



DEPARTMENT OF EDUCATION

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August 24, 2020

Mr. Robert Fulton
Superintendent
Cape Henlopen School District
1270 Kings Highway
Lewes, DE 19958

RE: LEA Determination Under the Individuals With Disabilities Education Act (IDEA) - REVISED

Dear Mr. Fulton:

Thank you for your ongoing dedication and commitment to educating students with disabilities. We encourage you to use the information in this report to celebrate growth and identify opportunities for continued improvement.

Under the IDEA, the Delaware Department of Education (Department) has a responsibility to review the data of local education agencies (LEAs) relating to targets identified in the State's Performance Plan (SPP) and to make annual determinations on LEA performance. The State must monitor the implementation of Part B, enforce Part B in accordance with the provisions at 34 CFR 300.604(a)(1), and (a)(3), (b)(2)(i) and (b)(2)(v), and (c)(2), and annually report on performance under Part B. The primary focus of the State's monitoring activities must be on:

- Improving educational results and functional outcomes for all children with disabilities; and
- Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

For FFY 2018, LEAs are receiving their annual determination based on a combination of the following compliance and results indicators:

• **Results:**

- | | |
|----------------|---|
| ○ Indicator 1 | Graduate Rate |
| ○ Indicator 2 | Drop-Out Rate |
| ○ Indicator 3B | Participation Rate in the State Assessment |
| ○ Indicator 3C | Proficiency Rate on the State Assessment |
| ○ Indicator 4A | Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities |
| ○ Indicator 5 | Education Environments (Children 6-21) |
| ○ Indicator 7 | Early Childhood Outcomes: Positive Social-Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors |

• **Compliance:**

- Indicator 4B Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices
- Indicators 9 & 10 Disproportionate Representation Related to Identification
- Indicator 11 Timely Initial Evaluations
- Indicator 12 Early Childhood Transition from Part C to Part B
- Indicator 13 Transition Planning in the IEP

Based on a review of your LEA's data, the Department has determined your LEA Needs Assistance in implementing the requirements of the IDEA. As a result, your LEA is required to analyze related data and develop a continuous improvement plan addressing areas identified in your determinations in order to improve outcomes for students with disabilities in your LEA.

Attached, please find an overview of the "IDEA General Supervision & Reporting Requirements" along with an explanation of how your LEA's determination was calculated. The response table provides the Department's analysis of the reported data, and identifies, by indicator, your LEA's status in meeting its targets.

Your Exceptional Children Resources liaison, Susan Veenema, will be in contact with *Jeff Conrad, Ed.D., Supervisor of Special Education* to provide technical assistance and discuss possible actions, including the development or revision of a Continuous Improvement Plan. In the interim, please do not hesitate to contact me by phone at (302) 735-4210, or by e-mail maryann.mieczkowski@doe.k12.de.us.

Sincerely,

Mary Ann Mieczkowski
Director, Exceptional Children Resources

MAM/pb
Attachment

cc: Susan S. Bunting, Ed.D., Secretary of Education
Monica Minor Gant, Ph.D., Associate Secretary of Academic Support
Jeff Conrad, Ed.D., Supervisor of Special Education
Pamela Bauman, Education Associate, Exceptional Children Resources
Susan Veenema, Education Associate, Exceptional Children Resources

IDEA General Supervision & Reporting Requirements

The Department's General Monitoring Duties Under the IDEA

By way of background, the IDEA requires the Department to monitor the implementation of Part B of the IDEA in the LEAs throughout the State, and to annually report to the public on the performance of the State and each LEA. The Department's monitoring activities must primarily focus on: (1) improving educational results and functional outcomes for all children with disabilities; and (2) ensuring that public agencies meet the program requirements of Part B, with a particular emphasis on the requirements most closely related to improving educational results for children with disabilities. The Department is responsible for monitoring LEAs using quantifiable indicators in certain priority areas, and for using qualitative indicators to allow an adequate measure of performance in each area. IDEA regulations outline the three priority areas as: (1) the provision of FAPE in the least restrictive environment; (2) the State's exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services; and (3) disproportionate representation of racial and ethnic groups in special education and related services, to the extent such representation is the result of inappropriate identification.

The State Performance Plan and Annual Performance Reports

The IDEA further requires the State to have a performance plan in place that evaluates the State's efforts to implement the requirements and purposes of Part B of the IDEA, and describes how the State will improve the implementation of Part B. As part of its State Performance Plan (SPP), the State must establish measurable and rigorous targets for various indicators under the three priority areas mentioned above. The SPP currently has seventeen indicators, and the State must report annually to the U.S. Department of Education on the performance of the State under the SPP.

In addition to its federal submission, the Department is responsible for reporting annually to the public on the performance of each LEA located in the State on the targets described in the SPP. On an annual basis, each LEA must use the targets established in the SPP, and the three priority areas mentioned above, to analyze and report on its local performance to the Department. In turn, the Department will review the LEA's performance and assign a determination level.

Based on the Department's analysis of data provided by each LEA, and information obtained through audits, monitoring visits, administrative complaints, due process proceedings, and any other publicly available information, the Department assigns one of the following determination levels: Meets the requirements and purposes of IDEA; Needs Assistance in implementing the requirements of IDEA; Needs Intervention in implementing the requirements of IDEA; or Needs Substantial Intervention in implementing the requirements of IDEA.

Federal and state regulations addressing the SPP, APR, and the LEA's reporting obligations can be found at 34 C.F.R. §§ 300.600-602, 646 and 14 DE Admin Code §§ 927.1.0 through 8.0, and §§ 40.0 through 46.0.

FFY 2018 LEA Annual Determinations

FFY 2018 determinations were made based on a combination of the following compliance and results indicators:

- **Results:**

- Indicator 1 Graduate Rate
- Indicator 2 Drop-Out Rate
- Indicator 3B Participation Rate in the State Assessment
- Indicator 3C Proficiency Rate on the State Assessment
- Indicator 4A Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities
- Indicator 5 Education Environments (Children 6-21)
- Indicator 7 Early Childhood Outcomes: Positive Social-Emotional Skills, Acquisition and Use of Knowledge and Skills, and Use of Appropriate Behaviors

- **Compliance:**

- Indicator 4B Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices
- Indicators 9 & 10 Disproportionate Representation Related to Identification
- Indicator 11 Timely Initial Evaluations
- Indicator 12 Early Childhood Transition from Part C to Part B
- Indicator 13 Transition Planning in the IEP

Meets Requirements	=	≥ 80% (compliance and results combined)	and	LEA may be engaged in a Corrective Action Plan.	and/or	If monitored on-site, LEA is engaged in Prong 1 or Prong 2 corrective action.
Needs Assistance	=	60% to 79% (compliance and results combined)	and/or	LEA is engaged in an Intervention Plan.	and/or	Outstanding Noncompliance from On-Site Monitoring (beyond 1 year)
Needs Intervention	=	≤ 59% (compliance and results combined)	and/or	LEA is engaged in a Compliance Agreement.	and/or	Outstanding Noncompliance from On-Site Monitoring (beyond 2 years)

Determination	Possible Actions (Federal)	Possible Actions (State)
Meets Requirements	-	- Encourage continuous improvement planning
Needs Assistance	- Advice on available Technical Assistance - Use of state level funds on area of concern - Other special conditions	- Explicit plan addressing area of concern (s) - Advice on available Technical Assistance
Needs Intervention	- Use of Correction Action Plan or Improvement Plan	- Explicit plan addressing area of concern (s) -

	<ul style="list-style-type: none"> - Compliance Agreement - Use of state level funds - Use of federal funds - Other enforcement actions 	
Needs Substantial Intervention	<ul style="list-style-type: none"> - Use of federal funds - Referral to Department of Justice or Inspector General 	- explicit plan addressing area of concern (s)

Spring 2020 IDEA Annual Determination for FFY 2018

Cape Henlopen School District

Results Indicators	Data From: (Time Period)	SPP Target 2018	State Data	LEA Data	LEA Score	Possible Points
Indicator 1: Graduation Rate	2017-2018	67.30%	69.07%	69.57%	1	1
Indicator 2: Drop Out Rate	2017-2018	4.00%	2.60%	-	1	1
Indicator 3B: Participation Rate-ELA						
Grade 3	2018-2019	95.00%	98.00%	97.83%	1	1
Grade 4		95.00%	98.16%	96.04%	1	1
Grade 5		95.00%	97.59%	98.08%	1	1
Grade 6		95.00%	97.17%	100.00%	1	1
Grade 7		95.00%	96.74%	98.85%	1	1
Grade 8		95.00%	95.70%	97.26%	1	1
High School		95.00%	74.76%	94.12%	0	1
Indicator 3B: Participation Rate-MATH						
Grade 3	2018-2019	95.00%	97.91%	97.80%	1	1
Grade 4		95.00%	98.06%	96.04%	1	1
Grade 5		95.00%	97.60%	99.03%	1	1
Grade 6		95.00%	97.02%	100.00%	1	1
Grade 7		95.00%	96.63%	100.00%	1	1
Grade 8		95.00%	95.38%	97.26%	1	1
High School		95.00%	74.68%	92.75%	0	1
Indicator 3C: Proficiency Rate-ELA						
Grade 3	2018-2019	27.63%	21.42%	40.00%	1	1
Grade 4		24.54%	21.70%	36.08%	1	1
Grade 5		25.58%	21.23%	36.27%	1	1
Grade 6		17.74%	15.28%	22.73%	1	1
Grade 7		18.07%	15.82%	25.58%	1	1
Grade 8		17.53%	15.18%	32.39%	1	1
High School		17.46%	12.82%	20.31%	1	1
Indicator 3C: Proficiency Rate-MATH						
Grade 3	2018-2019	30.82%	25.02%	42.70%	1	1
Grade 4		22.91%	21.24%	29.90%	1	1
Grade 5		16.94%	13.99%	25.49%	1	1
Grade 6		13.76%	9.00%	-	0	1
Grade 7		14.43%	7.30%	17.24%	1	1
Grade 8		12.75%	6.14%	18.31%	1	1
High School		10.85%	3.20%	-	0	1
Indicator 4A: Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities	2017-2018	Rate Ratio 2.0 Cell Size 15	NA	Under Threshold	1	1

Spring 2020 IDEA Annual Determination for FFY 2018

Results Indicators Continued	Data From: (Time Period)	SPP Target 2018	State Data	LEA Data	LEA Score	Possible Points
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Indicator 5A: Percent of Children Aged 6 -21 Served Inside the Class 80% of the Day	2018-2019	72.00%	64.98%	50.64%	0	1
Indicator 5B: Percent of Children Aged 6 -21 Served Inside the Class Less Than 40% of the Day		14.70%	14.61%	16.63%	0	1
Indicator 5C: Percent of Children Aged 6 -21 Served in Separate Schools, Residential Facilities and Homebound/Hospital Placements		3.50%	4.91%	-	0	1

Indicator 7A. Early Childhood Outcomes- Positive Social/Emotional Skills						
Percent Increase Rate of Growth	2018-2019	91.00%	89.78%	94.44%	1	1
Percent Within Age Expectation		60.70%	50.95%	61.54%	1	1
Indicator 7B. Early Childhood Outcomes-Acquisition and Use of Knowledge and Skills						
Percent Increase Rate of Growth	2018-2019	93.40%	88.49%	86.36%	0	1
Percent Within Age Expectation		54.80%	48.38%	62.26%	1	1
Indicator 7C. Early Childhood Outcomes- Use of Appropriate Behaviors						
Percent Increase Rate of Growth	2018-2019	92.30%	89.34%	96.43%	1	1
Percent Within Age Expectation		65.50%	60.92%	80.77%	1	1

Compliance Indicators	Data From: (Time Period)	SPP Target 2018	State Data	LEA Data	LEA Score	Possible Points
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Indicator 4B: Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices.	2017-2018	Rate Ratio 2.0 Cell Size 10	NA	Compliant	1	1
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Indicator 9: Disproportionate Representation All Disabilities	2018-2019	0.00%	NA	Noncompliant	0	1
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Indicator 10: Disproportionate Representation Specific Disabilities	2018-2019	0.00%	NA	Compliant	1	1
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Indicator 11: Initial Evaluations Conducted Within Timeline	2018-2019	100.00%	99.24%	100.00%	1	1
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Indicator 12: Early Childhood Transition from Part C to Part B	2018-2019	100.00%	93.68%	97.83%	0	1
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Indicator 13: Secondary Transition	2018-2019	100.00%	96.50%	100.00%	1	1
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Determination Summary		Annual Determination:				
Compliance Indicators Score	4	Needs Assistance				
Possible Points:	6					
Results Indicators Score	32	Intervention Plan /Compliance Agreement: No				
Possible Points:	40					
Score Total	36					
Out of a Possible:	46					
Percentage:	78.26%					

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Graduation Rate

<u>Indicator 1</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number Eligible</u>	<u>Number Graduated</u>	<u>LEA Data % SWD Who Graduated</u>	<u>Met Target?</u>
	2017-2018	67.30%	69.07%	69	48	69.57%	Yes

Note: Percent of youth with IEPs graduating from high school with a regular high school diploma within 4-year adjusted cohort

Drop-Out Rate

<u>Indicator 2</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number Enrolled</u>	<u>Number of Drop-Outs</u>	<u>LEA Data % SWD who Dropped Out</u>	<u>Met Target?</u>
	2017-2018	4.00%	2.60%	305	-	-	Yes

Note:

Participation Rate in the State Assessment - ELA

<u>Indicator 3B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Eligible</u>	<u>Number Tested</u>	<u>LEA Data Percent Tested</u>	<u>Met Target?</u>
	2018-2019	95.00%	98.00%	3	ELA	92	90	97.83%	Yes
	2018-2019	95.00%	98.16%	4	ELA	101	97	96.04%	Yes
	2018-2019	95.00%	97.59%	5	ELA	104	102	98.08%	Yes
	2018-2019	95.00%	97.17%	6	ELA	88	88	100.00%	Yes
	2018-2019	95.00%	96.74%	7	ELA	87	86	98.85%	Yes
	2018-2019	95.00%	95.70%	8	ELA	73	71	97.26%	Yes
	2018-2019	95.00%	74.76%	HS	ELA	68	64	94.12%	No

Note: Category of Grade 11 changed to HS in 2020 reporting

Participation Rate in the State Assessment - MATH

<u>Indicator 3B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Eligible</u>	<u>Number Tested</u>	<u>LEA Data Percent Tested</u>	<u>Met Target?</u>
	2018-2019	95.00%	97.91%	3	MATH	91	89	97.80%	Yes
	2018-2019	95.00%	98.06%	4	MATH	101	97	96.04%	Yes
	2018-2019	95.00%	97.60%	5	MATH	103	102	99.03%	Yes
	2018-2019	95.00%	97.02%	6	MATH	88	88	100.00%	Yes
	2018-2019	95.00%	96.63%	7	MATH	87	87	100.00%	Yes
	2018-2019	95.00%	95.38%	8	MATH	73	71	97.26%	Yes
	2018-2019	95.00%	74.68%	HS	MATH	69	64	92.75%	No

Note: Category of Grade 11 changed to HS in 2020 reporting

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Proficiency Rate on the State Assessment - ELA								LEA Data	
<u>Indicator 3C</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	<u>% of SWD Meeting Proficiency</u>	<u>Met Target?</u>
	2018-2019	27.63%	21.42%	3	ELA	90	36	40.00%	Yes
	2018-2019	24.54%	21.70%	4	ELA	97	35	36.08%	Yes
	2018-2019	25.58%	21.23%	5	ELA	102	37	36.27%	Yes
	2018-2019	17.74%	15.28%	6	ELA	88	20	22.73%	Yes
	2018-2019	18.07%	15.82%	7	ELA	86	22	25.58%	Yes
	2018-2019	17.53%	15.18%	8	ELA	71	23	32.39%	Yes
	2018-2019	17.46%	12.82%	HS	ELA	64	-	-	Yes

Note: Category of Grade 11 changed to HS in 2020 reporting

Proficiency Rate on the State Assessment - MATH								LEA Data	
<u>Indicator 3C</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Grade</u>	<u>Subject</u>	<u>Number Tested</u>	<u>Number Meets</u>	<u>% of SWD Meeting Proficiency</u>	<u>Met Target?</u>
	2018-2019	30.82%	25.02%	3	MATH	89	38	42.70%	Yes
	2018-2019	22.91%	21.24%	4	MATH	97	29	29.90%	Yes
	2018-2019	16.94%	13.99%	5	MATH	102	26	25.49%	Yes
	2018-2019	13.76%	9.00%	6	MATH	88	-	-	No
	2018-2019	14.43%	7.30%	7	MATH	87	-	-	Yes
	2018-2019	12.75%	6.14%	8	MATH	71	-	-	Yes
	2018-2019	10.85%	3.20%	HS	MATH	64	-	-	No

Note: Category of Grade 11 changed to HS in 2020 reporting

Significant Discrepancy in the Rate of Long-Term Suspension and Expulsions of Students with Disabilities

<u>Indicator 4A</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>SWD Enrollment</u>	<u>Non-SWD Enrollment</u>	<u>SWD Suspended > 10 Days</u>	<u>Non-SWD Suspended > 10 Days</u>	<u>LEA Data (Rate Ratio)</u>	<u>Under Threshold?</u>
	2017-2018	50.00%	100.00%	994	4526	-	18	1.24	Yes

LEA Note

Note: Indicator 4A is based on school year 2017- 2018 data with a Rate Ratio of > 2.0 and an N size of 15 for three consecutive years.
State data is a calculation based on the number of LEAs that met the N Size compared to the same LEAs that exceeded rate ratio of 2.0 , for three consecutive years.

Significant Discrepancy in the Rate of Long-Term Suspensions and Expulsions of Students with Disabilities by Race/Ethnicity and Noncompliant Policies, Procedures, and Practices

SWD Suspended > 10									
<u>Indicator 4B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Race</u>	<u>SWD Enrolled</u>	<u>Days</u>	<u>Met Target?</u>	<u>LEA Data (Rate Ratio)</u>	<u>Compliant?</u>
	2017-2018	0%	50.00%	Hispanic/Latino	129	-	Yes	-	Yes
	2017-2018	0%	50.00%	Native American	-	-	Yes	-	Yes
	2017-2018	0%	50.00%	African American	181	-	Yes	0.69	Yes
	2017-2018	0%	50.00%	White	638	-	Yes	1.35	Yes
	2017-2018	0%	50.00%	Asian	-	-	Yes	-	Yes
	2017-2018	0%	50.00%	Haw./P.I.	-	-	Yes	-	Yes
	2017-2018	0%	50.00%	Multiple	38	-	Yes	-	Yes

Lea Note:

Note: Indicator 4B is based on school year 2017-2018 data with a Rate Ratio of > 2.0 and an N size of 10 for three consecutive years.
State data is a calculation based on the number of LEAs that met the N Size compared to the same LEAs that exceeded rate ratio of 2.0

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Percent of Children Aged 6 to 21 Served Inside the Regular Class 80% or More of the Day

<u>Indicator 5A</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number of SWD</u>	<u>Number of SWD In LRE A</u>	<u>LEA Data % in LRE A</u>	<u>Met Target?</u>
	2018-2019	72.00%	64.98%	938	475	50.64%	No

Note:

Percent of Children Aged 6 to 21 Served Inside the Regular Class Less Than 40% of the Day

<u>Indicator 5B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number of SWD</u>	<u>Number of SWD In LRE B</u>	<u>LRE Data % in LRE B</u>	<u>Met Target?</u>
	2018-2019	14.70%	14.61%	938	156	16.63%	No

Note:

Percent of Children Aged 6 to 21 Served In Separate Schools, Residential Facilities, and in Homebound/Hospital Placements

<u>Indicator 5C</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number of SWD</u>	<u>Number of SWD In LRE C</u>	<u>LRE Data % in LRE C</u>	<u>Met Target?</u>
	2018-2019	3.50%	4.91%	938	92	-	No

Note:

Preschool Environments: Percent of Children Aged 3 to 5 Attending a Regular Early Childhood Program and Receiving the Majority of Special Education and Related Services in the Regular Early Childhood Program

<u>Indicator 6A</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number of SWD</u>	<u>Number of SWD Receiving Services in the Regular EC Program</u>	<u>LEA Data Percent Receiving Services in the Regular EC program</u>	<u>Met Target?</u>
	2018-2019	50.50%	47.91%	129	86	66.67%	Yes

Note:

Preschool Environments: Percent of Children Aged 3 to 5 Attending a Separate Special Education Class, Separate School, or Residential Facility

<u>Indicator 6B</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Number of SWD</u>	<u>Number of SWD Receiving Services in Separate Setting</u>	<u>LEA Data Percent Receiving Services in Separate Setting</u>	<u>Met Target?</u>
	2018-2019	31.00%	37.38%	129	-	-	Yes

Note:

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Preschool Outcomes: Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Positive Social/Emotional Skills

<u>Indicator 7A</u>	<u>School Year</u>	<u>Positive Social/Emotional Skills : Percent Increased</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>	<u>Positive Social/Emotional Skills : Percent Within Age Expectation State Target</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>
		<u>Rate of Growth</u>				<u>Target</u>			
	2018-2019	91.00%	89.78%	94.44%	Yes	60.70%	50.95%	61.54%	Yes

Note:

Preschool Outcomes: Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Acquisition and Use of Knowledge and Skills

<u>Indicator 7B</u>	<u>School Year</u>	<u>Acquisition and Use of Knowledge and Skills: Percent Increased Rate of Growth</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>	<u>Acquisition and Use of Knowledge and Skills: Percent Within Age Expectation State Target</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>
		<u>Growth State Target</u>				<u>Target</u>			
	2018-2019	93.40%	88.49%	86.36%	No	54.80%	48.38%	62.26%	Yes

Note:

Preschool Outcomes: Percent of Preschool Students Aged 3 to 5 Who Demonstrate Improved Skills in Use of Appropriate Behaviors

<u>Indicator 7C</u>	<u>School Year</u>	<u>Use of Appropriate Behaviors: Percent Increased Rate of Growth</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>	<u>Use of Appropriate Behaviors: Percent Within Age Expectation State Target</u>	<u>State Data</u>	<u>LEA Data</u>	<u>Met Target</u>
		<u>State Target</u>				<u>State Target</u>			
	2018-2019	92.30%	89.34%	96.43%	Yes	65.50%	60.92%	80.77%	Yes

Note:

Percent of Parents with a Child Receiving Special Education Services Who Report That School Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities

<u>Indicator 8</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of Respondents</u>	<u>Number Agree</u>	<u>Number Disagree</u>	<u>LEA Data % Agree</u>	<u>Met Target?</u>
	2018-2019	90.00%	93.50%	127	123	-	-	Yes

Note: 1 Blank

Spring 2020 IDEA Annual Determination for FFY 2018

Cape Henlopen School District

Disproportionate Representation of Racial and Ethnic Groups in Special Education and Related Services That is a Result of Inappropriate Identification

<u>Indicator 9</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>LEA Data Compliant</u>	<u>Met Target?</u>
	2018-2019	0.00%	5.13%	No	No

Note: State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.

Disproportionate Representation of Racial and Ethnic Groups in Specific Disability Categories That is a Result of Inappropriate Identification

<u>Indicator 10</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>LEA Data Compliant</u>	<u>Met Target?</u>
	2018-2019	0.00%	5.13%	Yes	Yes

Note: State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.

Evaluations Conducted Within 45 School Days or 90 Calendar Days, Whichever is Shorter, of Receiving Parent Consent for Initial Evaluation

<u>Indicator 11</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of Initial Evaluations</u>	<u>Number Within Timelines</u>	<u>Number Not Within Timelines</u>	<u>% LEA Data Within Timelines</u>	<u>Met Target?</u>
	2018-2019	100.00%	99.24%	191	191	-	-	Yes

Note:

Early Childhood Transitions: 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 Birthday

<u>Indicator 12</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of SWD Who Turned Age 3</u>	<u>Number of Students Referred Minus Not Eligible and/or Parent Refusals</u>	<u>LEA Data % Who Received Services by Age 3</u>	<u>Met Target?</u>
	2018-2019	100.00%	93.68%	53	47	-	No

Note:

Percent of Youth Age 14 and Above with an IEP That Includes Coordinated, Measurable, Annual IEP Goals and Transition Services That Will Reasonable Enable the Student to Meet the Post-Secondary Goals

<u>Indicator 13</u>	<u>School Year</u>	<u>State Target</u>	<u>State Data</u>	<u>Total Number of IEPs Reviewed</u>	<u>Number of IEPs Meeting Standard</u>	<u>LEA Data % Meeting Standard</u>	<u>Met Target?</u>
	2018-2019	100.00%	96.50%	374	374	-	Yes

Note:

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Post-School Outcomes-Percent of Youth Who Are No Longer In Secondary School, Had IEPs in Effect at the Time They Left School, and Were: Group A. Enrolled in Higher Education Within One Year of Leaving High School, Group B. Enrolled in Higher Education or Competitively Employed Within One Year of Leaving High School, or Group C. Enrolled in Higher Education or in Some Other Post-Secondary Education or Training Program; or Competitively Employed or in Some Other Employment Within One Year of Leaving

Indicator 14	School Year	<u>State Target</u>	<u>State Data</u>	<u>Total Number of Exiters</u>	<u>Total Number of Respondents</u>	<u>Group A Respondents</u>	<u>LEA Data % Group A</u>	<u>Met Target?</u>
		41.00%	45.62%	-	32	19	59.38%	Yes
		<u>State Target</u>	<u>State Data</u>			<u>Group B Respondents</u>	<u>LEA Data % Group B</u>	<u>Met Target?</u>
		72.00%	73.54%			-	84.38%	Yes
		<u>State Target</u>	<u>State Data</u>			<u>Group C Respondents</u>	<u>LEA Data % Group C</u>	<u>Met Target?</u>
		100.00%	81.01%			-	93.75%	No

Note:



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FFY 2018 IDEA LEA Annual Determination Business Rules

Indicator	Description	Business Rule	Note/s
1 (20 U.S.C. 1416 (a)(3)(A))	Percent of youth with IEPs graduating from high school with a regular diploma.	Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma Divided by the number of youth with IEPs in the current year's adjusted cohort eligible to graduate	NA- LEA had graduates but no special education graduates. LEA did not have any graduates.
2 (20 U.S.C. 1416 (a)(3)(A))	Percent of youth with IEPs dropping out of high school.	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (did not graduate, did not die, or did not transfer to another school and was not included in the end of the year enrollment) Divided by # of students enrolled with IEPs (ages 14-21) on September 30	NA- LEA did not have students ages 14-21.
3B (20 U.S.C. 1416 (a)(3)(A))	Participation and performance of children with IEPs on Statewide assessments: <ul style="list-style-type: none"> Participation rate for children with IEPs. 	Number of children with IEPs participating in state assessments Divided by the total number of children with IEPs enrolled during the testing window, calculated separately for reading and math, and subtracting students with approved exemptions <i>Note: Denominator does not include students with approved exemptions from DDOE. All students enrolled during the testing window are included – "Full Academic Year" filter is not used.</i>	NA- LEA did not have students who tested in that grade.
3C (20 U.S.C. 1416 (a)(3)(A))	Participation and performance of children with IEPs on Statewide assessments: <ul style="list-style-type: none"> Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards. 	(Number of children with IEPs scoring at or above proficient against grade level or alternate academic achievement standards) Divided by the total number of children with IEPs who received a valid score and for whom a proficiency level was assigned, and, calculated separately for reading and math <i>Note: All students enrolled during the testing window are included – "Full Academic Year" filter is not used.</i>	NA- LEA did not have students who tested in that grade.

Indicator	Description	Business Rule	Note/s
4A (20 U.S.C. 1416(a)(3)(A); 1412(a)(22))	Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.	<p>State Determination: The number of LEAs that met the state established “N” size and exceeded the state bar (rate-ratio). Divided by Number of LEAs that met the state established “N” size</p> <p>LEA Determination: Number of SWD Suspended or Expelled > than 10 days Divided by Number of General Ed Students Suspended or Expelled > than 10 days</p> <p>An LEA meets target if they exceed the rate ratio but had too few students in the cell. An LEA meets the target because they did not exceed rate ratio. An LEA does not meet the target if they exceed state established “N” size <u>and</u> the state bar (rate ratio).</p>	<p>Indicator 4A is based on school year 2017-2018 date with a Rate Ratio of > 2.0 and an “N” size of 15, over 3 consecutive years of data</p> <p>Or</p> <p>Rate Ratio >5.0 and an n size of 5</p> <p>State data is a calculation based on the number of LEAs that met the “N” size compared to the same LEAs that exceeded the rate ratio of 2.0</p>
4B (20 U.S.C. 1416(a)(3)(A); 1412(a)(22))	<p>Percent of districts that have:</p> <ul style="list-style-type: none"> • (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and • (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. 	<p>State Determination: The number of LEAs that met the state established “N” size and exceeded the state bar (rate-ratio). Divided by Number of LEAs that met the state established “N” size</p> <p>LEA Determination: Number of (race/ethnicity) SWD Suspended or Expelled > than 10 days Divided by General Ed Students Suspended > than 10 days in the LEA</p> <p>An LEA meets the target if they exceed the rate ratio but had too few students in the cell. An LEA meets the target if they exceed the rate ratio but are in compliance. An LEA meets the target if they do not exceed rate ratio. An LEA does not meet the target if they exceed the state established “N” size and the state bar (rate ratio) and was found to be noncompliant.</p>	<p>Indicator 4B is based on school year 2017-2018 date with a Rate Ratio of > 2.0 and an “N” size of 10, over 3 consecutive years of data</p> <p>Or</p> <p>Rate Ratio >5.0 and an “N” size of 5</p> <p>State data is a calculation based on the number of LEAs that met the “N” size compared to the same LEAs that exceeded the rate ratio of 2.0</p>
Indicator	Description	Business Rule	Note/s
5 (20 U.S.C. 1416(a)(3)(A))	<p>Percent of children with IEPs aged 6 through 21 served:</p> <ul style="list-style-type: none"> • A = Inside the regular class 80% or more of the day • B = Inside the regular class less than 40% of the day • C = In separate schools, residential facilities, or 	<p>Number of children with IEPs aged 6 through 21 served Divided by Total number of children with IEPs aged 6 through 21</p>	

	homebound/hospital placements.		
6 (20 U.S.C. 1416(a)(3)(A))	<p>Percent of children aged 3 through 5 with IEPs attending a:</p> <ul style="list-style-type: none"> A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program B. Separate special education class, separate school or residential facility. 	<p>A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.</p> <p>B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times.</p>	NA- LEA did not have students ages 3-5.
7 (20 U.S.C. 1416 (a)(3)(A))	<p>Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:</p> <ul style="list-style-type: none"> Positive social-emotional skills (including social relationships); Acquisition and use of knowledge and skills (including early language/communication and early literacy) C. Use of appropriate behaviors to meet their needs. 	<p>Summary Statement 1: Of those preschool children who entered or exited 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.</p> <p>Percent = # of preschool children reported in progress category © 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 © plus # of preschool children reported in progress category (d)] times 100</p> <p>Summary Statement 2: The percent of preschool children who were functioning within age expectations by the time they turned 6 years of age or exited the program.</p> <p>Percent = # of preschool children reported in progress category (d) plus # of preschool children reported in progress category © divided by [the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + ©] times 100.</p>	LEA- did not have students ages 3-5 in a preschool program.
8 (20 U.S.C. 1416(a)(3)(A))	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.	<p>Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities</p> <p>Divided by</p> <p>Total number of respondent parents of children with disabilities</p>	Data were not reported for the LEA.

Indicator	Description	Business Rule	Note/s
9 (20 U.S.C. 1416(a)(3)(C))	Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	<p>State Determination Number of LEAs with disproportionate representation of racial and ethnic groups in special education and related services Divided by representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification</p> <p>LEA Determination LEA Compliant:</p> <ul style="list-style-type: none"> LEA was not identified with Disproportionate Representation as a result of both conditions: <ul style="list-style-type: none"> LEA did not meet or exceed the relative risk ratio of 1.46 LEA did not meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services LEA was not identified with Disproportionate Representation as a result of one of the conditions: <ul style="list-style-type: none"> LEA did not meet or exceed the relative risk ratio of 1.46 or LEA did not meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services LEA was identified with Disproportionate Representation as a result of both conditions, however Disproportionate Representation was not the result of inappropriate identification: <ul style="list-style-type: none"> LEA did meet or exceed the relative risk ratio of 1.46 LEA did meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services <p>LEA Noncompliant:</p> <ul style="list-style-type: none"> LEA was identified with Disproportionate Representation as a result of both conditions and Disproportionate Representation was the result of inappropriate identification: 	State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.

		<ul style="list-style-type: none"> ○ LEA did meet or exceed the relative risk ratio of 1.46 ○ LEA did meet the minimum cell size of 15 in one or more racial and ethnic groups in special education and related services. 	
Indicator	Description	Business Rule	Note/s
10 (20 U.S.C. 1416(a)(3)(C))	Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	<p>State Determination Number of LEAs that meet the State-established cell size for one or more racial/ethnic groups, with disproportionate representation of racial and ethnic groups in special education disability categories that is the result of inappropriate identification Divided by Number of LEAs that meet with State-established cell size for one or more racial/ethnic groups times 100.</p> <p>LEA Determination LEA Compliant:</p> <ul style="list-style-type: none"> • LEA was not identified with Disproportionate Representation as a result of both conditions: <ul style="list-style-type: none"> ○ LEA did not meet or exceed the relative risk ratio of 1.50 ○ LEA did not meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories. • LEA was not identified with Disproportionate Representation as a result of one of the conditions: <ul style="list-style-type: none"> ○ LEA did not meet or exceed the relative risk ratio of 1.50 or ○ LEA did not meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories. • LEA was identified with Disproportionate Representation as a result of both conditions, however Disproportionate Representation was not the result of inappropriate identification: <ul style="list-style-type: none"> ○ LEA did meet or exceed the relative risk ratio of 1.50 ○ LEA did meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories. <p>LEA Noncompliant:</p> <ul style="list-style-type: none"> • LEA was identified with Disproportionate Representation as a result of both 	State data reflects % of districts with Disproportionate Representation as a result of inappropriate identification.

		<u>conditions</u> and Disproportionate Representation was the result of inappropriate identification: <ul style="list-style-type: none"> LEA did meet or exceed the relative risk ratio of 1.50 LEA did meet the minimum cell size of 10 in one or more racial and ethnic groups in special education disability categories 	
Indicator	Description	Business Rule	Note/s
11 (20 U.S.C. 1416(a)(3)(B)) (14 DE Admin Code § 925.2.0)	Percent of children who were evaluated within 45 school days or 90 calendar days of receiving parental consent for initial evaluation.	Number of children for whom parental consent to evaluate was received Divided by Number of children whose evaluations were completed within 45 school days or 90 calendar days	NA- no initial evaluations were reported.
12 (20 U.S.C. 1416(a)(3)(B))	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.	a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday c. Number of those found eligible who have an IEP developed and implemented by their third birthdays 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 e. Number of children who were referred to Part C and determined eligible for Part C less than 90 days before their third birthdays [c/(a-b-d-e)]x100= % complaint	NA- LEA did not have students transitioning from Part C to Part B.
13 (20 U.S.C. 1416(a)(3)(B))	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	Number of youth in grade 8 or aged 14 (and above) with IEPs that contain each of the required components for secondary transition Divided by Number of youth with IEPs in grade 8 or aged 14 (and above)	NA- LEA did not have students of transition age in grade 8 or ages 14 and above. LEA was not required to report data for this reporting period.

	evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.		
Indicator	Description	Business Rule	Note/s
14 (20 U.S.C. 1416(a)(3)(B))	<p>Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <ul style="list-style-type: none"> Enrolled in higher education within one year of leaving high school. Enrolled in higher education or competitively employed within one year of leaving high school. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. 	<p>Number of respondent youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school</p> <p>Divided by</p> <p>Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school</p>	NA- LEA did not have students with IEPs exiting secondary education.