How the Michigan Department of Education Made Determinations

Under Section 616(d) of the *Individuals with Disabilities Education Act* in 2023: Part B

Michigan Department of Education
Office of Special Education
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How the Michigan Department of Education Made Determinations

Introduction

In 2023, the Michigan Department of Education (MDE) used both results and compliance indicators in making a determination of the extent to which each Intermediate School District (ISD) is meeting the purpose and requirements under section 616(d) of the Individuals with Disabilities Education Act (*IDEA*). As in the past, the MDE is using compliance data in making determinations of State Agencies (SA). The totality of the information about an ISD was considered in making the determinations.

Information used as elements in the determination score included: rates of participation and proficiency of students with individualized education plans (IEPs) in statewide assessments and students with IEPs who exited public education through graduation with a regular high school diploma or dropped out. Also included were data for Federal Fiscal Year (FFY) 2021 State Performance Plan/Annual Performance Report (SPP/APR) for ISDs and other data related to state compliance with the *IDEA*. Below is a detailed description of how the MDE evaluated data of ISDs using the Results Driven Accountability (RDA) Matrix. The MDE is using determinations criteria closely aligned to those used by the U.S. Department of Education in making determinations for state departments of education.

The RDA Matrix consists of:

1. a **Results Matrix** that describes the scoring of Results Elements
2. a **Compliance Matrix** that describes scoring based on SPP/APR Compliance Indicators and other Compliance Elements
3. a **Results** and **Compliance Overall Score**
4. Differentiated Determination Level Based on ISDs Results and Compliance score Performance

The scoring of the above criteria is explained below in the following sections:

- 2023 Part B Results Matrix with Results Elements and Scoring Criteria
- 2023 Part B Compliance Matrix with Compliance Elements and Scoring Criteria
- 2023 RDA Overall Determinations Levels for Differentiated Support around Meeting the Purpose and Requirements of IDEA

2023 Part B Results Matrix

Results Elements

In making each ISD's 2023 determination, the MDE used a Results Matrix reflecting the following data:

1. Percentage of 4th grade students with an IEP participating in the regular statewide assessment in English Language Arts
2. Percentage of 8th grade students with an IEP participating in the regular statewide assessment in English Language Arts
3. Percentage of 4th grade students with an IEP scoring proficient in statewide assessments in English Language Arts
4. Percentage of 8th grade students with an IEP scoring proficient in statewide assessments in English Language Arts
5. Percentage of 4th grade students with an IEP participating in the regular statewide assessment in Math
6. Percentage of 8th grade students with an IEP participating in the regular statewide assessment in Math
7. Percentage of 4th grade students with an IEP scoring proficient in statewide assessments in Math
8. Percentage of 8th grade students with an IEP scoring proficient in statewide assessments in Math
9. Percentage of students with an IEP exiting school by graduating with a regular high school diploma
10. Percentage of students with an IEP exiting school by dropping out

Each Results Element is scored individually. While data are reported to the tenths place, there is no rounding in determining what score the ISD receives. The Results Elements are defined as follows:

Percentage of Students with an IEP Participating in Regular Statewide Assessments

This is the percentage of students with an IEP by grade (4th and 8th) and subject (Math and English Language Arts), who participated in the regular statewide assessments in SY 2021-2022 with and without accommodations. The numerator for this calculation for

each grade and subject is the number of students with an IEP participating with and without accommodations on regular statewide assessments in SY 2021-2022. The denominator is the number of all students with an IEP, excluding those students who had medical emergencies.

Percentage of Students with an IEP Scoring Proficient on Statewide Assessments in Math and English Language Arts

This is the percentage of students with an IEP by grade (4th and 8th) and subject (Math and English Language Arts), who scored proficient in statewide assessments in SY 2021-2022. The numerator for this calculation is the number of students with an IEP who scored proficient on grade level standards by subject on any statewide assessment in SY 2021-2022. The denominator is the number of all students with an IEP who completed a valid state assessment, excluding those students who had medical emergencies.

Percentage of Students with an IEP Exiting School by Graduating with a Regular High School Diploma

This is the percentage of students with an IEP, ages 14 through 21, who exited school by graduating with a regular high school diploma. The numerator for this calculation is the number of students served under IDEA Part B, ages 14 through 21, who graduated with a regular high school diploma. The denominator is the total number of students served under IDEA Part B, ages 14 through 21, reported in the five exit 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. (Data source: EDFacts SY 2020-21.)

Percentage of Students with an IEP Exiting School by Dropping Out

This is the percentage of students with an IEP, ages 14 through 21, who exited school by dropping out. The numerator for this calculation is the number of students served under IDEA Part B, ages 14 through 21, who exited school due to dropping out. The denominator is the total number of students served under IDEA Part B, ages 14 through 21, reported in the five exit 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. (Data source: EDFacts SY 2020-21.)

Scoring Using the Results Matrix

The Results Matrix produces a result score which is derived from dividing ISD points scored (numerator) by total number of points possible (denominator) multiplied by 100.

For the 2023 Part B Results Matrix, an ISD received points as follows for the Results Elements:

- ISD participation rates on regular statewide assessments were assigned scores of 2, 1, or 0 based on an analysis of the participation rates across all ISDs.
  - **Two points** if at least 90% of students with an IEP in an ISD participated in the regular statewide assessment
  - **One point** if the participation rate for students with an IEP was 80% to 89.9%
  - **Zero points** if the participation rate for students with an IEP was less than 80%
- ISD proficiency scores on state assessments were rank ordered.
  - **Two points** for the top tertile[1] of ISDs
  - **One point** for the middle tertile of ISDs
  - **Zero points** for the bottom tertile of ISDs
- ISD data on the percentage of students with an IEP who exited school by graduating with a regular high school diploma were rank ordered.
  - **Two points** for the top tertile of ISDs
  - **One point** for the middle tertile of ISDs
  - **Zero points** for the bottom tertile of ISDs
- ISD data on the percentage of students with an IEP who exited school by dropping out were rank ordered.
  - **Two points** for the top tertile of ISDs
  - **One point** for the middle tertile of ISDs

[1] The tertiles of a data set divide it into thirds or three equal parts.

- **Zero points** for the bottom tertile of ISDs

Table 1: Scoring of Results Elements

Results Elements[2]	RDA Score = 0	RDA Score = 1	RDA Score = 2
Participation Rate of 4th and 8th Grade Students with an IEP on Regular Statewide Assessments (ELA, Math-separately)	<80.0	80.0-89.9	≥90.0
Percentage of 4th Grade Students with an IEP Scoring Proficient or Above on Statewide Assessments of ELA	<18.0	18.0-23.9	≥24.0
Percentage of 8th Grade Students with an IEP Scoring Proficient or Above on Statewide Assessments of ELA	<22.0	22.0-27.9	≥28.0
Percentage of 4th Grade Students with an IEP Scoring Proficient or Above on Statewide Assessments of Math	<15.0	15.0-18.9	≥19.0
Percentage of 8th Grade Students with an IEP Scoring Proficient or Above on Statewide Assessments of Math	<12.0	12.0-14.9	≥15.0
Percentage of Students with an IEP Exiting School by Graduating with a Regular High School Diploma	<61.0	61.0-67.9	≥68.0
Percentage of Students with an IEP Exiting School by Dropping Out	≥29.0	28.9-22.0	<22.0

[2] In the event an ISD does not have data for one or more of the Results Elements, the ISD's Total Points Available for Results will decrease by the appropriate number of points.

2023 Part B Compliance Matrix

Compliance Elements

In making each ISD's 2023 determination, the Michigan Department of Education used a Compliance Matrix, reflecting the following data:

1. The ISD's FFY 2021 data for IDEA Part B Compliance Indicators 4B, 9, 10, 11, 12, and 13
2. The timeliness of data reported by the ISDs and their member districts through the Michigan Student Data System (MSDS) for School Year 2021-2022. Member Districts and ISDs must certify their data submissions on time for each of three student data collections throughout the school year. Requirements for certification:
    a. Data submissions must be certified by the end of the fifth week of the data collection window.
    b. Data submissions may be decertified and updated, and then recertified by the end of the sixth week, and still be considered timely for fall and spring. Any subsequent decertification after the sixth week, would be considered an untimely data submission.
3. The ISD Special Education Single Audit Findings from fiscal year ending 6/30/2022
4. Longstanding Noncompliance: findings of noncompliance identified in FFY 2020 or FFY 2019 still not corrected as of February 1, 2023. Non-compliance elements scored include the IDEA part B compliance indicators (4B, 9, 10, 11, 12, 13), as well as district complaints, audits, and Part-B IDEA monitoring.

Scoring Using the Compliance Matrix

The Compliance Matrix indicates a score of 2, 1, or 0 for each of the compliance indicators and other elements listed above. The Compliance Matrix produces a compliance score which is derived from dividing ISD points scored (numerator) by total number of points possible (denominator) multiplied by 100. While data are reported to the tenths place, there is no rounding in determining what score the ISD receives.

Most of the compliance indicators are based on percentages, while Special Education Financial Audit Findings and Longstanding Non-Compliance are based on counts of member districts.

Table 2: Scoring of Compliance Elements

Compliance Elements[3]	Compliance Score = 0	Compliance Score = 1	Compliance Score = 2
Indicator 4B: Percent of Member Districts with Significant Discrepancy; by race and ethnicity, in the rate of suspension and expulsion, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with specified requirements	>10.0	5.1-10.0	≤5.0
Indicator 9: Percent of Member Districts with Disproportionate Representation due to inappropriate identification; of racial and ethnic groups in special education and related services	>10.0	5.1-10.0	≤5.0
Indicators 10: Percent of Member Districts with Disproportionate Representation in Specific Disability Categories; of racial and ethnic groups due to inappropriate identification	>10.0	5.1-10.0	≤5.0
Indicator 11: Timely Initial Evaluation	<90.0	90.0-94.9	≥95.0
Indicator 12: IEP Developed and Implemented by third birthday	<90.0	90.0-94.9	≥95.0
Indicator 13 (ages 16-26): Secondary Transition	<90.0	90.0-94.9	≥95.0
Timely Submission of Data: Percent of Member Districts Reporting Timely Data[4]	<90.0	90.0-94.9	≥95.0

[3] In the event an ISD does not have data for one or more of the Compliance Elements, the ISD's Total Points Available for Compliance will decrease by the appropriate number of points.

[4] Timeliness of data reported by the ISDs/SAs and their member districts through the Michigan Student Data System (MSDS) for school year 2021-2022 for all three collections Fall, Spring and End of Year.

The remaining compliance elements were based on counts of member districts. Below are the criteria for how these count-based compliance indicators were scored:

Special Education Single Audit Findings

In the ISD 2023 Part B Compliance Matrix, an ISD received points as follows based on the results of the Single Audit.

- **Two points** if zero audited member districts in the ISD had an audit finding for FFY 2021
- **One point** if one or more audited member district in the ISD had an audit finding for FFY 2021
- **Zero points** if an audited member districts in the ISD had any audit finding for FFY 2021 that was repeated for two or more years; that is, for the same issue in FFY 2021 and the most recent previous audit in the last three FFY reporting cycles
- N/A if there were no member districts in the ISD who were in the audit cohort for FFY 2021[5]

Long Standing Noncompliance

An ISD received points as follows for the Longstanding Noncompliance component (i.e., uncorrected noncompliance for more than one year and not yet corrected as of February 1, 2023):

- **Two points** for ISDs, in which no member districts had any findings of noncompliance (i.e., one or more) identified from FFY 2020 and FFY 2019, or for ISDs with findings from these years but all were corrected/closed as of February 1, 2023
- **One point** for (a) ISDs with two or fewer findings of noncompliance from FFY 2020 among member districts that remained uncorrected/unclosed by February 1, 2023; and (b) ISDs in which one finding of noncompliance from FFY 2019 from a member district or more that remained uncorrected as of February 1, 2023

[5] In the event an ISD does not have member districts in the audit cohort, the ISD's Total Points Available for Compliance will decrease by the appropriate number of points.

- **Zero points** for (a) ISDs with three or more findings of noncompliance from FFY 2020 among member districts that remained uncorrected as of February 1, 2023, regardless of the number of findings uncorrected from FFY 2019; or (b) for ISDs with two or more uncorrected findings remaining from FFY 2019, as of February 1, 2023, regardless of the number of findings uncorrected from FFY 2020

2023 Determinations

Determination Levels

The ISD's Determination uses the Differentiated Framework of Technical Assistance and Monitoring around the purpose and requirements of IDEA. The ISD's specific RDA Determination level is defined as follows:

Meets Requirements

An ISD's 2023 RDA Determination level is Meets Requirements if the Results score and the Compliance score meet or exceed the state median (i.e., mid-point) among all ISDs. This includes ISDs with **Results** scores **equal to or greater than 47.5** and with **Compliance** scores **equal to or greater than 88.2**.

Needs Assistance

An ISD's 2023 RDA Determination level is Needs Assistance if one of either the Results score, or the Compliance score is below the State median among all ISDs. This includes ISDs with either:

- Results scores below 47.5 and Compliance scores equal to or greater than 88.2
- Or Results scores equal to or greater than 47.5 and Compliance scores below 88.2

Needs Intervention

An ISD's 2023 RDA Determination level is Needs Intervention if both the Results score and the Compliance score are below the State medians. This includes ISDs with **Results** scores **below 47.5** and **Compliance** scores **below 88.2**.

Needs Substantial Intervention

The Michigan Department of Education did not make a determination of Needs Substantial Intervention for any ISD in 2023.