Kansas Special Education State Performance Plan
Levels of Determination

In February of each year, KSDE submits an Annual Performance Report (APR) of the State Performance Plan (SPP) to the Office of Special Education Programs (OSEP). In writing the current year's APR, KSDE analyzes data from the previous school year and measures the results against targets established in the SPP. Fiscal Management data and Compliance Indicator data from the current year's APR is used to measure whether a district met Substantial Compliance*.

As part of the current year APR process, KSDE assigns one of the following Levels of Determination (LOD) to each district: Meets Requirements, Needs Assistance Year 1, Needs Assistance Year 2+, Needs Intervention Year 1, Needs Intervention Year 2, Needs Intervention Year 3+ and Needs Substantial Intervention. A district's Level of Determination is arrived at by examining two factors: 1) the number of current year Compliance Indicators where Substantial Compliance was met (SC), and, 2) the Level of Determination from the previous year (Prev LOD). Within each Level of Determination are criteria for the SC and Prev LOD factors. The Levels of Determination, Factors and Criteria specific to each LOD are listed below. The number of current year Compliance Indicators where Substantial Compliance was met (SC) is the factor that will be used to determining the LOD when a district does not have a Level of Determination from the previous year (Prev LOD).

Meets Requirements Factors & Criteria:

SC: Substantial Compliance met for Fiscal Management and Indicators 4B, 9, 10, 11, 12, 13, 15 and 20 in the current year.

Prev LOD: District had a previous year LOD of Meets Requirements, Needs Assistance Year 1, Needs Assistance Year 2+, Needs Intervention Year 1, Needs Intervention Year 2, Needs Intervention Year 3+ or Needs Substantial Intervention.

Needs Assistance Year 1 Factors & Criteria:

SC: Substantial Compliance not met during the current year for any combination of one or two of the following: Fiscal Management, Indicator 4B, Indicator 9, Indicator 10, Indicator 11, Indicator 12, Indicator 13 and Indicator 20.

Prev LOD: District had a previous year LOD of Meets Requirements, Needs Intervention Year 1, Needs Intervention Year 2, Needs Intervention Year 3+ or Needs Substantial Intervention.

Needs Assistance Year 2+ Factors & Criteria:

SC: For two or more consecutive years, Substantial Compliance not met for any combination of one or two of the following: Fiscal Management, Indicator 4B, Indicator 9, Indicator 10, Indicator 11, Indicator 12, Indicator 13 and Indicator 20.

Prev LOD: District had a previous year LOD of either Needs Assistance Year 1 or Needs Assistance Year 2+.

Needs Intervention Year 1 Factors & Criteria:

SC: Either of these two conditions:

1. Substantial Compliance not met during the current year for Indicator 15.
2. Substantial Compliance not met during the current year for any combination of three or four of the following: Fiscal Management, Indicator 4B, Indicator 9, Indicator 10, Indicator 11, Indicator 12, Indicator 13 and Indicator 20.

Prev LOD: District had a previous year LOD of Meets Requirements, Needs Assistance Year 1, Needs Assistance Year 2+ or Needs Substantial Intervention.

Needs Intervention Year 2 Factors & Criteria:

SC: Either of these two conditions:

1. For two consecutive years, Substantial Compliance not met for Indicator 15.
2. For two consecutive years, Substantial Compliance not met for any combination of three or four of the following: Fiscal Management, Indicator 4B, Indicator 9, Indicator 10, Indicator 11, Indicator 12, Indicator 13 and Indicator 20.

Prev LOD: District had a previous year LOD of Needs Intervention Year 1.

Needs Intervention Year 3+ Factors & Criteria:

SC: Either of these two conditions:

1. For three or more consecutive years, Substantial Compliance not met for Indicator 15.
2. For three or more consecutive years, Substantial Compliance not met for any combination of three or four of the following: Fiscal Management, Indicator 4B, Indicator 9, Indicator 10, Indicator 11, Indicator 12, Indicator 13 and Indicator 20.

Prev LOD: District had a previous year LOD of Needs Intervention Year 2 or Needs Intervention Year 3+.

Needs Substantial Intervention Factors & Criteria:

SC: Substantial Compliance not met during the current year for any combination of five or more of the following: Fiscal Management, Indicator 4B, Indicator 9, Indicator 10, Indicator 11, Indicator 12, Indicator 13, Indicator 15 and Indicator 20.

Prev LOD: District had a previous year LOD of Meets Requirements, Needs Assistance Year 1, Needs Assistance Year 2+, Needs Intervention Year 1, Needs Intervention Year 2 or Needs Intervention Year 3+.

* Substantial Compliance Criteria:
Fiscal Management: Correction of 100% of the findings of non compliance within one year.
Indicator 4B: When the state-wide target is met.
Indicator 9: When the state-wide target is met.
Indicator 10: When the state-wide target is met.
Indicators 11: A district is Substantially Compliant when fewer than two children had their Initial Evaluation completed beyond 60 school day timeframe for completing the evaluation.

Indicator 12 A district is Substantially Compliant when fewer than two children referred from Part C to Part B had their eligibility established and an IEP developed after the child's third birthday.
Indicators 13: A district with twenty or more files reviewed is Substantially Compliant when at least 95% of the files reviewed are in compliance. A district with fewer than 20 files is Substantially Compliant when it does not have more than one file in compliance.
Indicator 15: Correction of 100% of the findings of non compliance within one year.
Indicator 20: A 95% or higher on the District Scoring Rubric.
If a district does not have data for the indicator, the indicator is Substantially Compliant when determining the Level of Determination.