State Performance Plan (SPP)/Annual Performance Report (APR) 2020-2025

Individuals with Disabilities Education Act (IDEA)

Indicator 5 – School-Age Least Restrictive Environment
Agenda: School-Age Least Restrictive Environment

- Frequently Used Terms for School-Age Least Restrictive Environment
- Indicator 5 How the Measurement Works
- Indicator 5 Data in New York State (Trends and Comparisons)
- Indicator 5 Improvement Activities
- Indicator 5 Proposed Targets
- Next Steps and Closing
## Frequently Used Terms in the Presentation

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Performance Plan or SPP</td>
<td>Evaluates the state’s efforts to implement the requirements and purposes of the IDEA and describes how the state will improve its implementation</td>
</tr>
<tr>
<td>Federal Fiscal Year or FFY</td>
<td>Federal Government Fiscal Year (October 1 – September 30)</td>
</tr>
<tr>
<td>Indicator 5</td>
<td>SPP Indicator 5 measures School-Age Least Restrictive Environment</td>
</tr>
<tr>
<td>Indicator 5A</td>
<td>Indicator 5A measures services inside the regular class 80% or more of the day</td>
</tr>
<tr>
<td>Indicator 5B</td>
<td>Indicator 5B measures services the regular class less than 40% of the day</td>
</tr>
<tr>
<td>Indicator 5C</td>
<td>Indicator 5C measures services in separate schools, residential facilities, or homebound/hospital placements</td>
</tr>
<tr>
<td>Baseline</td>
<td>Data starting point to measure improvement overtime</td>
</tr>
<tr>
<td>Targets</td>
<td>Performance Objectives set for SPP Measurements</td>
</tr>
<tr>
<td>Annual Performance Report (APR)</td>
<td>Data reported to the United States Department of Education Office of Special Education Programs (OSEP) against the state’s targets</td>
</tr>
<tr>
<td>Reported Data</td>
<td></td>
</tr>
<tr>
<td>Data Equated to New Measurement</td>
<td>Submitted Data recalculated using the components of a new measurement</td>
</tr>
</tbody>
</table>
Students with disabilities have a fundamental right to receive their special education supports in a classroom and setting that, to the maximum extent appropriate, includes students without disabilities. Under federal law, the presumption is that students with disabilities will attend the same schools they would have attended if they did not have disabilities and that removal or restriction from their regular schools and classrooms can only occur for reasons related to the student’s disability when the student’s individualized education program (IEP) cannot be satisfactorily implemented in that setting, even with the use of supplementary aids and services.
The placement of an individual student with a disability in the least restrictive environment must:

- provide the special education needed by the student;
- provide for education of the student to the maximum extent appropriate with other students who do not have disabilities; and
- be as close as possible to the student's home.
Indicator 5 – Old Measurement (SPP 2013 – 2019)
School Age Least Restrictive Environment

Percent of children aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;
   Improvement = Increase over Baseline

B. Inside the regular class less than 40% of the day;
   Improvement = Decrease over Baseline

C. In separate schools, residential facilities, or homebound/hospital placements.
   Improvement = Decrease over Baseline

• For subcomponents A & B: Regular class is where students without disabilities also receive their education. The number of students without disabilities should be more than or equal to the number of students with disabilities.

• For subcomponent C: Regular school facility is a school building attended by both students with and without disabilities. Separate Settings are outside of regular school facilities in buildings that are attended by students with disabilities only.
Indicator 5 – New Measurement FFY 2020
School Age Least Restrictive Environment

Percent of children with Individualized Education Programs (IEPs) aged 5 who are enrolled in kindergarten and aged 6 through 21 served:

A. Inside the regular class 80% or more of the day;
   Improvement = Increase over Baseline

B. Inside the regular class less than 40% of the day;
   Improvement = Decrease over Baseline

C. In separate schools, residential facilities, or homebound/hospital placements.
   Improvement = Decrease over Baseline

- For subcomponents A & B: Regular class is where students without disabilities also receive their education. The number of students without disabilities should be more than or equal to the number of students with disabilities.

- For subcomponent C: Regular school facility is a school building attended by both students with and without disabilities. Separate Settings are outside of regular school facilities in buildings that are attended by students with disabilities only.
Data Collection Methodology for Indicator 5

• School-Age LRE data is collected for all children with IEPs who meet the age requirements (children aged 5 who are enrolled in kindergarten and aged 6 through 21).

• Sampling is not allowed.

• Student environment data is reported for each school year annually as a “snapshot” or “point in time” as of the first Wednesday in October (BEDs Day).

<table>
<thead>
<tr>
<th>Code</th>
<th>LRE Environment Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>SA01</td>
<td>Inside the regular classroom 80% or more of the day.</td>
</tr>
<tr>
<td>SA02</td>
<td>Inside the regular classroom 40% to 79% of the day.</td>
</tr>
<tr>
<td>SA03</td>
<td>Inside the regular classroom less than 40% of the day.</td>
</tr>
<tr>
<td>SA04</td>
<td>Separate School or Residential Facility</td>
</tr>
<tr>
<td>SA05</td>
<td>Hospital Inpatient</td>
</tr>
<tr>
<td>SA06</td>
<td>Home Instruction – Placed on Home Instruction by the CSE</td>
</tr>
<tr>
<td>SA07</td>
<td>Incarcerated</td>
</tr>
<tr>
<td>SA08</td>
<td>Parentally placed in a nonpublic school and receiving special education services</td>
</tr>
<tr>
<td>SA09</td>
<td>Parentally placed in a nonpublic school and NOT receiving publicly funded special education services</td>
</tr>
<tr>
<td>SA10</td>
<td>Home Schooled at parent’s choice</td>
</tr>
</tbody>
</table>
Facilitator check for understanding on the SPP measurement for Indicator 5 and how the data is used to measure results or outcomes in LRE.
State Performance Plan (SPP)/Annual Performance Report (APR) 2020-2025

Individuals with Disabilities Education Act (IDEA)

Indicator 5 – Data Trends and Comparisons
Explanation Indicator 5 FFY Data in the Annual Performance Report (APR)

Data years presented will reflect the data NYSED submits to the federal Office of Special Education Programs (OSEP) in the APR which covers the federal fiscal year (FFY) period.

The Indicator 5 data sample is collected on a “point in time” basis.

The October 2020 LRE Data is included in the FFY 2020 APR.

The FFY 2020 APR is submitted to OSEP.

- October 2020
- FFY 2020 APR
- February 2022
New York State SPP Targets and Actual Reported Indicator 5A: Inside the Regular Class 80% or More

<table>
<thead>
<tr>
<th>Year</th>
<th>Target</th>
<th>Result</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>58.00%</td>
<td>58.16%</td>
<td>+.16</td>
</tr>
<tr>
<td>2014</td>
<td>58.40%</td>
<td>57.80%</td>
<td>-0.6</td>
</tr>
<tr>
<td>2015</td>
<td>58.80%</td>
<td>57.98%</td>
<td>-0.82</td>
</tr>
<tr>
<td>2016</td>
<td>59.00%</td>
<td>58.26%</td>
<td>-.0.74</td>
</tr>
<tr>
<td>2017</td>
<td>59.50%</td>
<td>58.48%</td>
<td>-1.02</td>
</tr>
<tr>
<td>2018</td>
<td>60.00%</td>
<td>58.51%</td>
<td>-1.49</td>
</tr>
<tr>
<td>2019</td>
<td>60.00%</td>
<td>58.22%</td>
<td>-1.79</td>
</tr>
</tbody>
</table>
State-to-State Result Comparison
Indicator 5A: Inside the Regular Class 80% or More

New York  California  Florida  Pennsylvania  Illinois  Texas  Ohio

Increase = Improvement

2015  2016  2017  2018  2018 National Mean

Indicator 5A: APR Reported Data
New York State SPP Targets and Actual Reported Indicator 5B: Inside the Regular Class 40% or Less

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Target</td>
<td>21.50%</td>
<td>21.00%</td>
<td>20.50%</td>
<td>20.00%</td>
<td>19.00%</td>
<td>18.00%</td>
<td>18.00%</td>
</tr>
<tr>
<td>Result</td>
<td>21.47%</td>
<td>19.80%</td>
<td>19.82%</td>
<td>19.56%</td>
<td>19.04%</td>
<td>18.96%</td>
<td>19.01%</td>
</tr>
</tbody>
</table>

- Decrease = Improvement

| Difference | 0.03 | +1.2 | +0.68 | +0.44 | -0.04 | -0.96 | -1.01 |

Indicator 5B: Reported APR Data
State-to-State Result Comparison
Indicator 5B: Inside the Regular Class 40% or Less

Decrease = Improvement

0% 5% 10% 15% 20% 25%

New York California Florida Pennsylvania Illinois Texas Ohio

2015 2016 2017 2018 2018 National Mean

Indicator 5B: APR Reported Data
New York State SPP Targets and Actual Indicator 5C: In Separate Schools, Residential Facilities, or Homebound/Hospital Placements

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Target</td>
<td>6.10%</td>
<td>6.00%</td>
<td>5.80%</td>
<td>5.60%</td>
<td>5.40%</td>
<td>5.00%</td>
<td>5.00%</td>
</tr>
<tr>
<td>Result</td>
<td>5.98%</td>
<td>6.13%</td>
<td>5.44%</td>
<td>6.04%</td>
<td>5.55%</td>
<td>5.43%</td>
<td>5.11%</td>
</tr>
</tbody>
</table>

- Decrease = Improvement
- Difference:
  - +0.12
  - -0.13
  - +0.36
  - -0.44
  - -0.15
  - -0.43
  - -0.11
State-to-State Result Comparison

Indicator 5C: In Separate Schools, Residential Facilities, or Homebound/Hospital Placements

[Diagram showing bar charts for New York, California, Florida, Pennsylvania, Illinois, Texas, and Ohio for the years 2015, 2016, 2017, and 2018. The chart indicates a decrease (improvement) in the indicator values over the years.]
Data Trends and State/National Comparisons

1) What did the Indicator 5 SPP data tell us?

2) How should we use the data to inform our target-setting and improvement activities?

Stakeholder Discussion
### Indicator 5A Inside the Regular Class 80% or More of the Day
Old vs New Measurement: Old Performs Better

<table>
<thead>
<tr>
<th>Year</th>
<th>Old Measurement</th>
<th>New Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>58.8% (excludes 5-year-olds in Kindergarten)</td>
<td>57.2% (includes 5-year-olds in Kindergarten)</td>
</tr>
<tr>
<td>2016</td>
<td>59%</td>
<td>57.6%</td>
</tr>
<tr>
<td>2017</td>
<td>59.5%</td>
<td>57.8%</td>
</tr>
<tr>
<td>2018</td>
<td>60%</td>
<td>57.9%</td>
</tr>
<tr>
<td>2019</td>
<td>60%</td>
<td>57.5%</td>
</tr>
</tbody>
</table>

**Target**

- **Old Measurement**: Excludes 5-year-olds in Kindergarten
- **New Measurement**: Includes 5-year-olds in Kindergarten

**Increase = Improvement**

- 2015: 58%
- 2016: 58.3%
- 2017: 58.5%
- 2018: 58.5%
- 2019: 58.2%
Indicator 5B Inside the Regular Class 40% or Less of the Day
Old vs New Measurement: Old Performs Better

<table>
<thead>
<tr>
<th>Year</th>
<th>Old Measurement (excludes 5-year-olds in Kindergarten)</th>
<th>New Measurement (includes 5-year-olds in Kindergarten)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>20.5%</td>
<td>21.1%</td>
</tr>
<tr>
<td>2016</td>
<td>20%</td>
<td>20.8%</td>
</tr>
<tr>
<td>2017</td>
<td>19%</td>
<td>20.5%</td>
</tr>
<tr>
<td>2018</td>
<td>18%</td>
<td>20.4%</td>
</tr>
<tr>
<td>2019</td>
<td>18%</td>
<td>20.5%</td>
</tr>
</tbody>
</table>

Old Measurement (excludes 5-year-olds in Kindergarten)

New Measurement (includes 5-year-olds in Kindergarten)
Indicator 5C In Separate Schools: Old vs New Measurement: New Performs Better

<table>
<thead>
<tr>
<th>Year</th>
<th>Old Measurement (excludes 5-year-olds in Kindergarten)</th>
<th>New Measurement (includes 5-year-olds in Kindergarten)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>5.4%</td>
<td>5.4%</td>
</tr>
<tr>
<td>2016</td>
<td>6%</td>
<td>5.9%</td>
</tr>
<tr>
<td>2017</td>
<td>5.6%</td>
<td>5.3%</td>
</tr>
<tr>
<td>2018</td>
<td>5%</td>
<td>5.2%</td>
</tr>
<tr>
<td>2019</td>
<td>5%</td>
<td>4.9%</td>
</tr>
</tbody>
</table>
Old vs New Measurement

1) What did the Indicator 5 SPP data tell us?

2) How should we use the data to inform our target-setting and improvement activities?

Stakeholder Discussion
State Performance Plan (SPP)/
Annual Performance Report (APR)
2020-2025

Individuals with Disabilities
Education Act (IDEA)

Indicator 5 – Disaggregate Data
Indicator 5A: NYS in a Regular Class 80% or More
Student Data by Race and Ethnicity (FFY 2019)

- American Indian or Alaska Native: 5A (Student Count = 2,119) 57.68%
- Asian: 5A (Student Count = 13,194) 60.06%
- Black or African American: 5A (Student Count = 56,050) 56.70%
- Hispanic or Latino: 5A (Student Count = 96,426) 60.93%
- Multiracial: 5A (Student Count = 6,836) 45.46%
- Native Hawaiian/Other Pacific Islander: 5A (Student Count = 486) 54.24%
- White: 5A (Student Count = 107,593) 55.75%

Increase = Improvement

60%
Indicator 5A: NYS in a Regular Class 80% or More

Student Data by District Needs/Resource Capacity (FFY 2019)

- LARGE CITY: 5A 50.47%
- URBAN/SUBURBAN HIGH NEEDS: 5A 45.81%
- RURAL HIGH NEEDS: 5A 56.75%
- AVERAGE NEEDS: 5A 56.85%
- LOW NEEDS: 5A 61.44%
- NEW YORK CITY: 5A 59.46%

Increase = Improvement
Regional 5A Data
Inside the regular class 80% or more of the day

<table>
<thead>
<tr>
<th>County Level Data</th>
<th>Minimum Value</th>
<th>Maximum Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Met Target</td>
<td>60.0%</td>
<td>100.0%</td>
</tr>
<tr>
<td>Did not Meet Target (Within 25%)</td>
<td>45.0%</td>
<td>59.9%</td>
</tr>
<tr>
<td>Did not Meet Target (Over 25%)</td>
<td>0.0%</td>
<td>44.9%</td>
</tr>
</tbody>
</table>

Increase = Improvement
Indicator 5A Disaggregate Data

1) What did the Indicator 5A SPP data tell us?

2) How should we use the data to inform our target-setting and improvement activities?

Stakeholder Discussion
## Indicator 5B: NYS in a Regular Class 40% or Less Student Data by Race and Ethnicity (FFY 2019)

**Decrease = Improvement**

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Student Count</th>
<th>Indicator 5B Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian or Alaska Native: 5B</td>
<td>882</td>
<td>24.01%</td>
</tr>
<tr>
<td>Asian: 5B</td>
<td>5,325</td>
<td>24.24%</td>
</tr>
<tr>
<td>Black or African American: 5B</td>
<td>24,147</td>
<td>24.43%</td>
</tr>
<tr>
<td>Hispanic or Latino: 5B</td>
<td>37,309</td>
<td>23.57%</td>
</tr>
<tr>
<td>Multiracial: 5B</td>
<td>2,437</td>
<td>16.21%</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander:</td>
<td>237</td>
<td>26.45%</td>
</tr>
<tr>
<td>White: 5B</td>
<td>30,658</td>
<td>15.89%</td>
</tr>
</tbody>
</table>
Indicator 5B: NYS in a Regular Class 40% or Less Student Data by District Needs/Resource Capacity (FFY 2019)

Decrease = Improvement

- LARGE CITY: 5B
  - 24.53%

- URBAN/SUBURBAN/HIGH NEEDS: 5B
  - 26.28%

- RURAL HIGH NEEDS: 5B
  - 22.99%

- AVERAGE NEEDS: 5B
  - 18.34%

- LOW NEEDS: 5B
  - 13.78%

- NEW YORK CITY: 5B
  - 21.54%
Regional 5B Data
Inside the regular class less than 40% of the day

<table>
<thead>
<tr>
<th>County Level Data</th>
<th>Minimum Value</th>
<th>Maximum Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Met Target</td>
<td>0%</td>
<td>18.0%</td>
</tr>
<tr>
<td>Did not Meet Target (Within 25%)</td>
<td>18.1%</td>
<td>22.5%</td>
</tr>
<tr>
<td>Did not Meet Target (Over 25%)</td>
<td>22.6%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Decrease = Improvement
Indicator 5B Disaggregate Data

1) What did the Indicator 5B SPP data tell us?

2) How should we use the data to inform our target-setting and improvement activities?

Stakeholder Discussion
### Indicator 5C: NYS Separate Setting Student Data by Race and Ethnicity (FFY 2019)

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Student Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian or Alaska Native: 5C</td>
<td>233</td>
<td>6.34%</td>
</tr>
<tr>
<td>Asian: 5C</td>
<td>1,241</td>
<td>5.65%</td>
</tr>
<tr>
<td>Black or African American: 5C</td>
<td>6,390</td>
<td>6.46%</td>
</tr>
<tr>
<td>Hispanic or Latino: 5C</td>
<td>6,689</td>
<td>4.23%</td>
</tr>
<tr>
<td>Multiracial: 5C</td>
<td>685</td>
<td>4.56%</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>92</td>
<td>10.27%</td>
</tr>
<tr>
<td>White: 5C</td>
<td>8,725</td>
<td>4.52%</td>
</tr>
</tbody>
</table>
Indicator 5C: NYS Separate Setting Student Data by District Needs/Resource Capacity (FFY 2019)

- **LARGE CITY: 5C**
  - Decrease = Improvement
  - 5.00%
  - 6.95%

- **URBAN/SUBURBAN/HIGH NEEDS: 5C**
  - 7.26%

- **RURAL HIGH NEEDS: 5C**
  - 2.37%

- **AVERAGE NEEDS: 5C**
  - 4.97%

- **LOW NEEDS: 5C**
  - 4.95%

- **NEW YORK CITY: 5C**
  - 4.55%
Regional 5C Data
In separate schools, residential facilities, or homebound/hospital placements

<table>
<thead>
<tr>
<th>County Level Data</th>
<th>Minimum Value</th>
<th>Maximum Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Met Target</td>
<td>0%</td>
<td>5.00%</td>
</tr>
<tr>
<td>Did Not Meet Target (Within 25%)</td>
<td>5.1%</td>
<td>6.25%</td>
</tr>
<tr>
<td>Did Not Meet Target (Over 25%)</td>
<td>6.26%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Decrease = Improvement
1) What did the Indicator 5C SPP data tell us?

2) How should we use the data to inform our target-setting and improvement activities?
State Performance Plan (SPP)/Annual Performance Report (APR) 2020-2025

Individuals with Disabilities Education Act (IDEA)

Indicator 5 – Improvement Activities
# Focused Intervention LRE Monitoring Review

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Survey</td>
<td>Identifies the special education service options in the district and potential barriers to LRE</td>
</tr>
<tr>
<td>Parent Interview</td>
<td>Describes the child’s needs and the services received</td>
</tr>
<tr>
<td>Student Record Review</td>
<td>Review of the student’s IEP and Prior Written Notice (for the notice of placement)</td>
</tr>
<tr>
<td>CSE Observation</td>
<td>Observing the IEP meeting and CSE recommendation to provide a free appropriate public education in the LRE</td>
</tr>
</tbody>
</table>
Significant Disproportionality: Placement

IDEA requires state to collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring with respect to identification, placement, and discipline.

In order to identify significant disproportionality in placement, school district’s school-age LRE data is evaluated for those students inside a regular class 40 percent or less and also for those students educated in separate schools and residential facilities.

Significant disproportionality in placement generally occurs when students of one racial or ethnic group are more likely to be placed in a more restrictive setting compared to all other students.

To identify significant disproportionality in placement, New York State uses a relative risk ratio of 2.5 or higher or, if there are not enough students in a subgroup to meet the minimum cell size, an alternate risk ratio to compare district data to the State average.
At Risk for Significant Disproportionality

• When a district shows disproportionality for one or two years, they are notified as being At Risk for Significant Disproportionality.

Having Significant Disproportionality

• When a district shows disproportionality in placement for three years in a row for the same race and ethnicity subgroup, the district is identified as having Significant Disproportionality.
  • The district is subject to a monitoring review; and
  • The district is required to reserve 15 percent of its IDEA funds (Sections 611 and 619) to provide Comprehensive Coordinated Early Intervening Services (CCEIS) for students in grades K-12.
Section 200.2(g) of the Regulations of the Commissioner of Education requires boards of cooperative educational services (BOCES) district superintendents to determine the adequacy and appropriateness of special education programs facilities space to ensure:

- the allocation of instructional space is sufficient and appropriate to meet current and future special education space needs of all students with disabilities in their BOCES region;
- any change to the allocation of space in the BOCES region is consistent with the needs for placement in the LRE and for the stability and continuity of program placements for participating students with disabilities;
- special education programs and services located in appropriate facilities are relocated only with adequate consideration of the needs of participating students with disabilities; and
- any changes to allocate, lease, renovate or construct space in the BOCES region that include special education programs are structured to ensure that students with disabilities have appropriate access to the general education curriculum.
In order to qualify for State Aid reimbursement, the DCERT screen is used by school district personnel to submit information to NYSED for providing “Assurance of Required Certifications for 10-Month Private School Reimbursement”

<table>
<thead>
<tr>
<th>Placement certification is required for four types of separate school 10-month programs:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day In-State</td>
</tr>
<tr>
<td>Day Out-of-State</td>
</tr>
<tr>
<td>Residential In-State</td>
</tr>
<tr>
<td>Residential Out-of-State</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Placement certification is also required upon:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change from day to residential or residential to day placement</td>
</tr>
<tr>
<td>Change from in-state to out-of-state placement</td>
</tr>
<tr>
<td>Change in Committee on Special Education (CSE) school district</td>
</tr>
<tr>
<td>Change from preschool to school age</td>
</tr>
</tbody>
</table>
## School-Age LRE DCERT Certifications

### School District Certification For Placements in a Private Separate School or Special Act School District

- The student is of school-age and has a disability or combination of disabilities such that appropriate public facilities for instruction are not available.

- The CSE has documentation of its efforts to place the student in a public facility and the outcomes of those efforts, and/or the CSE findings regarding the lack of suitability of each currently available and geographically assessable public placement.

- The CSE has documentation of all efforts to enable the student to benefit from instruction in less restrictive settings using support services and supplementary aids and special education services, and/or for those services not used, a statement of reasons why such services were not recommended.

- The CSE has detailed evidence of the student’s lack of progress in previous less restrictive programs and placements or a statement of reasons that such evidence is not available.

- If the CSE recommends a residential program it must assure that documentation is on record that includes a proposed plan and timetable for enabling the student to return to a less restrictive environment or statement of reasons why such a plan is not currently appropriate.
Application Process for Placement in Out-of-State Residential Schools

• School district must annually apply to receive State Reimbursement for student’s placed in a New York State approved out-of-state residential school.

• The decision that a student needs an educational placement in a residential school, either in or out of State, must be based on the CSE determination that there is no appropriate nonresidential school available to meet the educational needs of the student.

• State law and regulations require the school district to identify needed support services that may help families maintain children in their own homes and communities, and avoid placement in residential care, for as long as possible.

1 § NYCCRR refers to Title 8 of the New York Code of Rules and Regulations
Office of Special Education Educational Partnership
Tiered Support & Professional Development

Systems Change Work Providing a Variety of Supports to Educational Organizations in New York State

1. Regional Learning
2. Targeted Skills/Support Groups
3. Support Plans
Educational Partnership Resources
Targeted Professional Development Improvement Strategies

Training relevant to School-Age Least Restrictive Environment include:

- CPSE/CSE Chairperson Training
- Positive Behavioral Intervention and Supports Training (all tiers)
- Identifying and Intensifying Intervention
- Fundamentals of Equity: Exploring Equity and Cultural Responsiveness
- Introduction to the Behavior Pathway
- Using the Behavior Pathway to Identify Interventions
- Specially Designed Instruction/Explicit Direct Instruction
- Disproportionality
- Functional Behavioral Assessment/Behavioral Intervention Plan Training
- Developing Behavior Systems that Work
- Dimensions of Equity in Education
Potential New Improvement Activity #1

Require School Districts to develop and implement a five-year plan for high-quality inclusive programs for students with disabilities

- District inclusion plans would be required for districts whose data shows:
  - (1) high percentage of school age students with disabilities placed in special classes for 40 percent or more of the school day and/or in separate schools; and/or
  - (2) low percentage of students participating in regular education classes for 80 percent or more of the school day.

- District inclusion plans would describe the district’s data analysis on the number and percentage of time students with disabilities spend in special classes, regular education classes and separate schools, disaggregated by race and ethnicity, age, and disability categories.

- District inclusion plans would provide a five-year projection to increase the number of students with disabilities in inclusive settings and describe the steps the district will take to improve the availability and quality of inclusive programs in the district.
Potential New Improvement Activity #2

Develop a CSE training module for Indicator 5 and placement in the LRE

- Training Modules would be available remotely and/or via webinar and emphasize:
  - reporting Indicator 5 LRE data accurately;
  - connection of Indicator 5 and significant disproportionality placement data on LRE; and
  - LRE decision making tools.
- Identified school districts would be required to participate in the training modules in order to improve Indicator 5 results.
What activities could be considered, maintained, or strengthened to address improvements in School-Age Least Restrictive Environment?

Stakeholder Discussion
Indicator 5 – School-Age Least Restrictive Environment Target Setting

State Performance Plan (SPP)/Annual Performance Report (APR) 2020-2025

Individuals with Disabilities Education Act (IDEA)

IDEA STATE PERFORMANCE PLAN STAKEHOLDER ENGAGEMENT
New Baseline for Indicator 5: School-Age LRE

A. Inside the regular class 80% or more of the day
   - 2020 Reported Data Serves as New FFY
   - 2020-25 Baseline: 58.28%
   - New Baseline performs 3.78 percentage points better than old baseline (2005 54.50%)

B. Inside the regular class less than 40% of the day
   - 2020 Reported Data Serves as New FFY
   - 2020-25 Baseline: 18.16%
   - New Baseline performs 7.34 percentage points better than old baseline (2005 25.50%)

C. In separate schools, residential facilities, or homebound/hospital placements
   - 2020 Reported Data Serves as New FFY
   - 2020-25 Baseline: 5.14%
   - New Baseline performs 1.76 percentage points better than old baseline (2005 6.90%)
Proposed Targets: Indicator 5A
Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class 80% or more of the day

2015-2019 Equated Average was 57.6%

Increase = Improvement

Student Impact 8,474 additional students would be included (2020 baseline vs 2025 proposed target)

Target Setting Methodology
Consideration that 2020 Baseline Outperforms Prior 5-year Average
Improvement Over Baseline & Increase over Average Past Trend Data
Consideration of Student Impact associated with each Proposed Target

Stakeholder Question: Targets must show improvement over baseline and be rigorous but achievable. Do you feel that the proposed targets are too high, too low, or just right?
Proposed Targets: Indicator 5B

Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served inside the regular class less than 40% of the day

- Baseline 2020: 18.16%
- 2021: -0.16
- 2022: -0.20
- 2023: -0.30
- 2024: -0.25
- 2025: -0.25

**Student Impact:** 5,690 fewer students would be included (2020 baseline vs 2025 proposed target)

**Target Setting Methodology:**
- Consideration that 2020 Baseline Outperforms Prior 5-year Average
- Improvement Over Baseline & Increase over Average Past Trend Data
- Consideration of Student Impact associated with each Proposed Target

**Stakeholder Question:** Targets must show improvement over baseline and be rigorous but achievable. Do you feel that the proposed targets are too high, too low, or just right?
Proposed Targets: Indicator 5C

Percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements

<table>
<thead>
<tr>
<th>Year</th>
<th>Baseline</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>5.14%</td>
<td>-0.04</td>
<td>-0.10</td>
<td>-0.10</td>
<td>-0.10</td>
<td>-0.05</td>
</tr>
</tbody>
</table>

Student Impact: 1,911 fewer students would be excluded (2020 baseline vs 2025 proposed target)

Target Setting Methodology:
- Consideration that 2020 Baseline Outperforms Prior 5-year Average
- Improvement Over Baseline & Increase over Average Past Trend Data
- Consideration of Student Impact associated with each Proposed Target

Stakeholder Question: Targets must show improvement over baseline and be rigorous but achievable. Do you feel that the proposed targets are too high, too low, or just right?
New York State School District SPP Data

Additional information on SPP Indicator data may be found in school district “Special Education Data” reports available at data.nysed.gov

<table>
<thead>
<tr>
<th>Total Students with Disabilities ages 6-21: 1,408</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STUDENTS WITH 80% OR MORE OF THE DAY IN A GENERAL EDUCATION PROGRAM</strong></td>
</tr>
<tr>
<td>38%</td>
</tr>
<tr>
<td>State target and does district meet target</td>
</tr>
<tr>
<td>Greater than or equal to 60%</td>
</tr>
<tr>
<td>No, did not meet state target</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>STUDENTS WITH DISABILITIES IN SEPARATE SETTINGS</strong></th>
<th><strong>STUDENTS WITH DISABILITIES IN OTHER SETTINGS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>10.5%</td>
<td>0.8%</td>
</tr>
<tr>
<td>State target and does district meet target</td>
<td>State target and does district meet target</td>
</tr>
<tr>
<td>Less than or equal to 5%</td>
<td>No, did not meet state target</td>
</tr>
<tr>
<td>No State Target</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

Additional information on SPP Indicator School District performance is available at data.nysed.gov
Share Your Voice in our Online Survey

Each SPP Indicator has an online survey to collect input on NYS’s target-setting and/or improvement activities.

The online surveys are intended to collect feedback from interested stakeholders. They are available for those who are not attending a virtual meeting or for those who have additional information to share beyond the virtual meetings.

Please visit the SPP/APR webpage to submit your survey.
THANK YOU FOR YOUR CONTRIBUTION

Your Voice is Important to New York State’s Efforts to Improve Outcomes for our Students with Disabilities