SPECIAL EDUCATION SERVICES

Data Collection and Reporting

Technical Assistance Manual
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1 Forward

This Technical Assistance Paper is provided as guidance and support to local education agencies (LEAs) that provide special education and related services to identified students with disabilities under the Individuals with Disabilities Education Act (IDEA) of 2004 in the State of Utah. The document serves as an overview for LEA personnel new to the data requirements of the IDEA and the Utah State Board of Education Special Education Rules (USBE SER), as well as a reference for more experienced LEA directors of special education, information technology, and data managers. The document includes brief background information about the required data and practical procedures for data collection and submission.

2 Data Collection

2.1 Purpose of Special Education Data Collection

The Utah State Office of Education Special Education Services (USOE SES) has the responsibility of collecting data to reflect the performance and compliance of special education programs in public agencies within the State under the Individuals with Disabilities Education Act of 2004 (IDEA). The USOE administers this responsibility through consistent and accurate collection, storage, reporting, and analysis of data that reflects the Federal intent to emphasize a data-driven, systematic approach to compliance and evaluation of the impact of special education services on improving academic and social outcomes for students with disabilities. Data collected in this effort include Annual Performance Report (APR) indicators, as well as personnel needs, graduation and dropout rates, performance of students with disabilities on state- and district-wide assessments, rates at which students with disabilities are suspended and/or expelled from school, and rates of identification and placement of students from different racial/ethnic groups, as well as data critical to equitable distribution and expenditure of State and Federal special education funds.

2.2 USOE Data Collection and Storage Systems

Local Education Agency (LEA) and State reports are generated from the LEA data submitted from local Student Information Systems (SIS) to the Utah Transcript Record Exchange (UTREx) . Data entering UTREx are validated via edit checks. Data not passing all validations and edit checks must be corrected by the LEA before any part of the file will be accepted into UTREx. Data that clear the edits are then stored in UTREx for additional review by state education agency (SEA) data auditors. SEA staff provide support as LEAs work to ensure that data are as accurate, valid, and as reliable as possible prior to the “drop-dead” (final) due date. Finally, data are uploaded to the USOE Data Warehouse for permanent storage.

Throughout the year, data are submitted from the USOE to ED*Facts,* via established reports, to process and produce the annual IDEA reports for the State. The U.S. Department of Education (DOE) Office Special Education Programs (OSEP) then utilizes the data submitted to ED*Facts* for national reports as well as used to make a determination on the performance of the State of Utah based on the APR Indicators. The data are also used to produce reports on the performance of each LEA in the State.

ED*Facts* is a (DOE) initiative to put performance data at the center of policy, management, and budget decisions for all PreK-12 educational programs by centralizing performance data supplied by SEAs with other data assets, such as financial grant information, within the DOE to enable better analysis and use in policy development, planning and management. The purpose of ED*Facts* is to:

- Reduce State and LEA data burden and streamline data practices.
- Improve state data capabilities by providing resources and technical assistance.
- Provide data for planning, policy, and management at the Federal, State, and local levels.

USOE data collection depends on the timely and accurate submission of data from each LEA. LEAs submit data from their local Student Information System (SIS) to UTREx on a daily basis. There are three times a year when the submitted data is used for ED*Facts* reporting, (October 1, December 1, and June 25). If the date of collection falls on a weekend or a holiday, the USOE will notify all LEAs of the date for that year.

	Due Date	**"Drop-Dead" Due Date**
1st yearly upload	October 1	October 15
2nd yearly upload	December 1	December 15
Final yearly upload	June 25	July 7

The table above defines two due dates for each UTREx submission. The first due date for each submission is the actual date by which the LEA must submit its preliminary UTREx file. There are no rules prohibiting submission prior to the due date. The period of time between the due date and the "drop-dead" due date provides time for LEAs to correct errors found in their UTREx submission files. The "drop-dead" due date is the date after which no further corrections can be made by the LEA, to the data that will be used for reporting.

If LEAs submit UTREx files on or before the due date they are able to follow up on errors or questions raised by USOE data auditors. This provides ample time for several edit cycles. If LEAs submit UTREx files after the due date, the chance to correct erroneous data is very limited. Submitting the UTREx file on the "drop-dead" due date will leave no time for corrections, and the data will be considered final, regardless of minor or catastrophic errors. Having LEA personnel with the ability and authority to make changes to the UTREx file available through the final due dates will facilitate having the most accurate data submitted.

The UTREx technical assistance documentation located at http://www.schools.utah.gov/computerservices/Services/Data-Clearinghouse.aspx describes specific information about the specific data sets collected throughout the year, including clear definitions and detailed descriptions of the fields for each required data element to be submitted by LEAs to USOE. LEA IT (Informational Technology) staff members are invited to bring questions and concerns regarding UTREx to the monthly data warehouse technician meetings sponsored by the USOE IT department. Changes in the process are introduced and explained by members of the USOE technical staff at bi-annual data meetings.

2.3 Data Edit Checks

LEAs in Utah select their own local SIS (at least nine different local SIS are currently used across the State) and are responsible for ensuring that their data collection fields match those specified in the USOE Data Clearinghouse Update Transactions Manual DCUTM. Technical assistance to LEAs for accurate data collection is provided by USOE Data Systems and Special Education staff members. UTREx has data edit checks that review all data elements entered and reject data that do not pass edit parameters. UTREx contains business rules to ensure that all data collections have definitions, acceptable values, and missing data options. Business rules are sufficiently rigorous and rarely allow for free-form input of data. Automatic data editing is employed by all online data entry systems. This requires that data pass through edit programs that produce lists of error reports.

The USOE ensures timely correction of data anomalies through immediate UTREx edit checks. USOE data edit checks do not verify the accuracy of data entered by the LEA; these checks only verify that the file specifications are aligned with the Data Clearinghouse fields. Therefore, it is extremely important that the LEA Special Education Director check the accuracy of the data submitted. Reports generated from data submitted by LEAs via UTREx are forwarded to USOE data analysts for review. When data are determined to be anomalous, they are sent back to the LEA for correction within 24 hours.

Within days of the receipt of the data they are moved from UTREx to the USOE Data Warehouse, where additional edit checks are made.

Child count, environments, exit, discipline, personnel, assessment, and other collections are all deadline-based to ensure timely and accurate information for the 618 (Annual IDEA Program Data) and 616 (State Performance Plan/Annual Performance Report on the Indicators) data reports to OSEP.

2.4 LEA Single Audit

All LEAs must conduct audits of programs funded under the State Minimum Schools Program annually. Details of the audit requirements for both restricted and unrestricted programs are found at http://www.schools.utah.gov/finance/Reference/Legal-Compliance.aspx.

If an LEA receives $500,000 or more in Federal funds annually, a single audit of Federal programs is also conducted. During the audits, certain data are verified (e.g., enrollment records are compared with an actual classroom count of students in a specific grade). The Single Audit Act Amendments of 1996 (Public Law 104-156) require that Government Auditing Standards (GAGAS) be followed in audits of state and local governments and nonprofit entities that receive Federal awards. OMB Circular No. A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, which provides the government-wide guidelines and policies on performing audits to comply with the Single Audit Act, also requires the use of GAGAS. Details of GAGAS are located at http://www.gao.gov/yellowbook.

3 USOE Professional Development and Technical Assistance to LEA Personnel

Technical assistance on data entry is provided by IT and Special Education Sections of the USOE to LEAs. Two statewide data conferences per year are held for all LEA-level IT managers on special education changes and other data changes. Any changes in the DCUTM are explained at these conferences. Monthly USOE Data Warehouse Group meetings are held where the USOE Data Quality Manager as well as appropriate USOE IT personnel clarify policy, explain changes, resolve concerns, and answer data-related questions brought by LEA representatives. Data issues and concerns are also discussed at the Utah Special Education Administrators' Meeting (USEAM) and in the *SPED-ometer*, a monthly electronic publication of the USOE Special Education Services section.

4 State and Federal Reports

The U.S. Department of Education Office of Special Education Programs (OSEP) has determined that all State-level data will be submitted to ED*Facts* beginning with the 2010-2011 school year. Both LEA and USOE reports will be compiled by ED*Facts*.

> Verification of accuracy of data must now take place largely at the local level, along with timely responses to any data anomalies reported to the LEA from the UTREx or USOE staff.

This shifts responsibilty for data accuracy and reliability from the SEA to the LEA. LEA Special Education Directors will need to work closely with their computer/information services staff to build common understandings of special education data reporting requirements, and the Federal ED*Facts* process. The USOE will facilitate and support LEAs in submitting accurate and timely data. However, the accuracy and timeliness of data submission is a responsibility of the LEA. Possible consequences of inaccurate and untimely data could include APR noncompliance, increased monitoring, and funding delays or reductions.

The Annual Performance Report specifies the requirements for accurate and timely data submissions from LEAs to the USOE, and from the USOE to OSEP.

4.1 Example of Data reported to OSEP

Indicator 20:

State-reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate (20 U.S.C. 1416(a)(3)(B)).

Measurement:

State-reported data, including 618 data and annual performance reports, are:

a) Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and

b) Accurate (describe mechanisms for ensuring error-free, consistent, valid and reliable data and evidence that these standards are met).

Data Sources:

618 data, UPIPS Monitoring data

Valid and Reliable Data:

All 618 data are collected in UTREx. Data errors are detected through an editing process and are sent back to LEAs for correction. Submissions are only accepted if they clear all editing procedures. Sign-off signatures are required for some of the 618 data ensuring validity, accuracy, and reliability. 618 data have been collected for many years. The USOE conducts a yearly comparison for consistency as an additional check. Utah has constructed an effective clearinghouse data system in order to meet the reporting requirements of IDEA and other Federal programs. Public reporting has also helped ensure that data received from the LEAs are accurate, valid and reliable.

4.2 Data Collection Summary Table

Data item	APR Performance Indicator	APR Compliance Indicator	OSEP 618 Table	Who Collects	How Collected	Submitted to	LEA Due Date
Data Related to Student Outcomes and Compliance							
Graduation	1			LEA	Local SIS SCRAM	UTREx	Oct. 1
Dropouts	2			LEA	Local SIS SCRAM	UTREx	Oct. 1
Statewide Assessment Participation and Performance	3		6	LEA	Online SAGE UAA DLM	UTREx	Annual, Spring
Child Count			1	LEA	Local SIS SCRAM	UTREx	Oct. 1 Dec. 1 June 25
Personnel			2	LEA	UPIPS Survey	CACTUS Specialist	June 30
School-Age (6–21) Environments (LRE Placement)	5		3	LEA	Local SIS SCRAM	UTREx	Oct. 1 Dec. 1 June 25
Early Childhood (3–5) Environments (LRE Placement)	6		3	LEA	Local SIS SCRAM	UTREx	Oct. 1 Dec. 1 June 25
Preschool Outcomes	7			LEA	UPOD	SpEd Preschool Specialist	June 30

Exiting			4	LEA	Local SIS SCRAM	UTREx	Oct. 1 Dec. 1 June 25
Parental Involvement	8			SEA	Survey	LEA & OSEP	
Disproportionality in Special Education		9		LEA	Local SIS SCRAM	UTREx	Oct. 1 Dec. 1 June 25
Disproportionality by Category of Disability		10		LEA	Local SIS SCRAM	UTREx	Oct. 1 Dec. 1 June 25
Discipline—Suspension and Expulsion	4		5	LEA	Local SIS	UTREx	Oct. 1 Dec. 1 June 25
Evaluation Timeline		11		SEA & LEA	UPIPS	SpEd Monitoring Specialist	
Transition Pt. C to Pt. B		12		LEA	TEDI	SpEd Preschool Specialist	
Transition School to Post-School		13		LEA & SEA	UPIPS	SpEd Monitoring Specialist	
Transition Pt. C to Pt. B		12		LEA	TEDI	SpEd Preschool Specialist	
Post-Secondary Outcomes	14			SEA	Phone survey	LEA & OSEP	
Correction of Non-Compliance		15		SEA	UPIPS & Indicator 15 database	SpEd Monitoring Specialist	
Dispute Resolution	18–19	18–19	7	SEA	Indicator 15 database	SpEd Compliance Coordinator-Monitoring Specialist	
Accurate and Timely Data	20	20		SEA		SpEd Data Specialist	

Additional data are collected at times when requested by State or Federal legislatures, or authorized organizations or agencies.

4.3 Data Related to Fiscal Issues

LEAs also collect and submit data related to fiscal issues. Please see the Fiscal Compliance and Accountability Manual at http://schools.utah.gov/sars/.

Data Related to Fiscal Issues				
	OSEP Table	**Who Collects**	**How Collected**	**LEA Due Date**
Maintenance of Effort (MOE)	**8**	LEA/SEA	Data to SpEd on Annual (Financial) Program Report	Oct. 1
Coordinated Early Intervening Services (CEIS)	**8**	LEA	UCA UPIPS Survey	Nov. 1 Sept. 30
High Cost Students with Disabilities		LEA	Data to SpEd	June 30
School-wide Title I Programs		LEA	UCA	Nov. 1
Extended School Year (ESY)		LEA	Data to SpEd UPIPS Survey	
Self-Contained and Resource Attendance Management (SCRAM)		LEA	Local SIS SCRAM	Oct. 1 Dec. 1 June 25
IDEA Flow-Through Applications		LEA	UCA	Nov. 1

5 Annual Performance Report (APR) and State Performance Plan (SPP) Indicators

With the reauthorization of the Individuals with Disabilities Education Act (IDEA) in 2004, states were required to develop a multi-year State Performance Plan (SPP) that is to be submitted to the Secretary of Education in the United States Department of Education for approval. The SPP is to include rigorous goals for specific indicators that are outlined in the Federal statute. In establishing the rigorous goals, states are to analyze baseline data, gather input from stakeholders, and outline recommended activities for achieving proposed targets. Utah's SPP and the Annual Performance Reports on all indicators are at http://www.schools.utah.gov/sars/Quick-Links/Performance-Plan.aspx.

5.1.1 Indicators 1 and 2: Graduation and Dropout Rates

Data on the graduation and dropout rates for students with disabilities is a key performance indicator showing results of special education and related services. These data are collected through the LEA SIS and then submitted to UTREx. The USOE then submits them to ED*Facts.*

5.1.2 Indicator 3: Statewide Assessment Participation and Performance

Data on the participation and performance of students with disabilities enable a comparison with the participation and performance of their same-grade-level peers to monitor the narrowing of any performance gap, as well as the effectiveness of special education programs on improving outcomes. Statewide assessment data are collected as all students in LEAs, including students with disabilities, participate in the statewide Student Assessment of Growth and Excellence (SAGE), Dynamic Learning Maps (DLM) or Utah's Alternate Assessment (UAA) assessment programs by accessing and responding to the assessment items online.

Depending on the assessment, most student data that drives test assignment comes from LEA SIS, that is submitted to the USOE daily. It is each LEA's responsibility to ensure that student data is accurate in their SIS, as well as, in each of the testing systems where the data is managed.

Each assessment that is part of the statewide testing program, U-PASS, (enter code) and Utah's Comprehensive Accountability System (UCAS), has a defined testing window for LEAs during which the assessments are administered. Each student's achievement data are tracked through the student's unique statewide student identifier number and associated with a grade, school, and LEA, as well as the student's demographics in the USOE Data Warehouse.

All statewide assessment's collect data on whether accommodations, modifications and/or resources were provided, as appropriate for the assessment. Information on how students with disabilities are participating in statewide assessments is also collected from individual student records during UPIPS monitoring activities. You can find more information on the Special Education Assessment website:
http://schools.utah.gov/sars/Assessment.aspx

5.1.3 Indicator 4: Discipline—Suspension and Expulsion

Historically, students with disabilities have been subjected to removal from education disproportionately to the removal of their peers. These data provide a way to monitor progress on this difference and to infer how the IDEA discipline procedural requirements are being adhered to by LEAs. Discipline data collected include the type and length of removal, the disability category, race/ethnicity, gender, and limited English proficiency status of students with removals, as well as whether the student received educational services during removals. Starting in 2010–2011, discipline data, will be collected, in addition to the LEA's SIS daily upload, through UTREx. The LEA will complete an Incident Report for each suspension or expulsion and enter the data in the local SIS that is uploaded to UTREx at year's end. (See pages 43-48 in UTREx Update Transactions Manual.)

5.1.4 Indicator 5: School-Age (6–21) Environments LRE Placement

The IDEA requires that IEP teams consider placement of each student with disabilities in the least restrictive environment (LRE), starting with a regular education classroom with same-age peers. These data permit an analysis of placement trends. Data on educational environments are contained in the Self-Contained and Resource Attendance Management (SCRAM) S-2 portion of the data upload LEAs submit to the UTREx. Each identified student with a disability who is receiving special education and related services is reported with the SSID, the category of disability, and the environment(s) in which the student is educated. The environments for

school-age students are defined in Indicator 5 in the SPP/APR. The student demographics, including date of birth and race/ethnicity, are also reported via UTREx and matched to the SCRAM data through the SSID. Kindergarten students who are age 5 on December WILL NOT be reported in Indicator 5. They must be reported in Indicator 6, Age 3-5.

5.1.5 Indicator 6: Early Childhood (Age 3–5) Environments LRE Placement

The IDEA requires that IEP teams consider placement of each student with disabilities in the least restrictive environment (LRE), starting with a regular education classroom with same-age peers. These data permit an analysis of placement trends. Early Childhood environments data are collected through UTREx for the early childhood environments as defined under Indicator 6 in the SPP/APR. The student demographics, including date of birth and race/ethnicity, are pulled from the regular education data screen and attached by the SSID. Students will be included who are ages 3-5, including Kindergarten students if they are 5 on or before December 1.

5.1.6 Indicator 7: Preschool Outcomes

Preschool outcomes data are collected on three specific targets: (1) Positive Social-Emotional Skills, (2) Acquiring and Using Knowledge and Skills, and (3) Taking Appropriate Action to Meet Needs. These data provide one source of information to LEAs and the USOE to evaluate the effectiveness of preschool programs around the State. Preschool outcomes (Indicator 7) data are collected by the USOE as each LEA submits Utah Preschool Outcome Data (UPOD) by June 30 of each school year to ensure that all students exiting preschool are reported. The UPOD data are collected by the LEA for each student who participates in a preschool program for children with disabilities for a period of at least six months, and is exiting the program at the end of the school year. Each Eligibility and/or IEP Team determines the child's initial status on each of the outcomes within six weeks of his/her being determined eligible for special education and related services.

5.1.7 Indicator 8: Parental Involvement

Opportunity for parental participation in the performance process is a foundational principle in the IDEA. Indicator 8 requires the USOE to ask parents to report the extent to which schools facilitated parent involvement as a means of improving services and results for their students with disabilities. Parental Involvement (Indicator 8) data are collected by a questionnaire sent to a representative random selection of parents of students with disabilities. The sample is generated from LEAs in Year 2 of the UPIPS monitoring cycle and the LEAs with pupil enrollment of ≤ 50,000. The stratum for the sample include: race/ethnicity, gender, disability, and age. The information from the survey is entered into a database, and results are calculated based on the 11 key items in the survey that, together, answer the Indicator 8 question. The survey was generated by a stakeholder group and based on the National Center for Special Education Accountability Monitoring (NCSEAM) survey. The survey is mailed directly to parents and returned to the USOE by an enclosed self-addressed stamped envelope. The USOE will continue to refine data systems for processing data, as indicated in the APR improvement activities for Indicator 8. The collected data are summarized and results are reported to LEAs annually, as well as reported in the Annual Performance Report (APR) which is posted on the USOE Department of Special Education website.

5.1.8 Indicator 9: Disproportionate Representation in Special Education

Students from racial and ethnic minorities have historically been disproportionately represented in special education. These data are collected in order to allow identification and analysis of where such disproportionality may be occurring and to focus analysis on any inappropriate procedures that may be the cause of this problem. Data for the calculation of disproportionality are collected via UTREx. The USOE will continue to refine data systems for processing data, as indicated in the APR improvement activities for Indicator 9.

Findings of noncompliance, if any, require a Corrective Action Plan that includes professional development and evidence of correction as soon as possible and no later than one year. Details of requirements when disproportionate representation is identified are in the "Disproportionality and Coordinated Early Intervening Services Manual" at http://www.schools.utah.gov/sars/DOCS/resources/ceis1-10.aspx.

5.1.9 Indicator 10: Disproportionate Representation in Categories of Disability

Students from racial and ethnic minorities have historically been disproportionately represented in specific categories of disability in special education. These data are collected in order to allow identification and analysis of where such disproportionality may be occurring and to focus analysis on any inappropriate procedures that may be the cause of this problem. Data for the calculation of disproportionality are collected via the UTREx. The USOE will continue to refine systems for processing data, as indicated in the APR improvement activities for Indicator 10.

Findings of noncompliance, if any, require a Corrective Action Plan that includes professional development and evidence of correction as soon as possible and no later than one year. Details of requirements when disproportionate representation is identified are in the "Disproportionality and Coordinated Early Intervening Services Manual" at http://www.schools.utah.gov/sars/DOCS/resources/ceis1-10.aspx.

5.1.10 Indicator 11: Evaluation and Eligibility Timeline

Compliance with the IDEA regulations and USBE SER require adherence to the 60-calendar-day (Utah 45-school-day) timeline for completing evaluation after an LEA receives consent for evaluation from a parent or guardian. Indicator 11 data are collected from submission of LEA self-assessment data, as well as collection of compliance data from file reviews during UPIPS on-site visits and LEA-submitted data. Findings of noncompliance, if any, require evidence of correction as soon as possible and no later than one year.

5.1.11 Indicator 12: Transition Part C to Part B

Students with disabilities who have received services through the Part C Early Intervention program and who are referred for evaluation for Part B eligibility must be evaluated and, if eligible, have an IEP in place by their third birthday. The Transition from Early-intervention Data Input System (TEDI) enables LEAs to track children who were referred for Part B evaluation and enter data on whether they were or were not eligible for Part B services,

as well as whether an IEP was developed prior to their third birthday. TEDI also tracks students whose IEPs were not in place by the third birthday and the reasons for any delay. The UPIPS monitoring process cross-checks the number of eligible children who transitioned from Early Intervention and had an IEP in place by their third birthday during file reviews. The TEDI database accesses the Health Department's Early Intervention database and pulls information into the preschool database. The Indicator 12 report is generated from the TEDI data. The USOE will continue to refine data systems for processing data as indicated in the APR improvement activities for Indicator 12.

Findings of noncompliance, if any, require evidence of correction as soon as possible and no later than one year.

5.1.12 Indicator 13: Transition School to Post-School

Each student with a disability aged 16 and older, or earlier if appropriate, must have in place an IEP that includes appropriate, measurable post-secondary 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 post-secondary goals; and annual IEP goals related to the student's transition service's 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 was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

School to post-school Indicator 13 data are collected from LEAs receiving on-site visits in a given year using file review questions aligned with the National Secondary Transition Technical Assistance Center (NSTTAC) Indicator 13 checklist. A minimum of 10 files per LEA (or all files if the number of transition aged students in the LEA is less than 10) are reviewed. Transition plans are also reviewed in LEA data submitted.

Findings of noncompliance, if any, evidence of correction as soon as possible and no later than one year.

5.1.13 Indicator 14: Post-Secondary Outcomes

An important indicator of program outcomes is to investigate the level of engagement in education, work, and living arrangements after students with disabilities leave K–12 public education systems. Indicator 14 measures these outcomes by collecting data on youth who are no longer in secondary school and had IEPs in effect at the time they left school. Information is collected about whether such students, within one year of leaving high school, are enrolled in †higher education or in some other ††post-secondary education or training program, are †††competitively employed, or are in some other employment.

†***Participating in higher education*** is defined as 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.

††***Enrolled in other post-secondary education*** means the individual is enrolled on a full- or part-time basis for at least one 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.)

†††***Competitive employment*** means youth have worked for pay at or above minimum wage in a setting with others without disabilities for at least 20 hours per week for at least 90 days at any time in the year since leaving high school, including the military. *Other employment* means youth have worked for pay or been self-employed for a period of at least 90 days any time in the year since leaving high school, and includes working in a family business. Data on Indicator 14 are collected through a survey of all students who exited school the previous year, which is conducted via telephone by trained interviewers. The data are summarized and submitted to OSEP in the USOE Annual Performance Report and posted for public review at http://www.utahposthighsurvey.org.

5.1.14 Indicator 15: Correction of Noncompliance

The Office of Special Education Programs requires that the USOE's general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible, but in no case later than one year from identification. This requirement means that LEAs must provide evidence of correction of each identified compliance error, as well as evidence of agency-wide compliance with the requirement in which the error was identified. Details of requirements for correction of noncompliance are found in the UPIPS manual at http://www.schools.utah.gov/sars/Laws,-State-Rules-and-Policies/Compliance.aspx.

5.1.15 Indicators 18–19: Dispute Resolution

Both compliance and program results can be evaluated by reviewing the resolution of disputes that arise between stakeholders. Mediation, State complaints, and due process complaints are required methods of resolving disagreements. In order that students with disabilities may receive a free appropriate public education, as guaranteed by the IDEA and USBE SER, timely resolution of these issues is required. Indicators 18–19 collect data on the results and timelines for these procedures.

5.1.16 Indicator 20: Timely and Accurate Data

The Office of Special Education Programs, as well as the USOE, is concerned with the timeliness and accuracy of data submitted by LEAs and the State. Consistency of data showing results across years and across LEAs within states and across states is critical to appropriate evaluation of special education effectiveness. The USOE tracks how LEAs meet the required timelines for data submission. Accuracy is monitored through LEA self-review, audits in the UTREx, and USOE staff review.

6 Office of Special Education Programs (OSEP) 618 Reports

IDEA data reporting requirements are contained in Section 618 of IDEA. The Office of Special Education Programs (OSEP) requires States to report IDEA Section 618 data in eight tables annually. These tables are a summary of data collected from all the LEAs in the State. Some data relate to the APR and SPP, while others represent additional areas of concern in the appropriate provision of a free appropriate public education (FAPE) to students with disabilities.

6.1.1 Table 1: Child Count

Each LEA must account for the students who have been found eligible for special education and related services. These data are collected through the Self-Contained and Resource Attendance Management (SCRAM) screens in the local Student Information System (SIS) and uploaded to the UTREx daily. The December 1 annual child count data are submitted from the UTREx to ED*Facts* to produce the OSEP report.

6.1.2 Table 2: Personnel

The data on personnel include information about special education licensed teachers (highly qualified and not highly qualified), related service personnel (fully certified and not fully certified), and paraprofessionals (qualified and not qualified) who are providing services to students with disabilities. Each LEA enters personnel data via UPIPS, which is due June 30.

These data are entered into UPIPS and then are submitted to ED*Facts*. Currently each LEA enters information about each teacher's current assignment into Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS) system, which contains the information about the educators' licenses and endorsements for qualification for teaching in the State of Utah.

Personnel data are verified via the discrepancy report in which teacher qualification data in CACTUS are compared to the LEA's most recently submitted data on teacher assignments in the UTREx file. Detected inconsistencies are reviewed by the CACTUS specialist with the LEA that submitted the files.

6.1.3 Table 3: Preschool and School-Age Environments LRE Placement

Preschool (age 3-5) 618 environments data are collected through the UTREx for the early childhood environments, as defined in Indicator 6 in the SPP/APR.

Revisions are currently underway to align the SCRAM and the UTREx Update Transaction Manual with new OSEP instructions/definitions on preschool environments to enable the USOE to report the data accurately. It is imperative that the LEA SIS system aligns with the OSEP instructions/definitions.

Data for the 618 school-age educational environments are collected as LEAs submit information from their local SIS to the SCRAM in the UTREx. Each identified student with a disability who is receiving special education and related services is reported with an SSID, the category of disability, and the environment(s) in which specialized instruction is provided. The environments for school-age students are defined in Indicator 5 in the SPP/APR and in the UTREx Update Transactions Manual. The student demographics, including date of birth and race/ethnicity, are also reported via the UTREx and matched to the SCRAM data through the student's unique state identifier.

6.1.4 Table 4: Exit

OSEP collects exit data from the States to determine the reasons behind students with disabilities leaving the public education system, and as a measure of the success of special education programs. Exit data are collected by LEAs in their local SIS and submitted to the UTREx through the SCRAM records. Exit data are collected through the year's end and submitted to the UTREx using exit codes defined in the UTREx Update Transaction Manual. These are due from LEAs on June 25 of each year.

6.1.5 Table 5: Discipline - Suspension and Expulsion

The USOE collects suspension and expulsion data through the Incident Reports in the UTREx. LEAs will complete the report, including information on the incident number, SSID, type of infraction, type of result (e.g., removal, referral to law enforcement), and the student's role in the incident.

These data are also used to produce progress and slippage reports for Indicator 4A (significant discrepancy in the rate of suspensions and expulsions of greater than 10 days for students with IEPs), and Indicator 4B (significant discrepancy by race or ethnicity in the rate of suspensions and expulsions of greater than 10 days for students with IEPs).

Findings of noncompliance, if any, require evidence of correction as soon as possible and no later than one year.

6.1.6 Table 6: Statewide Assessment

Two important measures of the results of special education programs are the participation and performance of students with disabilities on the achievement measures administered to all students in the State. UCAS comprises assessments for students at multiple grade levels in multiple content areas. Table 6 reports on the rate of participation of students with disabilities in Utah as well as the proficiency levels on the assessments.

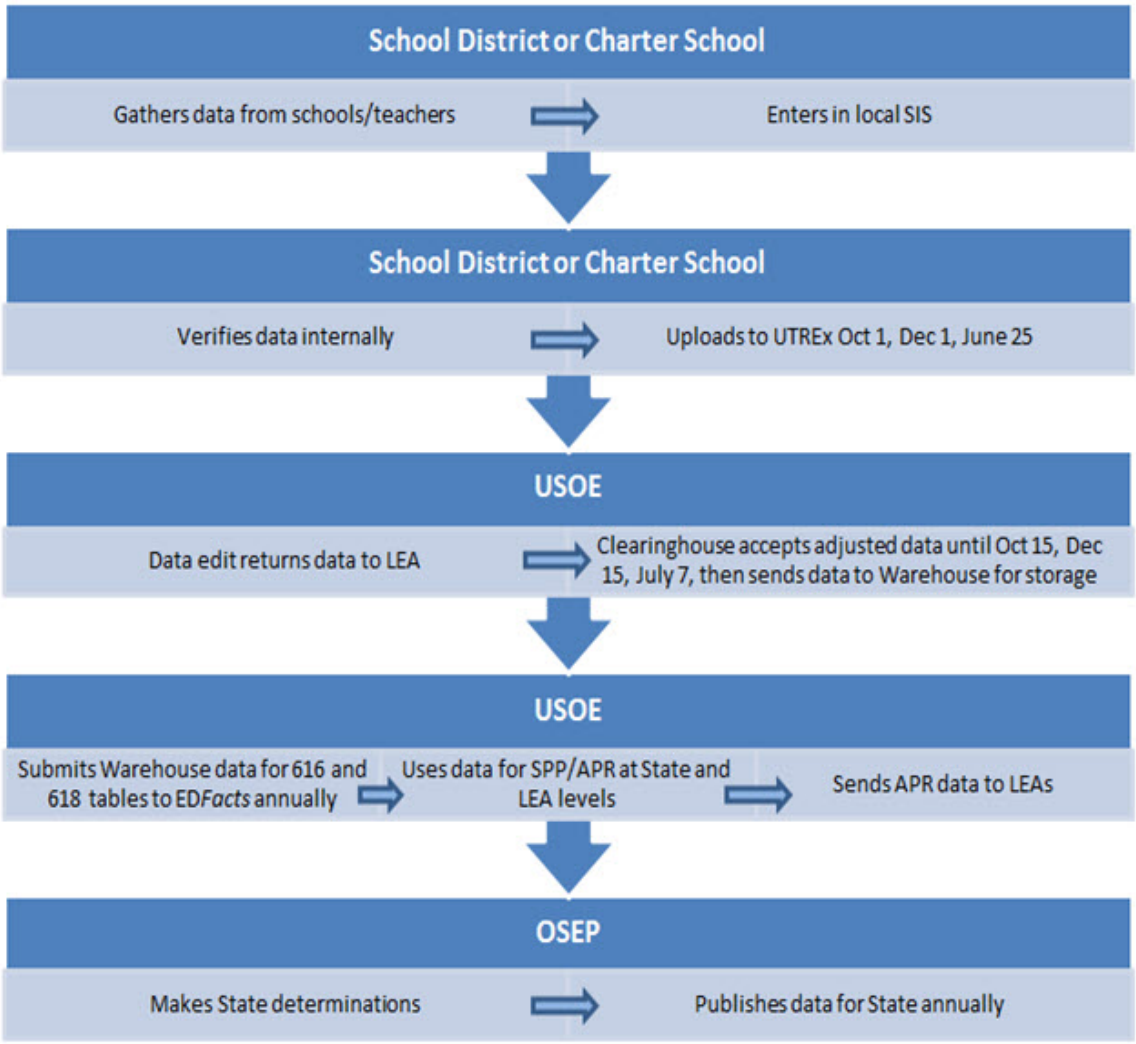
6.1.7 Table 7: Dispute Resolution

In order to determine how the various dispute resolution procedures—Mediation, State Complaints, and Due Process Complaints—are working to resolve disagreements between stakeholders, OSEP collects data in Table 7. Dispute Resolution data are collected as each instance of a complaint or mediation request is recorded and its progress tracked by the Special Education Compliance Coordinator. The data regarding the timelines, progress of the process, and outcomes of the resolution are recorded in the Indicator 15 database by the Monitoring Specialist.

6.1.8 Table 8: MOE and CEIS

Data regarding Maintenance of Fiscal Effort (MOE) and Coordinated Early Intervening Services (CEIS) are entered by LEAs in the Utah Consolidated Application or UPIPS Survey. The data are tracked and summarized to compile the annual report to OSEP in Table 8.

6.1.9 Flow of Data From LEAs to SEA to OSEP



7 Collection of LEA Data

Data from LEAs are collected in two major ways: (1) through Utah's Program Improvement Planning System (UPIPS) and (2) through the UTREx on the SCRAM.

7.1 LEA Student Information System (SIS) to UTREx

Data are collected by each LEA and entered into their local SIS. These data are uploaded to the UTREx for editing daily during the school year and forwarded to the USOE Data Warehouse for permanent storage a few weeks later. Data from the USOE Data Warehouse are sent to ED*Facts,* and the SEA level reports are generated.

7.2 Self-Contained and Resource Accounting Management (SCRAM)

The SCRAM is used to collect special education information for two purposes:

1. To determine State special education funding for the LEA, and
2. To facilitate required Federal reporting.

7.2.1 The SCRAM record contains 10 fields:

1. ID
2. Student Number
3. Disability Type
4. Time
5. SCRAM Entry Date
6. SCRAM Exit Date
7. SCRAM Exit Reason
8. SCRAM Membership
9. Regular Percent
10. Environment

The demographic data in the SIS are critical for accurate summaries that are used for funding and accountability. Demographic data from the regular education screens in the local SIS should populate the SCRAM screens.

The local SIS must include date of birth, name, school where enrolled, race/ethnicity, and all other demographic data on the S1 (General Enrollment) screen.

7.2.2 ID and STUDENT NUMBER:

The ID section is demographic information that is auto-filled from other data in the LEA SIS and the UTREx.

The SSID is usually auto-filled, as well.

7.2.3 DISABILITY TYPE: (Required - All Updates)

This column identifies the type of disability under which the student has been determined eligible for special education and related services.

7.2.4 DISABILITY CODES and MEANING:

AU - Autism
BD - Emotional Disturbance
SLI - Speech or Language Impairment
DB - Deaf/blindness

DD - Developmental Delay (Cannot be used for students older than 7.)
HI - Hearing Impairment/Deafness
ID - Intellectual Disability
MD - Multiple Disabilities
OH - Other Health Impairment
OI - Orthopedic Impairment
SL - Specific Learning Disability
TB - Traumatic Brain Injury
VI - Visual Impairment (including Blindness)

7.2.5 TIME: (Required K–12)

This is the amount of time per day, in minutes, that a student receives special education and related services. This time is counted regardless of the setting in which the student receives specialized instruction. Minutes of specialized instruction and related services are counted when delivered in the general education classroom, in a special education classroom, and in other settings. Other settings are often used to deliver related services, and may include community-based settings, therapy pools, physical therapy room, and others.

These data are part of the calculation of Weighted Pupil Units (WPUs) for allocation of State special education funds. Details of funding generation are contained in the FiCAM at http://www.schools.utah.gov/sars.

For students enrolled in grade PreK, minutes of service are not entered. If time is reported for students enrolled in PreK, these data are ignored by the edit and verification process. State Special Education Preschool funds are generated based on the number of students with disabilities age 3-5 enrolled in PreK programs, not on the amount of time students may receive special education and related services.

Computing the Daily Amount of Special Education Services Time

The amount of time per day entered in SCRAM must match the amount of time recorded in the services section on the IEP.
If a student receives a service less than daily, average the weekly or monthly amount of services over a five-day week.

Example:

- 30 minutes per week of speech as a related service divided by 5 days = 6 minutes per day of speech.

Time is entered as a code, as shown below:

A: *1–59 minutes* of special education/related services (or 1-29 minutes for half-day kindergarten). If the student is on a schedule of less than a whole day based on individual needs and documented in the IEP, the time is entered as a proportion of the student's day. A = up to 1/6th of minutes of student's school

day. (Released time—including time released for religious classes—is subtracted from the total minutes of the student's day.)

B: *60–179 minutes* of special education/related services (or 30-89 minutes for half-day kindergarten). If the student is on a schedule of less than a whole day based on individual needs and documented in the IEP, the time is entered as a proportion of the student's day. B = 1/6th to less than 1/2 of minutes of student's school day. (Released time—including time released for religious classes—is subtracted from the total minutes of the student's day.)

C: *More than 180 minutes* of special education/related services (or 90 minutes for half-day kindergarten). If the student is on a schedule of less than a whole day based on individual needs and documented in the IEP, the time is entered as a proportion of the student's day. C = 1/2 or more of minutes of the student's school day. (Released time—including time released for religious classes—is subtracted from the total minutes of the student's day.)

7.2.6 ENTRY DATE: (Required)

This is the date the student **first** began receiving special education and related services in the current school year (not the date of eligibility determination or the date of an annual IEP reviewed or revised). The format is **YYYYMMDD.**

- ***Example:*** **Enter September 12, 2013 as 20130912**

The date to be entered on the SCRAM is the date the student begins receiving special education and related services. For an initial IEP, this date is usually the date of the IEP meeting, unless there is some reason why the beginning of services is delayed. Examples might be; 1.) If an IEP is developed on the last day of the school year and the IEP services will be implemented beginning on the first day of the next school year. 2.) If there was a long weekend due to a holiday or other event, the IEP services would begin the day the student returned back to school.

7.2.7 EXIT DATE:

This field is completed when the student is no longer eligible for and/or is no longer receiving special education and related services, or when the student has a service change.

Enter the date ***following*** the last day the student received special education and related services. The format is **YYYYMMDD**.

7.2.8 **EXIT REASON:** (Completed only if a SCRAM EXIT DATE was entered.)

This code identifies the reason this student exited special education and related services.

A: Transferred to regular placement (no longer receiving special education services)
B: Graduated with Diploma
C: Received Certificate of Completion (not continuing in any other program)
D: Reached maximum age (that is, age 22)
E: Died
I: Dropped Out
J: Refusal of Service
S: Service change* (use for status change in:
- o DISABILITY category from DD to AU, etc.;
- o TIME code from A to B, B to C, etc.;
- o REGULAR ED PERCENT 1 to 2, etc.;
- o ENVIRONMENT from V to S, etc.)

X: Exited school (use for any transfer, dropout or high school completion)
BLANK: Leave blank if student is still enrolled.
**Service change does not mean that the student is exiting the Special Education program, they are simply changing their service.*

7.2.9 **SCRAM membership: (Required at Year End)**

This field should reflect the total aggregate days of membership within this SCRAM TIME code accurate up to the day you create the UTREx update file.

This field (Membership days) should be reported in 180-day equivalent days.

SELF-CONTAINED membership days should not be included in the regular school membership total on the S1 record. Report SELF-CONTAINED membership days on this S2 record only. School membership (S1) + SELF-CONTAINED membership (S2 + S3) cannot exceed 180 days.

RESOURCE students' membership days are included on the S1 record, and their days of membership in special education are included in the S2 record.

7.2.10 **REGULAR PERCENT: (Required K-12)**

This is the amount of time the student receives education in a regular education classroom with nondisabled peers during the school day.

1: At least 80 percent of the school day in a regular education classroom with nondisabled peers. If the student is on a schedule of less than a whole day based on individual needs and documented in the IEP,

the percentage is calculated on that student's school day. Released time (including time released for religious classes) is subtracted from the total minutes of the student's day. Non-academic school time (lunch, recess, passing time, advisory, etc) is included in the total minutes of the student's day and may count toward the percentage of time the student spends with nondisabled peers.

2: 40–79 percent of the school day in a regular education classroom with nondisabled peers. If the student is on a schedule of less than a whole day based on individual needs and documented in the IEP, the percentage is calculated on that student's school day. Released time (including time released for religious classes) is subtracted from the total minutes of the student's day. Non-academic school time (lunch, recess, passing time, advisory, etc) is included in the total minutes of the student's day and may count toward the percentage of time the student spends with nondisabled peers.

3: Less than 40% of the school day in a regular education classroom with nondisabled peers. If student is on a schedule of less than a whole day based on individual needs and documented in the IEP, the percentage is calculated on that student's school day. Released time (including time released for religious classes) is subtracted from the total minutes of the student's day. Non-academic school time (lunch, recess, passing time, advisory, etc) is included in the total minutes of the student's day and may count toward the percentage of time the student spends with nondisabled peers.

BLANK: student is age 3-5.

7.2.11 ENVIRONMENT: (Required)

This is the type of educational setting in which the student receives special education and related services.

Early Childhood Environment for 2013-2014: If age 3-5 (including 5 years old in K), use one of the following ENVIRONMENT/SETTING CODES (including if the student is age 5 and enrolled in Kindergarten):

CHILDREN ATTENDING A REGULAR EARLY CHILDHOOD PROGRAM AT LEAST 10 HRS PER WEEK	**F**	Child attending a regular childhood program at least 10 hours per week and receiving the majority of hours of special education and related services in the regular Early Childhood Program	Regular Classroom
	G	Child attending a regular childhood program at least 10 hours per week and receiving the majority of hours of special education and related services in some other location	Other Location
CHILDREN ATTENDING A REGULAR EARLY CHILDHOOD PROGRAM LESS THAN 10 HRS PER WEEK,	**J**	Child attending a regular childhood program less than 10 hours per week and receiving the majority of hours of special education and related services in the regular Early Childhood Program	Regular Classroom

	K	Child attending a regular childhood program less than 10 hours per week and receiving the majority of hours of special education and related services in some other location	Other Location
CHILDREN ATTENDING A SPECIAL EDUCATION PROGRAM (Not in any Regular Early Childhood Program)	**C**	Specifically, A Separate Special Education Class	Separate Special Education Class
	S	Specifically, A Separate School	Separate School
CHILDREN ATTENDING NEITHER A REGULAR EARLY CHILDHOOD PROGRAM NOR A SPECIAL EDUCATION PROGRAM	**M**	And Receiving The Majority Of Hours Of Special Education And Related Services At Home	Home
	R	And Receiving The Majority Of Hours Of Special Education And Related Services At The Service Provider Location Or Some Other Location Not In Any Other Category	Service Provider or Other Location Not in Any Other Category

If student is age 6-21, use one of the following ENVIRONMENT/SETTING CODES:

- **H:** Homebound/Hospitalized
- **R:** Public Residential
- **S:** Public Separate Schools
- **T:** Private Residential Facility
- **U:** Private Separate School
- **V:** Regular School Setting
- **Y:** Correctional Facility

Students in School to Post-School Transition Programs

For students in post-high school transition, or "retained senior" status, one of these two environment codes will be used:

- **S** = Public Separate Schools: Use for transition programs attached to or part of a special school.
- **V** = Regular School Setting: Use for transition programs attached to, supervised by, or conducted by a regular high school.

7.2.12 SCRAM Form

You can download a copy of the SCRAM form here:
http://www.schools.utah.gov/sars/DOCS/data/scramform.aspx)

8 Summary of LRE Data (Ages 6-21)

TIME	REGULAR EDUCATION PERCENT	ENVIRONMENT
Time in minutes of special education and related services per day, no matter where those services are provided.	Percentage of school day a student with disabilities is educated in the regular education classroom (regardless of whether the student receives general or special education in that setting).	Setting in which student with disabilities is placed by IEP team. Refers to range of IDEA placement options.
SCRAM Codes **A** = 1–59 minutes **B** = 60–179 minutes **C** = 180 or more	**SCRAM Codes** **1** = At least 80% of day **2** = 40–79% of day **3** = Less than 40% of day	**SCRAM Codes** **H**—Homebound/Hospitalized **R**—Public Residential **S**—Public Separate School **T**—Private Residential **U**—Private Separate School **V**—Regular School Setting **Y**—Correctional Facility **P**—Unilateral parental placement in private school

Note: A special class (a class designated as a special education class and containing only students with disabilities) is coded for the Environment data according to whether it is in a regular school or a separate school.

8.1 Sample IEPs and SCRAM Entry Codes

IEP for K–12 Student 1		
TIME	**REGULAR ED PERCENT***	**ENVIRONMENT**
A = 1–59 minutes of special education services per day	**1** = at least 80% of day in regular education	**V** = regular school
Reading Minutes of special education services in special education classroom per day = 30	Total day = 6 hours (360 minutes) Minutes in regular education per day = 360 - 30 (in special education room) = 330 330/360 = 92%	Team placed student in regular education with itinerant services
Special Education Services Reading fluency ☐ S (special education classroom) 30 min., 5x week		

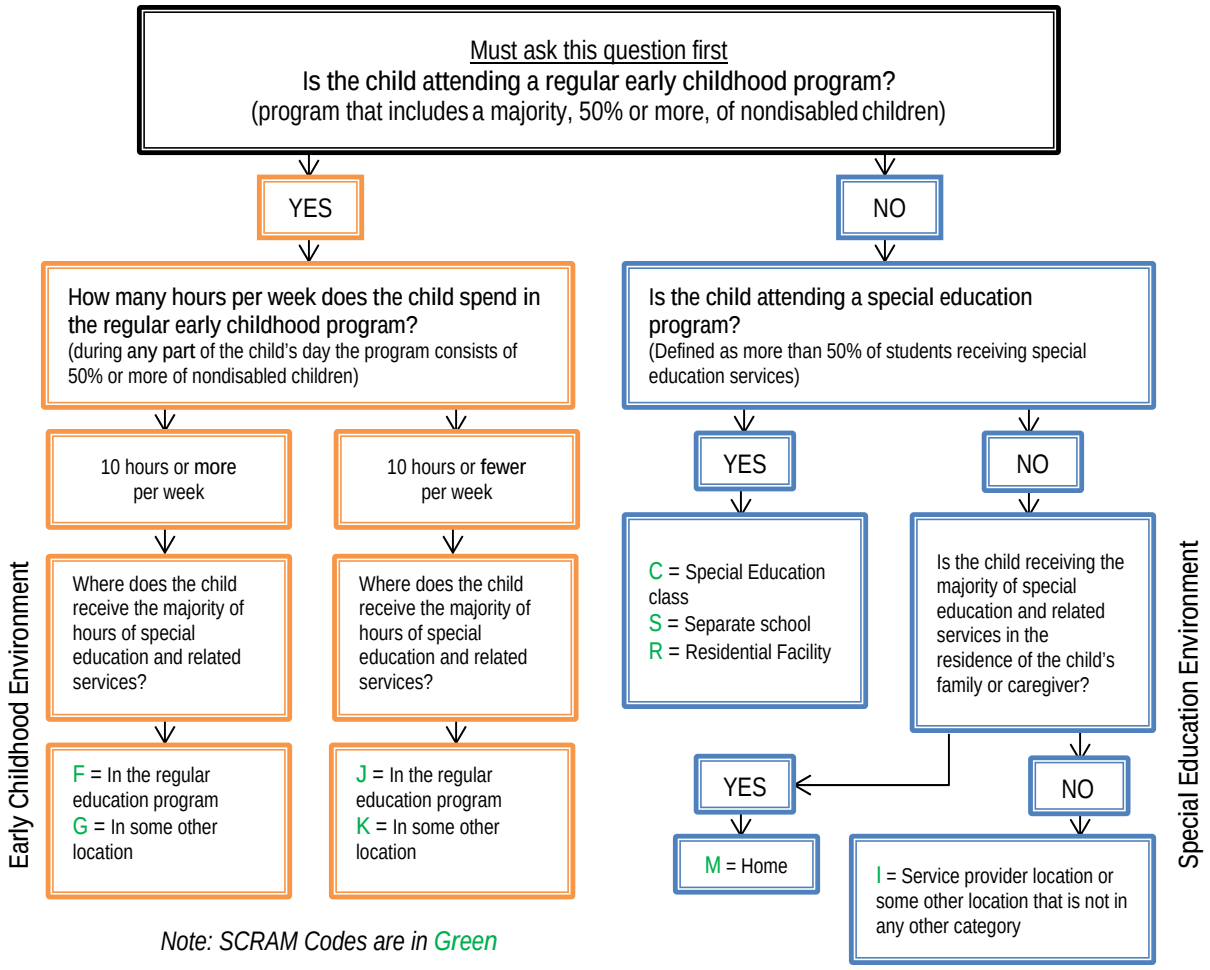
*All examples are based on a six-hour day, including lunch and recess (breaks).

IEP for K–12 Student 2		
TIME	**REGULAR ED PERCENT***	**ENVIRONMENT**
B = 40–179 minutes of special education services per day	1 = at least 80% of day in regular education	V = regular school
Reading Minutes in special education per day = 30 min., 5x/week Minutes of special education in regular education per day = 30 min., 5x/week Total minutes of special education services per day = 60	Minutes in regular education per day = 360 - 30 = 330 330/360 = 92%	Team placed student in regular education with itinerant services
Special Education Services Reading fluency ☐ S (special education classroom) 30 min., 5x weekly Reading comprehension ☐ G (regular education classroom) 30 min., 5x weekly		

*All examples are based on a six-hour day, including lunch and recess (breaks).

9 Early Childhood Environment (Ages 3-5)

9.1 SCRAM Decision Tree for the individual child



Note: SCRAM Codes are in Green

9.2 Sample Early Childhood SCRAM Codes

Preschool Student 1		
Special Education Services *(as recorded on the IEP)* • Pre-academic skills: "S" (classroom with 50% students with IEP's) 12 hrs./week **Related Services** *(as recorded on the IEP)* Speech: "S" (classroom with 50% students with IEP's 30 min./week		
Description of the Preschooler's Day: • Total hours in special education per week = 12 ½ hours and NO hours in regular early childhood setting. • Early Childhood Special Education (50% or more of students in class are receiving special education services.		
TIME	**REGULAR PERCENT**	**ENVIRONMENT**
Time does NOT apply to preschool on SCRAM. (Leave Blank)	**Regular Ed Percent** does NOT apply to preschool on SCRAM. (Leave Blank)	**C** = Early Childhood Special Education Setting

Preschool Student 2		
Description of the Preschooler's Day: • Total hours in regular education per week – 12 hours (more than 10 hours per week in setting with 50% or more children with no IEP's) • Early Childhood Special Education (50% or less of students in class are receiving special education services)		
Special Education Services *(as recorded on the IEP)* • Pre-academic skills: "G" (classroom with <50% students with IEP's) 12 hrs/week **Related Services** *(as recorded on the IEP)* • Speech: "G" 30 min/week		
TIME	**REGULAR PERCENT**	**ENVIRONMENT**
Time does NOT apply to preschool on SCRAM. (Leave Blank)	**Regular Ed Percent** does NOT apply to preschool on SCRAM. (Leave Blank)	**F =** 10 or more hours in Regular Early Childhood and majority of special education and related services are in the Regular Childhood Program.

Preschool Student 3		
Special Education Services *(as recorded on the IEP)* • Pre-academic skills: "G" (classroom with <50% students with IEP's) 2 hrs/week **Related Services** *(as recorded on the IEP)* Speech: "S" (classroom with 50% or more students with special education services)		
Description of the Preschooler's Day: • Child is in daycare setting with non-related children for 35 hours per week (more than 10 hours per week in setting with less than 50% or more children with IEP's) • Early Childhood Special Education = 2 hours per week (50% or less of students in daycare receiving special education services)		
TIME	**REGULAR PERCENT**	**ENVIRONMENT**
Time does NOT apply to preschool on SCRAM. (Leave Blank)	**Regular Ed Percent** does NOT apply to preschool on SCRAM. (Leave Blank)	**G =** Regular Early Childhood Setting receiving the majority of hours of special education and related services in some other location

Preschool Student 4		
Special Education Services *(as recorded on the IEP)* • Pre-academic skills: "G" (classroom with <50% students with IEP's) 2 hrs/week **Related Services** *(as recorded on the IEP)* Speech: "S" (classroom with 50% or more students with special education services)		
Description of the Preschooler's Day: • Special Education is in the student's home, total hours of services are 3 hours per week.		
TIME	**REGULAR PERCENT**	**ENVIRONMENT**
Time does NOT apply to preschool on SCRAM. (Leave Blank)	**Regular Ed Percent** does NOT apply to preschool on SCRAM. (Leave Blank)	**G =** Regular Early Childhood Setting receiving the majority of hours of special education and related services in some other location

10 School to Post-School Transition

10.1 Summary of LRE Data (School to Post-School Transition)

TIME	REGULAR EDUCATION PERCENT	ENVIRONMENT
SCRAM Codes **A** = 1–59 minutes **B** = 60–179 minutes **C** = 180 or more	**SCRAM Codes** **1** = At least 80% of day **2** = 40–79% of day **3** = Less than 40% of day	**SCRAM Codes** **S**—Public Separate School **V**—Regular School Setting
Time in minutes of special education and related services per day.	Percentage of school day a student with disabilities is educated in the regular education classroom (regardless of whether the student receives general or special education in that setting).	Setting in which student with disabilities is placed by IEP team. Refers to range of IDEA placement options.
	*****Note that the total day time for a student with disabilities in a post-high school transition program may be shorter than that of a typical student only if determined appropriate by the IEP Team.	******For students in post-high school transition program or "retained senior" status, note use of these codes: **S** = Public Separate Schools Use for transition programs that are attached to, supervised by, or conducted by a special school. **V** = Regular School Setting Use for transition programs that are attached to, supervised by, or conducted by a regular high school.

IEP for School to Post-School Transition Student 1		
Special Education Services Work-related skills ☐ S 3 hrs./week Functional reading ☐ S 3 hrs./week Community-based job training ☐ R 15 hrs./week **Related Services** Speech ☐ S 30 min./week		
TIME	**REGULAR ED PERCENT**	**ENVIRONMENT**
C = 180 or more minutes per day of special education	**2 =** 40–79% in regular education setting	**V** = Regular Education Setting
Work skills: 180 minutes **Reading:** 180 minutes **Job training:** 900 minutes **Speech:** 30 minutes 1290 minutes/5 days = 258 minutes per day	71 minutes per day in special education, 210 minutes per day in regular education (including 30-minute lunch period). 180/288 = 73% in regular education	Transition program is directed from a regular high school, IEP Team has chosen "V" regular education setting.

IEP for School to Post-School Transition Student 1		
Special Education Services Work-related skills ☐ S 3 hrs./week Functional reading ☐ S 3 hrs./week Community-based job training ☐ R 15 hrs./week **Related Services** Speech ☐ S 30 min./week		
TIME	**REGULAR ED PERCENT**	**ENVIRONMENT**
C = 180 or more minutes per day of special education	**2 =** 40–79% in regular education setting	**V** = Regular Education Setting
Work skills: 180 minutes **Reading:** 180 minutes **Job training:** 900 minutes **Speech:** 30 minutes 1290 minutes/5 days = 258 minutes per day	71 minutes per day in special education, 210 minutes per day in regular education (including 30-minute lunch period). 180/288 = 73% in regular education	Transition program is directed from a regular high school, IEP Team has chosen "V" regular education setting.

IEP for School to Post-School Transition Student 3		
Special Education Services		
Work related skills	☐ S 3 hrs./week	
Special school job training	☐ S 10 hrs./week	
Related Services		
Travel training	☐ S 60 min./week	
TIME	**REGULAR ED PERCENT**	**ENVIRONMENT**
B = 60–179 minutes per day of special education	**3 =** less than 40% in regular education setting	**S** = Special School Setting
Work skills: 180 minutes **Job training:** 600 minutes **Travel training:** 60 minutes 840 minutes/5 days = 168 minutes per day	168 minutes per day in special education, 30 minutes per day lunch in regular education. 30/198 = 15% in regular education	Transition program is directed from a special school, IEP Team has chosen "S" special school setting.

11 Discipline Data

All disciplinary data for the LEA (by school for LEAs with multiple schools) during the year must be submitted to UTREx via Incident (I1) and Incident Association (I2) records. An I1 record must be submitted for each independent incident involving disciplinary action with an I2 record submitted for *each student* involved in the independent incident from the school under which it's submitted. The following information is required in these records and should be gathered at the time of the incident:

- Demographic Data
  - Student Name
- LEA/District
  - School
  - Incident Date
- Number of days removed
  - Counted in half days
- Hearing Officer removal (yes/no)
- Suspension or expulsion
  - Expulsion is defined as the rest of the school year or 180 days
- In-school or out-of-school suspension
  - Out of school is defined as the student being sent home

- Special Education services offered (yes/no)
- Incident referred to police (yes/no)
- Student referred to court (yes/no)
- Student referred to alternative program (yes/no)
- Incident type:
  1. Physical Assault
  2. Sexual Assault
  3. Homicide
  4. Fighting (mutual altercation)
  5. Harassment, non-sexual (physical, verbal, psychological)
  6. Harassment, sexual (unwelcomed sexual conduct)
  7. Terroristic Threat
  8. Threat/Intimidation (causing fear or harm)
  9. Robbery
  10. Alcohol
  11. Tobacco
  12. Marijuana
  13. Controlled Substance
  14. Uncontrolled Substance
  15. Distribution
  16. Weapon
  17. Arson
  18. Bullying (as per LEA policy)
  19. Disruption
  20. Truancy
  21. Other
- Weapon involved (yes/no)
  - If yes, type of weapon:
    - **H:** Handgun
    - **R:** Rifle
    - **S:** Shotgun
    - **E:** Other Explosive Device
    - **K:** Knife or Other Sharp Object
    - **O:** Other Object Used as a Weapon
    - **B:** Substance Used as a Weapon
    - **L:** Look Alike
    - **N:** None
- Student victim or offender
  - Could be both

- Whether the student was a Special Education student that was involved in a special circumstance in which there was a weapon, drugs, or serious bodily injury (yes/no).
  - If yes, whether the student was unilaterally placed in an alternative placement for 45 days

12 Incident Data Model Form (Descriptions and Definitions)

This Incident Data Model Form provides you with current federal definitions as you enter student discipline data into your SIS system. Entering student discipline data is a mandatory process based on Utah State Education Board Rule. (Utah Administrative Code R277-484-3 *(2)). USOE will provide you with the necessary resources to help you enter your data and information accurately and correctly.*

12.1 Incident Data Model Form Questions

Number of days removed?

Any instance in which a student is removed from his/her educational placement for disciplinary purposes. In all cases, this is the number of school days. So rather than placing a student in an alternative placement for one year, the number of days would by 180.

Was this a Hearing Officer removal?

Those instances in which an impartial hearing officer orders the removal of a student with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer's determination that maintaining the student's current placement is substantially likely to result in injury to the student or others.

Was this a suspension or expulsion?

Suspension – Instances in which a student is temporarily removed from his/her classroom and/or school to another setting. For students with disabilities, this includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the student continues to receive services based on his/her IEP because the removal is more than 10 days.

Expulsion – An action taken by the LEA removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with local educational agency policy. Include removals resulting from violations of the Gun-Free Schools Act that are modified to less than 365 days.

Was this an in school or out of school suspension?

In-School Suspension (ISS) – Instances in which a student is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.

Out-of-School Suspension (OSS) – Instances in which a student is temporarily removed from his/her regular school for disciplinary purposes to another setting. *For OSS, you must select if the student is suspended with or without educational services.*

Were special education services offered?

Did the student with disabilities subject to disciplinary action continue to receive educational services, so as to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the students' IEP, although in another setting?

Was the incident referred to police?

Under circumstances amounting to an incident of illegal behavior, a referral could be made to local law enforcement. If you have information about the department (homicide, drug, truancy), officer or case number, please include it on the incident and offense reporting form.

Was the student referred to court?

This is a "yes/no" flag in the system. Select "yes" if the student is referred to a specific program such as; Youth in Custody or a District Youth Offenders program.

Was the student referred to an alternative program?

Placement of a student into an educational program located outside of the student's regular school. Examples include alternative education setting (AEC) or alternative schools.

What type of incident is this?

Incident -- One or more acts of prohibited behavior committed by an individual or group of individuals acting in concert, at the same time and place. It may involve one or more victims and one or more offenders. For reporting purposes, an incident of prohibited behavior is the single most serious act that occurs in a given overall incident. Incidents include the following: physical assault, sexual assault, homicide, fighting (mutual altercation), harassment (non-sexual; physical, verbal, or psychological), harassment (sexual; unwelcomed sexual conduct), terroristic threat, threat intimidation (causing fear or harm), robbery, alcohol, tobacco, marijuana, controlled substance, distribution, weapon, bullying (as per LEA policy), disruption, truancy, other.

Bullying Incidents – Bullying is aggressive behavior that is intentional and that involves an imbalance of power or strength. A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more students. *A bullying incident is identified as per LEA bullying policy, and refers to the offender, victim, or both.*

Was there a weapon involved?

Types of Weapons and Types of Violations -- For each category of Weapons Violation indicated (i.e., Handgun, Rifle/Shotgun, Knife/Sharpened Edge, etc.), select the Type of Weapon (Real or Look-Alike) and Type of Violation (Used, Threatened Use, Possession).

Note: Several of the Assault Violations (Aggravated Assault, Aggravated Sexual Assault, and Aggravated Sexual Abuse of a Child) as well as most of the "Other Offenses" (Arson, Burglary, Actual/Attempted Robbery, Threat/Intimidation, Dangerous Material, Criminal Homicide, Kidnapping, Terroristic Threat, and Criminal Mischief) may involve the use or threatened use of a weapon. If so, please mark both of these offenses. Use or threatened use of a weapon will rarely occur in isolation. However, possession of a weapon may occur in isolation.

If yes, what type of weapon was used?
Type of Weapon – Select the type of weapons used. If none was used, select "none".

Was the student a victim or offender?

Offender -- A person who commits an offense. There may be more than one offender involved in any single incident.

Victim – A person who is harmed or suffers loss due to the act of an offender.

Both – A person who may have been victimized initially, then retaliated and became the offender or who was initially the offender who then became the victim.

Was this a Student with a Disability who was involved in a special circumstance (defined in IDEA) in which there was a weapon, drugs, or serious bodily injury?

If yes, was the student unilaterally placed in an alternative placement (IAES) for 45 days?
A change of placement can occur for a student with a disability to an appropriate IAES for not more than forty-five (45) school days if it's found to be under special circumstances. (i.e., weapons, drugs or serious bodily injury.)

Drugs: ***Controlled substance –*** *means a drug or other substance that cannot be distributed without a prescription, identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC 812(c)).*

Illegal drug – *means a controlled substance but does not include a drug controlled, possessed, or used under the supervision of a licensed health-care professional or one legally possessed or used under the Controlled Substances Act or under any other provision of Federal law (21 USC 812).*

Serious Bodily Injury: means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty (18 USC 1365). Serious bodily injury does not include a cut, abrasion, bruise, burn, disfigurement, physical pain, illness, or impairment of the function of a bodily member, organ or mental faculty that is temporary (20 USC 1365).

Physical Injury – This field is required for violent incidents and is used in generating the Utah Consolidated State Performance Report. The definition as defined by the USOE is: Damage to bodily tissue (at the school or school activity where the violation occurred) that includes: Skin bruising, dislocation, physical pain, impairment of physical function, bleeding, burn, bone fracture, soft tissue swelling, injury to an internal organ or any physical condition that imperils the health/welfare of a student.

13 Utah's Program Improvement Planning System (UPIPS)

Off-site and on-site data are collected during the Utah Program Improvement Planning System activities. Off-site data are collected by the LEA and submitted to the USOE Monitoring Specialist. These include the following:

- LEA forms
- Child Find procedures
- Identification and evaluation (list of evaluation tools used)
- Personnel information and qualifications
- Private schools requirements for districts
- Data previously submitted to the USOE—SPP/APR determination, flow-through application, etc.
- Stakeholder committee membership and meeting summary
- Interview and focus group data
- Student record review data
- LEA Policies and Procedures Manual
- Caseload data
- Personnel development activities
- Carson Smith Scholarship requirements
- Other data at LEA discretion

Data are also collected during on-site visits. These include the following:

- Interview and focus group data
- Student record review data
- Classroom observation

The USOE Special Education Monitoring Specialist maintains a database that includes all of the data listed above, as well as data regarding mediations, State complaints, and due process hearings to reflect how required timelines were met, how corrective actions were implemented, and evidence of compliance corrections documented within one year of identification.

14 Dispute Resolution and Personnel Data

14.1 Dispute resolution :

Dispute resolution will be compiled by the USOE and sent to LEAs to verify. For more details go to the following link: http://www.schools.utah.gov/sars/DOCS/law/dresolutionmanual.aspx

14.2 Personnel Data :

Personnel data are collected through the UPIPS website and are due each year by June 30. Refer to the following example for more information:

Instructions: Please report the number of individuals who are employed by your LEA in each of the following positions at the close of the school year. Report employees in Full-Time Equivalency (FTE) of assignment, with no more than 2 points beyond the decimal (i.e. 3.25). Only report individuals who are direct employees of the LEA. Do not report individuals who provide services to students and are paid as independent contractors. More information about the qualification requirements for each personnel type can be found by clicking the "information" icon.

14.2.1 Section 1: Special Education teachers serving students with disabilities

Special Education teachers for ages 3-5 (Highly Qualified / Not Highly Qualified)

Note: *Highly Qualified preschool special education teachers must hold a current Utah Special Education (Birth – Age 5) Teaching License.*

Special Education teachers for ages 6-21 (Highly Qualified / Not Highly Qualified)

Note: *The teacher must be Highly Qualified for their current assignment. Highly Qualified status can be verified within the teacher CACTUS record.*

14.2.2 Section 2: Special Education paraprofessionals serving students with disabilities

Special Education paraprofessionals for ages 3-5 (Qualified / Not Qualified)

Note: *Who is a qualified paraprofessional? A paraprofessional who has (1) completed 2 years of study at an institution of higher education; (2) obtained an associate's (or higher) degree; or (3) met a rigorous standard of quality and been able to demonstrate, through a formal State or local academic assessment, knowledge of and the ability to assist in instructing reading writing, and mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness) (Section 1119(c) and (d).) For more information on qualified paraprofessionals, please refer to the Title I paraprofessionals Guidance, available at:*
http://www.ed.gov/policy/elsec/guid/paraguidance.doc

Special Education paraprofessionals for ages 6-21 **(Qualified / Not Qualified)**

Note: ***Who is a qualified paraprofessional? A paraprofessional who has (1) completed 2 years of study at an institution of higher education; (2) obtained an associate's (or higher) degree; or (3) met a rigorous standard of quality and been able to demonstrate, through a formal State or local academic assessment,***

knowledge of and the ability to assist in instructing reading writing, and mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness) (Section 1119(c) and (d).) For more information on qualified paraprofessionals, please refer to the Title I paraprofessionals Guidance, available at: **http://www.ed.gov/policy/elsec/guid/paraguidance.doc**

14.2.3 Section 3: Related Services personnel serving children with disabilities ages 3-21

Audiologists (Fully Certified / Not Fully Certified)

Note: *Fully certified Audiologists must hold a current Utah Communication Disorders (Audiology) Teaching License.*

Speech-Language Pathologists (Fully Certified / Not Fully Certified)

Note: *Fully certified Speech-Language Pathologists must hold a current Utah Speech Language Pathologist" or "Speech Language Technician" Teaching License.*

Interpreters (Fully Certified / Not Fully Certified)

Note: *Fully certified Interpreters must hold Educational Interpreter Performance Assessment certification. A score of 3.5 is acceptable for the first four years of employment. A score of 4.0 or higher is required for continued employment.*

Psychologists (Fully Certified / Not Fully Certified)

Note: *Fully certified Psychologists must hold a current Utah School Psychologist Teaching License.*

Occupational Therapists (Fully Certified / Not Fully Certified)

Note: *Fully certified Occupational Therapists must hold a current license in Occupational Therapy issued by the Utah Division of Occupational and Professional Licensing (DOPL). License status can be verified online at https://secure.utah.gov/llv/search/index.html;jsessionid=da4cbbbc28eedabd94c124a521a8*

Physical Therapists (Fully Certified / Not Fully Certified)

Note: *Fully certified Physical Therapists must hold a current license in Physical Therapy issued by the Utah Division of Occupational and Professional Licensing (DOPL). License status can be verified online at https://secure.utah.gov/llv/search/index.html;jsessionid=da4cbbbc28eedabd94c124a521a8*

Physical Education Teachers and Recreation and Therapeutic Recreation Specialists (Fully Certified / Not Fully Certified)

Note: *Fully certified Physical Education Teachers must hold a Utah Elementary or Secondary Teaching License, with endorsement in Physical Education. Teachers qualified to teach Adaptive PE are:*

- *Physical Education Teachers*
- *Special Education teacher with documented training or experience teaching Adaptive PE.*

Fully certified Recreational and Therapeutic Recreation Specialists must hold a current license in Recreational Therapy issued by the Utah Division of Occupational and Professional Licensing (DOPL). License status can be verified online at https://secure.utah.gov/llv/search/index.html;jsessionid=da4cbbbc28eedabd94c124a521a8

Social Workers (Fully Certified / Not Fully Certified)

Note: Fully certified Social Workers must hold a current Utah School Social Worker Teaching License.

Medical/Nursing Service Staff (Fully Certified / Not Fully Certified)

Note: *Fully certified medical or nursing staff must hold a current license that matches their assignment and is issued by the Utah Division of Occupational and Professional Licensing (DOPL). License status can be verified online at https://secure.utah.gov/llv/search/index.html;jsessionid=da4cbbbc28eedabd94c124a521a8*

Counselors and Rehabilitation Counselors (Fully Certified / Not Fully Certified)

Note: *Fully certified Counselors must hold a current Utah School Counselor Teaching License.*

Fully certified Rehabilitation Counselors must hold a current license in Vocational Rehabilitation issued by the Utah Division of Occupational and Professional Licensing (DOPL). License status can be verified online at https://secure.utah.gov/llv/search/index.html;jsessionid=da4cbbbc28eedabd94c124a521a8

Orientation and Mobility Specialists (Fully Certified / Not Fully Certified)

Note: *Fully certified Orientation and Mobility Specialists must hold current certification from the Academy for Certification of Vision Rehabilitation and Education Professionals (ACVREP). Certification status can be verified online at http://www.acvrep.org/directory.php*

15 Appendices

15.1 Appendix A: Sample SCRAM Data Collection Form

Case Manager: _____ School Year: _____

Student Name		Student ID	
School		LEA	
Birthdate		Sex	
Ethnicity		Grade Level	
Primary Home Language		Language Spoken by Student	
Parent		Guardian	
Street Address			
City		Zip		Phone	

Date of last IEP		Disability Code*		Time Code**	

Entry Date	Exit Date	Exit Code***	Membership†	Regular Percent Code††	Environment Code†††

****Disability Codes (ages 3-21)***

AU: Autism
BD: Emotional Disturbance
CD: Speech or Language Impairment
DB: Deaf/blindness
DD: Developmental Delay (NOT older than 7)
HI: Hearing Impairment/Deafness
ID: Intellectual Disability
MD: Multiple Disabilities
OH: Other Health Impairment
OI: Orthopedic Impairment
SL: Specific Learning Disability
TB: Traumatic Brain Injury
VI: Visual Impairment (Including Blindness)

*****Time Codes (grades K-12)***

A: 1-59 min. in Special Education Service **B:** 60-179 min. in Special Education Service **C:** 180+ min. in Special Education Service

******Exit Codes (ages 3-21)***

A: Returned to Regular Placement
S: Service Change
D: Reached maximum age (end of term following the 22nd birthday)
X: Exited school (use for any transfer, dropout or high school comp.)
BLANK: Leave blank if student is still enrolled

†Membership *(grades K-12)*

This is reported at the end of the year. Please refer to the Technical Assistance Manual for directions.

††Regular Percent Codes (grades K-12)

1: 80% or more of the day in regular classroom **2:** 40-79% of the day in regular classroom **3:** Less than 40% of day in regular classroom

†††Environment Codes (ages 3-5)

F: Regular program, 10+ hours per week, SPED service in EC Program
G: Regular program, 10+ hours per week, SPED service in other location
J: Regular program, <10 hours per week, SPED service in EC Program
K: Regular program, <10 hours per week, SPED service in other location
R: Public Residential
S: Public Separate School
C: Non-Regular program, Specifically separate Special Education Class
M: Neither Regular OR Non-Regular program, At Home
I: Neither Regular OR Non-Regular program, Other Location

†††Environment Codes (ages 6-21)

H: Homebound/Hospitalized
R: Public Residential
S: Public Separate School
T: Private Residential Facility
U: Private Separate School
V: Regular School Setting
Y: Correctional Facility

16 Glossary

These definitions are adapted from the Data Accountability Center Part B Data Dictionary, revised April 2010. The terms are listed in alphabetical order. The chart below shows how glossary terms relate to each OSEP Table.

16.1 Table Terms

Table	Terms	
Table 1 Child Count	• LEA—Local Education Agency • School day • SEA—State Education Agency	• Two or more races • Unduplicated count
Table 2 Personnel	• Consulting teacher • Full-time equivalency • Fully certified • Highly qualified	• Not fully certified • Other instructional personnel • Preschool teacher • Qualified (Personnel)
Table 3 Environment	• Correctional facility • Educational environment • Educational placement • In the regular early childhood program less than 40 percent of time • In the regular early childhood program 40 percent to 79 percent of time • In the regular early childhood program at least 80 percent of time • Home • Homebound/hospital • Parentally placed in private schools • Parochial school • Regular early childhood program	• Regular school campus • Residential facility (Reported in the appropriate environment for that facility: age 3-5, age 6-21) • Separate class (Preschool) • Separate school (Reported in the appropriate environment for that facility: age 3-5, age 6-21) • Service provider location • Special education inside regular class 80 percent or more of the day • Special education inside regular class less than 40 percent of day • Special education inside regular class no more than 79 percent of day and no less than 40 percent of day
Table 4 Exit	• Certificate of completion or modified diploma • Dropped out • Exit • Graduated with a regular high school diploma	• High school diploma • Moved, known to be continuing • Received a GED • Transferred to regular education
Table 5 Discipline	• Disciplinary removal • Expulsion • In-school suspension • Interim alternative educational setting	• Out-of-school suspension • Short-term detention facility • Unilateral removal

16.2 Term Definitions

Certificate of completion or modified diploma

A certificate or diploma signifying the completion of the IEP or a secondary educational program which is other than a *high school diploma*. This includes any alternative degree that is not fully aligned with the state's academic standards, such as a certificate or a general educational development credential (GED), so long as the student remained continuously enrolled in the secondary educational program.

Consulting teacher

A teacher who does not deliver direct instructional services to children and students with disabilities, but who provides services to special education teachers and regular education teachers.

Correctional facility

Students receiving special education in *short-term detention facilities* (community-based or residential) or *correctional facilities*.

Disciplinary removal

Any instance in which a child is removed from his/her educational placement for disciplinary purposes, including *in-school suspension, out-of-school suspension, expulsion,* removal by school personnel to an *interim alternative educational setting* for illegal drug, controlled substance, or weapon offenses or serious bodily injury, and removal by hearing officer for likely injury to self or others. When States are calculating cumulative days of in- and out-of-school suspension, they must include students who have cumulatively been suspended for a half school day in length and longer. States that are unable to record data on half-day basis should report all half-day suspensions as whole-day suspensions. Do not include children who have cumulatively been suspended for less than half a school day.

Dropped out

Students with disabilities who were enrolled at the start of the reporting period, were not enrolled at the end of the reporting period, and did not exit special education through any other basis described (*transferred to regular education*; *graduated with diploma*; received a *certificate*; reached maximum age; died*;* or *moved, known to be continuing*). This includes dropouts, runaways, GED recipients (in cases where students are required to drop out of the secondary educational program in order to pursue the GED certificate), *expulsions*, status unknown, students who moved and are not known to be continuing in another educational program, and other exiters. For school year 2010–2011, the State level will report a four-year cohort to match the Federal data definition; at the building level, a three-year cohort will continue to be reported.

Early Childhood Environment

Students who are between age three through five. When reporting services for ECE students, you do not report for Time and Regular Percent.

Educational environment

Educational environment is a classification that indicates the extent to which students and children with disabilities who are receiving services under IDEA Part B attend educational programs with their peers without disabilities. For children and students who do not attend educational programs with a majority of peers without disabilities, the educational environment reflects the setting in which they receive *special education* and *related services*.

Educational placement

The location where a special education program is provided. For school-aged (6-21) children, this location is one of the following: *regular school campus*, in which the student may be *inside the class* with his or her peers without disabilities *for more than 80% of the day*, *79 to 40% of the school day*, or *less than 40% of the school day*; *separate school*; *residential facility*; *homebound/hospital, correctional facility,* or private school.

Exit

Students who were in special education at the start of the 12-month reporting period and then graduate or leave special education by the end of the reporting year. The 12-month reporting period is July 1 through June 30. The categories of cause of departure for counting purposes include students who have:

1. Transferred to regular education.
2. Graduated with a regular high school diploma.
3. Received a certificate of completion/modified diploma or some similar document.
4. Reached maximum age for receipt of special education services.
5. Died.
6. Moved, known to be continuing.
7. Dropped out.

Expulsion

An action taken by the *LEA* removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with *LEA* policy. Includes removals resulting from violations of the Gun Free Schools Act that are modified to fewer than 365 days.

Full-time equivalency (FTE)

Calculation of the time reported for each type of personnel. Full-time employees are reported as 1.0 FTE. Part-time employees are reported according to the amount of time they work. For example, a half-time employee is reported as 0.5 FTE, and a quarter-time employee is reported as 0.25 FTE. A part-time resource room teacher working four hours per day (in a six-hour school day) is a .67 FTE. If the teacher has 30 students, and 15 have specific learning disabilities, and six have emotional disturbances, multiply the .67 by the percentage of students with each disability condition to get the final FTE's.

- Specific Learning Disabilities .5 x .67 = .34 FTE
- Emotional Disturbance .2 x .67 = .13 FTE

Fully certified

Fully certified refers to *qualified* personnel. The term also refers to:

1. staff members who hold appropriate certification and licensure for the position held,
2. staff members in personnel categories that do not require certification or licensure if the staff members meet existing state standards or requirements for the position they hold, and
3. staff members in positions for which no state standards or requirements exist.

Graduated with a regular high school diploma

Students with disabilities who exited an educational program through receipt of a *high school diploma* identical to that for which students without disabilities are eligible. These are students who met the same

standards for graduation as those for students without disabilities. As defined in 34 CFR §300.102(a)(3)(iv), "the term *regular high school diploma* does not include an alternative degree that is not fully aligned with the State's academic standards, such as a certificate or a general educational development credential (GED)."

High school diploma

A legally recognized document certifying the completion of high school education. "The term *regular high school diploma* does not include an alternative degree that is not fully aligned with the State's academic standards, such as a certificate or a general educational development credential (GED)."

Highly qualified

(a) Requirements for special education teachers teaching core academic subjects*.* For any public elementary or secondary school special education teacher teaching core academic subjects, the term *highly qualified* has the meaning given the term in section 9101 of the *ESEA* and 34 CFR 200.56, except that the requirements for highly qualified also: (1) include the requirements described in paragraph (b) of this section; and (2) include the option for teachers to meet the requirements of section 9101 of the *ESEA* by meeting the requirements of paragraphs (c) and (d) of this section.

(b) Requirements for special education teachers in general*.* When used with respect to any public elementary school or secondary school special education teacher teaching in a State, [such term] means that (i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, [the term] means that the teacher meets the certification and licensing requirements set forth, if any, in the State's public charter school law; (ii) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary or provisional basis; and (iii) the teacher holds at least a bachelor's degree.

Home

Unduplicated total who received special education and related services in the principal residence of the child's family or caregivers and who did not attend an early childhood program or a special education program provided in a *separate class*, *separate school*, or *residential facility*. Include children who receive special education both at *home* and in a *service provider location*. The term caregiver includes babysitters.

Homebound/hospital

Unduplicated total of six- to 21-year-old students who received education programs in *homebound/hospital* environment includes children with disabilities placed in and receiving special education and related services in *hospital* programs, or *homebound* programs. Does not include children with disabilities whose parents have opted to home-school them and who receive special education at the public expense.

In the regular early childhood program less than 40 percent of time

Educational environments category for three- to five-year-old children receiving special education and related services*. Unduplicated* total who attend an early childhood program and were in the regular early childhood program for less than 10 hours per week.

In the regular early childhood program 40 percent to 79 percent of time

Educational environments category for three- to five-year-old children receiving special education and *related services. Unduplicated* total who attended an early childhood program and were in the regular early childhood program for less than 10 hours per week.

In the regular early childhood program at least 80 percent of time

Educational environments category for three- to five-year-old children receiving special education and related services. Unduplicated total who attended an regular early childhood program where 50% or more of children have IEPs and who are in that regular education setting for 10 or more hours per week. In determining the amount of time the student is in a regular education setting, the Data Accountability Center states that the Table 3 instructions mean that time throughout the day when a student attends "regular early childhood programs and other programs" is counted, including time in regular group childcare. Home-based childcare is counted if the other children in the setting are not related to the child with a disability. IEP teams should ask the parent if the child is in a non-residential setting where other children in care are not related to one another. Time in a group childcare is counted as part of the regular education day (e-mail, 2/21/11 from Danielle Crain, Technical Assistance Specialist, Data Accountability Center).

In-school suspension

Instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel, including, but not limited to, children who are receiving the services in their IEP, appropriately participate in the general curriculum, and participate with children without disabilities to the extent they would have in their regular placement. Direct supervision means school personnel are physically in the same location as students under their supervision.

Interim alternative educational setting

A setting determined by the child's IEP team in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services so as to enable the child to continue to participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.

LEA—Local educational agency

(a) A public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools.

(b) Educational service agencies and other public institutions or agencies. The term includes an educational service agency, as defined in Sec. 300.12—any other public institution or agency having administrative control and direction of a public elementary or secondary school, including a public nonprofit charter school that is established as an LEA under State law.

Moved, known to be continuing

Students with disabilities who moved out of the catchment area or otherwise transferred to another district and are *known to be continuing* in an educational program. There need not be evidence that the student is continuing in special education, only that he/she is continuing in an educational program. This definition includes students

with disabilities in residential drug/alcohol rehabilitation centers*, correctional facilities*, or charter schools if those facilities operate as separate districts, excluding normal matriculation.

In Utah, evidence that a student has transferred may include different types of documentation such as a request for records from a receiving school, an approved application for home schooling, evidence of transfer in the UTREx, or a communication from the receiving school that the student has enrolled there. A verbal communication with a parent is not sufficient evidence of transfer for audit purposes.

The UTREx transfer codes document this OSEP "moved, known to be continuing" category.

Not fully certified

Not fully certified refers to personnel employed or contracted who were employed on an emergency, provisional, or other basis and who do not hold standard state certification or licensure for the position to which they are assigned or do not meet other existing state requirements for the position held. This also includes long-term substitutes.

Other instructional personnel

Staff members, other than special education classroom teachers, who are employed to provide special education instruction to children and students with disabilities. This includes special education music teachers and special education art teachers. This does not include regular education personnel who work with children and students with disabilities.

Out-of-school suspension

Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., *home*, behavior center). This includes both removals in which no IEP services are provided because the removal is 10 school days or less as well as removals in which the child continues to receive educational services according to his/her IEP, a functional behavioral assessment, and behavioral intervention services and modifications.

Parentally placed in private schools

Unduplicated total who have been enrolled by their parents or guardians in regular parochial or other private schools and whose basic education is paid through private resources and who receive special education and related services at public expense from an *LEA* or intermediate educational unit under a service plan. Includes children whose parents chose to home-school them, but who receive special education and related services at public expense. Does not include children who are placed in private schools by the *LEA*.

Parochial school

A church-affiliated school.

Preschool teacher

Personnel who provide special education instruction to a group or class that (1) is taught during the year or years preceding the first grade, (2) includes children three through five years old with disabilities, and (3) excludes those providing strictly custodial care, i.e., non-educational services such as babysitting.

Qualified (personnel)

(a) General. The SEA must establish and maintain qualifications to ensure that personnel necessary to carry out the purposes of this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities.

(b) Related services personnel and paraprofessionals. The qualifications under paragraph (a) of this section must include qualifications for related services personnel and paraprofessionals that (1) are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services; and (2) ensure that related services personnel who deliver services in their discipline or profession (i) meet the requirements of paragraph (b)(1) of this section; (ii) have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis; and (iii) allow paraprofessionals and assistants who are appropriately trained and supervised, in accordance with State law, regulation, or written policy, in meeting the requirements of this part to be used to assist in the provision of special education and related services under this part to children with disabilities.

Received a GED

Students with disabilities who receive a high school equivalency diploma through an adult education program.

Regular early childhood program

- Head Start.
- Kindergartens.
- Reverse mainstream classrooms.
- Private preschools.
- Preschool classes offered to an eligible pre-kindergarten population by the public school system.
- Group child care with other children not related to the child with a disability.

Regular school campus

A campus serving both students with and without disabilities (not serving predominantly students with disabilities).

Residential facility (preschool)

Unduplicated total who received education programs in publicly or privately operated residential schools or *residential medical facilities* on an inpatient basis.

Residential facility (school age)

Unduplicated total who received educational programs and lived in public or private *residential facilities* during the school week. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50% of the school day in public or private *residential facilities*.

School day

1. **"**School day" means any day, including a partial day, that children are in attendance at school for instructional purposes.
2. "School day" has the same meaning for all children in school, including children with and without disabilities.

In Utah, students in vocational transition programs, like all other school programs, must have 990 hours or 180 days of school per year unless an individual student's day/year is modified by the IEP team and

documented in the IEP, based on individual needs. An LEA may request approval from the Utah State Board of Education for a change in the hours or days for a transition program; if approved, the days or hours maybe modified for a group of students enrolled in that program.

SEA—State educational agency

State educational agency or *SEA* means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary schools and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

Separate class (Preschool)

Unduplicated total who attended a special education program in a class with less than 50% children without disabilities. (Does not include children who also attended a *regular early childhood program*.)

Separate school (Preschool)

Unduplicated total who received educational programs in public or private day schools designed specifically for children with disabilities.

Separate school (School age)

Unduplicated total who received educational programs in public or private separate day school facilities. This includes children with disabilities receiving special education and related services, at public expense, for greater than 50% of the school day in public or private *separate schools*. 0This may include children placed in:

- Public and private day schools for students with disabilities;
- Public and private day schools for students with disabilities for a portion of the school day (greater than 50 percent) and in regular school building for the remainder of the school day; or
- Public and private *residential facilities* <u>if</u> the student does <u>not live</u> at the facility.

Service provider location

Unduplicated total who received all of their special education and related service from a service provider, and who did not attend an early childhood program or a special education program provided in a *separate class*, *separate school*, or *residential facility.* For example, speech instruction provided in:

- Private clinicians' offices.
- Clinicians' offices located in school buildings.
- Hospital facilities on an outpatient basis.
- Libraries and other public locations.

Short-term detention facility

Correctional facility where student offenders with disabilities are placed for a period of temporary custody.

Special education inside regular class 80 percent or more of the day

Unduplicated count of children and students with disabilities who receive special education and related services inside age-appropriate regular classrooms or community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, for 80% or more of the school day. This may include children and students with disabilities placed in regular class with special education/related services provided within the regular class, regular class with instruction within the regular

class, and with special education/related services provided outside the regular class, or regular class with special education services provided in a resource room.

Special education inside regular class less than 40 percent of day

Unduplicated count of children and students with disabilities who receive special education and related services inside age-appropriate regular classrooms or community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, for less than 40% of the school day. This includes only children and students with disabilities educated on the *regular school campus.* This does not include children or students with disabilities who received education programs in public or private separate day or *residential facilities.* This may include children and students with disabilities placed in special education classrooms with part-time instruction in a regular class or special education classrooms full-time on a regular school campus.

Special education inside regular class no more than 79 percent of day and no less than 40 percent of day

Unduplicated count of children and students with disabilities who receive special education and related services inside age-appropriate regular classrooms or community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, for no more than 79% but no less than 40% of the school day. This may include children and students placed in resource rooms with special education/related services provided within the resource room or resource room with part-time instruction in a regular class.

Transferred to regular education

Students who were served in special education at the start of the reporting period, but at some point during that 12-month period returned to regular education. These are students who no longer have an *IEP* and are receiving all of their educational services from a regular education program. If the parent of a child with a disability revokes consent for special education and related services under 34 CFR §300.300(b)(4), the child would be reported in this category. This category was previously labeled *no longer receives special education*.

Two or more races

A person having origins in two or more of the five race categories. (Does not include persons of Hispanic/Latino ethnicity.)

Unduplicated count

A particular child may only be counted once.

Unilateral removal

Instances in which school personnel (not the *IEP* team) order the removal of children with disabilities from their current educational placement to *an interim alternative educational setting* for not more than 45 days. The *IEP* team is responsible for determining the *interim alternative educational setting*. Unilateral removals do not include decisions by the *IEP* team to change a student's placement.

17 Data Questions and Answers

17.1 Answers to Data Questions - From Utah Stakeholders

How are students in post-high transition programs who access the community as part of their special education program reported in the SCRAM ENVIRONMENTS and TIME sections?

For students in post-high school transition ("retained senior" status), one of two **ENVIRONMENT** codes will be used: S = Public Separate Schools is used for transition programs attached to or part of a special school for students with disabilities, and V = Regular School Setting is used for transition programs attached to, supervised, or conducted by a regular high school. A student's **TIME** in age-appropriate community based settings with other individuals, some with, and others without disabilities is counted as regular education. TIME in regular education would include time in vocational training, applied technology centers, college, competitive employment, and others as long as other persons without disabilities are in the setting too. See charts on pages 34–36 for examples.

Is breakfast provided for all students who wish to participate counted as part of the regular class time with nondisabled peers for students with disabilities?

The minutes in the school day are counted from beginning bell to ending bell, including recess and lunch time. Breakfast is an optional part of the day, so it is not included. If a student with disabilities is participating in recess, lunch, or other activities during the school day with other non-disabled peers, it counts as regular education time. If a student with disabilities has lunch in a setting only with other students with disabilities, it would count as time in a special education setting. (See OSEP Q&A, Table 3, Question 1.)

Would a district-mandated program for English Language Development for all ELL students and Enrichment for non-ELL students be counted as LRE?

A program such as this would count for students with disabilities as time in the regular education environment, as long as there are students without disabilities in the classroom.

When, where, and how are data on LRE collected and ultimately put to work?

The collection of data on the settings (SCRAM TIME and ENVIRONMENTS) in which students with disabilities receive special education is described in this paper. The data are reported in the LEA APR and are used as indicators of how the LEA and IEP teams are making decisions about where students with disabilities are educated.

On the IEP, are LRE data documented?

Each IEP must show (on the services description page) where special education services are to be provided and what part of the day the student is not in the regular education classroom. This IEP information is converted to a percentage of the day the student is in the regular education setting and reported in SCRAM in the TIME section as described in this paper. The environment in which the student receives the student's

special education services is shown on the Initial Consent for Placement, as well as in any Written Prior Notices of Change of Placement that may occur later in the student's academic career. This information is also entered in the SCRAM in the ENVIRONMENTS section.

Does providing a paraeducator in the regular education classroom count as special education time?

If a paraeducator is providing specialized instruction to the student as indicated on the student's IEP, then the time is counted. Note that the time must be indicated on the IEP as to what kind of specialized instruction is being delivered (e.g., reading comprehension, social skills instruction, math computation, spelling), the place where it is being provided (i.e., general education classroom, special education classroom, other), and the amount and frequency of the services.

Can the percentages for environments be clearly stated on LEA state reports to help LEAs discuss changes or improvements in LRE that need to be made?

The LEA APR shows the percentages of the day in regular education for preschool and school-age (Indicators 5 and 6) students with disabilities, as well as the environment selected by the IEP Team for the students on the continuum of placement options.

Is more information and training on the definitions of terms related to LRE available?

See the Glossary in this document and the charts on pages 53-62.

How is the percentage of time the student in the regular education environment calculated?

Review the IEP. Add the total number of minutes that school is in session in a week and divide by five. Add the time the student is in S (special education) and the time student is in O (other) together. Check to be sure you end up with an average number of minutes per day that the student is in a setting other than regular (general) education. Subtract that number from the total number of minutes in the day, and you will have the number of minutes the student is in general education daily. Divide that number by the total number of minutes in the day, and you will have the percentage of time the student is in regular education setting. See the examples in this document on pages 36-41.

17.2 Table I: Part B Child Count Data Collection (From OSEP Data Accountability Center)

The Data Accountability Center is an OSEP-funded project to ensure support for States and LEAs in producing accurate and timely data.

The instructions for the Part B child count data collection form (Table 1) state that the child count is to be taken on a date designated by the state between October 1 and December 1 (inclusive). How should the state proceed if it finds it necessary to change the child count date due to unforeseen circumstances?

Under *IDEA* regulations [34 CFR §300.641 (a)], states are given the flexibility and allowed the opportunity to establish a state-specific child count date between October 1 and December 1. It is important for data interpretation purposes that, once the state establishes that child count reference date, the date is to continue to be used each year. If any changes are needed, LEAs will be informed in a timely way.

How should the state proceed if the established child count reference date falls on a weekend or on a holiday?

OSEP expects that most data systems are capable of establishing a count on a date that school is not in session. Note, however, that if the established reference date is October 1, OSEP expects that the state would choose a later date, so as to keep the reference period between October 1 and December 1. Similarly, if the state's established reference date is December 1, OSEP expects that the state would choose to move to an earlier date, to remain within the required reference period. The USOE will inform LEAs of any date changes in a timely way.

17.3 Table 2: Part B Personnel Data Collection

Why does OSEP collect the personnel data? There is no statutory basis for this collection.

Section 618(a)(3) of *IDEA* gives OSEP the authority to collect the personnel data. OSEP uses the data about special education teachers for two of its *Government Performance and Results Act (GPRA)* indicators. Currently, these indicators are:

- The number of states with at least 90 percent of special education teachers of children ages six through 21 with disabilities fully certified the areas in which they are teaching.
- The number of states with at least 90 percent of preschool special education teachers fully certified in the areas in which they are teaching.

  It is expected that this data collection will be used by states in developing State Personnel Development Plans required under Section 653(b)(7) of *IDEA* to receive State Personnel Development Grants. The related services personnel data are used by professional organizations and institutions of higher education.

Why are teachers reported according to the age of children (3–5, 6–21) rather than whether they teach preschool or regular school?

The age groupings (3–5 and 6–21) used by OSEP reflect the age groupings that are specified in *IDEA*.

What are the specific criteria that preschool teachers must meet for highly qualified status?

Utah's definition of highly qualified (HQ) begins with teachers of kindergarten, and so does not include teachers of children ages three through five. Where a state's definition of highly qualified does not include teachers of children ages three through five, states should use the definition of "fully certified," which refers to *qualified* personnel. The term also refers to (1) staff members who hold appropriate certification and licensure for the position held, (2) staff members in personnel categories that do not require certification or licensure if the staff members meet existing state standards or requirements for the position they hold, and (3) staff members in positions for which no state standards or requirements exist.

How should states report personnel who are highly qualified to teach some subjects but not others?

A special education teacher must meet highly qualified requirements for every core academic subject s/he teaches. (See the definition of "highly qualified" in Section 602(10)(D) of *IDEA*.) If the teacher is not highly qualified to teach a subject that s/he teaches, that teacher should be reported as not highly qualified for the full-time equivalent (FTE) associated with teaching any such subject.

Rather than highly qualified versus non-highly qualified, why doesn't OSEP collect teacher data according to whether the teacher met the special education endorsement requirements or whether the teacher met the core content area requirements?

Collection of additional categories regarding endorsement and core content requirements would be an additional reporting burden that OSEP does not believe is warranted at this time.

Do the highly qualified requirements apply to all paraprofessionals or only to those in Title I schools? If only Title I, how should paraprofessionals not in Title I schools be reported?

Section 612(a)(14)(A) of *IDEA* includes qualifications for paraprofessionals that allow paraprofessionals and assistants who are appropriately trained and supervised under state law, regulation or written policy to be used to provide special education and related services to children with disabilities. There is also no mention of Title I in Section 612 of *IDEA*. So the qualifications specified would apply generally to paraprofessionals in all special education programs, not specifically to paraprofessionals in Title I schools.

Which paraprofessionals should be reported on this table? That is, what types of work assignments are relevant?

The term "paraprofessional" includes employees who provide instructional support, including those who (1) provide one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) assist with classroom management, such as organizing instructional and other materials; (3) provide instructional assistance in a computer laboratory; (4) conduct parental involvement activities; (5) provide support in a library or media center; (6) act as a translator; or (7) provide instructional support services under the direct supervision of a teacher. This definition comes from Section 1119(g)(2) of the *Elementary and Secondary Education Act (ESEA)* of 1965.

Why isn't the psychologist category labeled "school psychologist"?

The personnel category labels come from the definition of related services in *IDEA*. That definition refers to psychological services, not just those provided by a school psychologist. Therefore, the label will not be changed.

Are the categories "highly qualified" and "not highly qualified" the same as "employed fully certified" and "employed not fully certified"? If not, how are they different?

No, the categories "highly qualified" and "fully certified" are not the same. The changes to the personnel data collection form are more than a relabeling of categories. Under *IDEA*, for any special education teacher, the term "highly qualified" has the meaning given the term in Section 9101 of *ESEA.* "Fully certified" means the teacher meets r*equirements for special education teachers in general:* (1) the teacher has obtained full

State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, [the term] means that the teacher meets the certification and licensing requirements set forth, if any, in the State's public charter school law; (2) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary or provisional basis; and (3) the teacher holds at least a bachelor's degree.

Why did OSEP eliminate some of the related personnel categories?

The related services personnel categories included in the current Personnel Data Collection Form are those categories included in *IDEA*'s definition of related services [Section 602(26)]. Related services personnel categories not included in the *IDEA* definition were removed from the form. Personnel associated with removed categories should not be included anywhere on the form.

What are the definitions for the related services personnel categories added for school year 2006–07 and following years? What types of work assignments fall into each?

There was only one new related services personnel category (i.e., orientation and mobility specialists) and one expanded category (i.e., diagnostic and evaluation staff, which was expanded to include medical services for diagnostic and evaluation purposes and school nursing services). The definitions of both of these categories should be based on the definitions in Section 300.34 of the *IDEA* regulations.

Should the state report only the related services personnel who provide services solely to special education students?

No, personnel who work with both children who do and children who do not have disabilities should not be excluded from this report. However, report only the FTE such personnel spend working with children with IEPs and services plans for this collection. Personnel who do not work at all with students with disabilities should not be represented at all in this collection. This is one of the reasons that the Personnel Data Collection uses FTE. The report of related services personnel should be based on the percentage of time that those personnel work with children with disabilities.

How should LEAs report "inclusion teachers" working with students ages six to 21? "Inclusion teachers" in this sense are those special education teachers who are co-teaching with a general education teacher in a content area course. These teachers are not required to be highly qualified in the content area of the course. They support the regular education teacher and do not give grades, but they meet the state qualifications for the position of highly qualified special education teacher.

An LEA and the State can count these individuals as teachers who are highly qualified.

Why does OSEP collect personnel data when data on highly qualified teachers are collected under NCLB?

The data reported under *IDEA* are a person count and are reported by full-time equivalency (FTE). The data reported under *NCLB* are a count of classrooms.

17.4 Table 3: Part B Educational Environments Data Collection for Students Ages 6–21

How should time spent during lunch, recess and study period be counted when calculating time spent inside the regular classroom? Although the General Instructions state that this time should be included as part of the total number of hours in the school day and presumably time spent in the general education environment, are there some conditions under which these times might be considered time in which the student is segregated from students without disabilities (e.g., special education students may be separated such that they eat lunch in the cafeteria with their special education peers)?

The time a student with disabilities spends during lunch, recess and study periods should be counted as time spent inside the regular classroom, unless the student has been removed from the environment with students without disabilities in order to receive services related to the student's disability. If a student is segregated from students without disabilities during lunch, recess or study period, the time spent during that activity should not be included in the numerator of the calculation of percentage of time in the regular classroom.

How should a state report the educational environment for a student with a disability who has been unilaterally placed by a parent or guardian in a private residential facility?

A student unilaterally placed in a private residential facility by a parent or guardian is reported in the *parentally placed in private schools* category.

This category includes students enrolled by parents or guardians in regular parochial or other private, nonprofit elementary and secondary schools, whose basic education is paid through private resources, and who receive special education and related services at public expense from an LEA or educational service unit under a service plan.

How should a state report the educational environment for a parentally placed private school student with a disability who receives special education and related services in a public school setting?

This case fits the *parentally placed in private schools* category, as the student is enrolled by a parent or guardian in a regular parochial or other private nonprofit elementary and secondary school and whose basic education is paid through private resources and receives special education and related services at public expense from an LEA or educational service unit under a service plan.

How should a state report a student who is placed by court order in a residential mental health facility (other than a hospital) and is receiving special education and related services under an IEP in that setting?

If the residential facility is only for students with disabilities, report the student in the *residential facility* category.

If the residential facility is for students with and without disabilities, since the placement is for mental health purposes, the best option would be to report the student in the *homebound/hospital* category.

How should a state report the educational environment for a student who is placed in a short-term public residential placement (e.g., less than a week) on the child count date?

On the child count date, if the student is in a residential facility for students with disabilities at public expense, even if the duration of that placement is intended to be short-term, the student should be reported in the *residential facility* category.

Would the reporting of the educational environment for a student placed in a correctional facility vary depending on whether the student is receiving special education and related services in a one-on-one setting versus a small-group setting of peers with and without IEPs?

No. In either situation, a student who is receiving special education and related services in a correctional facility should be reported in the *correctional facilities* category.

How should a state report the educational environment for a student with a disability who attends an alternative school or participates in an educational program in an alternative setting for students with and without disabilities within a regular public school?

Educational time spent in age-appropriate settings that include students with and without disabilities should be considered time spent inside the regular classroom.

What is the difference between "educational environment" and "placement"?

The term "placement" is no longer used in the Part B Educational Environments data collection form. Starting with the revisions incorporated in the 2006–07 Part B Educational Environments data collection form, the collection references only "educational environment." The Part B Data Dictionary defines *educational environment* as, "…a classification that indicates the extent to which students and children with disabilities who are receiving services under *IDEA* Part B, attend educational programs with their nondisabled peers. For children and students who do not attend educational programs with a majority of nondisabled peers, the educational environment reflects the setting in which they receive special education and related services."

Placement was formerly defined as "The location where a special education program is provided."

What is meant by "public expense" in the instructions regarding separate school and residential facility? Does the term apply only to LEAs or any public agency?

The term "public expense" means that the placement is paid for by any public agency, including non-educational public agencies. Note, however, that the categories *separate school* and *residential facility* apply only to public and private schools that are **only** for students with disabilities.

How should a state calculate the percentage of time inside the regular classroom when a student has a shortened school day?

In calculating the percentage of time that the student spends inside the regular classroom, the denominator should include the total number of hours in the student's school day. If a student does not attend for a full school day, the calculation should include only the number of hours that the student attends school.

How should a state report the educational environment for a student who participates in vocational program(s) that are supervised by the LEA? Does the reporting category vary depending on whether the program provides special education support to the student?

Educational time spent in age-appropriate community-based settings that include individuals with and without disabilities should be counted as time inside the regular classroom when calculating the percentage of time spent inside the regular classroom. This is true regardless of whether special education support is provided to the student in this setting.

17.5 Table 4: Part B Exiting Data Collection

For exiting data, Utah uses a July 1 to June 30 reporting period. What about students who dropped out as of June 30, but returned to school on September 1? How should these students be reported?

These students are reported as dropouts for the school year in which they dropped out. The exiting data should reflect the student's status on the last day of the reporting period. It does not matter if the student's status changes the next day. Student status for the completed reporting period does not change.

How is exit reason reported for a student who:

- Joined the military,
- Got pregnant (and is no longer in school),
- Got married (and is no longer in school),
- Is a runaway,
- Is missing/unknown,
- Exited the public school system and whose whereabouts are unknown,
- Was expelled,
- Has a serious illness/injury (and is not receiving regular or special education), or
- Left school to take a job?

If a student is no longer receiving special education services, report the student in any of the above situations in the dropout category. Students with a serious illness or injury may also be exited as withdrawn (WD). Any student who exits special education and does not meet the definition of any of the other exit categories should be reported as a dropout. This includes students for whom there was no official notice of withdrawal.

Where is a student who is incarcerated reported?

If the student continues to receive special education and related services, do not report the student on the exiting data collection form. If the student is no longer receiving special education, but is enrolled in a regular education program, then report the student in the exit category *Transferred to regular education*. If the student is no longer receiving special education and is not enrolled in a regular education program, then report the student in the dropout category.

Where is a student who left school to be home schooled reported?

If the student continues to receive special education and related services from the LEA, then the student should not be reported on the exiting data collection form. If the student is no longer receiving special education, then report him/her in the exit category *Transferred to regular education*.

How is a student reported if the student was not in special education at the start of the reference period, enters special education during the reference period, and then returns to regular education before the end of the reference period?

A student who was not in special education at the start of the reference period should not be reported on the exiting data collection form.

How is a student reported if the student's parents decide they no longer want their child in special education and consequently refuse special education services for the student?

Report the student in the exit category *Transferred to regular education*.

How is a student reported if the student received a certificate of attendance prior to reaching the maximum age for special education services, but did not exit special education prior to the end of the reporting period?

A student who receives a certificate, but continues to receive special education, should not be reported on the exiting data collection form because the student is still receiving special education.

How should a student who receives a GED be reported?

Students who received a GED without dropping out of school—that is, students who were jointly enrolled in secondary education and a GED program—may be reported in the "received a certificate" category. In Utah, students may only participate in the GED as an "out-of-school youth." Therefore, they must drop out prior to receiving a GED. In all other cases, the student should be reported as a dropout.

How should a student be reported if the student left school and enrolled in a community college? The student did not receive a diploma or a certificate of completion and is not continuing in special education.

Report the student as a Continuing Student. There are two possible exit codes that can be used depending upon the direction of the student; "when the student leaves the K-12 system to enroll in an institution of higher education without first having earned a high school diploma (HE)", or "when the student leaves the K-12 system to enroll in the Utah College of Applied Technology without first having earned a high school diploma (UC)". When using either of these two exit codes, report the student as a "Continuing Student".

How should a student who moved out of state be reported?

If there is evidence (e.g., a request for transcripts) that the student is continuing in an educational program, then report the student in the exit category *Moved, known to be continuing*. It is not necessary to know whether the student is continuing in special education. The only evidence needed is that the student is continuing in an educational program. Your state decides what evidence can be used to confirm that a student is continuing in an educational program. Transcript requests and the like are acceptable.

If there is no evidence that the student is enrolled in an educational program, but the family is no longer at its last known residence, then report the student in the dropout category.

How is a student reported who did not finish the school year, but did not officially withdraw? For example, how should a student be reported if the parent removes him/her from school two to four weeks before the last day, with the intent of returning for the fall term next school year? In this case, the family has not moved from its residence; essentially, they are taking an extended vacation.

If the parent did not withdraw the student from school, and the student is simply absent, then do not report the student as having exited from special education. The student is still receiving special education services, in that the student is still enrolled in a special education program. The fact that the child is not attending that program is at the discretion of the child or parent, but does not constitute an exit.

17.6 Table 5: Part B Discipline Data Collection

The instructions for the Discipline Data Collection, Table 5, include definitions for several data elements. It is difficult to determine whether Table 5 is a compliance-related report or data status (performance) report. What is the state's obligation for filing the report?

For the purpose of the Annual Performance Report (APR), the submission of valid and reliable data (including discipline data) is a compliance-related report. The discipline indicator includes both a compliance and performance element. Discipline data from Table 5 are used for APR Indicator 4. Indicator 4A is a performance indicator, but includes timely correction of noncompliance. Timely correction of noncompliance is a compliance indicator. Indicator 4B is a compliance indicator, but states are not required to report to OSEP on 4B until the APR due February 1, 2011.

States are obligated to submit the data elements described in Table 5 to meet *IDEA* data reporting requirements (Section 618 of IDEA). If a state submits discipline data via ED*Facts*, those same data elements must all be submitted via file specifications 005, 006, 007, 088, 143, and 144.

OSEP uses the discipline data to understand the status of state implementation of the discipline requirements in *IDEA*, Part B, to report to Congress on the implementation of *IDEA*, to monitor state performance and examine issues related to disproportionality, and in policy development decisions. All data submitted for *IDEA* purposes are used in planning research and technical assistance priorities.

Section 618 of the *IDEA* requires states to provide data regarding discipline of children with disabilities (Sections 618(a)(1)(A)(v) and (a)(1)(D) and (E)). Section 618 also requires states to submit any other data requested by the Secretary. The "other data" are used by the Department to examine program, state or child outcomes in priority areas. Failure to provide the requested data constitutes a failure to comply substantially with program requirements (34 CFR §76.720(c)(2), January 25, 2007).

The definition for out-of-school suspension states, "This includes . . . removals in which the child continues to receive services according to his or her IEP." Does this mean that by reporting a student as suspended out-of-school for greater than 10 days, a failure to provide FAPE is implied even if the student continues to receive services according to his or her IEP?

No. The point of the instructions is to clarify that all out-of-school suspensions should be reported. In this section of Table 5, Column 3 distinguishes between children with out-of-school suspensions totaling 10 days or less (3A) and those with out-of-school suspensions totaling more than 10 days (3B).

What is the definition of an Interim Alternative Educational Setting (IAES), and what is the number of days a student may be in that setting? Why doesn't the definition of IAES exactly match the definition in IDEA 2004?

The definition of IAES in Table 5 has been modified to reflect statutory language in Sections 615(k)(1)(D) and 615(k)(1)(G):

Interim Alternative Educational Setting—An appropriate setting determined by the child's IEP Team in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services and participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.

What does a "permanent change in. . .placement" mean?

The term is used to describe those situations where, following a student's violation of a code of student conduct, the IEP Team decides to change the student's placement, and such placement is intended to be permanent, i.e., extend beyond the period of any disciplinary action.

Must a student continue to receive services when placed in an IAES?

If a student is placed in an IAES due to special circumstances as described in Section 615(k)(1)(G), or is removed from his or her current placement pursuant to 34 CFR §300.530(c), the student must continue to receive services in order to participate in the general education curriculum and to progress toward meeting the goals of the child's IEP as discussed in Section 615(k)(1)(D). The child must also receive, as appropriate, a behavioral assessment, behavioral intervention services and modifications to address the child's behavior, so the behavior does not recur. However, a district must provide services to a child with a disability who has been removed from his or her placement for 10 school days or less in that school year, *only if* it provides educational services to a child without disabilities who is similarly removed.

What is a manifestation determination?

A manifestation determination is a review by the parent, the local educational agency, and relevant members of the IEP Team of all relevant information in the student's file, including the child's IEP and any teacher or parent observations, to determine whether the act that constituted a violation of the code of

student conduct was a manifestation of the child's disability. Complete details of manifestation determination are found in USBE SER V. E and at 34 CFR §300.530.

What happens if the student's violation of a code of student conduct was a manifestation of the student's disability?

If the violation of a code of student conduct is due to a student's disability, the child's IEP Team must conduct a functional behavioral analysis or review an existing behavioral intervention plan and, unless special circumstances exist as described in Section 615(k)(1)(G), return the child to the placement from which the child was removed, unless the parent and LEA agree otherwise.

Under what circumstances may a child be removed to an IAES for more than 10 days?

A child may be removed for more than 10 days, but not more than 45 school days, if he or she carries a weapon, possesses illegal drugs, or inflicts serious bodily injury upon another person. See USBE SER V.E.5 and 34 CFR §300.530.

Additionally, a hearing officer may place a child in an IAES for not more than 45 days at a time, if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or others.

Finally, school personnel may choose to place a child whose behavior that gave rise to a violation of a code of student conduct is determined to <u>not</u> be a manifestation of the child's disability in an IAES for the same duration as discipline would be applied to students without disabilities for the same violation, so long as the child continues to receive services consistent with 34 CFR §300.530(d).

IDEA 2004 requires states to submit data only on suspensions of one day or more. Why is OSEP collecting data on suspensions of a half school day or longer?

The permission to use half-days in the calculation of suspension time is to the states' advantage in minimizing the time reported. Note that states should not report a student if the student was only suspended once for a half-day; a student should be reported only if his or her suspensions add up to at least one day during the school year.

What is the definition for "educational services" as referenced in Section E of the discipline table?

In the context of this data collection, the term "educational services" refers to those services that will enable the student to participate in the general education curriculum and to make progress toward meeting the goals in his or her IEP (34 CFR §300.530(d)).

If a student received an IEP in the middle of the school year and was suspended twice—once at the beginning of the year, and once at the end—does the first suspension (prior to having an IEP) count?

No. Although a state must report disciplinary removals for all children with disabilities for the entire school year, the state should report only disciplinary removals that took place during the time that a child had an IEP.

What is the definition of in-school suspension, and why is OSEP collecting these data?

In-school suspension—Instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. "Direct supervision" means that school personnel are physically in the same location as students under their supervision.

OSEP is concerned that, through the overuse of in-school suspensions, many students may be removed from placements that were determined based on their IEPs. In-school suspensions represent an interruption in the delivery of a student's special education services. Collecting data on in-school suspensions will allow OSEP to determine the extent to which students are removed from the placements and will assist in making states and school districts accountable for their in-school suspension policies.

Why does the definition of in-school suspension require a count of all in-school suspensions, even if the student with a disability continues to access the regular curriculum while in the in-school suspension?

An in-school suspension represents a removal from the student's IEP-determined placement, regardless of whether a student has access to the regular curriculum during the in-school suspension. OSEP is interested in collecting data on the extent to which students are removed from their IEP placements for disciplinary reasons.

Why doesn't the definition of in-school suspension specify that there is a cessation of services during disciplinary removal?

An in-school suspension includes a removal from a student's IEP-determined placement, regardless of whether the student receives his or her IEP services during the in-school suspension.

Why doesn't OSEP focus on whether a suspended child receives the regular curriculum, rather than focusing on whether the suspension is in-school or out-of-school?

Both in- and out-of-school suspensions represent removals from a student's placement that was determined prior to the child's discipline, regardless of whether a student has access to the regular curriculum during the in-school suspension. OSEP is interested in collecting data on the extent to which students are removed from their IEP-determined placements for disciplinary reasons.

Should in-school suspensions administered as part of a Behavioral Intervention Plan (BIP) be included in the discipline data?

Yes, all in-school suspensions, including those administered as part of a BIP, should be reported to OSEP.

Does serious bodily injury include serious bodily injury to the offender, to him- or herself, or to the victim only?

Serious bodily injury includes only injuries to another person. Pursuant to Section 615(k)(1)(g), a student may be removed to an IAES for not more than 45 days without regard to whether the student's behavior is determined to be a manifestation of the child's disability if "a child has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency."

If a private school student who has a service plan is being provided special education services by the district in which the private school is located and the student is removed to an IAES or suspended or expelled, should such a student be included on the discipline data report?

No. The Part B *IDEA* regulations, at 34 CFR §§300.132(c) and 300.133(c), clarify the types of data that an LEA and SEA must report related to students on service plans (i.e., parentally placed private school children with disabilities). These regulations do not require the SEA or LEA to provide discipline data on a parentally placed private school child with disabilities who has a service plan if that child is removed to an IAES or suspended or expelled.

If a student is subject to both an out-of-school suspension and an IAES removal for the same offense, is this reported as two removals in Column 5A or is it reported as a single removal since it is based on the same incident or event?

If a student is subject to both an out-of-school suspension and an IAES removal for the same offense, that student should be reported in Column 3A or 3B (depending on the length of the suspension) and again in either Column 1A or 2. In this case, the same offense results in two separate removals. As Column 5 is a report of total disciplinary removals, the removals should be reported separately, although they resulted from the same disciplinary offense.

If a student in a state juvenile correction facility is removed from class because of discipline issues and returned to his/her quarters for a "cooling off/ time out" period of time, then returned to class later in the day or the next day, should the student be reported as in- or out-of-school suspension?

The student would qualify as in-school suspension only if the student remains under the supervision of school personnel. If the student is sent to his/her living quarters to “cool off,” that example is more closely aligned with the definition of out-of-school suspension, and the disciplinary action would be better classified as an out-of-school suspension.

How are “temporary removal” and “permanent change in placement” defined?

A *temporary removal* occurs when a student is removed from his/her placement in which special education and related services are to be delivered according to the active IEP due to a disciplinary offense for a limited period of time. *Permanent change in placement* is not defined in the *IDEA* statute. However, in the context of the instructions for this data collection, it means that the IEP Team determines that the student should be removed from the current placement and is permanently placed in a <u>less restrictive environment</u>. Permanent changes in placement are not reported as disciplinary removals for this data collection.

Can a state definition of suspension be different from the one provided by OSEP in the data collection?

When reporting *IDEA* data, states must use Federal definitions for data elements. While OSEP recognizes that there is considerable variability across states with regard to practices and terminology, it is imperative that states adhere to the established reporting instructions and definitions that are provided in the data reporting guidelines, in order to ensure the interpretability of the data and the ability to aggregate the data across states. Therefore, states must adhere to the established guidelines for data reporting in all of the *IDEA* data collections, even when those guidelines are in conflict with the terminology and data reporting practices in place within the states.

In addition to validity issues noted above, states must report data consistent with definitions specified in the *IDEA* collections to achieve the accuracy rating in Indicator 20 of the Annual Performance Report (APR).

Should the children reported as expelled in Section E also be reported in columns 1, 2, or 3 in Sections A–D? In other words, if a child is expelled until the end of a school year for a weapon offense (say there are 30 school days left in the school year), and is provided services in an IAES, is that child counted in column 1C as well as in E?

The answer is yes, Section E would overlap with some of the removals reported in the earlier sections.

How are percentages being calculated for Section E? Are they being calculated as the percentage receiving educational services, or as the percentage not receiving educational services?

Section E calculates the percentage of children expelled with services vs. percentage of children expelled without services**.**

How can the left side of the equation be greater than or equal to the right side of the equation on the edit check for Table 5?

The same child may be reported in more than one column if that child committed more than one offense. The columns are only mutually exclusive for a given child for the same offense. So a child may have been suspended (out of school) on some occasion for fighting, but unilaterally removed on another occasion for a drug offense. In that case, the child will be counted in both columns 3 and 1B. But that child will only be reflected once in the cumulative totals that are reported in columns 5B through 5D.

If a student was removed from class by the Resource Officer for misbehavior and turned over to the police, should this incident be reported in the special education discipline report? If so, where does it fit? Resource officers are usually paid 50% from the school district and 50% by the local police dept, so they may be considered district employees. Is this a unilateral removal by school personnel? Is the local detention center classified as an IAES?

As for whether a student who is incarcerated and/or removed from school grounds by police officers is considered suspended or expelled, it does not count as either. A suspension is defined as specific action taken on the part of school personnel to remove a student from his/her current placement to an appropriate setting in response to a disciplinary offense (see 34 CFR 300.530). Although in the scenario a student may be removed from school grounds under the authority of the personnel paid partially by the school or police officers, that student would be incarcerated under the authority of the courts, not by the school personnel. So the removal of the student from the school would not be reported as a suspension or expulsion unless the school personnel determined that it was appropriate to also formally suspend the student once he/she returned to school.

17.7 (Tables 6 and 7 have no Questions and Answers available from OSEP at the present time.)

17.8 Table 8: Part B Report on Maintenance of Effort Reduction and Coordinated Early Intervening Services

Should LEAs report separately for the IDEA regular allocation and the ARRA funds or combine the two?

For A2B and A3B, the amount must include the *IDEA* regular allocation combined with the *IDEA ARRA* allocation.

For reporting of the MOE reduction of state and/or local funds (B3), may this be the amount budgeted/projected?

No, the amount reported for column B3 is the actual dollar ($) amount that each LEA or ESA reduced local, or state and local, expenditures under the LEA MOE provision in *IDEA* §613(a)(2)(C) during SY 2009–10.

Does the amount reserved for required CEIS in SY 2009–10 (C2B) include both the regular allocation and the ARRA funds?

Yes, the amount reserved for required CEIS in SY 2009–10 (C2B) is based on the FFY 2009 Section 611 and Section 619 allocations (reported in A2B and A3B) that include both *IDEA* regular allocations and *IDEA ARRA* allocations.

What is meant by "funds that are available in FFY 2009?" Since ARRA was a two- year grant, should states report the total two-year ARRA grant amount based on the amount being available to the SEA in FFY 2009?

"Funds that are available in FFY 2009" should include all the *ARRA IDEA* and the IDEA regular allocations. These are the 611 funds that were made available to the SEA on the following dates: April 1, 2009, July 1, 2009, August 31, 2009, and October 1, 2009. Note that the August 31, 2009, *ARRA* allocation date was identified as September 30, 2009, in the FFY 2009 Table 8 instructions.

These are the 619 funds that were made available to the SEA on the following dates: April 1, 2009, July 1, 2009, and August 31, 2009. This must include the *IDEA* regular allocation combined with the *IDEA ARRA* allocation. Note that the August 31, 2009 *ARRA* allocation date was not specified in the FFY 2009 Table 8 instructions.

Is the amount reserved for voluntary CEIS in SY 2009–10 (C3B) the amount budgeted or the amount claimed?

LEAs and States should report the amount budgeted for CEIS in SY 2009–10 by LEA/ ESA. However, as stated in the OSEP Memorandum 08–09 available at http://www.ed.gov/policy/speced/guid/idea/ceis.html under question 21, these funds must be used during the period of their availability for obligation and must be used for comprehensive CEIS regardless of whether the significant disproportionality is resolved during the time that the funds are available.

Does the LEA report the number of children receiving CEIS during the SY 2007–08 and SY 2008–09 and <u>not</u> during SY 2009–10 (D3)?

Children reported in D3 received CEIS in SY 2007–08 <u>or</u> SY 2008–09 <u>or</u> SY 2009–10 AND received special education in SY 2009–10. If a child received CEIS in the fall semester of 2009–10 (i.e., fall 2009) and started

receiving special education services in the spring semester of 2009–10 (i.e., spring 2010), the child should be captured in the count reported in column D3.

For column D2, how should LEAs and States report children who received CEIS in one LEA and, after moving to another LEA, started to receive CEIS in the other LEA during the same school year?

For column D2, states should report children who received CEIS in one LEA and then moved to another LEA in the LEA that is providing the CEIS at the end of the reporting period. In other words, count the child only once and in the LEA where he/she has most recently received CEIS.

For column D3, how should states report children who received CEIS in one LEA and, after moving to another LEA, received special education and related services in the other LEA?

For column D3, states should report children in the LEA in which the children received special education and related services.

For column D3, should states report children who are found eligible for special education and related services in SY 2009–10 or received special education and related services in SY 2009–10?

LEAs and States should report children who received CEIS any time in the past two school years and RECEIVED special education and related services in SY 2009–10 in column D3.

Does the LEA report the number of children receiving CEIS during the SY 2007–08 and SY 2008–09 and not during SY 2009–10 (D3)?

Children reported in D3 received CEIS in SY 2007–08 or SY 2008–09 or SY 2009–10 AND received special education in SY 2009–10. If a child received CEIS in the fall semester of 2009–10 (i.e., fall 2009) and started receiving special education services in the spring semester of 2009–10 (i.e., Spring 2010), the child should be captured in the count reported in column D3.

For column D2, how should states report children who received CEIS in one LEA and, after moving to another LEA, started to receive CEIS in the other LEA during the same school year?

For column D2, states should report children who received CEIS in one LEA and then moved to another LEA in the LEA that is providing the CEIS at the end of the reporting period. In other words, count the child only once and in the LEA where he/she has most recently received CEIS.

For column D3, how should states report children who received CEIS in one LEA and, after moving to another LEA, received special education and related services in the other LEA?

For column D3, states should report children in the LEA in which the children received special education and related services.

For column D3, should states report children who are found eligible for special education and related services in SY 2009–10 or received special education and related services in SY 2009–10?

States should report children who received CEIS any time in the past two school years and RECEIVED special education and related services in SY 2009–10 in column D3.

Do all entities that receive Section 611 and/or Section 619 grants submit data for CEIS and MOE reduction?

Yes, all states, outlying areas, and freely associated states that receive a Section 611 and/or a Section 619 grant must submit data on CEIS and MOE reduction. If the state, outlying area, or freely associated state has only one LEA or ESA, data for that single LEA or ESA must be submitted for Table 8. Further guidance will be provided to states, outlying areas, and freely associated states with unique systems.

17.9 Data Entry and Submission

If LEAs enter their own data and then need the SEA to unlock their data for editing, will the SEA then be able to assist with data entry?

No, if the SEA chooses to have the LEAs enter their own data, only the LEAs will be able to edit their data. The SEA will only be able to unlock the data. The state will be able to monitor the LEA's resubmission of the data through a submission status feature in the online submission system.