



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: June 1, 2020

TO: Superintendent Name
Sample ISD Name

FROM: Teri Chapman, ED.S, Director
Office of Special Education

SUBJECT: Intermediate School District Determinations Notification

The purpose of this memorandum is to advise the Intermediate School District of the Michigan Department of Education's (MDE) 2020 determination under section 616 of the *Individuals with Disabilities Education Act* (IDEA). The MDE has determined that Sample ISD Name Meets Requirements in implementing the requirements and purposes of Part B of IDEA. This determination is based on the totality of the Intermediate School District's (ISD) data and information, including the Federal fiscal year (FFY) 2018 State Performance Plan/Annual Performance Report (SPP/APR), other federally reported data, as well as other ISD-reported data.

The ISD's 2020 determination is based on the data reflected in the ISD's "2020 MDE Part B Results-Driven Accountability Matrix" (MDE-RDA Matrix). The MDE-RDA Matrix is individualized for each ISD and consists of:

1. a Results Matrix that includes scoring on Results Elements;
2. a Compliance Matrix that includes scoring on Compliance Indicators and other compliance factors;
3. a Results Score and a Compliance Score;
4. the RDA Percentage based on both the Results Score and Compliance Score; and
5. the ISD's Determination.

The MDE-RDA Matrix and data are more fully explained in the document, entitled "How the Michigan Department of Education Made 2020 ISD Determinations under Section 616(d) of the *Individuals with Disabilities Education Act*."

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The MDE is using both results and compliance data in making determinations in 2020. In making Part B determinations in 2020, the MDE used results data related to:

1. the English Language Arts (ELA) and Math participation and proficiency of students with IEPs on regular Statewide assessments at fourth and eighth grades;
2. the percentage of students with IEPs who graduated with a regular high school diploma; and
3. the percentage of students with IEPs who dropped out.

The Michigan Department of Education used compliance data related to:

1. Suspension and Expulsion of students with IEPs;
2. Disproportionate Representation in Special Education of students with IEPs due to inappropriate identification;
3. Disproportionate Representation of students with IEPs in Specific Disability Categories due to inappropriate identification;
4. Timely initial evaluations;
5. Timeliness of Part C to Part B Transition;
6. Secondary Transition of students with IEPs;
7. Timeliness of IDEA Data Reported through the Michigan Student Data System;
8. Audit Findings; and
9. Longstanding Noncompliance.

The Michigan Department of Education is pleased to inform you that your ISD data on results and compliance data meet the requirements and purposes of section 616(b) as described in the above reference document - "How the Michigan Department of Education Made 2020 ISD Determinations under Section 616(d) of the *Individuals with Disabilities Education Act*." Even as the ISD meets the requirements and purposes of IDEA for 2020, there continues to be a need for improvement in individual districts in the ISD. Through an analysis of member district data, the ISD may determine appropriate technical assistance on the identified needs for improvement.

Thank you for your continued work to improve results for children and youth with IEPs and their families. MDE will continue to provide technical assistance and resources to improve educational results and functional outcomes for children with IEPs, as well as all Michigan children, in the coming school year. We encourage the ISD to take advantage of the assistance and resources. MDE looks forward to reviewing the ISD's 2019-20 data. If you have any questions, please contact Teri Chapman at chapmant2@michigan.gov.

cc: ISD Special Education Director



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6. Secondary Transition of students with IEPs;
7. Timeliness of IDEA Data Reported through the Michigan Student Data System;
8. Audit Findings; and
9. Longstanding Noncompliance.

The Michigan Department of Education reviewed Sample ISD Name's data on results and compliance using criteria in the above referenced document - "How the Michigan Department of Education Made 2020 ISD Determinations under Section 616(d) of the *Individuals with Disabilities Education Act*." The ISD must closely examine the MDE-RDA matrix to identify the specific indicators below the criteria. Through an analysis of member district data, the ISD may determine appropriate technical assistance on the identified needs for improvement.

According to IDEA, when an ISD receives a determination of "Needs Assistance" for a second consecutive year, one of three actions must occur, in accordance with § 300.604 of the *Individuals with Disabilities Education Act* (IDEA), the MDE will:

- Advise the ISD of available technical assistance to districts performing below the identified criteria; or
- Re-direct the use of federal flow-through funds; or
- Impose special conditions on the use of flow-through funds

MDE will continue to provide technical assistance and resources to improve results for students with IEPs and meet the compliance requirements of IDEA. We encourage the ISD to take advantage of all assistance offered and resources available. MDE looks forward to reviewing the ISD's 2019-20 data. If you have any questions, please contact Teri Chapman at chapmant2@michigan.gov.

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According to IDEA, under 34 CFR §300.604 the State must take one of three actions when an ISD as the LEA needs assistance for two consecutive years:

- Advises the ISD of available technical assistance to districts performing below the identified criteria; or
- Re-direct the use of federal flow-through funds; or
- Impose special conditions on the use of flow-through funds

MDE will continue to provide technical assistance and resources to improve results for students with IEPs and meet the compliance requirements of IDEA. We encourage the ISD to take advantage of all assistance offered and resources available. MDE looks forward to reviewing the ISD's 2019-20 data. If you have any questions, please contact Teri Chapman at chapmant2@michigan.gov.

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According to IDEA, when an ISD "Needs Intervention" for three consecutive years, one or more of the following actions must occur. In accordance with § 300.604 of the *Individuals with Disabilities Education Act* (IDEA), the MDE will require the ISD to:

- Prepare a corrective action plan or improvement plan, if MDE determines the ISD can correct the problem within one year.
- Enter into a compliance agreement, if MDE determines the ISD cannot correct the problem within one year.

Additionally, for each year of the determination, the MDE may:

- Withhold a percentage of the ISD funds under section 611(e) of the IDEA;
- Seek to recover funds;
- Withhold any further payments to the ISD;
- MDE may also impose other sanctions as outlined in the Michigan Administrative Rules for Special Education R 340.1855.

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