



**CALIFORNIA DEPARTMENT  
OF EDUCATION**

**TONY THURMOND**  
STATE SUPERINTENDENT  
PUBLIC INSTRUCTION

1430 N STREET, SACRAMENTO, CA 95814-5901 • 916-319-0800 • WWW.COE.CA.GOV

March 14, 2022

The Superintendent  
The School Name  
1234 School Street  
Your City, State Zip

Notice the school year  
is 2020 – 2021.



Subject: Notification of **2020-21 Annual Determination** Pursuant to the  
Individuals with Disabilities Education Act and Selection for 2022 Special  
Education Monitoring Activities including Identification of Significant  
Disproportionality

Dear Superintendent:

The California Department of Education's (COE) Special Education  
Division (SEO) is providing this notification in accordance with the  
Individuals with Disabilities Education Act (IDEA), Section 616(e) and  
Title 34, *Code of Federal Regulations (CFR)* sections 300.600-604, and  
34 *CFR* sections 300.646-300.647. The following will be addressed in  
this notification:

- 2020-21 Annual Determination under IDEA Part B
- Selection for 2022 Performance and Compliance Monitoring  
Activities
- Official Significant Disproportionality Determination for the 2022-23  
Budget Year



The LEA will find out  
below, if it must  
participate in any of  
these processes.

## 2020-21 Annual Determination under IDEA Part B

In accordance with IDEA Section 616(e) and 34 *CFR* Sections 300.600-300.604, the COE is required to make an annual determination on the performance of each local educational agency (LEA). The SEO reviews LEA performance and compliance data related to implementation of IDEA requirements, as well as information related to valid, reliable and timely data, uncorrected noncompliance and any previous findings. As a result, every LEA receives one of four possible annual determinations, as follows: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention.

The determination for The School Name is Needs Assistance in meeting the requirements of the IDEA, Part B, for the 2020-21 school year.

This is where your LEA learns its Annual Determination status.

### Selection for 2022 Performance Monitoring Activities

In the 2020 Monitoring Year, the SEO made updates to its monitoring system, which continued into the 2021 Monitoring Year, including changes on how LEAs are selected for monitoring activities in either Intensive or Targeted monitoring. Intensive and Targeted monitoring include different types of activities based on the need of the LEA identified through the selection process.

The COE is making additional updates to monitoring starting this year. LEAs selected for performance monitoring will again be identified for either Targeted, Intensive, or Significant Disproportionality monitoring, but

beginning this year, monitoring will be further differentiated based on the need of the LEA. For the 2022 Monitoring Year, LEAs will be identified as Targeted Level 2, Targeted Level 3, Intensive Level 1, Intensive Level 2, Intensive Level 3, and Significant Disproportionality. LEAs will only be identified for one differentiated level and will participate and engage with different monitoring activities based on the differentiated level.

Please Note: only identified for one level.

The monitoring level for The School Name for the 2022 Monitoring Year is listed in the table below:

Below is the monitoring level the LEA is selected to participate in.

Performance Monitoring Level
Targeted Level 3

Additionally, this year, the COE is introducing the Compliance and Improvement Monitoring (CIM) Process to replace previous monitoring activities such as the Special Education Plan. LEAs in Targeted Level 2, and Intensive Levels 1 through 3 will participate in the CIM. LEAs in Targeted Level 3 will conduct a review of policies, procedures and

Please note: only LEAs in Targeted Level 2 or Intensive Levels 1 through 3 will participate in the CIM process.

practices. LEAs in Significant Disproportionality will be required to complete a Comprehensive Coordinated Early Intervening Services Plan (CCEIS).

The CIM Process is designed to help LEAs identify systemic issues in the LEA that lead to poor student outcomes, create a plan that prioritizes high leverage activities, and implement the plan with fidelity. The CIM Process is a four-step process that walks the LEA through the necessary activities that lead to a cohesive and comprehensive plan. The CDE will provide templates and guidance for activities aligned to each step, listed below.

- Step 1: Gather and Inquire. The LEA gathers, reviews and synthesizes data and information to determine the current issues and problems that exist in the LEA.
- Step 2: Investigate. The LEA examines the problems identified in order to determine the causes of those problems, prioritizes the concerns and develops a theory of action to address the root cause.
- Step 3: Plan. The LEA identifies the highest leverage activity and develops a detailed plan for implementation including a timeline and milestones. This can be an independent plan or part of other improvement plans, including the Local Control and Accountability Plan (LCAP), developed by the LEA.
- Step 4: Implement. LEAs, technical assistance providers, and CDE monitor the implementation of the plan over time to determine if the LEA is meeting the timelines or milestones and to ensure appropriate supports are provided. If the LEA is not meeting timelines or milestones, the CDE will engage with the LEA to assist in efforts to implement the plan. The CDE will also determine if, at any time, the LEA needs to revisit and update the plan.



To the left are the steps for completing the CIM, once the templates and guidance is received from the CDE.

The CDE will provide a detailed introduction to LEAs in each Level on the following webinar dates:

Sign up for the correct webinar following the instructions below.

Performance Monitoring Differentiation Level	Webinar Date and Time
Intensive Levels 1-3	March 28, 2022 at 3pm or March 29, 2022 at 3pm
Targeted Level 2	March 24, 2022 at 3pm
Targeted Level 3	March 23, 2022 at 2pm

Please visit the CIM website at <https://www.cde.ca.gov/sp/se/ga/cimprocess.asp> for more information about the Monitoring Levels, the support team assigned to your LEA and the activities for each level.

Be sure to visit the CIM website. From there you will click a link to your identified performance monitoring level, where you will find an associated email address. Send an email to that address to receive registration information.

## Selection for 2022 Compliance Monitoring Activities

In addition to monitoring in the performance areas, CDE will also be reviewing and monitoring 2021-22 compliance data on several key timelines. These include:

- State Performance Plan Indicator 11: One hundred percent of children were evaluated within 60 days of receiving parental consent for initial evaluation.
- State Performance Plan Indicator 12: One hundred percent of children referred by Part C prior to age three, who are found eligible for Part B, have an Individual Education Plan (IEP) developed and implemented by their third birthday.
- Whether the LEA held an IEP meeting at least once per year.
- Whether the LEA conducted a “triennial” re-evaluation to determine the student’s continued eligibility for special education at least every three years.

Please note Compliance Monitoring is an additional monitoring area for 2021-2022.

This year the CDE will differentiate three areas of concern for noncompliance associated with the timelines above.

- Any Late IEPs/Initial Assessments: LEAs that have **any** overdue IEPs or assessments will need to review their local data systems to work to schedule the necessary IEPs, where applicable. The CDE will review the data again June 30, 2022.
- **Late IEPs/Initials or No Improvement**: LEAs who have students waiting longer than 120 days past the deadline for IEPs and assessments *or* have not made progress to reduce the number of students waiting on IEPs or assessments since October 2021 will need to review their local data and access technical assistance resources provided by SELPAs to support LEAs.
- **Late IEPs/Initials and No Improvement**: LEAs who have students waiting longer than 120 days past the deadline for IEPs and assessments *and* have not made progress to reduce the number of students waiting on IEPs or assessments since October 2021 will need to review their local data and receive technical assistance provided by SELPAs to support LEAs.

Notice the words “any overdue”, “Late IEPs/Initials OR no improvement”. Please note that LEAs will fall into 1 of these 3 levels of compliance monitoring. Different activities will be associated with each.

Technical assistance for this compliance area can be found at <https://caltan.info/resources/tag/high-quality-ieps>.

Visit the caltan technical assistance site.

The compliance monitoring level for **The School Name for the 2022** Monitoring Year is listed in the table below:

Your compliance monitoring level.

**Compliance Monitoring Area**

Late IEPs/Initials or No Improvement

**Disproportionality Identification and Official Significant Disproportionality Determination for the 2022-23 Budget Year**

This letter includes information regarding Disproportionality and serves as official notification to those LEAs that have been identified as Significantly Disproportionate for 2022 Monitoring Year, impacting the 2022-23 budget year. Each year, the COE is required to complete calculations to identify disproportionate representation of students with disabilities (SWD) in the following areas:

- Disproportionate representation of SWD for suspension/expulsion by duration, setting, and race or ethnicity for discipline
- Disproportionate representation of SWD by race or ethnicity by placement
- Disproportionate representation of SWD by race or ethnicity overall
- Disproportionate representation of SWD by race or ethnicity within a specific disability category

Pursuant to federal requirements under the IDEA and Title 34, *CFR* sections 300.646-647, LEAs are identified as Significantly Disproportionate if the LEA is identified as Disproportionate in the same area for three consecutive years.

If identified as disproportionate, it will say so below.

<b>2022 Monitoring Year Disproportionality and Significant Disproportionality Identification</b>	<b>Status</b>
Disproportionality	Not Disproportionate
Significant Disproportionality	Not Significantly Disproportionate

LEAs identified as Disproportionate are monitored under the Targeted monitoring described above. For LEAs identified as Significantly Disproportionate, the LEA is monitored under the Intensive monitoring

described above and also required to take mandatory actions including, but not limited to reserving 15 percent of IDEA funds to provide CCEIS for the 2022-23 budget year. More information about the next steps for LEAs identified for Intensive monitoring for Significant Disproportionality can be found at <https://www.cde.ca.gov/sp/se/qa/cimprocess.asp>.

The data supporting the Disproportionality identification is accessible at the following link:

The data supporting the Significant Disproportionality identification is accessible at the following link:

If LEA is identified there will be a link to the data here.

For questions specific to Disproportionality or Significant Disproportionality data, please contact Steven Rogers, Education Programs Consultant, by email at [SRogers@cde.ca.gov](mailto:SRogers@cde.ca.gov).

The SED looks forward to supporting LEAs' efforts under the IDEA to improve outcomes for students with disabilities. We hope this communication is a helpful overview of the special education monitoring that you can expect to see from the CDE, SED in the coming months. If you have any questions or concerns, please reach out to me by email at [CDESPEDDIRECTOR@cde.ca.gov](mailto:CDESPEDDIRECTOR@cde.ca.gov).

I look forward to our continued partnership and collaboration in the future and truly appreciate your dedication and support for all children in California.

Sincerely,

/S/

Heather Calomese, Director

Special Education Division

HC: sdb

cc: El Dorado County SELPA; Focused Monitoring and Technical Assistance Unit

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