

# LEA Special Education Determination (LSED)



The U.S. Department of Education Office of Special Education Programs (OSEP) requires states to make annual determinations on the performance of each Local Education Agency (LEA) in implementing the requirements and purposes of IDEA – Part B, regarding the provision of special education and related services. Determinations are a way of designating the status of LEAs into one of four categories as outlined in [34 CFR §300.603](#). These categories are:

**Meets Requirements (MR)   Needs Assistance (NA)   Needs Intervention (NI)   Needs Substantial Intervention (NSI)**

Special education determinations are based upon the most recent data filed with the Office of Special Education Programs (OSEP) for Vermont’s State Performance Plan/Annual Performance Report (SPP/APR). States must use the indicator targets established in the State Performance Plan (SPP) under [34 CFR §300.601](#) and the priority areas described in [34 CFR §300.600\(d\)](#) to analyze the performance of each LEA. Following OSEP’s lead, Vermont is implementing an accountability system under the IDEA known as Results Driven Accountability (RDA), which shifts efforts for accountability from a primary emphasis on compliance to a framework that focuses on improved results for students with disabilities, while continuing to ensure compliance with the requirements found in IDEA.

## Calculating Determinations

In making determinations, Vermont’s system incorporates factors for compliance and results indicators as reported to OSEP in the SPP/APR. The focus areas for LEA Special Education Determinations are influenced by the focus areas in OSEP’s State Determination for the same timeframe and are derived using similar criteria to that which OSEP uses for State determinations. Calculations are based on individual LEA performance toward achieving state targets and are aligned with local annual performance reports for the same time period.

The Part B compliance indicators measure LEA performance related to suspension and expulsion, disproportionate representation, child find activities, and transitions of students with disabilities (both C to B and post-secondary transitions). Compliance indicators (4, 9/10, 11, 12, 13) will only receive points for *meets target* or *did not meet target*. The Part B results indicators measure LEA performance on APR indicators related to graduation rate, performance and participation on statewide assessments including the alternate assessment (grades 3-9), educational environment for both school age and preschool students (ages 3-21), and preschool outcomes (ages 3-5). Results areas may be awarded partial points for making progress toward state targets. In addition, determinations may also be made in general supervision performance measures related to compliance on annual date reviews for IEPs and triennial evaluations, timely and accurate data reporting, fiscal/grantee pre-award risk rating, dispute resolutions, and timely resolution on findings of noncompliance.

## Technical Assistance, Improvement, Correction, Incentives and Sanctions

In addition, [34 CFR §300.604](#) outlines enforcement actions related to the above categories and the State Education Agency (SEA or AOE) will use these enforcement activities when developing differentiated monitoring and supports for LEAs based upon their determination category. IDEA identifies specific technical assistance or enforcement actions that must occur under specific circumstances when LEAs are not determined to “meet requirements”. If the LEA “needs assistance” for two consecutive years, the State must take one or more enforcement actions, including, among others, requiring the LEA to access technical assistance, designating the LEA as a high-risk grantee, or directing the use of LEA funds to the area(s) where the LEA needs assistance. If the LEA “needs intervention” for three consecutive years, the State must take one or more

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enforcement actions, including among others, requiring a corrective action plan or compliance agreement, or withholding further payments to the LEA. Any time the LEA “needs substantial intervention” the State must take immediate enforcement action, such as withholding funds or referring the matter to the State’s legal team for appropriate enforcement.

For additional information on Vermont’s General Supervision and Monitoring System, please visit our [website](#).

The following is a list of each LEA’s performance in meeting the requirements of IDEA Part B which serves students with disabilities, ages 3 through 21. Determinations are based on data collected for SY2018-2019.

## Meets Requirements

Addison Northwest SD	Lamoille North SU	Orange East SU
Champlain Valley SD	Lamoille South UUSD	Orange Southwest UUSD
Essex-Westford UUSD	Maple Run USD	SAU 70
Franklin West SU	Missisquoi Valley SD	Windham Central SU
Hartford SD	Mt. Mansfield UUSD	
Kingdom East SD	North Country SU	

## Needs Assistance

Addison Central SD	Mill River UUSD	South Burlington SD
Barre USD	Milton SD	St Johnsbury SD
Bennington Rutland SU	Montpelier Roxbury SD	Two Rivers SU
Caledonia Central SU	Mt Abraham USD	Washington Central UUSD
Central Vermont SU	Orleans Central SU	White River Valley SU
Colchester SD	Orleans SW SU	Windham NESU
Essex North SU	Rivendell Interstate SD	Windsor Central SU
Franklin NE SU	Rutland City SD	Winooski SD
Grand Isle SU	Rutland NE SU	
Harwood UUSD	Slate Valley UUSD	

## Needs Intervention

Southwest Vermont SU	Windham SW SU	Battenkill Valley SU
Burlington SD	Windsor SE SU	Greater Rutland County SU
Windham SE SU	Springfield SD	

## Needs Substantial Intervention

None

**Contact Information:** If you have questions about this document or would like additional information, please contact: Tonya Rutkowski, Special Education Program Manager for General Supervision and Monitoring, Student Support Services Division at [Tonya.Rutkowski@vermont.gov](mailto:Tonya.Rutkowski@vermont.gov).