-21 are the same as those that are critical to parents of children age 3-5. Using the same survey will enable results to be compared across the entire Part B age range and will allow for ease and efficiency of the data collection process.

Since the approval of this plan in March 2006, the methodology has not changed. The demographics of the districts are reviewed approximately every 4 years to determine if changes need to be made to the monitoring cycle to continue to ensure representativeness. Free and Reduced Lunch status is no longer looked at, as it is not used for any other special education data reviews.

## **8 - OSEP Response**

OSEP's response to the State's initial FFY 2021 SPP/APR submission required the State to submit a revised sampling plan for this indicator by June 1, 2023. The State has submitted a revised plan and OSEP will respond under separate cover.

## **8 - Required Actions**

In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 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 the reporting year, 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 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and 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 2021 SPP/APR, the data for FFY 2020), 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
2020	0.00%

FFY	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%

#### FFY 2021 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.

175

Number of districts with disproportionate representation of racial/ethnic groups in special education and related services	Number of districts with disproportionate representation of racial/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 and/or cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
8	0	224	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).

A LEA is determined to have disproportionate overrepresentation if, given a minimum N of 10, a LEA demonstrates a statistically significant difference in the proportion of students with disabilities of racial and ethnic groups receiving special education and related services compared to the proportion of students with disabilities of all other racial and ethnic groups and receiving special education and related services in that LEA, within a 99 percent confidence interval.

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 eight of the 399 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 numerator of this equation - that is, if a 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 399 districts in Montana for the 2021-2022 school year, 224 met the minimum N in at least one of the racial groups and were included in the calculations for that racial group. There were 175 districts that did not meet the minimum N in any racial category 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.

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.

The LEA reviews included:

- Interviews with Administration;
- Reviewed the most current Program Narratives and Policies;
- Reviewed two SPED files (Evaluation Reports and IEPs) from each district of students that were disproportionately represented;
- Reviewed Child Count information; and
- Considered most current Monitoring Data

Upon SEA's review of LEAs identified as potential Disproportionate Representation. The SEA has determined that these qualifiers do not suggest inappropriate (over) identification of minority groups as defined in indicators 9.

Provide additional information about this indicator (optional)

**Correction of Findings of Noncompliance Identified in FFY 2020**

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 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 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 the reporting year, 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 specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2021 reporting period (i.e., after June 30, 2022).

#### Instructions

Provide racial/ethnic disproportionality data for all children aged 5 who are enrolled in kindergarten and aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: intellectual disability, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.

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 specific disability categories 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 2021 SPP/APR, the data for FFY 2020), 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
2020	0.00%

FFY	2016	2017	2018	2019	2020
Target	0%	0%	0%	0%	0%
Data	0.00%	0.00%	0.00%	0.00%	0.00%

#### Targets

FFY	2021	2022	2023	2024	2025
Target	0%	0%	0%	0%	0%

**FFY 2021 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.**

263

Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification	Number of districts that met the State's minimum n and/or cell size	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
1	0	136	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).**

A 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 in specific other disability categories receiving special education and related services in that LEA, within a 99 percent confidence interval.

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 specific disability category, and the special education identification rate for all other students within that LEA. Target data show that one of the 399 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 numerator of this equation - that is, if a LEA does not have at least 10 students with disabilities in a particular racial/ethnic category and specific disability category, the data is not reviewed for that LEA.

Of the 399 districts in Montana for the 2021-2022 school year, 136 met the minimum N in at least one of the racial groups and were included in the calculations for that racial group. A total of 263 LEAs 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 overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification.**

Once a 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.

The LEA reviews included:

- Interviews with Administration;
- Reviewed the most current Program Narratives and Policies;
- Reviewed two SPED files (including Evaluation Reports and IEPs) from the district;
- Reviewed Child Count information; and
- ups under IDEA
- Considered most current monitoring data

Upon SEA review of LEA's identified as potential Disproportionate Representation. The SEA has determined that these qualifiers do not suggest inappropriate (over) identification of minority groups as defined in indicator 10.

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

**Correction of Findings of Noncompliance Identified in FFY 2020**

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 2020**

<b>Year Findings of Noncompliance Were Identified</b>	<b>Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR</b>	<b>Findings of Noncompliance Verified as Corrected</b>	<b>Findings Not Yet Verified as Corrected</b>

**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 2021 SPP/APR, the data for FFY 2020), 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	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	98.62%	97.91%	99.44%	100.00%	95.93%

### Targets

FFY	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%

### FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
29	29	95.93%	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.**

The 5 children included in (a) but not in (b) are from 4 LEAs. The range of days was from 7 to 191, and all were completed at the time of the monitoring. Reasons for being over the timeline were all COVID related. The state of Montana, including school districts were shut down by the governor on March 16, 2020. These evaluations were in process at the time of the closure. LEAs documented that they completed what assessments they were able to virtually, but due to the required in person contact for some of them, they had to put them off until fall of 2020 when they were allowed to re-open. Some of the LEAs chose to re-open in fall 2020, but not all of them.

**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 OPI collected the indicator data as a part of its compliance monitoring procedures during the 2021-2022 school year. Compliance monitors reviewed a sampling of student records for students who were initially referred for a special education evaluation. Monitors enter the date consent was received, date of the last assessment completed for the evaluation and the date of the Evaluation Report meeting into the OPI Monitoring application. The system calculates the number of calendar days between the date consent was received and the date the last assessment was completed. If more than 60 calendar days passed, the monitor is prompted to enter the reason.

Correction of identified noncompliance related to indicator 11, 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 or virtual desk monitoring record review which is on a five-year cycle. State operated and state funded 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 the 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 systemic 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.

Due to the impacts of COVID-19, the SEA did not monitor at least 11 districts due to factors beyond the agencies control. Files were reduced from two per case manager per district to one file per case manager. If a case manager served multiple districts, there was a chance those files were not reviewed if it was decided the district was not going to be monitored.

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.

The description of Montana's monitoring process is detailed in the Introduction.

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

The state has previously reported all initial evaluations that were monitored in the federal fiscal year being reported on. Given the comment received from OSEP during clarification, Montana is revising the data for indicator 11 to only reflect the initial evaluations that were conducted and monitored during the federal fiscal year to be reported on. This significantly changed the number but is a more accurate reflection of the practices occurring in the state during FFY2021.

**Correction of Findings of Noncompliance Identified in FFY 2020**

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	4	0	0

**FFY 2020 Findings of Noncompliance Verified as Corrected**

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

The OPI reviewed individual student records to verify LEA's child find, evaluation/re-evaluation, and Individualized Education Program (IEP) processes and procedures meet the IDEA requirements and Montana's Administrative Rules. The student record review used during the monitoring process also addresses transfers, aversive treatment plans, manifestation determinations (including suspensions and expulsions), 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 consisted 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, state complaints, and other Early Assistance Program 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. Using these procedures, OPI has verified that each instance of noncompliance has been corrected and the LEAs identified are now correctly implementing the regulatory requirements.

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

The OPI 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) in order to meet Prong 1 of the OSEP 09-02 memo. Once it had been corrected for that specific student to satisfy the Prong 1 requirement, the district then submitted evidence of sustained post monitoring compliance to satisfy Prong 2 of the 09-02 memo. This documentation is reviewed in the same manner as the initial documentation, and if non-compliance is found, the district must correct it (prong 1), and continue to submit documentation until they can show that Prong 2 has been met. Using these procedures, OPI has verified that each instance of noncompliance has been corrected and the LEAs identified are now correctly implementing the regulatory requirements.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**11 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 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 2021 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 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

The description of how the state verified both the source of the noncompliance and the individual instances of noncompliance were corrected using Prong 1 and Prong 2 of the 09-02 OSEP Memo can be found in the applicable sections of this indicator.

**11 - OSEP Response**

The State did not provide valid and reliable data for this indicator. In its FFY 2021 SPP/APR Data Table, the State reported parental consent to evaluate was received for 29 children (a), and 29 children had evaluations completed within 60 days (b). Therefore, the State's FFY 2021 data were 100%. However, in its narrative, the State reported there were five (5) children included in (a) but not in (b). Further, the State indicated that the range of days beyond the 60 day timeline when the five evaluations were completed "was from 7 to 191." Additionally, in its narrative the State referenced FFY 2020, which is outside of the reporting period for FFY 2021 (July 1, 2021- June 30, 2022). Specifically, the State reported, "The state of Montana, including

school districts were shut down by the governor on March 16, 2020. These evaluations were in process at the time of the closure." Therefore, OSEP could not determine if the State met its target.

### **11 - Required Actions**

The State did not provide valid and reliable data for FFY 2021. The State must provide valid and reliable data for FFY 2022 in the FFY 2022 SPP/APR.

## 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.

Targets must be 100%.

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.

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 2021 SPP/APR, the data for FFY 2020), 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	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	97.44%	97.73%	93.67%	97.62%	93.94%

#### Targets

FFY	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%

#### FFY 2021 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	93
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	7

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	49
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.	5
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	23
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.	3

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2020 Data	FFY 2021 Target	FFY 2021 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.	49	55	93.94%	100%	89.09%	Did not meet target	Slippage

**Provide reasons for slippage, if applicable**

The slippage can be directly attributed to small N sizes. There was a larger number of children referred to part C less than 90 days before their 3rd birthday than the prior year, which can also be part of the difference, as that decreases the denominator.

**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**

6

**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.**

The children included in (a), but not in b, c, d, e, or f are from five different LEAs. The range of days was from 4 to 49. There were no reasons given for 5 of them, and summer/winter break was listed as the reason for the 6th. All five LEAs were able to complete the IEPs prior to the data being collected, and to demonstrate compliance with the regulation by having completed eligibility determinations and having IEPs in place by the 3rd birthday for the rest of the children in the fiscal year.

**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)**

For FFY 2020, at the time of data collection, the evaluation process and IEP development had occurred for the 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. The LEAs that had an identified instance of noncompliance were required to provide subsequent documentation of 100 percent compliance with the Part C to Part B transition requirements. For each of these LEAs, their FFY2021 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.

**Correction of Findings of Noncompliance Identified in FFY 2020**

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 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

## 12 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 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 2021 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 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

### Response to actions required in FFY 2020 SPP/APR

For FFY 2020, at the time of data collection, the evaluation process and IEP development had occurred for the 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. This satisfies Prong 1 of the OSEP 09-02 memo. The LEAs that had an identified instance of noncompliance were required to provide subsequent documentation of 100 percent compliance with the Part C to Part B transition requirements. They were able to demonstrate compliance in FFY2020. Their FFY2021 data also 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. This satisfies Prong 2 of the OSEP 09-02 memo.

## 12 - OSEP Response

The State's FFY 2020 data for this indicator reflected less than 100% compliance. The State reported that it did not identify any findings of noncompliance in FFY 2020 because it corrected the noncompliance before it made any findings. However, OSEP could not determine if the State ensured, consistent with OSEP Memo 09-02, that each LEA 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.

## 12 - Required Actions

The State did not report that it identified any findings of noncompliance in FFY 2020, although its FFY 2020 data reflect less than 100% compliance. In the FFY 2022 SPP/APR, the State must report how it verified that each LEA with noncompliance identified in FFY 2020: (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.

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 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 2022 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 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

## Indicator 13: Secondary Transition

### Instructions and Measurement

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

**Compliance indicator:** 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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) 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 2021 SPP/APR, the data for FFY 2020), 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	2016	2017	2018	2019	2020
Target	100%	100%	100%	100%	100%
Data	98.70%	98.68%	69.03%	73.53%	72.37%

### Targets

FFY	2021	2022	2023	2024	2025
Target	100%	100%	100%	100%	100%

### FFY 2021 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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
24	49	72.37%	100%	48.98%	Did not meet target	Slippage

Provide reasons for slippage, if applicable



Due to the impacts of COVID 19, fewer files were reviewed, thus decreasing the number of potential files for this indicator, creating a small N size. With a smaller N size, having just a few IEPs not meeting the requirements for indicator 13 caused the percentage to lower significantly.

**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 2021-2022 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 service 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 that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

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 or virtual desk monitoring record review which is on a five-year cycle. State operated and state funded 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.

Due to the impacts of COVID-19, the SEA did not monitor at least 11 districts due to factors beyond the agencies control. Files were reduced from two per case manager per district to one file per case manager. If a case manager served multiple districts, there was a chance those files were not reviewed if it was decided the district was not going to be monitored.

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)**

Due to the impacts of COVID-19, the SEA did not monitor at least 11 districts due to factors beyond the agencies control. Files were reduced from two per case manager per district to one file per case manager. If a case manager served multiple districts, there was a chance those files were not reviewed if it was decided the district was not going to be monitored.

**Correction of Findings of Noncompliance Identified in FFY 2020**

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
11	6	5	0

**FFY 2020 Findings of Noncompliance Verified as Corrected**

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

The OPI reviewed individual student records to verify that LEA’s Individualized Education Program (IEP) processes and procedures meet IDEA requirements and Montana’s Administrative Rules. Compliance monitoring activities consisted of:

- Review of district policy, practices, and procedures;
- Review of a sampling of individual student records to examine current practices and documentation;
- On-site visit of 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);
- SEA specialists review and verifies all documentation submitted to correct the initial instance of non-compliance (prong 1), and the subsequent documentation submitted showing continued compliance to verify prong 2.
- 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 noncompliance cases reported for FFY2020 that were not corrected within one year were in two LEAs. To address the noncompliance, the OPI met with the LEA Superintendent, Principals, School Board Chair, and Special Education Director to discuss the noncompliance, progress towards completing the noncompliance, and a plan of action moving forward. Following this meeting, the lead monitor worked with the Special Education teacher serving both districts to correct every outstanding instance of noncompliance and to show on-going compliance. Throughout the timeframe, the district was submitting documentation, and the SEA was reviewing the documentation for correction of initial instance of non-compliance (prong 1), and continued compliance (prong 2). If the submitted documentation did not correctly address the initial instance of noncompliance, it was not accepted, and was subsequently corrected and resubmitted until it had met prong 1. At that time, the district was allowed to begin submitting documentation for review and verification of prong 2. The corrections were completed in December 2021, within 30 days of the one-year timeline.

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

The OPI 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) in order to meet Prong 1 of the OSEP 09-02 memo. Once it had been corrected for that specific student to satisfy the Prong 1 requirement, the district then submitted evidence of sustained post monitoring compliance to satisfy Prong 2 of the 09-02 memo. This documentation is reviewed in the same manner as the initial documentation, and if non-compliance is found, the district must correct it (prong 1), and continue to submit documentation until they can show that Prong 2 has been met. Using these procedures, OPI has verified that each instance of noncompliance has been corrected and the LEAs identified are now correctly implementing the regulatory requirements.

**Correction of Findings of Noncompliance Identified Prior to FFY 2020**

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2020 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

**13 - Prior FFY Required Actions**

Because the State reported less than 100% compliance for FFY 2020, the State must report on the status of correction of noncompliance identified in FFY 2020 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2021 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2020 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 2021 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 2020, although its FFY 2020 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2020.

**Response to actions required in FFY 2020 SPP/APR**

The description of how the state verified both the source of the noncompliance and the individual instances of noncompliance were corrected using Prong 1 and Prong 2 of the 09-02 OSEP Memo can be found in the applicable sections above.

**13 - OSEP Response**

The State did not demonstrate that the LEA corrected the findings of noncompliance identified in FFY 2020 because it did not report that it verified correction of those findings, consistent with OSEP Memo 09-02. Specifically, the State did not report that that it verified that each LEA with noncompliance identified in FFY 2020 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.

**13 - Required Actions**

Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. In addition, the State must demonstrate, in the FFY 2022 SPP/APR, that the remaining 11 uncorrected findings of noncompliance identified in FFY 2020 were corrected. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with findings of noncompliance identified in FFY 2021 and each LEA with remaining noncompliance identified in FFY 2020: (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 2022 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 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

## Indicator 14: Post-School Outcomes

### Instructions and Measurement

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

**Results indicator:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. 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 =  $[(\# \text{ of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school}) \div (\# \text{ of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school})] \times 100$ .
- B. Percent enrolled in higher education or competitively employed within one year of leaving high school =  $[(\# \text{ of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school}) \div (\# \text{ of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school})] \times 100$ .
- C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment =  $[(\# \text{ of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment}) \div (\# \text{ of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school})] \times 100$ .

#### 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 2022 on students who left school during 2020-2021, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2020-2021 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”:

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 of 1973, as amended by Workforce Innovation and Opportunity Act (WIOA). 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

States must describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).

Provide the total number of targeted youth in the sample or census.

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.

States must compare the response rate for the reporting year to the response rate for the previous year (e.g., in the FFY 2021 SPP/APR, compare the FFY 2021 response rate to the FFY 2020 response rate), and describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.

The State must also analyze the response rate to identify potential nonresponse bias and take steps to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

### 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.

Beginning with the FFY 2021 SPP/APR, due February 1, 2023, 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 must include race/ethnicity in their analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process. 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	2016	2017	2018	2019	2020
A	2018	Target >=	26.80%	26.90%	27.00%	15.75%	15.75%
A	15.51%	Data	22.14%	22.85%	15.51%	17.30%	12.72%
B	2018	Target >=	73.60%	73.70%	73.80%	60.75%	60.75%
B	60.58%	Data	73.86%	75.30%	60.58%	62.87%	59.36%
C	2018	Target >=	87.20%	87.30%	87.40%	79.75%	79.75%
C	79.57%	Data	86.86%	87.58%	79.57%	78.48%	73.98%

### FFY 2020 Targets

FFY	2021	2022	2023	2024	2025
Target A >=	15.85%	15.95%	16.05%	16.15%	16.25%
Target B >=	60.85%	60.95%	61.05%	61.15%	61.25%
Target C >=	79.85%	79.95%	80.05%	80.15%	80.25%

### Targets: Description of Stakeholder Input

Discussions and Stakeholder input of the State’s Performance Plan (SPP), Annual Performance Report (APR), State’s Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana’s unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**FFY 2021 SPP/APR Data**

Total number of targeted youth in the sample or census	1,090
Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	770
Response Rate	70.64%
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	98
2. Number of respondent youth who competitively employed within one year of leaving high school	407
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)	48
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).	67

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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
A. Enrolled in higher education (1)	98	770	12.72%	15.85%	12.73%	Did not meet target	No Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	505	770	59.36%	60.85%	65.58%	Met target	No Slippage
C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other	620	770	73.98%	79.85%	80.52%	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 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
employment (1+2+3+4)							

**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.

**Response Rate**

FFY	2020	2021
Response Rate	68.13%	70.64%

**Describe strategies that will be implemented which are expected to increase the response rate year over year, particularly for those groups that are underrepresented.**

Montana will remove 2 questions from the survey that appear to cause responders confusion and result in surveys not being completed. The answers to these 2 questions can be inferred from the answers to other questions on the survey, providing valid and reliable data for respondents, and hopefully increasing the response rate overall.

**Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school.**

Montana worked with the IDEA Data Center (IDC) to beta test their non-response bias tool for the analysis of the FFY2021 Indicator 14 data. In that analysis we reviewed response rates by race/ethnicity (using American Indian, Hispanic, Multi-Racial, White, and grouping the others into one group as there are less than 20 students in each of those categories), disability category (using Autism, Cognitive Disability, Emotional Disturbance, Multiple Disabilities, Other Health Impairments, Specific Learning Disabilities, and grouping all other categories together into one as they all had less than 20 students in the population), gender, and basis of exit. Analysis of representativeness of response rates indicates that there could be nonresponse bias if underrepresented and overrepresented groups differ on the outcome of interest (e.g. post-secondary outcomes).

As described further below, students who had dropped out were identified as underrepresented in the survey compared to students who had graduated, based on Montana’s threshold for representativeness (described below). Montana compared outcomes among respondents for these two groups to assess for nonresponse bias. We found large differences between these two groups in the outcome Measure A (0.83% for students who had dropped out compared to 14.95% for graduates) and for the percent of students not engaged (33.88% compared to 16.80%). Based on this analysis, it appears likely that there was nonresponse bias in our survey estimates for Measure A and for the percent of students not engaged, related to the underrepresentation in the survey of students who had dropped out. No other subgroup analyses indicated underrepresentation based on Montana’s threshold for representativeness.

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 in prior years. The OPI continues to work with these specific LEAs on strategies to more effectively find and survey these youth. Moving forward, Montana will continue to make TA available to all LEAs as they work to contact students and complete the surveys.

**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. States must include race/ethnicity in its analysis. In addition, the State’s analysis must include at least one of the following demographics: disability category, gender, geographic location, and/or another demographic category approved through the stakeholder input process.**

To assess the representativeness of the respondents, Montana compared the respondents to the target population of leavers that were sent the survey as required. The respondents were not representative with respect to the exit reason. Students who dropped out were underrepresented.

The largest difference between respondents and the population is that students who had dropped out constituted 15.7% of respondents but represented 19.5% of the population (a difference of 3.8 percentage points). The next largest differences are that White students constituted 75.8% of respondents compared to 73.8% of the population (a difference of 2 percentage points), and Hispanic students constituted 5.5% of respondents compared to 6.8% of the population (a difference of 1.3 percentage points). Other differences between respondents and the population for other race/ethnicity categories and for gender or disability categories were no larger than one percentage point.

Response rates were also compared across groups to identify groups that may be systematically less likely to respond to the survey. Since differences in response rates may be attributable to random, non-systematic factors, a Chi-Squared test of independence was used to identify statistically significant differences in likelihood of responding to the survey. Our analysis found statistically significant differences in response rates between different race/ethnicity categories (p =0.047). The Hispanic population had a lower response rate (58.5%), compared to white students (72.3%), American Indian or Alaskan Native students (68.4%), multi-racial students (68.0%), and the small population of persons belonging to other race/ethnicity categories (77.3%). The analysis also found a large, statistically significant difference (p < 0.001) in response rates for students who dropped out (63.1%) compared to graduates (72.9%). Our analysis did not identify any statistically significant differences in response rates between male and female students (p=0.551, M=71.4%, F=69.3%) or across disability categories (p=0.367).

Montana will remove 2 questions from the survey that appear to cause responders confusion and maybe resulting in surveys not being completed, which lowers the response rate. These answers to these 2 questions can be inferred from other questions on the survey, providing valid and reliable data for respondents, and hopefully increasing the response rate overall.

**The response data is representative of the demographics of youth who are no longer in school and had IEPs in effect at the time they left school. (yes/no)**

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.**

As noted above, Montana will continue to make TA available to all LEAs as they work to contact students and complete the surveys. This may include changing the data set to be more accurate of the population intended to be surveyed or providing the survey to LEAs in a manner that is easier for students/parents to complete themselves, rather than having the district required to make direct contact with the student/parent.

**Describe the metric used to determine representativeness (e.g., +/- 3% discrepancy in the proportion of responders compared to target group).**

As noted, to assess the representativeness of the respondents with respect to the population, the distribution of population subgroups among respondents was compared to the distribution in the population. Montana's threshold was +/- 3%. Response rates were also compared across groups to identify groups that may be systematically less likely to respond to the survey using a Chi-Squared test of independence to identify statistically significant differences in likelihood of responding to the survey. Montana's threshold was  $p < 0.05$ .

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

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

#### 14 - Prior FFY Required Actions

In the FFY 2021 SPP/APR, the State must analyze the response rate to identify potential non-response bias and identify steps taken to reduce any identified bias to promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school, as required by the Measurement Table.

##### Response to actions required in FFY 2020 SPP/APR

The information to satisfy this required action can be found in the "Describe the analysis of the response rate including any nonresponse bias that was identified, and the steps taken to reduce any identified bias and promote response from a broad cross section of youth who are no longer in secondary school and had IEPs in effect at the time they left school" section of this indicator.

#### 14 - OSEP Response

In its description of strategies that will be implemented which are expected to increase the response rate year over year, the State did not specifically address strategies to increase the response rate for those groups that are underrepresented, as required by the Measurement Table.

The State reported "To assess the representativeness of the respondents, Montana compared the respondents to the target population of leavers that were sent the survey as required." The State also indicated that sampling was not used. Therefore, it is unclear whether the response data was representative of the demographics of all youth who are no longer in secondary school and had IEPs in effect at the time they left school.

#### 14 - Required Actions

In the FFY 2022 SPP/APR, the State must describe strategies which are expected to increase the response rate for those groups that are underrepresented.

In the FFY 2022 SPP/APR, the State must report whether the FFY 2022 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 EDFacts 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 and targets 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 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/02/2022	3.1 Number of resolution sessions	0
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/02/2022	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

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**Historical Data**

Baseline Year	Baseline Data
2005	

FFY	2016	2017	2018	2019	2020
Target >=	100.00%	75.00% - 100.00%	75.00% - 100.00%		
Data		100.00%	0.00%		

**Targets**

FFY	2021 (low)	2021 (high)	2022 (low)	2022 (high)	2023 (low)	2023 (high)	2024 (low)	2024 (high)	2025 (low)	2025 (high)
Target >=										

**FFY 2021 SPP/APR Data**

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2020 Data	FFY 2021 Target (low)	FFY 2021 Target (high)	FFY 2021 Data	Status	Slippage
0	0					N/A	N/A

Provide additional information about this indicator (optional)

**15 - Prior FFY Required Actions**

None

**15 - OSEP Response**

The State reported fewer than ten resolution sessions held in FFY 2021. The State is not required to provide 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 EDFacts Metadata and Process System (EMAPS)).

#### Measurement

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

#### Instructions

*Sampling is not allowed.*

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

States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of resolution mediations reaches 10 or greater, develop baseline and targets 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 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1 Mediations held	0
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	2.1.a.i Mediations agreements related to due process complaints	0
SY 2021-22 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/02/2022	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

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**Historical Data**

Baseline Year	Baseline Data
2005	

FFY	2016	2017	2018	2019	2020
Target >=	80.00%-100.00%	80.00% - 100.00%	80.00% - 100.00%		
Data	0.00%	100.00%	0.00%		100.00%

**Targets**

FFY	2021 (low)	2021 (high)	2022 (low)	2022 (high)	2023 (low)	2023 (high)	2024 (low)	2024 (high)	2025 (low)	2025 (high)
Target >=										

**FFY 2021 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 2020 Data	FFY 2021 Target (low)	FFY 2021 Target (high)	FFY 2021 Data	Status	Slippage
0	0	0	100.00%				N/A	N/A

Provide additional information about this indicator (optional)

**16 - Prior FFY Required Actions**

None

**16 - OSEP Response**

The State reported fewer than ten mediations held in FFY 2021. The State is not required to provide targets until any fiscal year in which ten or more mediations were held.

**16 - Required Actions**

## Indicator 17: State Systemic Improvement Plan

### Instructions and Measurement

**Monitoring Priority:** General Supervision

The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

#### Measurement

The State's SPP/APR includes an SSIP that is a comprehensive, ambitious, yet achievable multi-year plan for improving results for children with disabilities. The SSIP includes each of the components described below.

#### Instructions

**Baseline Data:** The State must provide baseline data that must be expressed as a percentage and which is aligned with the State-identified Measurable Result(s) for Children with Disabilities.

**Targets:** In its FFY 2021 SPP/APR, due February 1, 2023, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2021 through FFY 2025. The State's FFY 2025 target must demonstrate improvement over the State's baseline data.

**Updated Data:** In its FFYs 2021 through FFY 2025 SPPs/APRs, due February 1, 2023, the State must provide updated data for that specific FFY (expressed as percentages) and that data must be aligned with the State-identified Measurable Result(s) for Children with Disabilities. In its FFYs 2021 through FFY 2025 SPPs/APRs, the State must report on whether it met its target.

#### Overview of the Three Phases of the SSIP

It is of the utmost importance to improve results for children with disabilities by improving educational services, including special education and related services. Stakeholders, including parents of children with disabilities, local educational agencies, the State Advisory Panel, and others, are critical participants in improving results for children with disabilities and should be included in developing, implementing, evaluating, and revising the SSIP and included in establishing the State's targets under Indicator 17. The SSIP should include information about stakeholder involvement in all three phases.

##### **Phase I: Analysis:**

- Data Analysis;
- Analysis of State Infrastructure to Support Improvement and Build Capacity;
- State-identified Measurable Result(s) for Children with Disabilities;
- Selection of Coherent Improvement Strategies; and
- Theory of Action.

**Phase II: Plan** (which, in addition to the Phase I content (including any updates) outlined above:

- Infrastructure Development;
- Support for local educational agency (LEA) Implementation of Evidence-Based Practices; and
- Evaluation.

**Phase III: Implementation and Evaluation** (which, in addition to the Phase I and Phase II content (including any updates) outlined above:

- Results of Ongoing Evaluation and Revisions to the SSIP.

#### Specific Content of Each Phase of the SSIP

Refer to FFY 2013-2015 Measurement Table for detailed requirements of Phase I and Phase II SSIP submissions.

Phase III should only include information from Phase I or Phase II if changes or revisions are being made by the State and/or if information previously required in Phase I or Phase II was not reported.

##### **Phase III: Implementation and Evaluation**

In Phase III, the State must, consistent with its evaluation plan described in Phase II, assess and report on its progress implementing the SSIP. This includes: (A) data and analysis on the extent to which the State has made progress toward and/or met the State-established short-term and long-term outcomes or objectives for implementation of the SSIP and its progress toward achieving the State-identified Measurable Result(s) for Children with Disabilities (SiMR); (B) the rationale for any revisions that were made, or that the State intends to make, to the SSIP as the result of implementation, analysis, and evaluation; and (C) a description of the meaningful stakeholder engagement. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

###### A. Data Analysis

As required in the Instructions for the Indicator/Measurement, in its FFYs 2021 through 2025 SPP/APR, the State must report data for that specific FFY (expressed as actual numbers and percentages) that are aligned with the SiMR. The State must report on whether the State met its target. In addition, the State may report on any additional data (e.g., progress monitoring data) that were collected and analyzed that would suggest progress toward the SiMR. States using a subset of the population from the indicator (e.g., a sample, cohort model) should describe how data are collected and analyzed for the SiMR if that was not described in Phase I or Phase II of the SSIP.

###### B. Phase III Implementation, Analysis and Evaluation

The State must provide a narrative or graphic representation, e.g., a logic model, of the principal activities, measures and outcomes that were implemented since the State's last SSIP submission (i.e., Feb 2022). The evaluation should align with the theory of action described in Phase I and the evaluation plan described in Phase II. The State must describe any changes to the activities, strategies, or timelines described in Phase II and include a rationale or justification for the changes. If the State intends to continue implementing the SSIP without modifications, the State must describe how the data from the evaluation support this decision.

The State must summarize the infrastructure improvement strategies that were implemented, and the short-term outcomes achieved, including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up. The State must describe the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next fiscal year (e.g., for the FFY 2021 APR, report on anticipated outcomes to be obtained during FFY 2022, i.e., July 1, 2022-June 30, 2023; for the FFY 2022 APR, report on anticipated outcomes to be obtained during FFY 2023, i.e., July 1, 2022-June 30, 2023).

The State must summarize the specific evidence-based practices that were implemented and the strategies or activities that supported their selection and ensured their use with fidelity. Describe how the evidence-based practices, and activities or strategies that support their use, are intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (i.e., behaviors), parent/caregiver outcomes,

and/or child outcomes. Describe any additional data (i.e., progress monitoring data) that was collected to support the on-going use of the evidence-based practices and inform decision-making for the next year of SSIP implementation.

**C. Stakeholder Engagement**

The State must describe the specific strategies implemented to engage stakeholders in key improvement efforts and how the State addressed concerns, if any, raised by stakeholders through its engagement activities.

**Additional Implementation Activities**

The State should identify any activities not already described that it intends to implement in the next fiscal year (e.g., for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023 for the FFY 2021 APR, report on activities it intends to implement in FFY 2022, i.e., July 1, 2022-June 30, 2023)) including a timeline, anticipated data collection and measures, and expected outcomes that are related to the SiMR. The State should describe any newly identified barriers and include steps to address these barriers.

**17 - Indicator Data**

**Section A: Data Analysis**

**What is the State-identified Measurable Result (SiMR)?**

The number and percent of American Indian students with disabilities who successfully complete their secondary education will increase.

**Has the SiMR changed since the last SSIP submission? (yes/no)**

NO

**Is the State using a subset of the population from the indicator (e.g., a sample, cohort model)? (yes/no)**

YES

**Provide a description of the subset of the population from the indicator.**

District selection was based on established relationships with the SEA and/or they were already a MT SSIP participating site. Work continued with four LEAs on the Fort Peck Reservation, and one LEA on the Fort Belknap Reservation, as described in the FFY2020 SSIP report. One LEA on the Confederated Salish and Kootenai Reservation was added at the beginning of the 2022-2023 school year.

**Is the State's theory of action new or revised since the previous submission? (yes/no)**

NO

**Please provide a link to the current theory of action.**

[https://opi.mt.gov/Portals/182/Page Files/Special Education/Annual Performance Report/MT\\_ToA\\_ FINAL.pdf?ver=2021-12-02-090633-033](https://opi.mt.gov/Portals/182/Page%20Files/Special%20Education/Annual%20Performance%20Report/MT_ToA_FINAL.pdf?ver=2021-12-02-090633-033)

**Progress toward the SiMR**

**Please provide the data for the specific FFY listed below (expressed as actual number and percentages).**

**Select yes if the State uses two targets for measurement. (yes/no)**

NO

**Historical Data**

Baseline Year	Baseline Data
2013	63.50%

**Targets**

FFY	2021	2022	2023	2024	2025
Target> =	68.60%	68.70%	68.80%	68.90%	69.00%

**FFY 2021 SPP/APR Data**

Number of American Indian Special Education High School Completers	Number of American Indian Special Education High School Students eligible to complete in 2020-2021	FFY 2020 Data	FFY 2021 Target	FFY 2021 Data	Status	Slippage
155	215	72.30%	68.60%	72.09%	Met target	No Slippage

**Provide the data source for the FFY 2021 data.**

The data for the FFY2021 Data came from the Graduation/Dropout certification taken in Fall 2021. This certification is done within Montana's statewide student information system.

**Please describe how data are collected and analyzed for the SiMR.**

Data are collected within the statewide student information system and certified to the OPI through the Graduation/Dropout certification. Data is verified and analyzed by the Data Operations team of OPI.

**Optional: Has the State collected additional data (i.e., benchmark, CQI, survey) that demonstrates progress toward the SiMR? (yes/no)**

NO

**Did the State identify any general data quality concerns, unrelated to COVID-19, that affected progress toward the SiMR during the reporting period? (yes/no)**

NO

**Did the State identify any data quality concerns directly related to the COVID-19 pandemic during the reporting period? (yes/no)**

NO

**Section B: Implementation, Analysis and Evaluation**

**Please provide a link to the State's current evaluation plan.**

[https://opi.mt.gov/Portals/182/Page Files/Special Education/Annual Performance Report/Evaluation Questions FINAL 3-26-2020.pdf?ver=2021-12-02-090632-053](https://opi.mt.gov/Portals/182/Page%20Files/Special%20Education/Annual%20Performance%20Report/Evaluation%20Questions%20FINAL%203-26-2020.pdf?ver=2021-12-02-090632-053)

**Is the State's evaluation plan new or revised since the previous submission? (yes/no)**

NO

**Provide a summary of each infrastructure improvement strategy implemented in the reporting period:**

As outlined in the Logic Model submitted with the April 2020 SSIP, the Infrastructure Improvement Strategies that Montana has continued to emphasize are to:

-Develop and Utilize Interagency Coordination & Communication Model. Coordination efforts include Tribal Consultation and the Critical Friends Network.

Through the Critical Friends Network, educators have focused on implementing evidence-based strategies through a network community. The Critical Friends' Network (CFN), developed by the SEA, started with the NE Region in March of 2021. The NE Region is comprised of the following schools—Wolf Point, Frazer, Poplar, Brockton (all within the Fort Peck Reservation), and Hays/Lodge Pole (within the Fort Belknap Reservation). In October of 2022, a district in the Western region became a Montana SSIP site, Ronan School District. The Critical Friends' Network is based on the premise that professional development offered through a Professional Learning Community (PLC) or Personalized Learning Network (PLN) provides the reciprocity for educators to share and learn strategies to support their students with special needs. The Critical Friends Network is based on the work of Desimone's (2009) "five features of effective professional development: content focus (studying subject matter); active learning (observing, reviewing, discussing); coherence (demonstrating consistency with knowledge, beliefs, policies, and reforms); duration (engaging in 20 or more hours of contact time spread over a semester); and collective participation (interacting and conversing with colleagues)." (Rock, 2019)

Rock, M. (2019). The eCoaching Continuum for Educators: Using Technology to Enrich Professional; Development and Improve Student Outcomes. Alexandria, VA: ASCD.

Tribal consultation for district and school leaders has expanded engagement efforts to ensure students, families, communities, and tribal councils are invested partners in increasing the completion rates of tribal youth with disabilities. The SSIP/Tribal Consultation partnership continued through this cycle and expanded by establishing the Knowledge Keepers of Indigenous Nations (KKIN) Committee. The KKIN committee represents cultural elders and knowledge keepers from every tribal nation in Montana. The KKIN is providing guidance to build sustainable sources of indigenous knowledge that inform our public education system to re-root and revitalize our tribal youth in positive self-identity. Additional tribal consultation events include tribal leaders, tribal education departments, tribal colleges, youth leaders, and tribal knowledge keepers. The purpose of the consultation is to gain a deeper understanding of traditional Indigenous ways and empower staff at our schools on or near our Montana American Indian Reservations to incorporate the local resources of our tribal communities into the work with tribal youth.

-Create American Indian Task Force

The American Indian Task Force meets monthly. This is a long-standing Task Force within the OPI. The SSIP Implementation Specialist is a member of this group. OPI's American Indian Taskforce purpose is to develop strategic and aligned plans on how all stakeholders within the state of Montana work with American Indian students to promote success and wellbeing in their lives. The AISA taskforce has two goals:

-Develop a Framework that guides districts on how to structure education that fits American Indian learners, one that is focusing on the whole child, and includes building self-identity and building on the strengths and values of the Indigenous people and their culture.

-Develop an agency plan on how we use American Indian student data to monitor that the work we are doing with American Indian students is successful and closes the opportunity gap.

-Utilize Differentiated Monitoring Process

The OPI has participated in the NCSI RBAS Collaborative since its inception as a part of the first NCSI grant. Through this work, the OPI has refined a Differentiated Monitoring Process. The process is being completed by Special Education staff.

**Describe the short-term or intermediate outcomes achieved for each infrastructure improvement strategy during the reporting period including the measures or rationale used by the State and stakeholders to assess and communicate achievement. Please relate short-term outcomes to one or more areas of a systems framework (e.g., governance, data, finance, accountability/monitoring, quality standards, professional development and/or technical assistance) and explain how these strategies support system change and are necessary for: (a) achievement of the SiMR; (b) sustainability of systems improvement efforts; and/or (c) scale-up.**

The short term and intermediate outcomes that support achievement of the SiMR and sustainability of system improvement efforts are described below.

Short Term Outcomes Achieved:

1. Deeper level understanding of the value and significance of American Indian student voice
2. Professional approaches implemented in educator practices of using evidence-based strategies to sustain and improve curriculum delivery
3. Increased opportunities for professional development and technical assistance to support school leaders and educators to implement evidence-based strategies that improve student outcomes, such as high school completion rates.
4. Summer Institute: During the Summer Institute held on June 20-24, 2022, the following sessions were offered. This is not an inclusive list, just an example of the sessions that support the SSIP Implementation in Montana. The number of participants and feedback on the session content and active learning based on a 5-point rubric (5-strongly agree, 4-agree, 3-Neutral, 2-Disagree, and 1- Strongly Disagree) are noted.
  - a. Tribal Elders and Youth Panel: Youth Like to Run, Our Elders Know the Path (Session Content 4.59, Active Learning 4.19, Participants 249)
  - b. Creating a Culture of Connection with Restorative Practices (Session Content 5.0, Active Learning 5.0, Attendance 30)
  - c. Data Equipped and Data Informed: The Montana Early Warning System (Session Content 4.86, Active Learning 4.0, Attendance 21)
  - d. Promoting Progress for Students with Disabilities through Development and Implementation of High Quality Educational Programming (Session Content-4.69, Active Learning 4.63, Participants-26).
  - e. Check and Connect (Session Content-4.91, Active Learning-4.73, Participants-22)
  - f. Check in Check Out, Check it Out! (Session Content-4.70, Active Learning-4.1, Participants-46)
  - g. Increase Graduation Rates by Implementing the Montana Early Warning System (Session Content-5.0, Active Learning-5.0, Participants-8)
  - h. Engaging Youth Voice – Elementary (Session content – 4.75, Active Learning – 4.75, Participants – 19)
- i. The complete list of sessions can be found on the OPI website at <https://opi.mt.gov/Portals/182/Page%20Files/Summer%20Institute/OPI%202022%20Session%20Evaluations%20Final%20ADA.pdf?ver=2022-08-04-085741-587>
5. High School Forum: Held a one-day forum on November 16, 2021, where sessions were held to increase capacity of educators to support high school students with disabilities.
6. Teacher Learning Hub: Courses available on the Hub to support increasing the capacity of educators to implement and apply evidence-based approaches.
  - a. Sped Series: Writing Transition IEPs (4 PDUs)
  - b. Rural and Tribal Strength Based Approaches Part 1 (2 PDUs)
  - c. Rural and Tribal Strength Based Approaches Part 2 (3 PDUs)

**Intermediate Outcomes Achieved:**

1. Affirmation of distinct cultural values within the American Indian community.
2. Development of trusting relationships between LEAs and the SEA.
3. Connections between educators, students & families, and educational preparation program partners.
4. Develop understanding of the vast, distinct cultural values of Montana's American Indian people and communities.
5. Use of technology and connections to provide opportunities for extended learning in standards-based curriculum and supplemental learning opportunities.
6. Continuance of Tribal Consultation meetings via virtual platforms and in person with tribal nations.

**Did the State implement any new (newly identified) infrastructure improvement strategies during the reporting period? (yes/no)**

NO

**Provide a summary of the next steps for each infrastructure improvement strategy and the anticipated outcomes to be attained during the next reporting period.**

The partnership of the SSIP Implementation Specialist and the Tribal Resiliency and Relations Unit (TRRU) team continues to provide supports to key stakeholders. These supports allow the interagency stakeholders to incorporate the local resources of tribal communities into educational programs for students. Supports include:

1. Tribal consultation and partnerships provide learning for stakeholders.
2. Increasing the capacity of Montana tribal leaders, knowledge keepers, LEA leadership, and students to understand and use data to make informed decisions for American Indian students with disabilities.
3. Continue to provide training opportunities that develop cultural perspectives of historical Indigenous Restorative Justice practice efforts
4. Continued development of Professional Learning Communities (PLC) and Personalized Learning Networks (PLN) that seek to build and strengthen the capacity of special education teachers to meet the needs of students.
5. Through collaboration and communication infrastructure efforts, build awareness and the need to empower American Indian students to reconnect to their identity as they see themselves reflected in their communities.

**List the selected evidence-based practices implement in the reporting period:**

Professional Learning Community (PLC) or Personalized Learning Network (PLN)

**Provide a summary of each evidence-based practices.**

Montana utilizes a PLC combined with a PLN approach to their work with the SSIP target schools. The identified PLC/PLN was developed by the SEA based on research from Rock in his *The eCoaching Continuum for Educators: Using Technology to Enrich Professional Development and Improve Students Outcomes* (2019). Montana has called their PLC/PLN the Critical Friends' Network (CFN). The Critical Friends' Network is based on the premise that professional development offered through a PLC or PLN provides the reciprocity for educators to share and learn strategies to support their students with special needs.

The CFN started in March of 2021, working with the following LEAs—Wolf Point, Frazer, Poplar, Brockton (all within the Fort Peck Reservation), Hays/Lodge Pole (within the Fort Belknap Reservation). The CFN for the 2021-2022 school year was comprised of the same LEAs. For the 2022-2023 school year, one additional LEA (located on the Confederated Salish and Kootenai Reservation) has been added.

**Provide a summary of how each evidence-based practice and activities or strategies that support its use, is intended to impact the SiMR by changing program/district policies, procedures, and/or practices, teacher/provider practices (e.g. behaviors), parent/caregiver outcomes, and/or child outcomes.**

The CFN will enhance the capacity of educators to utilize high impact strategies, practices and interventions. This will increase educator effectiveness to improve teaching and learning strategies.

This includes improved intentional planning of culturally relevant curriculum, instructional practices, use of formative and summative data to guide instruction, and building pathways to post-secondary readiness. Ultimately, these LEAs will have schoolwide practices, teaching, and learning that are responsive to students needs and culture, leading to increased completion rates of American Indian students with disabilities.

The CFN will also strengthen the capacity of educators to cultivate and maintain positive, inclusive, safe, empowering school environments. It will emphasize the importance of elevating student voice, youth leadership and advocacy, as well as promote the use of MTSS to ensure the school structure addresses the needs of American Indian students with disabilities. This will enable educators to utilize restorative approaches to build strong relationships and learning environments. The CFN will help students have improved attendance rates, participation in school activities, reduce discipline rates. Ultimately educators will have a systematic approach to identify students at risk of dropping out of school, applying targeted interventions based on student needs and tracking interventions over time to determine if they are working.

**Describe the data collected to monitor fidelity of implementation and to assess practice change.**

The following data sets are being utilized to monitor the fidelity of implementation of the CFN:

Rubrics were developed for use with both the Critical Friends' Network(s) and the Tribal Consultation process (per individual tribal group involved). The rubrics are identical in nature just adjusted to fit the applicable activity. The rubrics are an adaptation from Killion's (2008) book, *Assessing Impact: Evaluating Staff Development* (2nd Ed.). Rubric selection is based on the following criteria:

1) it is a continuum of growth; 2) doesn't require administering on a regular basis but at random check points; 3) demonstrates a partnership in the process as well as an opt out; 4) and it is qualitative in nature staying clear of quantifying professional relationships and growing together to better serve students. This is the second year of implementation of the surveys, however during FFY2021, only 1 survey of 8 distributed was completed and returned. This does not allow Montana to report any data on the fidelity of implementation of the CFN as the response rate is too low to infer the effectiveness of this practice.

Reference:

Killion, J. (2008). *Assessing Impact: Evaluating Staff Development* (2nd Ed.). Thousand Oaks, CA: Corwin Press.

**Describe any additional data (e.g. progress monitoring) that was collected that supports the decision to continue the ongoing use of each evidence-based practice.**

No additional data was collected.

**Provide a summary of the next steps for each evidence-based practices and the anticipated outcomes to be attained during the next reporting period.**

The SEA plans to use the next steps during the next reporting period:

1. Expand outreach beginning in the fall of 2022 with the addition of a school in our Western region to the CFN.
2. The focus of the CFN will be realigned to build capacity with the LEAs as described above.
3. Will continue to strengthen and utilize Tribal consultations for district and school leaders to expand engagement efforts to ensure students, families, communities and tribal councils are invested partners in increasing the completion rates of American Indian students with disabilities. I
4. Continue to utilize and align the SSIP work with the American Indian Task Force
5. Work towards implementation of the differentiated monitoring process to help the SEA and LEAs use the data from the monitoring process to determine next steps aligned to the SiMR.

**Does the State intend to continue implementing the SSIP without modifications? (yes/no)**

YES

**If yes, describe how evaluation data support the decision to implement without any modifications to the SSIP.**

Using the data collected to monitor fidelity of implementation, the SEA has determined to continue implementing the SSIP without modifications. Prior to adjusting the strategies, the SEA must first strengthen the evaluation tools, the dissemination of those tools to increase response rates, and develop opportunities for review of the data to determine if the strategies are working as implemented.

**Section C: Stakeholder Engagement**

**Description of Stakeholder Input**

Discussions and Stakeholder input of the State's Performance Plan (SPP), Annual Performance Report (APR), State's Systemic Improvement Plan (SSIP), and Results Driven Accountability (RDA)/Results Based Accountability (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 MT to draw insight and advice from a broad group of stakeholders with an understanding of Montana's unique needs, strengths, and potential weaknesses.

Other stakeholder groups we sponsor and/or engage include:

--Our Comprehensive System of Personnel Development (CSPD) includes both regional and state councils that regularly meet to assess APR data and to evaluate professional development priorities and results.

--The OPI staff has developed productive working relationships with other Montana agencies that serve youth and adults with disabilities. OPI staff participate 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 has 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 TAESE, the OPI has facilitated the Montana Higher Education Consortium (HEC) for twenty 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.

--The OPI staff is also engaged with the Schools Administrators of Montana (SAM) which include affiliates for Superintendents, Principals, Special Education Administrators, and Information Technology (IT) Directors. This partnership allows us to respond quickly to needs expressed in the field by school staff. We also provide SAM with a grant to help fund the Montana Recruitment Project. This program focuses on recruiting hard to fill positions such as speech/language pathologists, special education teachers, occupational therapists, and school psychologists for our districts throughout Montana.

Annually, the State Education Agency (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 children and students with and without disabilities. For the past seven years, the topic has been Montana's SSIP and activities have been conducted to solicit both general and specific stakeholder input. During the spring 2022 meeting, the state presented on using data within the state for Local Education Agencies (LEAs) to make decisions. This also included how to interpret the APR data.

**Describe the specific strategies implemented to engage stakeholders in key improvement efforts.**

The SSIP Implementation Specialist used a Professional Learning Community (PLC) or Personalized Learning Network (PLN) in the form of a Critical Friends Network to engage stakeholders.

**Were there any concerns expressed by stakeholders during engagement activities? (yes/no)**

NO

**Additional Implementation Activities**

**List any activities not already described that the State intends to implement in the next fiscal year that are related to the SiMR.**

**Provide a timeline, anticipated data collection and measures, and expected outcomes for these activities that are related to the SiMR.**

**Describe any newly identified barriers and include steps to address these barriers.**

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

**17 - Prior FFY Required Actions**

None

**17 - OSEP Response**

**17 - 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:**

4064444430

#### **Submitted on:**

04/27/23 3:50:46 PM