

STATE PERFORMANCE PLAN / ANNUAL PERFORMANCE REPORT: PART B

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

**For reporting on
FFY 2022**

Nebraska



PART B DUE February 1, 2024

**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

244

General Supervision System:

The systems that are in place to ensure that the IDEA Part B requirements are met (e.g., integrated monitoring activities; data on processes and results; the SPP/APR; fiscal management; policies, procedures, and practices resulting in effective implementation; and improvement, correction, incentives, and sanctions).

The Nebraska Department of Education (NDE), Office of Special Education partners with school districts to provide programs and services for children, ages birth–21 to provide early intervention services (birth–3) and special education (3–21). The NDE, Office of Special Education assures that these programs and services meet state and federal requirements. This involves both compliance and technical assistance functions.

Compliance functions include monitoring least restrictive environment compliance, administering a due process system, providing mediation services, conducting complaint investigations, approving policies and procedures, conducting focused and comprehensive reviews, and approving nonpublic special education facilities.

Technical assistance functions involve providing information and guidance on promising practices in educating students with disabilities, including the operation of numerous statewide training and technical assistance initiatives as well as administering a comprehensive system of personnel development for Nebraska's school systems.

For a comprehensive outline of the Nebraska General Supervision System, please see the 2022 Office of Special Education Part B General Supervision Plan, <https://docs.google.com/document/d/1SyMD4mv-nyoZbhH85erP-5PecfjZ7tli/edit?usp=sharing&oid=105628346513055873751&rtfpof=true&sd=true>

Technical Assistance System:

The mechanisms that the State has in place to ensure the timely delivery of high quality, evidence-based technical assistance and support to LEAs.

Nebraska's statewide system of technical assistance is based on regional support networks with multiple collaborating partners engaged in this process.

Through regional and statewide assignments, the NDE, Office of Special Education (OSE) staff provides ongoing technical assistance to support school districts in addressing their unique needs and challenges. The NDE, OSE created the Improving Learning of Children with Disabilities (ILCD) process based upon the State Performance Plan (SPP), Part B indicators, and the Results Driven Accountability (RDA) initiatives in place within the state. The ILCD process is designed to enhance program improvement that will result in improved outcomes for children with disabilities. With stakeholder input, NDE organized the SPP indicators into three Impact Areas:

Improving developmental outcomes and academic achievement (school readiness) for children with disabilities;
Improving communication and relationships among families, schools, communities, and agencies; and
Improving transitions for children with disabilities from early intervention to adult living.

See the 2022 Office of Special Education Part B General Supervision Plan linked above for full description of the mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.

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.

NDE provides an array of professional development opportunities through intra-agency cross-team efforts to ensure that education providers have the skills to effectively provide services that improve results for children with disabilities. NDE's Early Childhood Training Center (ECTC) has been the hub of technical assistance and professional development statewide for teachers and providers in early care and education settings. The NDE, OSE also works in partnership with LEAs, ESUs, and IHEs to provide a coherent, comprehensive, and aligned network of professional development. In the last five years, the NDE, OSE has also developed professional development through the Nebraska MTSS network. The NDE, OSE is committed to the build out of an interconnected system framework, known as NeMTSS. With NeMTSS, NDE anticipates that through a statewide professional learning community charged with building capacity and providing professional learning opportunities monthly, expanding infrastructure, connecting to key personnel and communicators, and including diversity of expertise encompassing the whole child, districts will have the support needed to ensure each student can become a proficient reader. This system will create an aligned framework and outcomes while focused on providing a reputable source for resources grounded in evidence and research. The NeMTSS continued integration of PBIS, Pyramid, and RtI provides statewide system level training as well as regional supports in each expertise area to identify infrastructure gaps and barriers with stakeholder groups, including families and community leaders.

Statewide implementation support teams work through each discretionary partner, in collaboration with NDE, to increase the capacity of regular and special education teachers, related services providers, and administrators to implement evidence-based practices such as MTSS, including Response to Intervention (RtI), Positive Behavior Supports (PBIS), and Early Childhood Positive Behavior Supports (EC-PBIS Pyramid Model). The teams also focus

on specific supports for students who experience autism spectrum disorder, traumatic brain injury, and sensory impairments.

The statewide implementation support teams work through a four-phase process: exploration, installation, initial implementation, and full implementation.

Exploration: Schools identify social-emotional-behavioral support as an area for growth. Schools attend a Nebraska PBIS overview meeting, determine if Nebraska PBIS is a “good fit” for their campus and garner staff/stakeholder commitment.

Installation: Schools establish a representative team to lead the process, attend training and access coaching to install Tier 1 school-wide data, systems, and practices. The school team includes an administrator, a facilitator/leader, teachers of general and special education, support staff members, parents, and, if at the high school level, students.

Initial Implementation: Schools implement, evaluate, and adjust Tier 1 systems so they achieve 80% fidelity of implementation and 80+% of students respond to Tier 1 systems school-wide and in the classroom.

Full Implementation: School teams attend training and access coaching to maintain Tier 1 and install Tier 2–3 data, systems, and practices.

In building capacity for the scale-up of the MTSS framework and to support districts in an environment of strong local control, Nebraska has required each district to review their student data and establish a Targeted Improvement Plan (TIP). Each TIP is required to have (a) a focus for improvement, (b) a measurable goal with annual targets, (c) a student-centered, evidence-based strategy to affect the outcomes for students with disabilities, (d) an implementation plan, and (e) criteria to measure fidelity of the student-centered, evidence-based strategy selected. The TIP must be aligned to the overall general education improvement activities the district is implementing. In order to effectively benefit from the strategies and practices the district selects in its TIP, OSE provides extensive professional development in creating the TIP, setting the TIP goals, planning to improve, and TIP implementation. In addition, OSE provides professional development on high leverage practices and evidence-based strategies.

Transitions from early intervention to school (Part C to Part B) and from school to career/college readiness are another of NDE's priority areas of support. NDE, OSE consultants deliver and supervise the delivery of professional development for evidence-based practices.

NCECBVI provides and coordinates staff development opportunities for statewide educators, related service providers, parents and agency personnel as needs are identified. In addition, the University of Nebraska-Lincoln, in cooperation with NDE, the Kansas State School for the Blind, and NCECBVI, offers an endorsement program for teaching the blind and visually impaired.

Many of Nebraska's districts have small student populations and are located in rural, geographically isolated locations. In response, NDE provides support to multiple, small, rural districts to form consortiums and maximize the impact of their professional development efforts. The focus of grant funding is within the areas emphasized in the NDE Impact Areas, as previously described. NDE directs grants to preparing qualified educators, administrators, and related service providers, offering induction/mentoring support, and continuous development over individual careers. As grant managers, NDE staff is involved in approving grant applications, monitoring completion of grant activities, approving reimbursement claims, and offering technical assistance to enhance project outcomes.

NDE, OSE also provides the Transition Systems Support Project. The purpose of the NDE Transition Systems Support Project is to promote collaboration and stakeholder engagement among transition partners and build the capacity for extending transition research into practice across the state. Two areas of focus are increasing local capacity and facilitating evidence-based practices implementation. This project provides financial and administrative support to NDE OSE statewide improvement initiatives and activities to improve transition outcomes for students with disabilities. The NDE Transition Systems Support Projects have included and continue to provide stakeholder engagement in the planning of NDE Transition Improvement grant initiatives and activities based on the Statewide Assessment process which is achieved via the annual National Technical Assistance Center on Transition (NTACT) Capacity Building Institute. The team engaged in professional development activities focused on improving opportunities and outcomes for transition aged students.

Through an OSEP Teacher Retention Grant, NDE, in partnership with the University of Nebraska, developed Get SET Nebraska, a comprehensive statewide mentorship and professional development program designed to support special education teachers (SET) and school administrators serving students ages 3–21. The program's purpose is to help retain special education teachers and ensure schools can improve academic and behavioral outcomes for all students. This program provides critical resources to help districts and schools impact improve special education teacher retention.

Stakeholder Engagement:

The mechanisms for broad stakeholder engagement, including activities carried out to obtain input from, and build the capacity of, a diverse group of parents to support the implementation activities designed to improve outcomes, including target setting and any subsequent revisions to targets, analyzing data, developing improvement strategies, and evaluating progress.

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force,

which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Apply stakeholder engagement from introduction to all Part B results indicators (y/n)

YES

Number of Parent Members:

26

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.

NDE engaged parents in setting targets, analyzing data, developing improvement strategies, and evaluating progress for the SPP/APR by ensuring parent representatives were invited to all stakeholder meetings. NDE staff made specific connections with the state parent training and information center on this topic. At stakeholder meetings, NDE staff presented indicator information and led indicator discussions in a way that made the information on the SPP/APR clear and accessible to parents, especially parents who may not have much experience with the SPP/APR. NDE also worked to engage parents by communicating through existing networks with superintendents, principals, and special education directors, asking those administrators to send specific communication to the parents in their schools and districts to ensure that all parents were hearing about the opportunity to provide input on the SPP/APR from their local administrators.

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.

NDE prepared its materials for each stakeholder meeting with a focus on helping diverse groups of parents understand the SPP/APR so those parents could give feedback on implementation activities designed to improve outcomes for children with disabilities. NDE did this by providing information on each indicator, including describing what it measured, how Nebraska has historically performed, areas of success within each indicator, and areas of growth. Carefully laying a foundation of information then allowed NDE staff to lead conversations of stakeholders, including diverse groups of parents, focused on improving state-level activities to better support districts in improving outcomes for children with disabilities. NDE also reached out to specific districts with larger diversity in families served and asked those districts to distribute information on its behalf.

Soliciting Public Input:

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

NDE conducted numerous in-person and virtual meetings focused on soliciting public input for reviewing the established targets and proposed target revisions to certain indicators, analyzing data, developing improvement strategies, and evaluating progress. In addition to meetings, NDE provided information on its website for stakeholder review. NDE made regular announcements and updates regarding the availability of information for stakeholders and the mechanisms for stakeholder input through its monthly special education directors' webinar and email update. NDE also sent specific communication to superintendents, principals, and special education directors requesting their input and asking them to distribute specific communication to parents in their districts and schools, inviting their feedback.

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.

NDE has provided information on its website for stakeholders to see the results of target setting, data analysis, development of the improvement strategies, and evaluation. NDE has specifically communicated with the state advisory panel, RDA Stakeholder Group, parent training and information center, superintendents, principals, and special education directors about the availability of these results and asked these groups to distribute this information to parents in their districts and schools.

Reporting to the Public

How and where the State reported to the public on the FFY 2021 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 2021 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 revisions if the State has revised the targets that it submitted with its FFY 2021 APR in 2023, is available.

School district performance on each of the APR indicators is reported each spring on the Nebraska Education Profile on the Nebraska Department of Education website. The report can be found at, <http://nep.education.ne.gov>. The Nebraska Education Profile provides information and data about Nebraska public schools and student performance, including district performance on the APR indicators. To navigate to a district's APR indicators, select a district under DISTRICT AND SCHOOL DATA and click View District Snapshot. Hover over Special Education and then click View Data. Then click District Performance Part B in the left menu.

A copy of the state's SPP/APR is located on the Nebraska Department of Education, Special Education office website at, <https://www.education.ne.gov/sped/public-reporting/>.

Nebraska also posts a link to the OSEP site, <https://sites.ed.gov/idea/spp-apr-letters>, for LEAs and the public to view state data and OSEP's response to the SPP/APR.

Intro - Prior FFY Required Actions

None

Intro - OSEP Response

Intro - Required Actions

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 ED*Facts* 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 2022 SPP/APR, use data from 2021-2022), 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.

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	77.85%

FFY	2017	2018	2019	2020	2021
Target >=	90.00%	90.00%	90.00%	77.85%	77.85%
Data	71.41%	69.30%	83.25%	77.85%	76.67%

Targets

FFY	2022	2023	2024	2025
Target >=	77.85%	78.35%	78.85%	79.35%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Prepopulated Data

Source	Date	Description	Data
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a regular high school diploma (a)	2,104
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	0
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	233
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	22
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	513

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
2,104	2,872	76.67%	77.85%	73.26%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

The Nebraska Department of Education, Office of Special Education (OSE) is encouraged by the increase of exiters with a regular high school diploma, but that is outweighed by the increase in exiters who dropped out, which led to a decrease in the graduation rate. OSE believes the decrease in graduation rate is due to impacts on health and school engagement related to long-lasting effects of COVID-19. OSE's analysis of the exiting data shows a decrease in graduation rate for 19-year-olds due to the direct impact of COVID-19. The last time this age group received an uninterrupted education was at age 16. Data analysis also shows that of the 2,104 youth with IEPs to graduate with a regular high school diploma, 60.5% were 18 years old, and 18.2% were 17 years old, indicating that it is likely these students were able to complete their high school credits within four years. This combined data could be an indication that the 19-year-old student group was not able to experience key foundational secondary experiences from the interruption of COVID-19 impacting the trajectory of their high school experience.

The NDE OSE provides ongoing support and technical assistance to increase the graduation rate for students with disabilities.

Graduation Conditions

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

Nebraska's definition of a graduate with a regular high school diploma, which applies for all youth, including youth with IEPs, is a student who has completed an approved program of study and met district/system requirements for a high school diploma. The diploma requirements are fully aligned with Nebraska's academic content standards.

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 ED*Facts* 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 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 section 618 exiting data for the year before the reporting year (e.g., for the FFY 2022 SPP/APR, use data from 2021-2022), 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.

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	12.81%

FFY	2017	2018	2019	2020	2021
Target <=	1.91%	1.89%	1.89%	12.81%	12.81%
Data	1.46%	1.46%	1.48%	12.81%	14.51%

Targets

FFY	2022	2023	2024	2025
Target <=	12.81%	12.31%	11.81%	11.31%

Targets: Description of Stakeholder Input

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In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Prepopulated Data

Source	Date	Description	Data
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SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by graduating with a state-defined alternate diploma (b)	0
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by receiving a certificate (c)	233
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education by reaching maximum age (d)	22
SY 2021-22 Exiting Data Groups (EDFacts file spec FS009; Data Group 85)	05/24/2023	Number of youth with IEPs (ages 14-21) who exited special education due to dropping out (e)	513

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
513	2,872	14.51%	12.81%	17.86%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

In the 2021–22 school year, students dropped out of school at a higher rate due to the long-lasting effects of COVID-19. Nebraska experienced an increased drop out rate for 19-year-olds, which has a direct impact from COVID-19 as the last time this age group received an uninterrupted education was at age 16. In Nebraska, larger school districts used a hybrid model during the 2020–21 school year, and then transitioned to all in-person learning for the 2021–22 school year.

Eighty-nine percent of Nebraska’s increase in drop out rates comes from one school district. This district represents roughly 20% of the state’s 14–21-year-old special education population. Anecdotal information from this school district indicates that youth with IEPs during these two school years experienced increased anxiety due to the difficult transition back to in-person learning in a school building. Nebraska also experienced a significant increase in the drop out rate for 14- and 15-year-olds. NDE OSE’s analysis of this data and conversations with staff from this school district indicates that the transition from middle school to high school was particularly overwhelming during this time period for 14- and 15-year-olds with IEPs, which led to anxiety, and then decreased attendance, which resulted in credit deficiency within the youth’s first year of high school. Drop out rates increased across the state by 29.9%. The NDE OSE continues to provide ongoing support and technical assistance to decrease the drop out rate for students with disabilities in this particular school district and others.

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

The numerator consists of the number of youths with IEPs ages 14–21 who exited special education due to dropping out. The denominator consists of the total number of youth ages 14–21 who were served in special education during the school year therefore having the potential to drop out of school. In Nebraska, a dropout occurs in any of the following instances:

A student who withdrew for personal or academic reasons and does not have a signed Withdrawal from Mandatory Attendance form pursuant to Nebraska Revised Statute 79-202 on file with the district.

A student removed from the education system for other than health reasons, and whose return is not anticipated.

A student enrolled in adult education or some type of program whose education services do not lead to a diploma or other credential recognized by the state.

A student who has not graduated or completed an approved program and is not enrolled and whose status is unknown; this includes a student withdrawn from the rolls for excessive absence.

A student who moved out of the district, out of state, or out of the United States and is not known to be in school (includes any student whose education status cannot be confirmed either through a parent or other responsible adult or through some formal notification of transfer).

A student in an institution that is not primarily educational (Army, or vocational program) and not considered a special school district/system.

A student who is disenrolled by a parent and does not enroll in another district/system.

A student who was suspended or expelled and the disciplinary period has expired, and student has not returned.

Is there a difference in what counts as dropping out for youth with IEPs? (yes/no)

NO

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

Provide additional information about this indicator (optional)

2 - Prior FFY Required Actions

None

2 - OSEP Response

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 ED Facts 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	2020	95.31%
Reading	B	Grade 8	2020	90.61%
Reading	C	Grade HS	2020	85.61%
Math	A	Grade 4	2020	95.04%
Math	B	Grade 8	2020	90.30%
Math	C	Grade HS	2020	85.11%

Targets

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

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 Data Disaggregation from EDFacts

Data Source:

SY 2022-23 Assessment Data Groups - Reading (EDFacts file spec FS188; Data Group: 589)

Date:

01/10/2024

Reading Assessment Participation Data by Grade (1)

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs (2)	4,358	3,603	2,958
b. Children with IEPs in regular assessment with no accommodations (3)	1,409	1,075	756
c. Children with IEPs in regular assessment with accommodations (3)	2,677	2,221	1,741
d. Children with IEPs in alternate assessment against alternate standards	262	249	236

Data Source:

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS185; Data Group: 588)

Date:

01/10/2024

Math Assessment Participation Data by Grade

Group	Grade 4	Grade 8	Grade HS
a. Children with IEPs (2)	4,356	3,603	2,958
b. Children with IEPs in regular assessment with no accommodations (3)	1,244	811	753
c. Children with IEPs in regular assessment with accommodations (3)	2,839	2,480	1,736
d. Children with IEPs in alternate assessment against alternate standards	262	248	236

(1) The children with IEPs who are English learners and took the ELP in lieu of the regular reading/language arts assessment are not included in the prefilled data in this indicator.

(2) 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.

(3) The term “regular assessment” is an aggregation of the following types of assessments, as applicable for each grade/ grade group: regular assessment based on grade-level achievement standards, advanced assessment, Innovative Assessment Demonstration Authority (IADA) pilot assessment, high school regular assessment I, high school regular assessment II, high school regular assessment III and locally-selected nationally recognized high school assessment in the prefilled data in this indicator.

FFY 2022 SPP/APR Data: Reading Assessment

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	4,348	4,358	99.53%	95.00%	99.77%	Met target	No Slippage
B	Grade 8	3,545	3,603	98.65%	95.00%	98.39%	Met target	No Slippage
C	Grade HS	2,733	2,958	90.15%	95.00%	92.39%	Did not meet target	No Slippage

FFY 2022 SPP/APR Data: Math Assessment

Group	Group Name	Number of Children with IEPs Participating	Number of Children with IEPs	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	4,345	4,356	99.51%	95.00%	99.75%	Met target	No Slippage
B	Grade 8	3,539	3,603	98.37%	95.00%	98.22%	Met target	No Slippage
C	Grade HS	2,725	2,958	90.01%	95.00%	92.12%	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.

Statewide Participation Data for children with disabilities participating in the regular assessment and alternate assessment) : <https://nep.education.ne.gov/State/Index/00-0000-000?DataYears=20222023&type=state#program-participation#sped>

Click on Performance in the left menu, click English Language Arts or Math, then click on Participation, then change the dropdown menu to select either Special Education Students or Special Education Students – Alternate Assessment.

Statewide Participation Data for children with disabilities who were provided accommodations in order to participate in the regular assessment): <https://nep.education.ne.gov/State/Index/00-0000-000?DataYears=20222023&type=state#program-participation#sped>

Click on Performance in the left menu and then select Students with Accommodations.

District Participation Data for children with disabilities participating in the regular assessment and alternate assessment): <https://nep.education.ne.gov/>

Scroll down to DISTRICT AND SCHOOL DATA and select a district from the dropdown menu. Leave the School dropdown as View District Snapshot to see district data, then click the green View District Snapshot button.

Scroll down to and hover over Special Education and click View Data.

Click on Performance in the left menu, click English Language Arts or Mathematics, then click on Participation, then change the dropdown menu to select either Special Education Students or Special Education Students – Alternate Assessment.

District Participation Data for children with disabilities who were provided accommodations to participate in the regular assessment): Under Performance in the left menu select Students with Accommodations. Scroll past the State data to see the District data.

School Participation Data for children with disabilities participating in the regular assessment and alternate assessment:
<https://nep.education.ne.gov/>

Scroll down to DISTRICT AND SCHOOL DATA and select a district from the dropdown menu. In the School dropdown select a school, then click the green View School Snapshot button.

Scroll down to and hover over either NSCAS English Language Art or NSCAS Mathematics, for an elementary or middle school, or ACT, for a high school, and click View Data.

Under Performance in the left menu, click English Language Arts or Mathematics, then click on Participation, then change the dropdown menu to select either Special Education Students or Special Education Students – Alternate Assessment.

School Participation Data for children with disabilities who were provided accommodations to participate in the regular assessment:
Under Performance in the left menu, select Students with Accommodations. Scroll past the State and District data to see the School 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 ED*Facts* 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	2020	23.52%
Reading	B	Grade 8	2020	16.02%
Reading	C	Grade HS	2020	10.13%
Math	A	Grade 4	2020	19.83%
Math	B	Grade 8	2020	12.85%
Math	C	Grade HS	2020	9.03%

Targets

Subject	Group	Group Name	2022	2023	2024	2025
Reading	A >=	Grade 4	25.02%	26.02%	27.02%	28.02%
Reading	B >=	Grade 8	17.52%	18.52%	19.52%	20.52%
Reading	C >=	Grade HS	11.63%	12.63%	13.63%	14.63%
Math	A >=	Grade 4	21.33%	22.33%	23.33%	24.33%
Math	B >=	Grade 8	14.35%	15.35%	16.35%	17.35%
Math	C >=	Grade HS	10.53%	11.53%	12.53%	13.53%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted

NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 Data Disaggregation from ED Facts

Data Source:

SY 2022-23 Assessment Data Groups - Reading (ED Facts file spec FS178; Data Group: 584)

Date:

01/10/2024

Reading Assessment Proficiency Data by Grade (1)

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	4,086	3,296	2,497
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	669	443	77
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	306	318	164

Data Source:

SY 2022-23 Assessment Data Groups - Math (ED Facts file spec FS175; Data Group: 583)

Date:

01/10/2024

Math Assessment Proficiency Data by Grade (1)

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	4,083	3,291	2,489
b. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	682	321	85
c. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	426	446	131

(1)The term “regular assessment” is an aggregation of the following types of assessments as applicable for each grade/ grade group: regular assessment based on grade-level achievement standards, advanced assessment, Innovative Assessment Demonstration Authority (IADA) pilot assessment, high school regular assessment I, high school regular assessment II, high school regular assessment III and locally-selected nationally recognized high school assessment in the prefilled data in this indicator.

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	975	4,086	22.42%	25.02%	23.86%	Did not meet target	No Slippage
B	Grade 8	761	3,296	13.49%	17.52%	23.09%	Met target	No Slippage
C	Grade HS	241	2,497	8.79%	11.63%	9.65%	Did not meet target	No Slippage

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	1,108	4,083	19.58%	21.33%	27.14%	Met target	No Slippage
B	Grade 8	767	3,291	10.56%	14.35%	23.31%	Met target	No Slippage
C	Grade HS	216	2,489	9.86%	10.53%	8.68%	Did not meet target	Slippage

Provide reasons for slippage for Group C, if applicable

The NSCAS summative assessment score for the third-year cohort at the high school level (ACT) reflected a drop in the percentage of students who scored at or above proficient. NDE attributes this drop to being the first assessment administered following NDE adopting newly updated Math Academic Standards, which align with the knowledge, skills, and abilities the ACT is intended to measure. The new math standards increased the rigor of the assessment. NDE has previously experienced this type of drop when adopting new or revising existing state standards, which align with the ACT. Scores continue to reflect the impact on learning loss from the pandemic, even when looking at the results for all students. NDE set performance level ranges for the assessment on pre-pandemic expectations.

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.

Statewide Performance Data:

<https://nep.education.ne.gov/statedata.html>

For statewide ELA performance data, scroll down, under the Performance heading hover over NSCAS English Language Arts, and click View Data. In the left menu click on English Language Arts and then Percent Proficient. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

For statewide Math performance data, return to <https://nep.education.ne.gov/statedata.html>, scroll down, under the Performance heading hover over NSCAS Mathematics, and click View Data. In the left menu click on Mathematics and then Percent Proficient. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

District Performance Data:

<https://nep.education.ne.gov/>

Scroll down to DISTRICT AND SCHOOL DATA and select a district from the dropdown menu. Leave the School dropdown as View District Snapshot to see district data, then click the green View District Snapshot button.

Scroll down to and hover over Special Education and click View Data. Click Performance in the left menu and then click English Language Arts or Mathematics. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

School Performance Data:

<https://nep.education.ne.gov/>

Scroll down to DISTRICT AND SCHOOL DATA and select a district from the dropdown menu. In the School dropdown select a school, then click the green View School Snapshot button.

Scroll down to and hover over either NSCAS English Language Art or NSCAS Mathematics, for an elementary or middle school, or ACT, for a high school, and click View Data. Under Performance in the left menu click English Language Arts or Mathematics. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

Provide additional information about this indicator (optional)

3B - Prior FFY Required Actions

None

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 ED*Facts* 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	2020	44.44%
Reading	B	Grade 8	2020	32.59%
Reading	C	Grade HS	2020	42.66%
Math	A	Grade 4	2020	42.52%
Math	B	Grade 8	2020	43.05%
Math	C	Grade HS	2020	35.02%

Targets

Subject	Group	Group Name	2022	2023	2024	2025
Reading	A >=	Grade 4	45.94%	46.94%	47.94%	48.94%
Reading	B >=	Grade 8	34.09%	35.09%	36.09%	37.09%
Reading	C >=	Grade HS	44.16%	45.16%	46.16%	47.16%
Math	A >=	Grade 4	44.02%	45.02%	46.02%	47.02%
Math	B >=	Grade 8	44.55%	45.55%	46.55%	47.55%
Math	C >=	Grade HS	36.52%	37.52%	38.52%	39.52%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 Data Disaggregation from EDFacts

Data Source:

SY 2022-23 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

Date:

01/10/2024

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	262	249	236
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	170	137	132

Data Source:

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

Date:

01/10/2024

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	262	248	236
b. Children with IEPs in alternate assessment against alternate standards scored at or above proficient	135	93	101

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	170	262	38.15%	45.94%	64.89%	Met target	No Slippage
B	Grade 8	137	249	36.03%	34.09%	55.02%	Met target	No Slippage
C	Grade HS	132	236	33.95%	44.16%	55.93%	Met target	No Slippage

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	135	262	40.96%	44.02%	51.53%	Met target	No Slippage
B	Grade 8	93	248	39.18%	44.55%	37.50%	Did not meet target	Slippage
C	Grade HS	101	236	25.23%	36.52%	42.80%	Met target	No Slippage

Provide reasons for slippage for Group B, if applicable

The NSCAS alternative summative assessment for Math (NSCAS-AA-Math) experienced a drop in eighth grade students at or above proficient. Most students taking the alternate assessment seem to struggle understanding some areas of mathematical concepts. Eighth grade students on IEPs taking the NSCAS-AA-Math increased in 2023. Additionally, NDE had seven parent refusals for the alternate assessment in 2023. These changes influence the proficiency percentages because, overall, Nebraska does not have large percentages of students taking the alternate assessment. Due to the small overall number of students who take this assessment a change of even a small number has a big effect on overall percentages. Scores seem to continue to reflect the impact on learning loss from the pandemic, even when looking at the results for all students. NDE set performance level ranges for the assessment on pre-pandemic expectations.

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.

Statewide Performance Data:

<https://nep.education.ne.gov/statedata.html>

For statewide ELA performance data, scroll down, under the Performance heading hover over NSCAS English Language Arts, and click View Data. In the left menu click on English Language Arts and then Percent Proficient. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

For statewide Math performance data, return to <https://nep.education.ne.gov/statedata.html>, scroll down, under the Performance heading hover over NSCAS Mathematics, and click View Data. In the left menu click on Mathematics and then Percent Proficient. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

District Performance Data:

<https://nep.education.ne.gov/>

Scroll down to DISTRICT AND SCHOOL DATA and select a district from the dropdown menu. Leave the School dropdown as View District Snapshot to see district data, then click the green View District Snapshot button.

Scroll down to and hover over Special Education and click View Data. Click Performance in the left menu and then click English Language Arts or

Mathematics. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

School Performance Data:

<https://nep.education.ne.gov/>

Scroll down to DISTRICT AND SCHOOL DATA and select a district from the dropdown menu. In the School dropdown select a school, then click the green View School Snapshot button.

Scroll down to and hover over either NSCAS English Language Art or NSCAS Mathematics, for an elementary or middle school, or ACT, for a high school, and click View Data. Under Performance in the left menu click English Language Arts or Mathematics. From here you can use the dropdown menu in the center of the page to view All Students, Special Education Students, or Special Education Students – Alternate Assessment.

Provide additional information about this indicator (optional)

3C - Prior FFY Required Actions

None

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 ED*Facts* 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 2022-2023 school year) subtracted from the (proficiency rate for all students scoring at or above proficient against grade level academic achievement standards for the 2022-2023 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 2022-2023 school year compared to the proficiency rate for all students who were proficient against grade level academic achievement standards for the 2022-2023 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	2020	30.18
Reading	B	Grade 8	2020	34.57
Reading	C	Grade HS	2020	37.82
Math	A	Grade 4	2020	25.83
Math	B	Grade 8	2020	32.43
Math	C	Grade HS	2020	36.63

Targets

Subject	Group	Group Name	2022	2023	2024	2025
Reading	A <=	Grade 4	28.68	27.68	26.68	25.68
Reading	B <=	Grade 8	33.07	32.07	31.07	30.07
Reading	C <=	Grade HS	36.32	35.32	34.32	33.32
Math	A <=	Grade 4	24.33	23.33	22.33	21.33
Math	B <=	Grade 8	30.93	29.93	28.93	27.93
Math	C <=	Grade HS	35.13	34.13	33.13	32.13

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 Data Disaggregation from EDFacts

Data Source:

SY 2022-23 Assessment Data Groups - Reading (EDFacts file spec FS178; Data Group: 584)

Date:

01/10/2024

Reading Assessment Proficiency Data by Grade (1)

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	22,964	23,958	22,561
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	4,086	3,296	2,497
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	12,001	14,712	10,250
d. All students in regular assessment with accommodations scored at or above proficient against grade level	614	454	461
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	669	443	77
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	306	318	164

Data Source:

SY 2022-23 Assessment Data Groups - Math (EDFacts file spec FS175; Data Group: 583)

Date:

01/10/2024

Math Assessment Proficiency Data by Grade (1)

Group	Grade 4	Grade 8	Grade HS
a. All Students who received a valid score and a proficiency was assigned for the regular assessment	22,954	23,926	22,540
b. Children with IEPs who received a valid score and a proficiency was assigned for the regular assessment	4,083	3,291	2,489
c. All students in regular assessment with no accommodations scored at or above proficient against grade level	12,439	14,107	9,436

d. All students in regular assessment with accommodations scored at or above proficient against grade level	825	631	403
e. Children with IEPs in regular assessment with no accommodations scored at or above proficient against grade level	682	321	85
f. Children with IEPs in regular assessment with accommodations scored at or above proficient against grade level	426	446	131

(1)The term “regular assessment” is an aggregation of the following types of assessments as applicable for each grade/ grade group: regular assessment based on grade-level achievement standards, advanced assessment, Innovative Assessment Demonstration Authority (IADA) pilot assessment, high school regular assessment I, high school regular assessment II, high school regular assessment III and locally-selected nationally recognized high school assessment in the pre-filled data in this indicator.

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	23.86%	54.93%	30.43	28.68	31.07	Did not meet target	No Slippage
B	Grade 8	23.09%	63.30%	32.73	33.07	40.21	Did not meet target	Slippage
C	Grade HS	9.65%	47.48%	39.20	36.32	37.82	Did not meet target	No Slippage

Provide reasons for slippage for Group B, if applicable

NDE attributes the increase in the gap due to teachers basing instruction on updated English Language Arts (ELA) standards and continuing to see the impact of learning loss due to the pandemic on all students. In Nebraska, LEAs must adopt and implement new/revised state standards within one year of State Board approval of these standards. Nebraska revised the ELA College and Career Ready state standards in the fall of the 2021-22 school year; thus LEAs were still in the process of implementing these revised standards for the 2022-23 assessment. These revised standards align with the knowledge, skills, and abilities the NSCAS general summative assessment for ELA (NSCAS-ELA) is intended to measure.

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A	Grade 4	27.14%	57.79%	26.75	24.33	30.65	Did not meet target	Slippage
B	Grade 8	23.31%	61.60%	31.15	30.93	38.29	Did not meet target	Slippage
C	Grade HS	8.68%	43.65%	35.74	35.13	34.97	Met target	No Slippage

Provide reasons for slippage for Group A, if applicable

NDE attributes the increase in the gap due to teachers basing instruction on updated Math College and Career Ready standards and continuing to see the impact of learning loss due to the pandemic on all students. In Nebraska, LEAs must adopt and implement new state standards within one year of State Board approval of revised standards. Nebraska revised the Math College and Career Ready standards in the fall of the 2022–23 school year, so LEAs are still in the process of implementing these revised standards. These revised standards align with the knowledge, skills, and abilities the NSCAS general summative assessment for Math (NSCAS-Math) is intended to measure.

Provide reasons for slippage for Group B, if applicable

NDE attributes the increase in the gap due to teachers basing instruction on updated Math College and Career Ready standards and continuing to see the impact of learning loss due to the pandemic on all students. In Nebraska, LEAs must adopt and implement new state standards within one year of State Board approval of revised standards. Nebraska revised the Math College and Career Ready standards in the fall of the 2022–23 school year, so LEAs are still in the process of implementing these revised standards. These revised standards align with the knowledge, skills, and abilities the NSCAS-Math is intended to measure.

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 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 2022 SPP/APR, use data from 2021-2022), 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 rates of suspensions and expulsions for 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 section 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 2021-2022 school year, those 100 LEAs would have reported section 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2022-2023, suspension/expulsion data from those 15 new LEAs would not be in the 2021-2022 section 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 2022 SPP/APR submission, States must use the number of LEAs reported in 2021-2022 (which can be found in the FFY 2021 SPP/APR introduction).

Indicator 4A: Provide the actual numbers used in the calculation (based upon LEAs 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 child-specific and regulatory/systemic 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 QA 23-01, dated July 24, 2023.

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) 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 2022 SPP/APR, the data for FFY 2021), 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
2005	0.40%

FFY	2017	2018	2019	2020	2021
Target <=	0.00%	0.00%	0.00%	0.00%	0.00%
Data	0.00%	10.00%	0.00%	0.00%	0.00%

Targets

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

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 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.

235

Number of LEAs that have a significant discrepancy	Number of LEAs that met the State's minimum n/cell-size	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
0	9	0.00%	0.00%	0.00%	Met target	No Slippage

Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))

Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State

State's definition of "significant discrepancy" and methodology

For indicator 4A, Nebraska defines a significant discrepancy as any district with a rate of out-of-school suspensions/expulsions for greater than 10 days for children with IEPs that is greater than 5% of children with IEPs among LEAs in the state. Nebraska established a five percent suspension/expulsion-rate threshold derived from the state-level suspension/expulsion rate of 1.2% (school year 2020–21). The five percent suspension/expulsion rate threshold is three percentage points higher than 1.2%, rounded up to the nearest whole percent. This method for setting the threshold is described as a "variation" to the example in Exhibit 8 of the IDEA Data Center's Indicator B4 Technical Assistance Guide. Nebraska's methodology uses a minimum cell-size of 10 [children with IEPs who were suspended in a LEA] and a minimum n-size of 30 [children with IEPs in the LEA]. Out of 244 districts, only nine suspended or expelled 10 or more students with disabilities for more than 10 days. Of those, none had a rate greater than 5% [of the state rate of children with IEPs], therefore, none were identified as having significant discrepancy for FFY 2021 (using school year 2021–22 data) for Indicator 4A.

Nebraska reviewed its data and analyses based on the OSEP discipline guidance and is implementing alternate methodologies in the next set of calculations, under which districts will be notified in spring of 2024. Nebraska is intent on making informed data-based decisions to help determine the reasonableness of its methodology. Nebraska engaged stakeholders based on the findings of the data analysis to obtain informed recommendations.

For the FFY2022 data, Nebraska used the presumptively reasonable n-size of 30 and cell-size of 10, based on federal guidance that was provided for significant disproportionality and in consultation with our stakeholders, including our Special Education Advisory Council (SEAC). This was the same n and cell size included in the approved significant disproportionality form as part of the grant application and used in previous APRs for indicator 4a without comment. The minimums provide the SEA the opportunity to review data for a range of districts, while avoiding the volatility of smaller cell/n sizes. The threshold, likewise, was previously decided upon, with feedback from stakeholders. Based on the flexibility regarding methodology provided to states, NE chose the following methodology that is included in the IDC's Measuring Significant Discrepancy: An Indicator B4 Technical Assistance

Guide: Add x percentage points to the state mean suspension/ expulsion rate for children with disabilities to set the suspension/ expulsion-rate bar. The methodology has been updated for the FFY2023 calculations based on a review of data and stakeholder feedback.

Provide additional information about this indicator (optional)

Nebraska notified districts of FFY 2022 Indicator 4 findings in March of 2023. OSEP issued Nebraska Required Action on its Indicator 4A methodology in June 2023 and from OSEP’s direction did a thorough analysis of data, examined the reasons districts were excluded from calculations, and possible findings using various thresholds/ comparisons. Nebraska found that 191 (from 2021–22 data) of the LEAs were excluded due to having zero students suspended/expelled and therefore, did not meet the cell size. Nebraska presented the analysis and findings, as well as proposed methodology changes, to stakeholders in October 2023 to obtain feedback. Nebraska, with stakeholder feedback, determined to put the new methodology in place for FFY 2023 SPP/APR data. Nebraska will use the following changes to the FFY 2023 Indicator 4A calculations: Remove the minimum cell size, decrease the state threshold from five to three percent, and increase the n-size from 30 to 40 to increase reliability of the results to accompany the other two changes.

Review of Policies, Procedures, and Practices (completed in FFY 2022 using 2021-2022 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.

Nebraska did not identify a district with a significant discrepancy and is not required to do the review under 34 C.F.R. § 300.170(b). To select an accurate answer Nebraska would need an N/A option.

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 2021

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 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

4A - Prior FFY 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.

Response to actions required in FFY 2021 SPP/APR

Nebraska completed a data analysis and obtained feedback on the definition of significant discrepancy to ensure reasonableness of design. Most districts that were excluded from calculations were due to a cell size of zero or one (meaning there was only zero or one child with a disability suspended or expelled). However, with stakeholder input, Nebraska decided to revise this methodology to be transparent and demonstrate a review of as many districts as possible. Nebraska will increase the n size to 40 to reduce the impact of very low numbers of students being suspended unduly identifying significant discrepancy. To be more proactive in addressing districts with disciplinary discrepancies, Nebraska agreed with stakeholders to additionally lower the threshold (i.e., any district with a rate of out-of-school suspensions/expulsions for greater than 10 days for children with IEPs that is greater than three percent, rather than five percent, of children with IEPs among LEAs in the state). Because Nebraska calculates the Indicator 4 data and notifies districts as soon as submitted data is available (i.e., district notifications for the FFY 2022 SPP/APR occurred in March 2023 prior to OSEP issuing the FFY 2021 Required Actions), the stakeholders and Nebraska agreed that the current method was reasonable to use in FFY 2022 and to make the described changes for FFY 2023.

4A - OSEP Response

OSEP’s Required Actions in response to the State’s FFY 2021 SPP/APR required the State to explain, in its FFY 2022 SPP/APR, 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. In the FFY 2022 SPP/APR, the State indicated that it plans to review its methodology for this indicator. OSEP appreciates the State’s efforts. However, for the FFY 2022 SPP/APR, OSEP notes that the State’s methodology continues to result in a threshold for measuring significant discrepancy in the rate of long-term suspension and expulsion rates of children with IEPs that falls above the median of thresholds used by all States. Additionally, OSEP notes that the State included a very low percentage 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. Therefore, OSEP could not determine whether the State’s methodology is reasonably designed to determine significant discrepancies in the rate of long-term suspensions and expulsions for children with disabilities.

4A - Required Actions

In the FFY 2023 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 threshold for measuring significant discrepancy in the rate of long-term suspensions and expulsions is reasonably designed, and how the State's LEAs are being examined for significant discrepancy under the State's chosen methodology.

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 2022 SPP/APR, use data from 2021-2022), 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 the rates of suspensions and expulsions for 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 section 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 2021-2022 school year, those 100 LEAs would have reported section 618 data in 2021-2022 on the number of children suspended/expelled. If the State then opens 15 new LEAs in 2022-2023, suspension/expulsion data from those 15 new LEAs would not be in the 2021-2022 section 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 2022 SPP/APR submission, States must use the number of LEAs reported in 2021-2022 (which can be found in the FFY 2021 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, 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.

Provide detailed information about the timely correction of child-specific and regulatory/systemic 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 QA 23-01, dated July 24, 2023.

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) 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 2022 SPP/APR, the data for FFY 2021), 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
2009	0.00%

FFY	2017	2018	2019	2020	2021
Target	0%	0%	0%	0%	0%
Data	0.00%	Not Valid and Reliable	25.00%	0.00%	0.00%

Targets

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

FFY 2022 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.

236

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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
2	0	8	0.00%	0%	0.00%	Met target	No Slippage

Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a))

Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State

Were all races and ethnicities included in the review?

YES

State's definition of "significant discrepancy" and methodology

For indicator 4B Nebraska defines a significant discrepancy by examining suspension/expulsion data provided by each LEA for children with IEPs in each of the seven required racial ethnic groups. If the LEA out-of-school suspends or expels more than 5% of the children with IEPs in any of these seven groups, the LEA has a significant discrepancy. The five percent suspension/expulsion rate threshold is three percentage points higher than 1.2%, rounded up to the nearest whole percent. This method for setting the threshold is described as a "variation" to the example in Exhibit 8 of the IDEA Data Center's Indicator B4 Technical Assistance Guide. Nebraska's methodology uses a minimum cell-size of 10 [children with IEPs who were suspended in a LEA] and a minimum n-size of 30 [children with IEPs in the LEA]. Out of 244 districts, only eight suspended or expelled 10 or more students with disabilities for more than 10 days. Of those, two had a rate greater than 5% [of the state rate of children with IEPs]. The two districts were not found to have an indicator 4b finding from NDE's review and verification of both the submitted documentation (the district self-review as well as the accompanying student files and district policies and procedures used to complete the review) of the district self-review as well as the accompanying student files and district policies and procedures used to complete the review-therefore, none were identified as having significant discrepancy for FFY 2021 (using school year 2021-22 data) for Indicator 4B.

Nebraska reviewed its data and analyses based on the OSEP discipline guidance and is implementing alternate methodologies in the next set of calculations, under which districts will be notified in spring of 2024. Nebraska is intent on making informed data-based decisions to help determine the reasonableness of its methodology. Nebraska engaged stakeholders based on the findings of the data analysis to obtain informed recommendations.

Provide additional information about this indicator (optional)

Nebraska notified districts of FFY 2022 Indicator 4 findings in March of 2023. OSEP issued Required Action to Nebraska on its Indicator 4B methodology in June 2023 and from OSEP's direction, Nebraska did a thorough analysis of data, examined the reasons districts were excluded from calculations, and possible findings using various thresholds/comparisons. Nebraska found that its methodology excluded 191 (from 2021-22 data) LEAs due to the LEAs suspending/expelling zero students and therefore, did the LEA did not meet the cell size. Nebraska presented the analysis and findings, as well as proposed methodology changes, to stakeholders in October 2023 to obtain feedback. Nebraska, with stakeholder feedback, determined to put the new methodology in place for the FFY 2023 SPP/APR data. Nebraska will make the following changes to the FFY 2023 Indicator 4B calculations: Remove the minimum cell size, decrease the state threshold from five to three percent, and increase the n-size from 30 to 40 to increase reliability of the results to accompany the other two changes.

Review of Policies, Procedures, and Practices (completed in FFY 2022 using 2021-2022 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.

Nebraska required the two LEAs with a significant discrepancy to submit a policy, procedure, and practice review with accompanying student file reviews focusing on requirements and practices related to the development and implementation of IEPs, the use of positive behavior interventions and supports, and procedural safeguards to the SEA for review. Nebraska then reviewed both the submitted documentation (the district self-review as well as the accompanying student files and district policies and procedures used to complete the review), to determine compliance and if policies, procedures, or practices contributed to the significant discrepancy. Nebraska verified the districts' reviews were consistent with the SEA review and determined that the district did not have inappropriate policies, procedures, or practices that lead to the indicator 4B finding.

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 2021

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 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

4B - Prior FFY 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 and 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, by race and ethnicity, under the State's chosen methodology; and how the State's threshold for measuring significant discrepancy, by race and ethnicity, in the rate of long-term suspensions and expulsions is reasonably designed.

Response to actions required in FFY 2021 SPP/APR

Nebraska completed a data analysis and obtained feedback on the definition of significant discrepancy to ensure reasonableness of design. Most districts that were excluded from calculations were due to a cell size of zero or one (meaning there was only zero or one child with a disability suspended or expelled). However, with stakeholder input, Nebraska decided to revise this methodology to be transparent and demonstrate a review of as many districts as possible. Nebraska will increase the n size to 40 to reduce the impact of very low numbers of students being suspended unduly identifying significant discrepancy. To be more proactive in addressing districts with disciplinary discrepancies, Nebraska agreed with stakeholders to additionally lower the threshold (i.e., any district with a rate of out-of-school suspensions/expulsions for greater than 10 days for children with IEPs of a specific race/ethnicity that is greater than three percent, rather than five percent, of children with IEPs among LEAs in the state). Because Nebraska calculates the Indicator 4 data and notifies districts as soon as submitted data is available (i.e., district notifications for the FFY 2022 SPP/APR occurred in March 2023 prior to OSEP issuing the FFY 2021 Required Actions), the stakeholders and Nebraska agreed that the current method was reasonable to use in FFY 2022 and to make the described changes for FFY 2023.

4B - OSEP Response

OSEP's Required Actions in response to the State's FFY 2021 SPP/APR required the State to explain, in its FFY 2022 SPP/APR, 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. In the FFY 2022 SPP/APR, the State indicated that it plans to review its methodology for this indicator. OSEP appreciates the State's efforts. However, for the FFY 2022 SPP/APR, OSEP notes that the State's methodology continues to result in a threshold for measuring significant discrepancy, by race or ethnicity, in the rate of long-term suspension and expulsion rates of children with IEPs that falls above the median of thresholds used by all States. Additionally, OSEP notes that the State included a very low percentage 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. Therefore, OSEP could not determine whether the State's methodology is reasonably designed to determine significant discrepancies in the rate of long-term suspensions and expulsions for children with disabilities.

4B- Required Actions

In the FFY 2023 SPP/APR, the State must explain how its methodology is reasonably designed to determine if significant discrepancies, by race and 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 ED*Facts* 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	2017	2018	2019	2020	2021
A	2020	Target >=	74.10%	74.60%	74.60%	81.16%	81.32%
A	81.16%	Data	77.78%	78.20%	79.08%	81.16%	80.86%
B	2020	Target <=	6.39%	6.33%	6.33%	5.72%	5.44%
B	5.44%	Data	6.26%	6.30%	5.41%	5.44%	5.54%
C	2020	Target <=	2.26%	2.14%	2.14%	2.38%	2.25%
C	2.27%	Data	2.32%	2.17%	2.13%	2.27%	2.04%

Targets

FFY	2022	2023	2024	2025
Target A >=	81.47%	81.63%	81.78%	81.94%
Target B <=	5.43%	5.43%	5.42%	5.42%
Target C <=	2.24%	2.22%	2.20%	2.19%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity

of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Prepopulated Data

Source	Date	Description	Data
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	Total number of children with IEPs aged 5 (kindergarten) through 21	50,544
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	41,322
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	B. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class less than 40% of the day	2,708
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	c1. Number of children with IEPs aged 5 (kindergarten) through 21 in separate schools	815
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	c2. Number of children with IEPs aged 5 (kindergarten) through 21 in residential facilities	41
SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS002; Data group 74)	08/30/2023	c3. Number of children with IEPs aged 5 (kindergarten) through 21 in homebound/hospital placements	122

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 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A. Number of children with IEPs aged 5 (kindergarten) through 21 inside the regular class 80% or more of the day	41,322	50,544	80.86%	81.47%	81.75%	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	2,708	50,544	5.54%	5.43%	5.36%	Met target	No Slippage
C. Number of children with IEPs aged 5 (kindergarten) through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	978	50,544	2.04%	2.24%	1.93%	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 ED Facts 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 (Individual) – 6A, 6B, 6C

Part	FFY	2017	2018	2019	2020	2021
A1	Target >=				65.45%	65.95%
A1	Data				65.45%	71.56%
A2	Target >=				81.65%	82.15%
A2	Data				81.65%	82.67%
A3	Target >=				78.63%	78.73%
A3	Data				78.63%	81.92%
B1	Target <=				4.51%	4.26%
B1	Data				4.51%	4.34%
B2	Target <=				2.70%	2.60%
B2	Data				2.70%	1.89%
B3	Target <=				2.98%	2.78%
B3	Data				2.98%	1.30%
C1	Target <=				20.16%	19.66%

C1	Data				20.16%	15.48%
C2	Target <=				7.16%	7.06%
C2	Data				7.16%	6.80%
C3	Target <=				6.83%	6.63%
C3	Data				6.83%	6.19%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

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.

Individual Targets

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

Target Range not used

Baselines for Individual Targets option (A, B, C)

Part	Baseline Year	Baseline Data
A1, age 3	2020	65.45%
A2, age 4	2020	81.65%
A3, age 5	2020	78.63%
B1, age 3	2020	4.51%
B2, age 4	2020	2.70%
B3, age 5	2020	2.98%
C1, age 3	2020	20.16%
C2, age 4	2020	7.16%
C3, age 5	2020	6.83%

Individual Targets – 6A, 6B

FFY	2022	2023	2024	2025
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Target A1, age 3 >=	66.45%	66.95%	67.45%	67.95%
Target B1, age 3 <=	4.01%	3.76%	3.51%	3.26%
Target A2, age 4 >=	82.65%	83.15%	83.65%	84.15%
Target B2, age 4 <=	2.50%	2.40%	2.30%	2.20%
Target A3, age 5 >=	78.83%	78.93%	79.03%	79.13%
Target B3, age 5 <=	2.58%	2.38%	2.18%	1.98%

Individual Targets – 6C

FFY	2022	2023	2024	2025
Target C1, age 3 <=	19.16%	18.66%	18.16%	17.66%
Target C2, age 4 <=	6.96%	6.86%	6.76%	6.66%
Target C3, age 5 <=	6.43%	6.23%	6.03%	5.83%

Prepopulated Data

Data Source:

SY 2022-23 Child Count/Educational Environment Data Groups (EDFacts file spec FS089; Data group 613)

Date:

08/30/2023

Description	3	4	5	3 through 5 - Total
Total number of children with IEPs	1,641	2,461	566	4,668
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	1,152	2,022	490	3,664
b1. Number of children attending separate special education class	59	59	10	128
b2. Number of children attending separate school	11	11	2	24
b3. Number of children attending residential facility	1	0	0	1
c1. Number of children receiving special education and related services in the home	253	137	9	399

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 2022 SPP/APR Data for Age 3

Preschool Environments	Number of children with IEPs aged 3 served	Total number of children with IEPs aged 3	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A1. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	1,152	1,641	71.56%	66.45%	70.20%	Met target	No Slippage

Preschool Environments	Number of children with IEPs aged 3 served	Total number of children with IEPs aged 3	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
B1. Separate special education class, separate school or residential facility	71	1,641	4.34%	4.01%	4.33%	Did not meet target	No Slippage
C1. Home	253	1,641	15.48%	19.16%	15.42%	Met target	No Slippage

FFY 2022 SPP/APR Data for Age 4

Preschool Environments	Number of children with IEPs aged 4 served	Total number of children with IEPs aged 4	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A2. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	2,022	2,461	82.67%	82.65%	82.16%	Did not meet target	No Slippage
B2. Separate special education class, separate school or residential facility	70	2,461	1.89%	2.50%	2.84%	Did not meet target	Slippage
C2. Home	137	2,461	6.80%	6.96%	5.57%	Met target	No Slippage

Provide reasons for slippage for Group B2 age 4, if applicable

Nebraska had an increase of .95 percentage points from FFY 2021 to FFY 2022; however, to meet the target, the percentage needed to decrease. Nebraska attributes slippage in a significant increase in the percent of children reported in Indicator 6B due to impacts from COVID-19, including LEA staffing shortages, more children becoming eligible for special education services as a result of delays/disabilities stemming from COVID-19, and multiple regular early childhood programs becoming special education classrooms due to ratio increase of children on IEPs throughout the school year.

FFY 2022 SPP/APR Data for Age 5

Preschool Environments	Number of children with IEPs aged 5 served	Total number of children with IEPs aged 5	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A3. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	490	566	81.92%	78.83%	86.57%	Met target	No Slippage
B3. Separate special education class, separate school or residential facility	12	566	1.30%	2.58%	2.12%	Met target	No Slippage
C3. Home	9	566	6.19%	6.43%	1.59%	Met target	No Slippage

Provide additional information about this indicator (optional)

6 - Prior FFY Required Actions

None

6 - OSEP Response

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 3 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	2017	2018	2019	2020	2021
A1	2021	Target >=	75.00%	75.25%	75.25%	65.67%	56.95%
A1	57.65%	Data	67.57%	65.64%	63.24%	65.67%	57.65%

A2	2021	Target >=	70.25%	70.50%	70.50%	59.60%	59.75%
A2	60.54%	Data	61.53%	59.28%	56.25%	59.60%	60.54%
B1	2021	Target >=	75.50%	75.75%	75.75%	70.04%	61.95%
B1	62.74%	Data	74.23%	68.52%	64.85%	70.04%	62.74%
B2	2021	Target >=	70.25%	70.50%	70.50%	62.64%	55.15%
B2	55.95%	Data	70.27%	65.26%	58.96%	62.64%	55.95%
C1	2021	Target >=	76.00%	76.25%	76.25%	62.43%	57.85%
C1	58.58%	Data	95.77%	24.03%	45.03%	62.43%	58.58%
C2	2021	Target >=	75.50%	75.75%	75.75%	51.80%	63.85%
C2	64.65%	Data	96.18%	55.59%	47.25%	51.80%	64.65%

Targets

FFY	2022	2023	2024	2025
Target A1 >=	57.20%	57.45%	57.70%	58.20%
Target A2 >=	60.00%	60.25%	60.50%	61.00%
Target B1 >=	62.20%	62.45%	62.70%	63.20%
Target B2 >=	55.40%	55.65%	55.90%	56.40%
Target C1 >=	58.10%	58.35%	58.60%	59.10%
Target C2 >=	64.10%	64.35%	64.60%	65.10%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed

2,457

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

Outcome A Progress Category	Number of children	Percentage of Children
a. Preschool children who did not improve functioning	20	0.81%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	652	26.54%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	315	12.82%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	630	25.64%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	840	34.19%

Outcome A	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	945	1,617	57.65%	57.20%	58.44%	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>	1,470	2,457	60.54%	60.00%	59.83%	Did not meet target	No Slippage

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

Outcome B Progress Category	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	9	0.37%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	669	27.23%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	404	16.44%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	677	27.55%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	698	28.41%

Outcome B	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
B1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. <i>Calculation: (c+d)/(a+b+c+d)</i>	1,081	1,759	62.74%	62.20%	61.46%	Did not meet target	Slippage
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the	1,375	2,457	55.95%	55.40%	55.96%	Met target	No Slippage

Outcome B	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
program. <i>Calculation:</i> $(d+e)/(a+b+c+d+e)$							

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	30	1.22%
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	599	24.38%
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	218	8.87%
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	680	27.68%
e. Preschool children who maintained functioning at a level comparable to same-aged peers	930	37.85%

Outcome C	Numerator	Denominator	FFY 2021 Data	FFY 2022 Target	FFY 2022 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>	898	1,527	58.58%	58.10%	58.81%	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>	1,610	2,457	64.65%	64.10%	65.53%	Met target	No Slippage

Part	Reasons for slippage, if applicable
B1	An examination of state-level data for this indicator suggests the slippage may be attributed to the COVID-19 interruption. Factors are long term COVID-19 impact, staff turnover and shortage at the local level, increased requests for technical assistance with data entry, and increase in preschool students with significant support needs.

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 (COS) process? (yes/no)

NO

If no, provide the criteria for defining “comparable to same-aged peers.”

Criteria for defining “comparable to same-aged peers” was determined through Item Response Theory (IRT) analyses by Teaching Strategies, based on a national sample. The algorithms result in a 7-point rating system that parallels the Child Outcomes Summary (COS) ratings. These ratings, by age, are input into the Teaching Strategies (TS) GOLD online system which generates a rating based on TS GOLD scores for each functional outcome. Research studies examining the reliability and validity of the TS GOLD are found at: <https://teachingstrategies.com/research/#assessment>.

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

Teaching Strategies (TS) GOLD, an authentic, observational assessment designed for children birth through third grade, is the assessment used to gather data for Indicator B7. At the child’s entry (or at six months of age) and at the time of exit from Part C (or at age three), teachers/providers gather and document information from observations of the child or from an interview (e.g., Routine Based Interview) with the parent(s). This data forms the basis of the scoring across four areas of development (social emotional, physical, language, and cognitive) and two areas of content learning (literacy and mathematics). This then begins the baseline to be used for students ages 3-5.

TS GOLD objectives and dimensions that comprise each of the functional outcomes that are reported are based on a crosswalk recommended by the national Early Child Outcomes (ECO) Center. Criteria for defining “comparable to same-aged peers” was determined through Item Response Theory (IRT) analyses by Teaching Strategies, based on a national sample. The algorithms result in a 7-point rating system that parallels the Child Outcomes Summary (COS) ratings. These ratings by age are programmed into the TS GOLD online system which generates a rating based on TS GOLD scores for each functional outcome. Research studies examining the reliability and validity of the TS GOLD may be found at <https://teachingstrategies.com/research/#assessment>.

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 3 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 2022 SPP/APR, compare the FFY 2022 response rate to the FFY 2021 response rate) and describe strategies that will be implemented which are expected to increase the response rate, 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 parents of children with disabilities.

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

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Historical Data

Baseline Year	Baseline Data
2013	89.37%

FFY	2017	2018	2019	2020	2021
Target >=	90.80%	91.80%	91.80%	90.71%	90.76%
Data	91.56%	86.75%	90.71%	84.63%	83.71%

Targets

FFY	2022	2023	2024	2025
Target >=	90.81%	90.86%	90.91%	90.98%

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
11,846	13,782	83.71%	90.81%	85.95%	Did not meet target	No Slippage

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 children with disabilities, including parents of preschool children with disabilities, are provided the opportunity to take the parent survey. Surveys are given to all parents of children with disabilities in the districts for students ages 3–21 via email with a link to the survey as the first attempt to provide parents an opportunity to share their satisfaction with their parent involvement in the process to improve services for their child. Parents are also provided with the information at parent teacher conferences, at the child’s IEP Team meeting, and other school events. Parents of preschool children with disabilities are also included in these same processes. If parents are unable to access a computer or the internet and have not responded, families receive the survey by mail. The return rate for surveys for preschool parents was higher than the overall return rate for all grade levels. The questions in the survey are not specific to grade level but can be applied to parents of children of any age.

The number of parents to whom the surveys were distributed.

55,208

Percentage of respondent parents

24.96%

Response Rate

FFY	2021	2022
Response Rate	20.69%	24.96%

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

NDE used the Early Childhood Technical Assistance Center (ECTA) Representativeness Calculator to determine representativeness for race and geographic area. The ECTA Calculator uses an accepted formula (test of proportional difference) to determine whether the difference between the two percentages is statistically significant (or meaningful), based upon the 90% confidence intervals for each indicator (significance level = .10).

Include the State’s analyses of 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 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.

NDE assessed the representativeness of the survey responses by examining the demographic characteristics of the children of the parents who responded to the survey compared to the demographic characteristics of all children receiving special education services. Results are not representative by race/ethnicity. Parents whose child with a disability is African American or Black or Hispanic/Latino are underrepresented, and responses from parents whose child is white are overrepresented. Approximately five percent of parents did not respond to the question about their child’s race, which

could affect overall representativeness. Responses are not representative for any geographic area, with rural areas overrepresented and the core metropolitan areas particularly underrepresented. The lack of representativeness is linked to issues with the response rate, the number of surveys distributed, and the unequal distribution of surveys. Representativeness by race/ethnicity and urbanicity is linked, as rural areas in Nebraska are largely white and most Black or Hispanic/Latino students are found in metropolitan areas.

The demographics of the children for whom parents are 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

Beginning in school year 2023–24, NDE will implement a three-year sampling plan. Larger, more diverse districts with a population of 20,000 students or more will be included in the sample each year. Oversampling the core metropolitan areas and diverse districts should improve representativeness. NDE plans to provide technical assistance and support to the largest, most diverse districts in Nebraska to help them reach more parents and more parents of color. The “Parent Survey Data Collection Plan” will also promote improved representativeness across demographic categories by improving response rates. Namely, the planning template requires districts to create a specific plan for survey distribution that meets the needs of their district. NDE’s careful planning and follow-up is intended to result in the demographics of the children whose parents responded to the survey being representative of the children receiving special education services.

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

Beginning in school year 2023–24, NDE will implement a three-year sampling plan. NDE will require all districts in the 2023–24 cohort to review and update their “Parent Survey Data Collection Plan” to ensure each district has an effective plan for collecting accurate parent feedback. Each district will have access to a planning template on the district’s individualized portal to the statewide online platform with instructions requiring the district to send the survey to each family of a child with an IEP, detail at least two methods for survey distribution, a minimum of two dates the district will provide follow-up reminders, and an attainable goal for the district’s parent response rate based on previous district data. NDE will communicate directly with districts with a low response rate in the 2022–23 school year or a high percentage of underrepresented groups and provide technical assistance to ensure a targeted effort towards 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.

To analyze response rate, NDE compared the responders to the parents who should have received the survey. NDE identified nonresponse bias for parents of children with disabilities who are African American or Black and Two or More Races, with overall scores for these groups being lower than the state average. The lowest overall scores were for parents who did not respond to questions on race/ethnicity. NDE identified some nonresponse bias for parents in core metropolitan areas compared to parents in other locations, with their scores lower than the state average. NDE sent the survey to all parents of children with disabilities in the 2022–23 school year, resulting in an improved response rate when compared to FFY 2021. NDE also worked closely with districts to make sure surveys were distributed to all parents of children with disabilities and that parents were encouraged and reminded to complete the survey. To reduce nonresponse bias beginning in school year 2023–24, NDE plans to implement a three-year sampling plan. Larger, more diverse districts with a population of 20,000 students or more will be included in the sample each year. Oversampling the core metropolitan areas and diverse districts should reduce nonresponse bias. NDE plans to provide technical assistance and support to the largest, most diverse districts in Nebraska to help them reach more parents and more parents of color.

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
If yes, provide a copy of the survey.	

Provide additional information about this indicator (optional)

8 - Prior FFY 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.

Response to actions required in FFY 2021 SPP/APR

Analysis of the FFY 2022 survey response data indicates that results are not representative by race/ethnicity. Parents whose child with a disability is African American or Black or Hispanic/Latino are underrepresented, and responses from parents whose child is white are overrepresented.

Approximately five percent of parents did not respond to the survey question about their child’s race, which could affect overall representativeness. Responses are not representative for any geographic area, with rural areas overrepresented and the core metropolitan areas particularly underrepresented. The lack of representativeness is linked to issues with the response rate, the number of surveys distributed, and the unequal distribution of surveys. Representativeness by race/ethnicity and urbanicity is linked, as rural areas in Nebraska are largely white and most Black or Hispanic/Latino students are found in metropolitan areas.

Beginning in school year 2023–24, NDE will implement a three-year sampling plan. Larger, more diverse districts with a population of 20,000 students or more will be included in the sample each year. Oversampling the core metropolitan areas and diverse districts should improve representativeness. NDE plans to provide technical assistance and support to the largest, most diverse districts in Nebraska to help them reach more parents and more parents of color. The “Parent Survey Data Collection Plan,” an NDE-required planning template, will also promote improved representativeness across demographic categories by leading districts to plan to improve response rates. Namely, the planning template requires districts to create a specific plan

for survey distribution that meets the needs of their district. NDE's careful planning and follow-up is intended to result in the demographics of the children whose parents responded to the survey being representative of the children receiving special education services.

8 - OSEP Response

8 - Required Actions

In the FFY 2023 SPP/APR, the State must report whether the FFY 2023 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 response data 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. 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 2022 reporting period (i.e., after June 30, 2023).

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. Provide the actual numbers used in the calculation.

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2017	2018	2019	2020	2021
Target	0%	0%	0%	0%	0%
Data	0.00%	Not Valid and Reliable	0.00%	0.00%	0.00%

Targets

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

FFY 2022 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.

13

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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
1	0	231	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).

Disproportionate representation is defined as a risk ratio of 3.0 and above for a single year. The minimum cell size for all calculations is 10 and the minimum n size is 30. The alternate risk ratio was used for any districts where the comparison group failed to meet the cell or n size.

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.

The district with disproportionate representation submitted a review of its identification procedures, policies, and practices and a self-assessment of student files. NDE reviewed the submitted self-assessment and supportive documentation (including relevant policies, procedures, and student evaluations and IEPs) to determine if the disproportionate representation was the result of inappropriate identification. Based on that review, NDE verified that the district had appropriate policies and procedures in place, and its practices were consistent with policies and procedures.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2021

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 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 section 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). 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 2022 reporting period (i.e., after June 30, 2023).

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. Provide the actual numbers used in the calculation.

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	2.16%

FFY	2017	2018	2019	2020	2021
Target	0%	0%	0%	0%	0%
Data	0.00%	Not Valid and Reliable	0.00%	2.16%	2.62%

Targets

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

FFY 2022 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.

80

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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
19	7	164	2.62%	0%	4.27%	Did not meet target	Slippage

Provide reasons for slippage, if applicable

NDE believes the slippage is due to its increase of the rigor of the review process of the district's self-assessment results. While NDE provided LEAs with disproportionate representation the same self-assessment tools as past years (other than minor revisions for clarification purposes) to determine whether the disproportionate representation was the result of inappropriate identification, NDE increased the rigor of its review of the LEA's completed self-assessment, including the areas of focus. Specifically, NDE requested more evidence from LEAs to verify the self-assessment results, provided norming sessions for NDE staff reviewers, met as a team to discuss results, and developed a scoring rubric. Based on these additional efforts, NDE found several districts whose policies, procedures, or practices lead to inappropriate identification and need correction. NDE is focused on ensuring district policies, procedures, and practices prevent inequities and inappropriate identification of students.

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).

Disproportionate representation is defined as a risk ratio of 3.0 and above for a single year. The minimum cell size for all calculations is 10 and the minimum n size is 30. NDE used the alternate risk ratio for any districts where the comparison group failed to meet the cell or n size.

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.

Each of the 19 districts who demonstrated disproportionate representation of a racial and ethnic group completed a self-assessment review of district policies, procedures, and practices implementing the requirements of 34 C.F.R. § 300.111 for child find and evaluation practices and provided evidence that supports the district's review. Additionally, the districts reviewed student files within the disproportionate subgroup (disability category and racial and ethnic group) to focus on practices. Districts submitted all self-assessments, evidence, and file reviews to NDE. NDE then reviewed each district's responses to the self-assessment and determined if each district correctly implemented the related regulatory requirements and has appropriate identification policies, procedures, and practices. As a result, NDE determined, that 12 districts have appropriate policies, procedures, and practices in place; seven districts had policies, procedures, and practices in place that resulted in inappropriate identification.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2021

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
5	3	0	2

FFY 2021 Findings of Noncompliance Verified as Corrected

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

In the LEAs where NDE found noncompliance, NDE required the LEA to put a Corrective Action Plan (CAP) in place and required the LEA to implement the CAP and correct all found noncompliance within one year. Within the CAP, NDE required the LEA to account for all instances of noncompliance and identify the root cause of the noncompliance, provide any needed professional development to staff, and, if needed, modify the policies, procedures, and/or practices that contributed to or resulted in noncompliance.

To meet the requirements of OSEP QA 23-01, NDE collected an additional updated data set (i.e., a review of student files focusing on evaluations related to the disproportionate represented category that occurred following the LEA's CAP implementation) from each of the LEAs with noncompliance.

Based on this subsequent review of the updated data, NDE verified that three out of five LEAs have achieved 100% compliance with implementing the specific regulatory requirements following the district implementing its CAP and within one year of NDE issuing the finding of noncompliance.

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

NDE assigned NDE Equity team members to the identified LEAs to conduct follow up of all CAPs as well as conduct a review of student files that NDE found to be noncompliant within the initial review. NDE required the LEA to correct all individual child-specific instances of noncompliance and then NDE reviewed the corrected files to ensure accurate correction. NDE maintains records to document its review of correction of noncompliance through review of individual student files which initially showed noncompliance and then NDE verified as corrected. NDE verified through this process that each LEA corrected (100% compliance) each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with former OSEP Memo 09-02 and OSEP QA 23-01.

FFY 2021 Findings of Noncompliance Not Yet Verified as Corrected

Actions taken if noncompliance not corrected

In the LEAs where NDE found noncompliance and was not able to verify compliance within one year, NDE is requiring the LEAs to put an additional CAP in place and to implement the CAP and correct all found outstanding noncompliance as soon as possible, on the timeline NDE established. Within the CAP, NDE requires the LEA to account for all instances of noncompliance including provide any needed professional development to specific staff members, reconvene IEP and/or MDT team meetings, reevaluate any students if necessary for correction of noncompliance, and, if needed, further modify the policies, procedures, and/or practices that contributed to or resulted in noncompliance.

Correction of Findings of Noncompliance Identified Prior to FFY 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 APR	Findings of Noncompliance Verified as Corrected	Findings Not Yet Verified as Corrected

10 - Prior FFY Required Actions

Because the State reported less than 100% compliance for FFY 2021 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. The State must demonstrate, in the FFY 2022 SPP/APR, that the five districts identified in FFY 2021 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (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 district, 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 (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.

Response to actions required in FFY 2021 SPP/APR

NDE has reported on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, NDE reported that is has verified that three LEAs with FFY 2021 noncompliance for this indicator: (1) are correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data; and (2) have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with former OSEP Memo 09-02 and OSEP QA 23-01. NDE also described the specific actions that it took to verify the correction.

In the LEAs where NDE found noncompliance and was not able to verify compliance within one year, NDE is requiring the LEAs to put an additional CAP in place and to implement the CAP and correct all found outstanding noncompliance as soon as possible, on the timeline NDE established. Within the CAP, NDE requires the LEA to account for all instances of noncompliance including providing any needed professional development to specific staff members, reconvene IEP and/or MDT team meetings, reevaluating any students if necessary for correction of noncompliance, and, if needed, further modifying the policies, procedures, and/or practices that contributed to or resulted in noncompliance.

10 - OSEP Response

10 - Required Actions

Because the State reported less than 100% compliance for FFY 2022 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2022 for this indicator. The State must demonstrate, in the FFY 2023 SPP/APR, that the seven districts identified in FFY 2022 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311. If the State did not identify any findings of noncompliance in FFY 2022, although its FFY 2022 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2022.

Further, the State must demonstrate, in the FFY 2023 SPP/APR, that the remaining two districts identified in FFY 2021 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 C.F.R. §§ 300.111, 300.201, and 300.301 through 300.311. In demonstrating the correction of the noncompliance identified in FFY 2021, the State must report, in the FFY 2023 SPP/APR, that the State verified that each district with noncompliance identified in FFY 2022 and each

district with remaining noncompliance identified in FFY 2021: (1) is correctly implementing the specific regulatory requirement(s) (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 district, consistent with OSEP QA 23-01. In the FFY 2023 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	92.76%

FFY	2017	2018	2019	2020	2021
Target	100%	100%	100%	100%	100%
Data	99.07%	99.54%	85.24%	96.51%	94.14%

Targets

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

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
9,337	9,157	94.14%	100%	98.07%	Did not meet target	No Slippage

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

180

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.

Nebraska districts completed 98.07% of initial evaluations within the 45-school day State-established timeline or 60-calendar day timeline, whichever came first, upon receipt of parent consent for the initial evaluation. Nebraska districts received 9,337 parental consents for an initial evaluation and completed 9,157 initial evaluations within the State-established timeline. Initial evaluations completed outside the State-established timeline ranged from 1 to 215 days beyond the timeline. Initial evaluations that exceeded the timeline between one and 60 days were the result of school closures due to weather, special education staff shortages, staff illness, multidisciplinary team scheduling conflicts and miscommunication, challenges in securing interpreters for eligibility meetings, timeline miscalculations, evaluator medical emergencies, and school breaks. For evaluations held 61 to 100 days beyond the timeline, reasons included evaluator shortages and illness, multidisciplinary team availability, and delayed collaboration with private medical providers. When initial evaluations were completed 101 to 215 days past the timeframe, staff shortages hindered timely evaluation completion. While the state compliance rate increased for this indicator in FFY 2022, the Nebraska Department of Education's (NDE) data analysis revealed that staff shortages continue to be the primary cause of initial evaluation delays across districts. Lack of special education staff impacted timely evaluation completion in both small and large LEAs. Additionally, districts cited weather as a frequent reason for delays. Overall, there were 180 instances of delays for nonallowable reasons.

Indicate the evaluation timeline used:

The State established a timeline within which the evaluation must be conducted

What is the State's timeline for initial evaluations? If the State-established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in (b).

Nebraska regulations, at Neb. Admin. Code § 92-009.04A1, establishes the timeline of 45-school days to complete an initial evaluation. State policy further indicates that initial evaluations must not exceed 60-calendar days.

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 Nebraska Department of Education, Office of Special Education annually requires LEAs to compile initial evaluation data including:

1. Total number of evaluations completed between July 1 and June 30 of the relevant year for all children ages 3 to 21.
2. The number of students eligible for special education within the 45-school day or 60-calendar day timeframe, whichever came first.
3. The number of students not found eligible for special education within the established timeframe.
4. The number of students whose initial evaluation did not meet the timeline, and
5. The reason(s) for the initial evaluation not occurring within the 45-school day or 60-calendar day timeline, whichever came first, for each of the evaluations, whether the student was determined eligible or not.

Based on this information, NDE made compliance determinations.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2021

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
543	543	0	0

FFY 2021 Findings of Noncompliance Verified as Corrected

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

In the 15 LEAs where NDE found noncompliance in FFY 2021, NDE required the LEA to develop and implement a Corrective Action Plan (CAP) to plan for the correction of noncompliance, within a required timeframe. Within the CAP, NDE required the LEA to: Account for all instances of noncompliance including the root cause of the noncompliance and; if needed, how it would modify the policies, procedures, and/or practices that contributed to or resulted in the noncompliance; and a plan for staff training to ensure staff understood the requirements and how to implement them within the LEA. Furthermore, NDE required each LEA to submit a letter of assurance that ensured future initial evaluation timeline compliance.

NDE reviewed all submitted evidence of completed CAP requirements and verified all regulatory requirements were accurately addressed. To verify that

the LEA had corrected the source of noncompliance, NDE reviewed a set of updated data subsequently collected (all initial evaluations completed between the dates of September 1 to September 29) from each LEA that demonstrated noncompliance. Based on that review, NDE determined that all LEAs identified with noncompliance now demonstrated 100% compliance and are correctly implementing the requirement specific to the finding of noncompliance.

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

NDE worked with LEAs throughout the process to ensure that the LEA corrected all individual cases of noncompliance within one year of notification. NDE assigned an individual monitoring team to LEAs with identified noncompliance to conduct follow-up of all Corrective Action Plans (CAPs) and review child-specific noncompliance. NDE's monitoring team verified the LEA had appropriately planned in its CAP for the correction of the individual noncompliance to not only ensure the initial evaluation had been completed, but also to target policies and procedures, timeline trainings, and consideration of compensatory special education services due to delay in initial evaluation for each individual instance of noncompliance. NDE required the LEA to submit documentation of all completed CAP items for each child-specific case of noncompliance. NDE verified through a review of the documentation LEAs submitted that the LEA corrected each individual instance of child-specific noncompliance, unless the child was no longer within the jurisdiction of the LEA, (i.e., achieved 100% compliance) consistent with OSEP QA 23-01. NDE followed OSEP QA 23-01 as its correction of noncompliance process occurred after its release.

Correction of Findings of Noncompliance Identified Prior to FFY 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 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.

Response to actions required in FFY 2021 SPP/APR

NDE has reported on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, NDE reported that it has verified that all LEAs with noncompliance identified in FFY 2021 for this indicator: (1) are correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data; and (2) have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with former OSEP Memo 09-02 and OSEP QA 23-01. NDE also described the specific actions that it took to verify the correction.

11 - OSEP Response

11 - Required Actions

Because the State reported less than 100% compliance for FFY 2022, the State must report on the status of correction of noncompliance identified in FFY 2022 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2023 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2022 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 QA 23-01.

In the FFY 2023 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 2022, although its FFY 2022 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2022.

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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	100.00%

FFY	2017	2018	2019	2020	2021
Target	100%	100%	100%	100%	100%
Data	100.00%	100.00%	92.81%	100.00%	91.52%

Targets

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

FFY 2022 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	1,520
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	8

c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	285
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.	4
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	128
f. Number of children whose parents chose to continue early intervention services beyond the child's third birthday through a State's policy under 34 CFR §303.211 or a similar State option.	1,095

Measure	Numerator (c)	Denominator (a-b-d-e-f)	FFY 2021 Data	FFY 2022 Target	FFY 2022 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.	285	285	91.52%	100%	100.00%	Met target	No Slippage

Number of children who served in Part C and referred to Part B for eligibility determination that are not included in b, c, d, e, or f

0

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.

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.

Nebraska utilizes a database to initially collect the data for the reporting year. LEAs submit information on children with disabilities from birth through age 21 through Nebraska's student information system (ADVISED) which permits NDE to easily determine which children are to transition from Part C to Part B. LEAs report Indicator 12 data within ADVISED, which is then uploaded to the Improving Learning for Children with Disabilities (ILCD), online portal NDE designed for LEAs to provide data verification for all the Indicator 12 sub-indicators. LEAs must complete sub-indicator 12d so NDE can verify the federal exceptions the LEA used. Additionally, upon receipt of the Indicator 12 data, NDE utilizes a collaborative data verification process to pull records from Part C and Part B to verify that each child transitioned from Part C to Part B within the applicable timeline. Should NDE not be able to verify this data or LEAs have reported anomalies in their data through the ILCD submission process, NDE collects Part C IFSPs and Part B IEPs, and related documentation, to determine whether the LEA conducted the student's transition within required timelines and to make certain the LEA appropriately identified and reported all federal exceptions.

Provide additional information about this indicator (optional)

Correction of Findings of Noncompliance Identified in FFY 2021

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
24	24	0	0

FFY 2021 Findings of Noncompliance Verified as Corrected

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

In the five LEAs where NDE found noncompliance in FFY 2021, NDE required the LEA to develop and implement a Corrective Action Plan (CAP) to plan for the correction of noncompliance, within a required timeframe. Within the CAP, NDE required the LEA to: Account for all instances of noncompliance including the root cause of the noncompliance and; if needed, how it would modify the policies, procedures, and/or practices that contributed to or resulted in the noncompliance; and a plan for staff training to ensure staff understood the requirements of Part C to Part B transition and how to implement them within the LEA. Furthermore, NDE required each LEA to submit a letter of assurance that ensured future transition from Part C to Part B timeline compliance.

NDE reviewed all submitted evidence of completed CAP requirements and verified all regulatory requirements were accurately addressed. To verify that the LEA had corrected the source of noncompliance, NDE reviewed a set of updated data subsequently collected (all transitions completed between October 18 and January 11 uploaded through the ILCD) from each LEA that demonstrated noncompliance. Based on that review, NDE determined that all LEAs identified with noncompliance now demonstrated 100% compliance and are correctly implementing the requirement specific to the finding of noncompliance.

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

NDE worked with LEAs throughout the process to ensure that the LEA corrected all 24 individual cases of noncompliance within one year of notification. NDE assigned an individual monitoring team to LEAs with identified noncompliance to conduct follow-up of all Corrective Action Plans (CAPs) and review child-specific noncompliance. NDE's monitoring team verified the LEA had appropriately planned in its CAP for the correction of the individual noncompliance to not only ensure the transition from Part C to Part B had been completed, but also to target policies, procedures, and timeline trainings

for each individual instance of noncompliance. NDE required the LEA to submit documentation of all completed CAP items for each child-specific case of noncompliance. NDE verified through a review of the documentation LEAs submitted that the LEA corrected each individual instance of child-specific noncompliance, unless the child was no longer within the jurisdiction of the LEA, (i.e., achieved 100% compliance) consistent with OSEP QA 23-01.

Correction of Findings of Noncompliance Identified Prior to FFY 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 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.

Response to actions required in FFY 2021 SPP/APR

NDE has reported on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, NDE reported that it has verified that all LEAs with noncompliance identified in FFY 2021 for this indicator: (1) are correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data; and (2) have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with former OSEP Memo 09-02 and OSEP QA 23-01. NDE also described the specific actions that it took to verify the correction.

12 - OSEP Response

12 - Required Actions

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 child-specific and regulatory/systemic 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) 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 2022 SPP/APR, the data for FFY 2021), 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
2022	59.89%

FFY	2017	2018	2019	2020	2021
Target	100%	100%	100%	100%	100%
Data	85.16%	90.85%	29.29%	55.66%	52.94%

Targets

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

FFY 2022 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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
551	920	52.94%	100%	59.89%	N/A	N/A

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 NDE Data Team selects a certain number of IEPs from each district, based on the number of transition-aged students in the district. NDE uses each district’s End of Year data submission to determine the number of students transition age eligible for selection. Next, all districts review NDE-selected student IEP files, for youth with IEPs aged 14 and above and complete and submit a self-assessment of the district’s review of each selected IEP. NDE uses the completed self-assessment to determine if each student’s IEP contains the required components for secondary transition. NDE’s self-assessment consists of questions based on the NTACTION-C, National Technical Assistance Center on Transition-Collaborative, “Indicator 13 Checklist Form A.” NDE then verifies the data the districts provided on the self-assessment, to determine the validity of the data submitted. The monitoring reviewers use the same Indicator 13 Checklist Form A, to check for compliance of districts reporting 100% compliance and those districts that indicated noncompliance within their transition IEPs. NDE monitoring reviewers are trained on the Indicator 13 Checklist Form A to ensure reporting consistency and inter-rater reliability. The file review checklist is available electronically to allow the opportunity for NDE monitoring reviewers to examine each other’s ratings. NDE monitoring reviewers meet to discuss findings and review the summary report for each district. NDE sent a letter with findings of noncompliance to those school districts NDE found to have noncompliance in the reviewed IEPs. This letter notified the district of the regulations NDE found out of compliance and outlined steps the district must take for corrective action.

Question	Yes / No
Do the State’s policies and procedures provide that public agencies must meet these requirements at an age younger than 16?	YES
If yes, did the State choose to include youth at an age younger than 16 in its data for this indicator and ensure that its baseline data are based on youth beginning at that younger age?	YES
If yes, at what age are youth included in the data for this indicator	14

Provide additional information about this indicator (optional)

Previously, the NDE, Office of Special Education, gathered data through file reviews for the districts selected for differentiated focused monitoring using its annual risk analysis, to determine a school district’s implementation of the secondary transition requirements of IDEA and Nebraska’s special education regulations. NDE reported on this Indicator the number of IEPs monitored that contained each of the required components for secondary transition. This year, NDE changed its process to require all districts to submit this data by completing an individual checklist for identified transition-aged students within their district and NDE verified the data each district submitted through the process described above. Due to this change in process, NDE changed the Baseline Year to 2022 and changed the Baseline Data to 59.89%.

Correction of Findings of Noncompliance Identified in FFY 2021

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
32	32	0	0

FFY 2021 Findings of Noncompliance Verified as Corrected

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

In the LEAs where NDE found noncompliance, NDE established a Corrective Action Plan (CAP) to plan for the correction of noncompliance, within a required timeframe. Within the CAP, NDE required the LEA to account for all instances of noncompliance including the root cause of the noncompliance and, if needed, how the LEA would modify its policies, procedures, and/or practices that contributed to or resulted in the noncompliance; and plan for staff training to ensure staff understood the requirements and how to implement them within the LEA. NDE reviewed all LEA staff training materials prior to each training to ensure compliance and reviewed updated LEA policies and procedures.

To meet the requirements of OSEP Memo 09-02 and OSEP QA 23-01, NDE collected an additional updated data set (i.e., secondary transition documentation for a specific number of students following the LEA’s CAP implementation) from each of the LEAs with noncompliance through a follow-up to the monitoring that found noncompliance. Based on this subsequent review of the updated data, NDE verified that all LEAs have achieved 100% compliance with implementing the specific regulatory requirements following the district implementing its CAP and within one year of NDE issuing the finding of noncompliance.

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

NDE assigned monitoring teams to an LEA with individual cases of noncompliance to verify the implementation of the LEA’s CAP. A required CAP step for any LEA with individual cases of noncompliance was correcting each individual instance of noncompliance. Following implementation of the CAP, NDE monitoring team members reviewed updates to each of the student files that NDE found to be noncompliant within its initial review, to ensure each individual case was now compliant. NDE maintains a record of all student files reviewed and the regulations reviewed in each file to document full correction of individual noncompliance. Following the completion of the verification activities, NDE issued a letter to the LEAs that completed CAP activities and corrected individual noncompliance to notify the LEA of the completion of the CAP and verification of correction of each individual case of noncompliance.

Correction of Findings of Noncompliance Identified Prior to FFY 2021

Year Findings of Noncompliance Were Identified	Findings of Noncompliance Not Yet Verified as Corrected as of FFY 2021 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 2021 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 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.

Response to actions required in FFY 2021 SPP/APR

NDE has reported on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, NDE reported that it has verified that all LEAs with noncompliance identified in FFY 2021 for this indicator: (1) are correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data/file reviews; and (2) have corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP QA 23-01. NDE also described the specific actions that it took to verify the correction. NDE continues to work with all LEAs to provide technical assistance as it continues to ensure compliance.

13 - OSEP Response

The State has revised the baseline for this indicator, using data from FFY 2022, and OSEP accepts that revision.

13 - Required Actions

Because the State reported less than 100% compliance for FFY 2022, the State must report on the status of correction of noncompliance identified in FFY 2022 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2023 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2022 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 QA 23-01.

In the FFY 2023 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 2022, although its FFY 2022 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2022.

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 3 for additional instructions on sampling.)

Collect data by September 2023 on students who left school during 2021-2022, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2021-2022 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).

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 2022 SPP/APR, compare the FFY 2022 response rate to the FFY 2021 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.

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	2017	2018	2019	2020	2021
A	2019	Target >=	38.00%	39.60%	39.60%	30.73%	30.73%
A	30.73%	Data	36.20%	30.86%	30.73%	20.84%	31.70%
B	2019	Target >=	66.50%	67.00%	67.00%	34.78%	34.78%
B	34.78%	Data	57.33%	43.50%	34.78%	34.76%	72.94%
C	2019	Target >=	83.40%	83.65%	83.65%	44.51%	44.51%
C	44.51%	Data	75.30%	57.23%	44.51%	46.81%	91.38%

FFY 2021 Targets

FFY	2022	2023	2024	2025
Target A >=	30.73%	31.23%	31.73%	32.23%
Target B >=	34.78%	35.28%	35.78%	36.28%
Target C >=	44.51%	45.01%	45.51%	46.01%

Targets: Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data

around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

FFY 2022 SPP/APR Data

Total number of targeted youth in the sample or census	2,848
Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	711
Response Rate	24.96%
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	205
2. Number of respondent youth who competitively employed within one year of leaving high school	190
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)	30
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).	100

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 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
A. Enrolled in higher education (1)	205	711	31.70%	30.73%	28.83%	Did not meet target	Slippage
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	395	711	72.94%	34.78%	55.56%	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 employment (1+2+3+4)	525	711	91.38%	44.51%	73.84%	Met target	No Slippage

Part	Reasons for slippage, if applicable
A	NDE believes this is likely due to students taking time off before starting college with uncertainty based on COVID-19. NDE believes the decrease in higher education enrollment rate is due to impacts on health and school engagement related to long-lasting effects of COVID-19. NDE's analysis of the data shows a decrease in graduation rate for 19-year-olds due to COVID-19's direct impact. The last time this age group received an uninterrupted education was at age 16. This data could be an indication that the 19-year-old student group was not able to fully participate in key foundational secondary experiences from the interruption of COVID-19 impacting the trajectory of their high school experience and ultimately derailing their course of study toward graduation and impacting their ability to enroll in higher education.

Please select the reporting option your State is using:

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.

Response Rate

FFY	2021	2022
Response Rate	28.14%	24.96%

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

NDE used a metric of +/- 3% discrepancy in the percentage of responders per district compared to the percentage of youth in the census.

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.

NDE assessed the representativeness of the survey responses by examining the demographic characteristics of the youth who responded to the survey to the demographic characteristics of all youth who are no longer in secondary school and had an IEP in effect at the time they left school. This comparison indicates the percentage of responses received is representative by gender. Responses are not representative by race/ethnicity with responses from youth who are African American or Black and Hispanic or Latino underrepresented, and responses from youth who are white overrepresented. Responses are not representative by exit reason, with youth who graduated with a regular high school diploma overrepresented and youth who dropped out underrepresented.

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.

NDE will communicate directly with districts with a high percentage of underrepresented groups and provide technical assistance to ensure a targeted effort towards those groups.

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

NDE will continue to contract with the University of Nebraska-Lincoln's Bureau of Sociological Research (BOSR) to compile and analyze the collected data, as well as engaging with other technical assistance providers to develop strategies to increase the response rate. NDE will consider whether and how to engage district staff in this data collection, considering district staff may be more likely to encourage youth who are no longer in school and had IEPs in effect at the time they left school to complete the survey. The census method of collection has been shown, in other states, to gather the desired information more successfully from students and NDE will stay with this collection method. This will provide more accurate data about youth who are no longer in school and had IEPs in effect at the time they left school and improve the response rate. Additionally, BOSR utilized a mixed-mode mail, web, and phone methodology. To increase the response rate, BOSR made multiple calls to numbers for which there was no answer. BOSR made additional calls at different times of the day and different days of the week, including the weekend, to increase the potential that a call would reach the respondent during an available time. NDE will communicate directly with districts with a high percentage of underrepresented groups and provide technical assistance to ensure a targeted effort towards 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 youth who are no longer in secondary school and had IEPs in effect at the time they left school.

To analyze response rate, NDE compared the responders to the youth who should have received an invitation to complete the survey. NDE identified nonresponse bias for youth who are Black or African American, Hispanic, and youth who dropped out, as none of these groups met the state target and survey results showed these groups were lower than the state average. NDE did not identify any nonresponse bias based on sex. NDE worked to promote a response from a broad cross section of youth by providing two rounds of mailed surveys, one reminder postcard, flexible web options, and multiple phone call attempts. To avoid nonresponse bias in FFY 2023, NDE plans to provide technical assistance and support to the largest, most diverse districts in Nebraska. Increasing the response rate for these urban districts should improve overall representativeness.

Sampling Question	Yes / No
Was sampling used?	NO
Survey Question	Yes / No

Sampling 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 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.

Response to actions required in FFY 2021 SPP/APR

Analysis of the FFY 2022 survey response data indicates the responses received are not representative by race/ethnicity with responses from youth who are no longer in secondary school and had IEPs in effect at the time they left school and are Black or African American, Hispanic, and youth who dropped out are underrepresented, and responses from youth who are no longer in secondary school and had IEPs in effect at the time they left school and are white are overrepresented compared to the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school. For FFY 2023, NDE will continue to conduct a census, sending the survey to all youth who are no longer in secondary school and had IEPs in effect at the time they left school. NDE will provide technical assistance and support to the largest, most diverse districts in Nebraska. NDE intends for this careful planning and follow-up to result in the demographics of the youth who are no longer in secondary school and had IEPs in effect at the time they left school who respond to the FFY 2023 survey being representative of the youth who are no longer in secondary school and had IEPs in effect at the time they left school.

14 - OSEP Response

14 - Required Actions

In the FFY 2023 SPP/APR, the State must report whether the FFY 2023 data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, and, if not, the actions the State is taking to address this issue. The State must also include its analysis of the extent to which the response data are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school.

Indicator 15: Resolution Sessions

Instructions and Measurement

Monitoring Priority: Effective General Supervision Part B / General Supervision

Results Indicator: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements. (20 U.S.C. 1416(a)(3)(B))

Data Source

Data collected under section 618 of the IDEA (IDEA Part B Dispute Resolution Survey in the ED Facts Metadata and Process System (EMAPS)).

Measurement

Percent = (3.1(a) divided by 3.1) times 100.

Instructions

Sampling is not allowed.

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

States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline 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 not used

Prepopulated Data

Source	Date	Description	Data
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/15/2023	3.1 Number of resolution sessions	7
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/15/2023	3.1(a) Number resolution sessions resolved through settlement agreements	2

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

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Historical Data

Baseline Year	Baseline Data
2005	

FFY	2017	2018	2019	2020	2021
Target >=		0.00%	.00%		
Data	0.00%	28.57%	14.29%	50.00%	100.00%

Targets

FFY	2022	2023	2024	2025
Target >=				

FFY 2022 SPP/APR Data

3.1(a) Number resolutions sessions resolved through settlement agreements	3.1 Number of resolutions sessions	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
2	7	100.00%		28.57%	N/A	N/A

Provide additional information about this indicator (optional)

The number of resolution sessions is less than ten, which means the State is not required to set or meet targets.

15 - Prior FFY Required Actions

None

15 - OSEP Response

The State reported fewer than ten resolution sessions held in FFY 2022. 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 ED Facts Metadata and Process System (EMAPS)).

Measurement

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

Instructions

Sampling is not allowed.

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

States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of 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 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/15/2023	2.1 Mediations held	4
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/15/2023	2.1.a.i Mediations agreements related to due process complaints	0
SY 2022-23 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/15/2023	2.1.b.i Mediations agreements not related to due process complaints	4

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

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SIMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

Historical Data

Baseline Year	Baseline Data
2021	70.00%

FFY	2017	2018	2019	2020	2021
Target >=		0.00%	.00%		60.00%-70.00%
Data	0.00%	100.00%	75.00%	100.00%	70.00%

Targets

FFY	2022 (low)	2022 (high)	2023 (low)	2023 (high)	2024 (low)	2024 (high)	2025 (low)	2025 (high)
Target >=	70.00%	80.00%	70.00%	80.00%	80.00%	90.00%	90.00%	100.00%

FFY 2022 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 2021 Data	FFY 2022 Target (low)	FFY 2022 Target (high)	FFY 2022 Data	Status	Slippage
0	4	4	70.00%	70.00%	80.00%	100.00%	Met target	No Slippage

Provide additional information about this indicator (optional)

The number of mediations is less than ten, which means the State is not required to meet targets.

16 - Prior FFY Required Actions

None

16 - OSEP Response

The State reported fewer than ten mediations held in FFY 2022. The State is not required to meet its 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) (SiMR) for Children with Disabilities.

Targets: In its FFY 2020 SPP/APR, due February 1, 2022, the State must provide measurable and rigorous targets (expressed as percentages) for each of the six years from FFY 2020 through FFY 2025. The State's FFY 2025 target must demonstrate improvement over the State's baseline data.

Updated Data: In its FFYs 2020 through FFY 2025 SPPs/APRs, due February 2022 through February 2027, 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) Children with Disabilities. In its FFYs 2020 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 2020 through 2025 SPPs/APRs, 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., February 1, 2023). 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 2022 APR, report on anticipated outcomes to be obtained during FFY 2023, i.e., July 1, 2023-June 30, 2024).

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 (e.g., behaviors), parent/caregiver outcomes,

and/or child outcomes. Describe any additional data (e.g., 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 2022 APR, report on activities it intends to implement in FFY 2023, i.e., July 1, 2023-June 30, 2024) 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)?

Nebraska’s State-Identified Measurable Result is to increase the reading proficiency for students with disabilities at the 4th grade level as measured by the statewide reading assessment.

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)

NO

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://cdn.education.ne.gov/wp-content/uploads/2021/12/Theory-of-Action-v2-ACCESS-CHECKED-sped.pdf>

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
2020	25.63%

Targets

FFY	Current Relationship	2022	2023	2024	2025
Target	Data must be greater than or equal to the target	27.13%	28.13%	29.13%	30.13%

FFY 2022 SPP/APR Data

Number of Students with Disabilities at the 4th grade level who are proficient in reading? (both general assessment and alternate assessment)	Total number of 4th grade students with disabilities tested on the statewide reading assessment (both general assessment and alternate assessment)?	FFY 2021 Data	FFY 2022 Target	FFY 2022 Data	Status	Slippage
1,147	4,358	23.35%	27.13%	26.32%	Did not meet target	No Slippage

Provide the data source for the FFY 2022 data.

Data comes from the same source as Indicator 3 (the number of 4th grade students with IEPs who had valid and proficient assessment scores based either on grade level academic achievement standards [NSCAS] or alternate academic achievement standards).

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

Data are collected based on the requirements of Indicator 3. The SiMR (or percent of 4th grade students with IEPs proficient in reading) equals the sum of 4th grade students with IEP with valid and proficient reading scores either by grade level academic achievement standards (NSCAS) or alternate achievement standards (alternate assessment) divided by the total number of students at the 4th grade with IEPs.

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

YES

Describe any additional data collected by the State to assess progress toward the SiMR.

Based on feedback from stakeholders, the State of Nebraska broke down the NCSAS data by disability category to help give meaning to the data and allow districts to see what groups of students needed to be targeted in their improvement work. The data in the table shows the proficiency of students at the 4th grade level by disability category and includes both students who took the general education assessment as well as the alternate assessment. The scores are arranged from the lowest to highest levels of proficiency. Students with specific learning disabilities are the lowest performing group of students with 13.30% being proficient, followed by students with OHI (24.68% proficient), our students with ED (27.92% proficient), students with Autism (31.73% proficient), students with ID (37.50% proficient), and students with SLI (46.20% proficient).

Nebraska also disaggregated data by race/ethnicity. Although in the past there hasn't been much variance in scores based on race/ethnicity, with the increased emphasis on equity, the Office of Special Education felt it was important to review the data to see if there have been any changes. Based on that disaggregation, we see there are differences that exist between racial/ethnic groups, but those differences are not as significant as those between disability categories.

Nebraska tested 18,582 fourth-grade students using the Measure of Academic Progress (MAP) assessment. 15,010 fourth grade students without disabilities and 3,572 students with disabilities were tested. The chart below captures MAP assessment data in the form of RIT (Rasch Unit) scores. RIT is an equal interval scale unit, developed for an easier interpretation of growth. A comparison of fall to spring scores shows students with disabilities demonstrated slightly more growth of 7.94 points whereas students without disabilities showed 7.23 points of growth.

When looking specifically at students with disabilities and performance on the MAP reading assessment, scores varied by disability for students identified with either Emotional Disability or Speech/Language Impairments out-scoring students with other disabilities in all three administrations of the MAP assessment. Students with Intellectual Disabilities and Specific Learning Disabilities had the lowest RIT scores for all test administrations. Average RIT scores for the fall of 2022, winter of 2022 and spring of 2023 are as follows for each category. Emotional Disability was 189.44; 194.72; 197.17 respectively. Speech/Language Impairment was 197.76; 202.48; 205.73 respectively. Other Health Impaired was 184.33; 189.10; 194.00 respectively. Specific Learning Disability was 179.33; 186.26; 192.29 respectively. Autism was 185.07; 190.56; 194.34 respectively. Intellectual Disability was 164.21; 167.45; and 175.69 respectively.

Nebraska also uses the MAP RIT scores to determine the percentage of students considered at-risk for not becoming proficient readers. Nebraska begins looking at "at-risk" numbers beginning with kindergarten to determine the extent to which students are getting the supports needed to become proficient readers by 4th grade. Based on the 2023 spring administration of the MAP assessment, 12,258 kindergarten students took the assessment with 10,164 students without disabilities and 2,094 students with disabilities; 14,281 first grade students took the assessment with 11,555 students without disabilities and 2,786 students with disabilities; 16,845 second grade students took the assessment with 13,448 students without disabilities and 3,397 students with disabilities; 21,797 third grade students took the assessment with 17,600 students without disabilities and 4,197 students with disabilities. In looking at percent of students considered at risk, kindergarten had 14.75% students without disabilities and 31.14% of students with disabilities; 1st grade had, 18.26% students without disabilities and 42.30% students with disabilities; 2nd grade had 19.36% students without disabilities and 45.81% students with disabilities; and 3rd grade had 14.44% students without disabilities and 43.79% students with disabilities.

Nebraska also analyzes the pre-literacy and language data from the Teaching Strategies (TS) Gold assessment for preschool and prekindergarten students. During the Fall 2022 benchmark assessment on TS Gold, 6,206 preschool students were tested (3,754 were without disabilities and 2,452 were with disabilities) and 9,153 pre-kindergarten students were tested (6,693 were without disabilities and 2,460 were with disabilities). Based on the 2022 fall benchmark, 73.23% of preschool students without disabilities and 67.22% of prekindergarten students without disabilities were considered to meet or exceed expectations whereas 41.92% of preschool students with disabilities and 39.88% of pre-kindergarten students with disabilities met or exceeded expectations. During the Spring 2023 benchmark assessment on TS Gold, 7,053 preschool students were tested (3,786 were without disabilities and 3,267 were with disabilities) and 9,808 pre-kindergarten students with tested (7,002 without disabilities and 2,805 with disabilities). Based on the 2023 spring benchmark 94.03% of preschool students without disabilities and 94.03% pre-kindergarten students without disabilities whereas 52.27% of preschool students with disabilities and 69.85% of pre-kindergarten students with disabilities met or exceeded expectations.

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)

YES

Describe any data quality issues, unrelated to COVID-19, specific to the SiMR data and include actions taken to address data quality concerns.

Northwest Evaluation Association (NWEA), the institution responsible for the reporting of the MAP data to the state, began a pilot of the NSCAS Growth Assessment intended to replace the MAP Assessment. The NSCAS Growth Assessment includes a through-year model for recognizing growth at set intervals and is more closely aligned with Nebraska State Standards for Math and Reading.

The decreased use of MAP was evidenced in Targeted Improvement Plan (TIP) reports submitted by school districts. Nebraska will continue to analyze data from both assessments to show progress toward the SiMR and to determine the number of students with disabilities who are considered "at-risk" for not becoming proficient readers.

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://cdn.education.ne.gov/wp-content/uploads/2022/01/Revised-Logic-Model-.pdf>

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:

Nebraska's main infrastructure strategy centers around Multi-Tiered Systems of Support (MTSS). The Office of Special Education has partnered with other agency entities to align MTSS practices with Continuous Improvement. This framework for improvement is referred to as NeMTSS and it focuses on systems level approaches to teaching, learning, and student outcomes.

For the main strategy of implementing MTSS statewide, the State implemented the following: NeMTSS framework and systems level training and training specific to English Language Arts; Language Essentials for Teacher of Reading and Spelling (LETRS); WORDS training; and NeMTSS Summit.

To further align resources and programs within the system, Nebraska engaged in the assistance of Instructional Partners to identify specific areas that require further alignment of programs and initiatives at the State level.

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.

NeMTSS - Framework and Systems Training

Between February 1st, 2023, and November 15th, 2023, the NeMTSS Regional Facilitators provided training and support to districts dependent on their needs. Overall, 19 school districts and three ESUs received foundational NeMTSS Framework training (formerly known as System Days training), which entails a series of six workshops. One ESU received the first workshop (Explore: The NeMTSS Journey), two districts received the second workshop (Organize: Alignment and Integration), six districts and two ESUs received the third workshop (Examine: Tier 1 Core Practices), one district received the fourth workshop (Examine: Tier 2/Tier 3 Practices), and nine districts received the fifth workshop (Continuously Improve: Action Plan).

After each training, participants filled out a survey to gather information related to the content, application, and facilitation of the training. A total of 137 responses were captured showing that generally, participants rated the content, application, and the trainings favorably. Approximately 95-97% agreed that the content was valuable, supported their team's mission, supported their Continuous Improvement plan, and was purposeful and practical. Approximately 3-4% disagreed that the content was valuable, supported their team's mission, supported their Continuous Improvement plan, and was purposeful and practical. In the area of application, approximately 95% agreed that time was provided in the training to apply/discuss new knowledge and skills and 97% agreed that their team had a plan to implement new knowledge and skills learned. Approximately 5% disagreed that time was provided in the training to apply/discuss new knowledge and skills and 3% disagreed their team had a plan to implement new knowledge and skills learned. With respect to the facilitation of the training, between 95-98% of respondents agreed that there were meaningful engagement opportunities, the facilitator(s) responded well to the needs of the group and were able to address questions effectively and agreed that the delivery of the content met their needs. Approximately 2-5% of the respondents disagreed that there were meaningful engagement opportunities, the facilitator(s) responded well to the needs of the group and were able to address questions effectively and agreed that the delivery of the content met their needs.

As part of the Targeted Improvement Plan, Districts were asked to report the level of implementation of MTSS based on a Likert scale. Based on that information, the May 2023 submission shows that 45% of Districts reported they implement the MTSS "most of the time"; 41% of Districts reported they implement evidence-based practice "at least half of the time"; 9% reported they "rarely implemented"; 4% reported the MTSS was "not implemented"; and 1% indicated they "don't know".

ELA Training contained 2 primary components: LETRS Training and WORDS training. To better support reading, NeMTSS provided training in the Language Essentials for Teachers of Reading and Spelling (LETRS). In the area of professional development and technical assistance, the state trained 117 individuals in the essentials of reading and spelling. Participants included teachers, administrators, and instructional coaches. Of these 117 individuals, 33% participated in the Early Childhood cohort, 35% participated in the first year Volumes 1-4 cohort, and 32% participated in the second year Volumes 5-8 cohort. Evaluation data from 14 participants of the 2022-2023 training cohort shows that generally, participants rated the training favorably. Approximately 93% of survey respondents rated the overall training as "good" or "excellent. Approximately 92-100% of survey respondents were likely or very likely to adjust their reading instruction to align with the science of reading and use, share, and recommend training information presented. Evaluation data from the 2023-2024 cohort will occur at the end of the academic year. WORDS is a professional development project based on the Science of Reading that aims to accelerate post-pandemic reading development for kindergarten through third grade students. Specific components of WORDS include: 1) Teacher professional development with ongoing coaching support; 2) Assessment support; 3) Extra instruction for students; and 4) Training leaders. The 2022-23 school year was the first year of this professional development opportunity for districts, and 9 schools participated. Data examining teacher and student outcomes were collected at the end of the 2022-2023 school year.

Out of 41 teachers in the cohort, 78.4% of teachers agreed or strongly agreed that the WORDS project helped them improve their ability to teach reading. Additionally, 89.2% of teachers agreed or strongly agreed that the overall WORDS project improved their students' reading achievement. Further, 82.9% of teachers surveyed agreed or strongly agreed that the WORDS project helped them engage in self-instruction about their reading instruction. Across all components of the WORDS project, the majority of teachers (over 78%) surveyed agreed or strongly agreed that all components helped them improve their ability to teach reading, improved their students' reading achievement, and helped them engage in self-reflection about their reading instruction.

The annual MTSS Summit was attended by 827 individuals (660 in person and 167 virtual) with a range of professional roles. The two most popular roles were teachers (37%) and administrators (28%). There were 75 respondents to the evaluation of the Summit. Overall, the evaluation of the Summit data shows that it was rated very well (95% rated excellent or good; 5% rated poor), additionally attendees were likely to recommend the Summit to others (95% rated likely; 5% rated unlikely) Further, people who attended were likely to use the information presented (99% rated likely; 1% rated unlikely) and would share the information learned with others (96% rated likely; 4% rated unlikely).

Since the inception of the SSIP, the Nebraska Department of Education with the assistance of Instructional Partners has been working to align the work

of the Office of Special Education and other offices within the Department including the following: MTSS; High-Quality Instructional Materials (HQIM); Continuous Improvement; Social-Emotional and Social-Emotional/Behavioral Learning; Whole Child Wellbeing. Through the focus of these initiatives, districts have expressed a need for further clarification of each of the initiatives including how each support and ties to the others. As a result of the investigation into the alignment of these initiatives, the NDE has established the following activities: Strengthen coherence of MTSS and Continuous Improvement; Strengthen intersection of MTSS and academics with attention to non-summative assessment guidance in the context of high-quality instructional materials; Development of a common visual about how MTSS, Continuous Improvement, Whole Child Supports and High-Quality Instructional Materials work together; Streamline and strengthen school supports and monitoring processes.

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

YES

Describe each new (newly identified) infrastructure improvement strategy and the short-term or intermediate outcomes achieved.

With Nebraska's emphasis on implementing evidenced-based practices within a multi-tiered system of support, the Department of Education kicked off the "Journey to Inclusion" to support educators in serving students with disabilities in the general education classroom. With the "Journey to Inclusion" work the Office of Special Education in conjunction with Sped Strategies, an organization who works with education leaders across the nation, provided professional development activities including guidance documents, workshops and continuing work with the pilot sites. The function of the pilot sites is to support districts as they look at shifts that can be made to school structure and classroom practices to create opportunities for students with disabilities to learn alongside their peers without disabilities. Resources related to the Journey to inclusion can be found at <https://www.education.ne.gov/sped/journey-to-inclusion/>.

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

With Nebraska's main infrastructure strategy being MTSS, the priorities moving forward will be to continue focusing on aligning resources and programs within the State educational system.

For the main strategy of implementing MTSS statewide, the State will continue to implement Language Essentials for Teacher of Reading and Spelling (LETRS) and WORDS, hold an MTSS conference, and provide MTSS systems level training and training specific to English Language Arts. These all will continue, building sustainability and implementation supports based on areas of needs determined through evaluation of data collected.

To continue to support districts who have selected reading as a focus for improvement on their Targeted Improvement Plans (TIPs) adding supports for measuring fidelity of implementation, the MTSS State Facilitators also will continue to implement training specific to reading. Our ELA specific training will have a high focus on the selection of high-quality instructional materials with detail in aligning the Interventions at Tiers II and III to the materials. The Journey to inclusion work along with the MTSS Summit will ensure connectivity to ELA system support in schools.

With the Department's focus on renewal and acceleration for all students, specifically students with disabilities as a historically marginalized subgroup, it continues to be apparent that the focus within schools and thus within the SEA needs to continue on system alignment. Across American Rescue Plan consultation meetings, there was a consistent push to create more coherence, efficiency, and mutual reinforcement across the major processes and to create a clearer sense of connection of how these processes interact and to plan into these processes tiers of support based on need. This work seeks to align, define, and streamline NeMTSS, high-quality instructional materials (HQIM), and continuous improvement processes and tools with attention to social emotional learning and whole-child wellbeing.

At the end of this process: We want to have a shared vision of success - shared within the entire State Educational Agency and statewide, including our Educational Service Units; We want our stakeholders to hear us speaking with one voice; We want to have functional and trusting spaces to identify and productively work through tension and conflict and ensure the work is cohesive; We want to make it clearer what actions school and system leaders need to take to support students and to make it easier for them to take those actions; Creating this alignment will ensure that schools have the resources they need to support student well-being, ultimately supporting academic growth

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

Nebraska continued to require districts to submit and report on the evidence-based practices used to improve the outcomes of students with disabilities through the development of a Targeted Improvement Plan.

Provide a summary of each evidence-based practices.

Nebraska continued to require districts to create a Targeted Improvement Plan (TIP) to report the evidence-based strategy implemented to improve student outcomes. Based on a review of the TIP, 82% of the 244 districts focused on reading as their area of improvement which decreased from the year before. The evidence-based practices selected by districts include explicit instruction (61%), strategies to promote active student engagement (20%), implementing flexible grouping (12%), and providing positive and constructive feedback to guide students' learning and behavior (7%) among other strategies. 244 districts provided a numerical target to demonstrate improvement toward their goal with 77% of the districts providing performance data and 53% of the districts indicating they met or exceeded their target.

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 targeted improvement plan focuses on the core components of continuous improvement and is designed to help districts focus on analyzing data to make decisions to improve the outcomes of students with disabilities. It also requires districts to select a specific evidence-based practice to implement to achieve those results and develop fidelity measures to ensure practices are implemented with fidelity. Districts are provided feedback on the targeted improvement plans submitted to further guide the continuous improvement process. When Nebraska developed Phase I of the SSIP, it was identified that students with disabilities were not achieving at the level anticipated due to the lack of evidence-based practices in use. The targeted improvement plan has required districts to focus on evidence-based practices and has moved to measuring the fidelity of the practices to improve results.

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

Districts self-reported the level of fidelity of implementation of the evidence-based practice (EBP) in use as well as fidelity of implementation of MTSS. Information specific to the fidelity of implementation of MTSS can be found in the Continued Evidence-Based Practices section above.

As part of the Targeted Improvement Plan, Districts were asked to report the level of implementation of the evidence-based practice selected based on a Likert scale. Based on that information, 58% of Districts reported they implement the evidence-based practice “most of the time”; 34% of Districts reported they implement evidence-based practice “at least half of the time”; 6% reported they “rarely implemented”; 1% reported the evidence-based practice was “not implemented”; 1% indicated they “don’t know”.

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.

Districts are invited to discuss and/or include implementation data to support their descriptions of implementation. No additional data was collected from all districts, but districts are invited to provide examples and some districts are sharing examples of implementation surveys and other tools that are beginning to help them understand their level of implementation.

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

Based on a review of the TIPs submitted in 2023, the State will provide additional professional development to assist districts in how to collect implementation data, measuring fidelity, and applying data-based decision making within a continuous improvement model. With an increase in additional professional development the state anticipates seeing a higher percentage of districts indicating they are implementing with fidelity supported by data and obtaining the targets set to ultimately impact student achievement.

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.

Nebraska saw a 2.92 increase in proficiency data from the 2022 to 2023 reading assessment. Students with disabilities are also showing higher growth on the MAP assessment from fall to spring than students without disabilities with students with disabilities showing 7.94-point growth whereas students without disabilities show a 7.23-point growth. Pre-kindergarten Students with disabilities are also showing a higher rate of growth in the TS Gold pre-literacy and language assessments than students without disabilities with students with disabilities showing 29.97-point growth whereas students without disabilities show a 26.8-point growth. Nebraska is also seeing high levels of implementation of both MTSS and the selected student-centered, evidence-based practice selected.

Section C: Stakeholder Engagement

Description of Stakeholder Input

Nebraska regularly seeks input from, and builds the capacity of, a diverse group of stakeholders, including parents, when establishing policy, regulation, or implementation strategies. Specific to the development of the State Performance Plan and Annual Performance Report (SPP/APR), Nebraska established a diverse stakeholder group called the RDA Stakeholder Group. The RDA Stakeholder Group includes representation from the following: parents, special education directors, special education staff, general education administrators (principals, superintendents), institutions of higher education, NDE teams (Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment), community agencies, nonpublic schools, the Nebraska State Education Association, and the Nebraska Association of Special Education Supervisors.

The RDA Stakeholder Group has met periodically throughout the past year and will continue meeting to establish and review targets, needed revisions to targets, and evaluate progress, as well as supporting implementation activities designed to improve outcomes, as indicated in the SPP/APR and the development and implementation of the State Systemic Improvement Plan (SSIP). Thus far, the RDA Stakeholder Group has reviewed historical data around each indicator, the targets for each indicator, and needed revisions to certain indicator targets. Additionally, the RDA Stakeholder Group assisted NDE in establishing the State Identified Measurable Result (SIMR). As the RDA Stakeholder Group continues meeting, it will provide guidance and input on the development of the continued phases of the SSIP process.

In addition to the RDA Stakeholder Group, established specifically for the purpose of gathering input on the SPP/APR, Nebraska also built the capacity of and obtained input from two longstanding diverse stakeholder groups with some members serving as liaisons to the RDA Stakeholder Group: the Special Education Advisory Council (SEAC) and the Results Matter Nebraska Task Force (Task Force).

SEAC is established pursuant to 34 C.F.R. § 300.167 and, as such, provides input from a diverse group of stakeholders. SEAC and the Task Force, which regularly discusses the SPP/APR and provides input on the targets and strategies contained therein, has reviewed, and supported the work of the RDA Stakeholder Group. NDE continues to work collaboratively with stakeholders, including SEAC and the Task Force, to analyze and review data to assist in making changes to the SSIP in relation to the SiMR data, interim measures of progress, and any needed changes to infrastructure and programmatic activities, along with any changes needed to the targets within each indicator.

In addition, the Office of Special Education creates indicator-specific, diverse stakeholder groups to engage those groups in a targeted build out of technical assistance aimed at supporting the implementation activities designed to improve outcomes.

The Office of Special Education and stakeholders continue to have an ongoing collaborative relationship while implementing and evaluating the SSIP. Stakeholders have included the following: Results Based Accountability (RBA) Stakeholders; Special Education Advisory Council (SEAC); MTSS Stakeholder’s Group.

Each of the groups consisted of the following: Parents; Special Education Directors; Special Education staff; General Education Administrators (including principals and superintendents); Staff from Institutions of Higher Education; Community agencies; Nonpublic school staff; Nebraska State Education Association members; Nebraska Association of Special Education Supervisors members; Members from various Offices within the Nebraska Department of Education including: Office of Accountability, Accreditation, and Program Approval; School Improvement; Curriculum, Instruction, and Assessment.

The State has met with stakeholders in and virtually in person and virtually, to be responsive to community needs while providing opportunities for decision-making inclusive of broad stakeholder perspectives.

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

Each of the groups met at different frequencies. Stakeholders collaborated with the State in making decisions about the data for the SiMR including analyzing and reviewing the following data: SiMR; MAP; TS Gold; Implementation; and Infrastructure. Stakeholders also worked collaboratively with the State to determine next steps based on the data analyzed and reviewed.

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.

All activities have already been described.

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

See Evaluation Plan at <https://www.education.ne.gov/wp-content/uploads/2022/01/Revised-Logic-Model-.pdf>

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

On July 1, 2023, our new Commissioner of Education began employment. The new Commissioner has been focusing on enhancing the statewide assessment system. The Nebraska Department of Education will work with stakeholders to gain information about the needs of the new assessment system and impact on the SiMR.

Although the Department has been working on moving from the MAP assessment to the NSCAS Growth Assessment, the Department was asked to stop this work by the State Board of Education. Pausing this move from the MAP to NSCAS Growth caused a lapse in interim data to measure progress toward the SiMR. The Office of Special Education will continue to work with Data Management and Application Development (DMAD) to ensure we get interim data to show progress toward the SiMR in the future.

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:

Amy Rhone

Title:

State Director

Email:

amy.rhone@nebraska.gov

Phone:

531-207-9978

Submitted on:

04/24/24 8:20:50 PM

Determination Enclosures

RDA Matrix

Nebraska 2024 Part B Results-Driven Accountability Matrix

Results-Driven Accountability Percentage and Determination (1)

Percentage (%)	Determination
82.50%	Meets Requirements

Results and Compliance Overall Scoring

Section	Total Points Available	Points Earned	Score (%)
Results	20	15	75.00%
Compliance	20	18	90.00%

(1) For a detailed explanation of how the Compliance Score, Results Score, and the Results-Driven Accountability Percentage and Determination were calculated, review "How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2024: Part B."

2024 Part B Results Matrix

Reading Assessment Elements

Reading Assessment Elements	Grade	Performance (%)	Score
Percentage of Children with Disabilities Participating in Statewide Assessment (2)	Grade 4		
Percentage of Children with Disabilities Participating in Statewide Assessment	Grade 8		
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 4	24%	1
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 4	94%	1
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 8	27%	1
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 8	92%	1

Math Assessment Elements

Math Assessment Elements	Grade	Performance (%)	Score
Percentage of Children with Disabilities Participating in Statewide Assessment	Grade 4		
Percentage of Children with Disabilities Participating in Statewide Assessment	Grade 8		
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 4	54%	2
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 4	93%	1
Percentage of Children with Disabilities Scoring at Basic or Above on the National Assessment of Educational Progress	Grade 8	22%	1
Percentage of Children with Disabilities Included in Testing on the National Assessment of Educational Progress	Grade 8	90%	1

(2) Statewide assessments include the regular assessment and the alternate assessment.

Exiting Data Elements

Exiting Data Elements	Performance (%)	Score
Percentage of Children with Disabilities who Dropped Out	18	1
Percentage of Children with Disabilities who Graduated with a Regular High School Diploma**	73	1

**When providing exiting data under section 618 of the IDEA, States are required to report on the number of students with disabilities who exited an educational program through receipt of a regular high school diploma. These students meet the same standards for graduation as those for students without disabilities. As explained in 34 C.F.R. §300.102(a)(3)(iv), in effect June 30, 2017, “the term regular high school diploma means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.”

2024 Part B Compliance Matrix

Part B Compliance Indicator (3)	Performance (%)	Full Correction of Findings of Noncompliance Identified in FFY 2021 (4)	Score
Indicator 4B: 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.	0.00%	N/A	2
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	0.00%	N/A	2
Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	4.27%	YES	2
Indicator 11: Timely initial evaluation	98.07%	YES	2
Indicator 12: IEP developed and implemented by third birthday	100.00%	YES	2
Indicator 13: Secondary transition	59.89%	YES	0
Timely and Accurate State-Reported Data	100.00%		2
Timely State Complaint Decisions	100.00%		2
Timely Due Process Hearing Decisions	100.00%		2
Longstanding Noncompliance			2
Programmatic Specific Conditions	None		
Uncorrected identified noncompliance	None		

(3) The complete language for each indicator is located in the Part B SPP/APR Indicator Measurement Table at: https://sites.ed.gov/idea/files/2024_Part-B_SPP-APR_Measurement_Table.pdf

(4) This column reflects full correction, which is factored into the scoring only when the compliance data are >=5% and <10% for Indicators 4B, 9, and 10, and >=90% and <95% for Indicators 11, 12, and 13.

Data Rubric

Nebraska

FFY 2022 APR (1)

Part B Timely and Accurate Data -- SPP/APR Data

APR Indicator	Valid and Reliable	Total
1	1	1
2	1	1
3A	1	1
3B	1	1
3C	1	1
3D	1	1
4A	1	1
4B	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
11	1	1
12	1	1
13	1	1
14	1	1
15	1	1
16	1	1
17	1	1

APR Score Calculation

Subtotal	21
Timely Submission Points - If the FFY 2022 APR was submitted on-time, place the number 5 in the cell on the right.	5
Grand Total - (Sum of Subtotal and Timely Submission Points) =	26

(1) In the SPP/APR Data table, where there is an N/A in the Valid and Reliable column, the Total column will display a 0. This is a change from prior years in display only; all calculation methods are unchanged. An N/A does not negatively affect a State's score; this is because 1 point is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the SPP/APR Data table.

618 Data (2)

Table	Timely	Complete Data	Passed Edit Check	Total
Child Count/ Ed Envs Due Date: 8/30/23	1	1	1	3
Personnel Due Date: 2/21/24	1	1	1	3
Exiting Due Date: 2/21/24	1	1	1	3
Discipline Due Date: 2/21/24	1	1	1	3
State Assessment Due Date: 1/10/24	1	1	1	3
Dispute Resolution Due Date: 11/15/23	1	1	1	3
MOE/CEIS Due Date: 5/3/23	1	1	1	3

618 Score Calculation

Subtotal	21
Grand Total (Subtotal X 1.23809524) =	26.00

(2) In the 618 Data table, when calculating the value in the Total column, any N/As in the Timely, Complete Data, or Passed Edit Checks columns are treated as a '0'. An N/A does not negatively affect a State's score; this is because 1.23809524 points is subtracted from the Denominator in the Indicator Calculation table for each cell marked as N/A in the 618 Data table.

Indicator Calculation

A. APR Grand Total	26
B. 618 Grand Total	26.00
C. APR Grand Total (A) + 618 Grand Total (B) =	52.00
Total N/A Points in APR Data Table Subtracted from Denominator	0
Total N/A Points in 618 Data Table Subtracted from Denominator	0.00
Denominator	52.00
D. Subtotal (C divided by Denominator) (3) =	1.0000
E. Indicator Score (Subtotal D x 100) =	100.00

(3) Note that any cell marked as N/A in the APR Data Table will decrease the denominator by 1, and any cell marked as N/A in the 618 Data Table will decrease the denominator by 1.23809524.

APR and 618 -Timely and Accurate State Reported Data

DATE: February 2024 Submission

SPP/APR Data

1) Valid and Reliable Data - Data provided are from the correct time period, are consistent with 618 (when appropriate) and the measurement, and are consistent with previous indicator data (unless explained).

Part B 618 Data

1) Timely – A State will receive one point if it submits all *EDFacts* files or the entire *EMAPS* survey associated with the IDEA Section 618 data collection to ED by the initial due date for that collection (as described the table below).

618 Data Collection	EDFacts Files/ EMAPS Survey	Due Date
Part B Child Count and Educational Environments	C002 & C089	8/30/2023
Part B Personnel	C070, C099, C112	2/21/2024
Part B Exiting	C009	2/21/2024
Part B Discipline	C005, C006, C007, C088, C143, C144	2/21/2024
Part B Assessment	C175, C178, C185, C188	1/10/2024
Part B Dispute Resolution	Part B Dispute Resolution Survey in <i>EMAPS</i>	11/15/2023
Part B LEA Maintenance of Effort Reduction and Coordinated Early Intervening Services	Part B MOE Reduction and CEIS Survey in <i>EMAPS</i>	5/3/2023

2) Complete Data – A State will receive one point if it submits data for all files, permitted values, category sets, subtotals, and totals associated with a specific data collection by the initial due date. No data is reported as missing. No placeholder data is submitted. The data submitted to *EDFacts* aligns with the metadata survey responses provided by the state in the State Supplemental Survey IDEA (SSS IDEA) and Assessment Metadata survey in *EMAPS*. State-level data include data from all districts or agencies.

3) Passed Edit Check – A State will receive one point if it submits data that meets all the edit checks related to the specific data collection by the initial due date. The counts included in 618 data submissions are internally consistent within a data collection

Dispute Resolution

IDEA Part B

Nebraska

School Year: 2022-23

A zero count should be used when there were no events or occurrences to report in the specific category for the given reporting period. Check "Missing" if the state did not collect or could not report a count for the specific category. Please provide an explanation for the missing data in the comment box at the top of the page.

Section A: Written, Signed Complaints

(1) Total number of written signed complaints filed.	37
(1.1) Complaints with reports issued.	28
(1.1) (a) Reports with findings of noncompliance	23
(1.1) (b) Reports within timelines	24
(1.1) (c) Reports within extended timelines	4
(1.2) Complaints pending.	0
(1.2) (a) Complaints pending a due process hearing.	0
(1.3) Complaints withdrawn or dismissed.	9

Section B: Mediation Requests

(2) Total number of mediation requests received through all dispute resolution processes.	7
(2.1) Mediations held.	4
(2.1) (a) Mediations held related to due process complaints.	0
(2.1) (a) (i) Mediation agreements related to due process complaints.	0
(2.1) (b) Mediations held not related to due process complaints.	4
(2.1) (b) (i) Mediation agreements not related to due process complaints.	4
(2.2) Mediations pending.	0
(2.3) Mediations withdrawn or not held.	3

Section C: Due Process Complaints

(3) Total number of due process complaints filed.	12
(3.1) Resolution meetings.	7
(3.1) (a) Written settlement agreements reached through resolution meetings.	2
(3.2) Hearings fully adjudicated.	2
(3.2) (a) Decisions within timeline (include expedited).	0
(3.2) (b) Decisions within extended timeline.	2
(3.3) Due process complaints pending.	1
(3.4) Due process complaints withdrawn or dismissed (including resolved without a hearing).	9

Section D: Expedited Due Process Complaints (Related to Disciplinary Decision)

(4) Total number of expedited due process complaints filed.	0
(4.1) Expedited resolution meetings.	0
(4.1) (a) Expedited written settlement agreements.	0
(4.2) Expedited hearings fully adjudicated.	0
(4.2) (a) Change of placement ordered	0
(4.3) Expedited due process complaints pending.	0
(4.4) Expedited due process complaints withdrawn or dismissed.	0

State Comments:

Errors:

Please note that the data entered result in the following relationships which violate edit checks:

State error comments:

This report shows the most recent data that was entered by:

Nebraska

These data were extracted on the close date:

11/15/2023

How the Department Made Determinations

Below is the location of How the Department Made Determinations (HTDMD) on OSEP's IDEA Website. How the Department Made Determinations in 2024 will be posted in June 2024. Copy and paste the link below into a browser to view.

<https://sites.ed.gov/idea/how-the-department-made-determinations/>



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Final Determination Letter

June 21, 2024

Honorable Brian Maher
Commissioner of Education
Nebraska Department of Education
500 S. 84th Street, 2nd Floor, P.O. Box 94987
Lincoln, NE 68510-2611

Dear Commissioner Maher :

I am writing to advise you of the U.S. Department of Education's (Department) 2024 determination under Section 616 of the Individuals with Disabilities Education Act (IDEA). The Department has determined that Nebraska meets the requirements and purposes of Part B of the IDEA. This determination is based on the totality of Nebraska's data and information, including the Federal fiscal year (FFY) 2022 State Performance Plan/Annual Performance Report (SPP/APR), other State-reported data, and other publicly available information.

Nebraska's 2024 determination is based on the data reflected in its "2024 Part B Results-Driven Accountability Matrix" (RDA Matrix). The RDA Matrix is individualized for each State and Entity and consists of:

- (1) a Compliance Matrix that includes scoring on Compliance Indicators and other compliance factors;
- (2) a Results Matrix that includes scoring on Results Elements;
- (3) a Compliance Score and a Results Score;
- (4) an RDA Percentage based on both the Compliance Score and the Results Score; and
- (5) the State's or Entity's Determination.

The RDA Matrix is further explained in a document, entitled "[How the Department Made Determinations under Section 616\(d\) of the Individuals with Disabilities Education Act in 2024: Part B](#)" (HTDMD).

The Office of Special Education Programs (OSEP) is continuing to use both results data and compliance data in making determinations in 2024, as it did for Part B determinations in 2014-2023. (The specifics of the determination procedures and criteria are set forth in the HTDMD document and reflected in the RDA Matrix for Nebraska).

In making Part B determinations in 2024, OSEP continued to use results data related to:

- (1) the participation and performance of CWD on the most recently administered (school year 2021-2022) National Assessment of Educational Progress (NAEP), as applicable (For the 2024 determinations, OSEP using results data on the participation and performance of children with disabilities on the NAEP for the 50 States, the District of Columbia, and Puerto Rico. OSEP used the available NAEP data for Puerto Rico in making Puerto Rico's 2024 determination as it did for Puerto Rico's 2023 determination. OSEP did not use NAEP data in making the BIE's 2024 determination because the NAEP data available for the BIE were not comparable to the NAEP data available for the 50 States, the District of Columbia, and Puerto Rico; specifically, the most recently administered NAEP for the BIE is 2019, whereas the most recently administered NAEP for the 50 States, the District of Columbia, and Puerto Rico is 2022.)
- (2) the percentage of CWD who graduated with a regular high school diploma; and
- (3) the percentage of CWD who dropped out.

For the 2024 IDEA Part B determinations, OSEP also considered participation of CWD on Statewide assessments (which include the regular assessment and the alternate assessment). While the participation rates of CWD on Statewide assessments were a factor in each State or Entity's 2024 Part B Results Matrix, no State or Entity received a Needs Intervention determination in 2024 due solely to this criterion. However, this criterion will be fully incorporated beginning with the 2025 determinations.

You may access the results of OSEP's review of Nebraska's SPP/APR and other relevant data by accessing the EMAPS SPP/APR reporting tool using your Nebraska-specific log-on information at <https://emaps.ed.gov/suite/>. When you access Nebraska's SPP/APR on the site, you will find, in applicable Indicators 1 through 17, the OSEP Response to the indicator and any actions that Nebraska is required to take. The actions that Nebraska is required to take are in the "Required Actions" section of the indicator.

It is important for you to review the Introduction to the SPP/APR, which may also include language in the "OSEP Response" and/or "Required Actions" sections.

You will also find the following important documents in the Determinations Enclosures section:

- (1) Nebraska's RDA Matrix;
- (2) the HTDMD [link](#);

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UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

- (3) "2024 Data Rubric Part B," which shows how OSEP calculated Nebraska's "Timely and Accurate State-Reported Data" score in the Compliance Matrix; and
- (4) "Dispute Resolution 2022-2023," which includes the IDEA Section 618 data that OSEP used to calculate the Nebraska's "Timely State Complaint Decisions" and "Timely Due Process Hearing Decisions" scores in the Compliance Matrix.

As noted above, Nebraska's 2024 determination is Meets Requirements. A State's or Entity's 2024 RDA Determination is Meets Requirements if the RDA Percentage is at least 80%, unless OSEP has imposed programmatic Specific Conditions on the State's or Entity's last three IDEA Part B grant awards (for FFYs 2021, 2022, and 2023), and those Specific Conditions are in effect at the time of the 2024 determination.

IDEA determinations provide an opportunity for all stakeholders to examine State data as that data relate to improving outcomes for infants, toddlers, children, and youth with disabilities. The Department encourages stakeholders to review State SPP/APR data and other available data as part of the focus on improving equitable outcomes for infants, toddlers, children, and youth with disabilities. Key areas the Department encourages State and local personnel to review are access to high-quality intervention and instruction; effective implementation of individualized family service plans (IFSPs) and individualized education programs (IEPs), using data to drive decision-making, supporting strong relationship building with families, and actively addressing educator and other personnel shortages.

For 2025 and beyond, the Department is considering three criteria related to IDEA Part B determinations as part of the Department's continued efforts to incorporate equity and improve results for CWD. First, the Department is considering as a factor OSEP-identified longstanding noncompliance (i.e., unresolved findings issued by OSEP at least three or more years ago). This factor would be reflected in the determination for each State and Entity through the "longstanding noncompliance" section of the Compliance Matrix beginning with the 2025 determinations. In implementing this factor, the Department is also considering beginning in 2025 whether a State or Entity that would otherwise receive a score of Meets Requirements would not be able to receive a determination of Meets Requirements if the State or Entity had OSEP-identified longstanding noncompliance (i.e., unresolved findings issued by OSEP at least three or more years ago). Second, the Department is considering as potential additional factors the improvement in proficiency rates of CWD on Statewide assessments. Third, the Department is considering whether and how to continue including in its determinations criteria the participation and proficiency of CWD on the NAEP.

For the FFY 2023 SPP/APR submission due on February 1, 2025, OSEP is providing the following information about the IDEA Section 618 data. The 2023-24 IDEA Section 618 Part B data submitted as of the due date will be used for the FFY 2023 SPP/APR and the 2025 IDEA Part B Results Matrix and States and Entities will not be able to resubmit their IDEA Section 618 data after the due date. The 2023-24 IDEA Section 618 Part B data will automatically be prepopulated in the SPP/APR reporting platform for Part B SPP/APR Indicators 3, 5, and 6 (as they have in the past). Under EDFacts Modernization, States and Entities are expected to submit high-quality IDEA Section 618 Part B data that can be published and used by the Department as of the due date. States and Entities are expected to conduct data quality reviews prior to the applicable due date. OSEP expects States and Entities to take one of the following actions for all business rules that are triggered in the EDPass or EMAPS system prior to the applicable due date: 1) revise the uploaded data to address the edit; or 2) provide a data note addressing why the data submission triggered the business rule. States and Entities will be unable to submit the IDEA Section 618 Part B data without taking one of these two actions. There will not be a resubmission period for the IDEA Section 618 Part B data.

As a reminder, Nebraska must report annually to the public, by posting on the State educational agency's (SEA's) website, the performance of each local educational agency (LEA) located in Nebraska on the targets in the SPP/APR as soon as practicable, but no later than 120 days after Nebraska's submission of its FFY 2022 SPP/APR. In addition, Nebraska must:

- (1) review LEA performance against targets in the State's SPP/APR;
- (2) determine if each LEA "meets the requirements" of Part B, or "needs assistance," "needs intervention," or "needs substantial intervention" in implementing Part B of the IDEA;
- (3) take appropriate enforcement action; and
- (4) inform each LEA of its determination.

Further, Nebraska must make its SPP/APR available to the public by posting it on the SEA's website. Within the upcoming weeks, OSEP will be finalizing a State Profile that:

- (1) includes Nebraska's determination letter and SPP/APR, OSEP attachments, and all State or Entity attachments that are accessible in accordance with Section 508 of the Rehabilitation Act of 1973; and
- (2) will be accessible to the public via the ed.gov website.

OSEP appreciates Nebraska's efforts to improve results for children and youth with disabilities and looks forward to working with Nebraska over the next year as we continue our important work of improving the lives of children with disabilities and their families. Please contact your OSEP State Lead if you have any questions, would like to discuss this further, or want to request technical assistance.

Sincerely,

Valerie C. Williams
Director
Office of Special Education Programs

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cc: Nebraska Director of Special Education

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