ISBE Special Education
SEA Determination

The U.S. Department of Education’s Office of Special Education and Rehabilitative Services (OSERS) released State determinations on implementation of the Individuals with Disabilities Education Act (IDEA) for federal fiscal year 2012. The 2004 Amendments to the IDEA require each State to develop a State Performance Plan (SPP) that includes baseline data, measurable and rigorous targets, and improvement activities for 18 compliance and results indicators. States report data about how students with disabilities are performing on each of the indicators in their SPPs. OSERS is required to issue annual determination letters to each State on its progress in meeting the requirements of the statute.

IDEA details four categories for the determination:

- **Meets** the requirements and purposes of IDEA;
- **Needs assistance** in implementing the requirements of IDEA;
- **Needs intervention** in implementing the requirements of IDEA; or
- **Needs substantial intervention** in implementing the requirements of IDEA.

IDEA identifies specific technical assistance or enforcement actions for States that are determined to not “meet requirements.” For example, if a State “needs assistance” for two consecutive years, the Department must take one or more enforcement actions, including requiring the State to access technical assistance, designating the State as a high-risk grantee, or directing the use of State set-aside funds to the area(s) where the State needs assistance.

For the first time this year, States were evaluated under the new Results Driven Accountability (RDA) system. RDA replaces the past system’s heavy emphasis on procedural compliance with a more balanced approach between compliance and student outcomes to determine program effectiveness. The shift to RDA resulted in many more States in the “needs assistance” category.

Illinois was placed in the “needs assistance for two consecutive years” category. OSERS required Illinois to access technical assistance related to specific SPP indicators and provided available sources of technical assistance. The specific factors affecting the determination for Illinois were the proficiency gap for 4th and 8th grade students with disabilities on regular statewide assessments and the percentage of 4th grade students with disabilities scoring at basic or above on the National Assessment of Educational Progress (NAEP). Areas that reflect a high level of performance in Illinois include SPP Indicators 4B (suspension/expulsion by race/ethnicity), 9 (disproportionality), 10 (disproportionality in specific disability categories), 11 (timely initial evaluations), 12 (transition from Part C to Part B), 13 (secondary transition), timely state complaint decisions, timely due process hearing decisions and 20 (state-reported data). Illinois also received high marks on the percentage of 4th and 8th grade students with disabilities participating in regular statewide reading and math assessments.