



UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

HOW THE BIE MADE SY 2023-2024 (FFY 2023) DETERMINATIONS OF IMPLEMENTATION OF IDEA

The U.S. Department of Education through the Office of Special Education Programs (OSEP) issues Determinations annually for States on their implementation of the Individuals with Disabilities Education Act (IDEA) for Part B.

In turn, State Education Agencies (SEA) are required to issue a Determination annually for each Local Education Agency (LEA) or for the BIE, a Determination for each school which evaluates the school's efforts to implement the requirements and purposes of the IDEA.

A school's annual determination in implementing the requirements of IDEA may be:

- Meets Requirements
- Needs Assistance
- Needs Intervention
- Needs Substantial Intervention

The BIE, in consultation with stakeholders has chosen to use the following State Performance Plan/Annual Performance Report (SPP/APR) compliance and results indicators and data to make determinations:

Compliance indicators:

- Indicator 11 - Timely Initial Evaluation (20 U.S.C. 1416(a)(3)(B))
- Indicator 13 - Secondary Transition (20 U.S.C. 1416(a)(3)(B))

Results indicators:

- Indicator 4A - Significant discrepancy in the rate of suspensions and expulsions of greater than 10-days in a school year for children with IEPs. (20 U.S.C. 1416(a)(3)(A); 11412(a)(22))
- Indicator 8 - Schools facilitated parent involvement as a means of improving services and results for children with disabilities. (20 U.S.C. 1416(a)(3)(A));
- Indicator 14C - Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. (20 U.S.C. 1416(a)(3)(B))

Additional Data:

- Submission of Local School Performance Plan (LSPP) – The Initial September 2023 submission, December 2023 submission for evaluation of improvement activities, and March 2024 submission for evaluation of improvement activities.

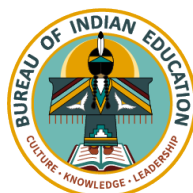
The BIE uses a point system to determine whether the school meets the requirements of IDEA. Because not all indicators apply to all schools, an 8-point system is used for schools with high school grade levels and a 5-point system applies to schools without high school grade levels.

The following tables explain how the points are earned.

POINT SCALE FOR DETERMINATIONS FOR SCHOOLS SERVING HIGH SCHOOL GRADES (8 TOTAL POINTS POSSIBLE):

Part B Compliance Indicators	Possible Points	How Points are Earned
Indicator 11 – Timely Initial Evaluation	1	The school must meet the target of 100% set by OSEP.
Indicator 13 – Secondary Transition	1	The school must meet the target of 100% set by OSEP.
Part B Results Indicators	Possible Points	How Points are Earned
Indicator 4A – Significant discrepancy in the rate of suspensions and expulsions of greater than 10-days in a school year for children with IEPs.	1	The school must have a Rate Ratio of < 3.0; the comparison of the rate at which students with disabilities are suspended out of school > 10 days compared to all students.
Indicator 8 – Schools facilitated parent involvement as a means of improving services and results for children with disabilities.	1	The school must meet the target set by the BIE in consultation with stakeholders.
Indicator 14C – Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.	2	0 points = school did not complete interview(s). 1 points = unable to contact any student(s) or did not meet target set in consultation with stakeholders. 2 points = met target set in consultation with stakeholders.
Additional Data	Possible Points	How Points are Earned
Submission of Local School Performance Plan (LSPP) – Development of improvement activities for applicable indicators.	2	0 points = 0 LSPP's submitted. 1 point = 1 <u>or</u> 2 LSPP's submitted. 2 points = all 3 LSPP's submitted.
Total	8	

- 7 or 8 points – Meets Requirements
- 5 or 6 points – Needs Assistance
- 3 or 4 points – Needs Intervention
- Less than 3 points – Needs Substantial Intervention



POINT SCALE FOR DETERMINATIONS FOR SCHOOLS NOT SERVING HIGH SCHOOL GRADES (5 TOTAL POINTS POSSIBLE):

Part B Compliance Indicator	Possible Points	How Points are Earned
Indicator 11 – Timely Initial Evaluation	1	The school must meet the target of 100% set by OSEP.
Part B Results Indicator	Possible Points	How Points are Earned
Indicator 4A – Significant discrepancy in the rate of suspensions and expulsions of greater than 10-days in a school year for children with IEPs.	1	The school must have a Rate Ratio of < 3.0; the comparison of the rate at which students with disabilities are suspended out of school > 10 days compared to all students.
Indicator 8 – Schools facilitated parent involvement as a means of improving services and results for children with disabilities.	1	The school must meet the target set by the BIE in consultation with stakeholders.
Additional Data	Possible Points	How Points are Earned
Submission of Local School Performance Plan (LSPP) – Development of improvement activities for applicable indicators.	2	0 points = 0 LSPP's submitted. 1 point = 1 <u>or</u> 2 LSPP's submitted. 2 points = all 3 LSPP's submitted.
Total	5	

- 4 or 5 points – Meets Requirements
- 2 or 3 points – Needs Assistance
- 1 point – Needs Intervention
- 0 points – Needs Substantial Intervention

