

**Quick Reference Guide: LEA Determination Criteria for 2023**

As required by the *Individual with Disabilities Education Act* (*IDEA*),[[1]](#footnote-1) states must make LEA determinations annually based on federal and state-determined criteria. These criteria applied in Massachusetts’ LEA determinations are described in the table below. For more details about LEA determinations, please consult the *Frequently Asked Questions about LEA Determinations of Need for Special Education Technical Assistance or Intervention* resource.

| **Determination Criteria** | **Reporting Period/Year** | **Description** | **Data Sources** |
| --- | --- | --- | --- |
| **Performance Criteria** |
| **Annual Dropout Rate** | SY 2021-2022 | The annual dropout rate is the percentage of students in grades 9-12 who dropped out of high school within the defined reporting period and did not return to school by October 1 of the following school year. The dropout rate used for LEA determinations is not the same as the dropout rate reported for SPP/APR Indicator 2.  | Data come from 5 different SIMS data collections (see calculation process [here](https://www.doe.mass.edu/infoservices/data/guides/dropout-calc.html)).Data can be accessed and reviewed in the state’s Security Portal ([here](https://gateway.edu.state.ma.us/stardust/login)).  |
| **5-Year Cohort Graduation Rate** | SY 2020-2021 | The 5-year cohort graduation rate is the percentage of students with disabilities in a 9th grade cohort who graduate within 5 years. The 5-year cohort graduation rate used for LEA determinations is not the same as the graduation rate reported for SPP/APR Indicator 1. | Data come from SIMS (see information in graduation FAQ [here](https://www.doe.mass.edu/infoservices/reports/gradrates/gradratesfaq.html)).Data can be accessed and reviewed in the state’s Security Portal ([here](https://gateway.edu.state.ma.us/stardust/login)). |
| **State Performance Plan/Annual Performance Report (SPP/APR) Indicator 3** | SY 2022-2023 | This new data point is based on SPP/APR 3, measure D, which captures the gap in proficiency rates on regular statewide assessments between students with disabilities and all students. Proficiency is based on performance levels “Meeting Expectations” and “Exceeding Expectations.”For LEA determinations, the Department looks at the proficiency gaps on the 8th grade Reading assessment. | MCAS results are used to calculate the 8th grade Reading proficiency gap. Data can be accessed and reviewed on the School and District Profiles ([here](https://profiles.doe.mass.edu/statereport/nextgenmcas.aspx)).  |
| **SPP/APR Indicators 5 and 6** | SY 2022-2023 | These indicators address educational environments for both school age (Indicator 5) and preschool (Indicator 6) students with disabilities. For LEA determinations, the Department looks at the percentage of students with disabilities in full inclusion (K-age 22) and the students with disabilities receiving services in inclusive settings the majority of the time (ages 3-5 in early childhood environments).The full inclusion rate is not the same as any of the measures reported for SPP/APR indicators 5 and 6.  | Data comes from SIMS and the numerator of the calculation is based on SIMS codes DOE034 – 10 and DOE032 – 31 and 34. |
| **Compliance Criteria** |
| **SPP/APR Indicators 4B, 9, and 10** | SY 2021-2022 | Indicator 4B evaluates whether an LEA is: 1) identified with significant discrepancy in the rates of students with disabilities in one or more racial/ethnic group(s) suspended or expelled for more than 10 days and 2) has policies, procedures, and practices that do not comply with requirements related to the development and implementation of IEPs, use of positive behavioral supports, and procedural safeguards.Indicators 9 and 10 evaluate whether an LEA that has disproportionate representation in one or more racial/ethnic group(s) identified with disabilities (Indicator 9) and/or six specific disability categories (Indicator 10) are the result of an inappropriate identification. | Data for Indicators 4B, 9, and 10 are based on state collected discipline data (Indicator 4B) and October 1 child count and enrollment data (Indicators 9 and 10). Based on data analyses, LEAs may be required to complete reviews of policies, procedures, and practices to determine compliance with *IDEA*.Further details on these indicators can be found on the state’s SPP/APR website ([here](https://www.doe.mass.edu/sped/spp/maspp.html)). |
| **SPP/APR Indicators 11, 12, and 13** | SY 2022-2023 | Indicator 11 evaluates whether monitored LEAs fulfilled Child Find responsibilities in meeting initial evaluation timelines. Indicator 12 evaluates whether children transitioning from Early Intervention programs (Part C) to Part B programs had IEPs developed and implemented by their third birthdays.Indicator 13 evaluates whether children aged 14 and above receive secondary transition planning and services aligned with *IDEA* requirements. | Data are collected only for LEAs part of Tiered Focused Monitoring Group A. Student-level information is reported by LEAs in the state’s web-based monitoring system and monitoring staff determine compliance based on information and evidence provided.Further details on these indicators can be found on the state’s SPP/APR website ([here](https://www.doe.mass.edu/sped/spp/maspp.html)). |
| **Identification of Noncompliance (number of findings)** | SY 2022-2023 | These data are based on the combined number of findings of noncompliance with *IDEA* found through the Public School Monitoring’s Tiered Focused Monitoring (Group A and Group B) and Problem Resolution Systems. Data provided for this data element is not a count of noncompliance, but instead a rate to standardize data across LEAs of all sizes. | Data are based on findings of noncompliance or complaints identified through Tiered Focused Monitoring (more information [here](https://www.doe.mass.edu/psm/)) or Problem Resolution Systems (more information [here](https://www.doe.mass.edu/prs/guide/default.html)).  |
| **Timely Submission/ Verified Correction of Noncompliance** | SY 2022-2023 | These data are based on the combined number of instances in which data submitted were not valid, reliable, and timely and findings of noncompliance were not verified as corrected within one year of written notification of findings.Data provided for this data element is not a count of reports not valid, reliable, and timely and/or findings of noncompliance not yet verified as corrected, but instead a rate to standardize data across LEAs of all sizes. | Data are based on findings of outstanding noncompliance identified through Tiered Focused Monitoring (more information [here](https://www.doe.mass.edu/psm/)) or untimely submission of Corrective Action Plans identified through Problem Resolution Systems (more information [here](https://www.doe.mass.edu/prs/guide/default.html)).  |

1. See §300.00(a)(2) and §300.603(b)(1). [↑](#footnote-ref-1)