

Introduction to Comprehensive Coordinated Early Intervening Services

Individuals with Disabilities Education Act - 34 CFR § 300.646 (d)

Federal Funding Conference
March 2020



Formula funds under IDEA are awarded on a non-competitive basis for programs and services to students with disabilities.

Preschool (PS)

Provides funding for special education services to children ages 3 to 5.

Flow-through (FT)

Provides funding for special education services to students ages 3 to 21.

IDEA Part B Formula Grants

Identifications under IDEA

LEAs that have been identified by DPI with significant racial disproportionality are required to set aside and expend 15% of their IDEA formula allocation funds on Comprehensive Coordinated Early Intervening Services (CCEIS)-funded activities.

34 CFR § 300.646 (d)

Significant Racial Disproportionality

When a student, based on race, is more than TWICE AS LIKELY as their peers to be...

Identified for special education - generally

Identified with a specific disability category (i.e., EBD)

Disciplined

Placed in a more restrictive environment

Identified for special education - generally

(i.e., EBD) category

Placed in a more restrictive environment

34 CFR §§ 300.646-.647

Identification History

Significant Disproportionality identifications were introduced with IDEA's reauthorization in 2004. Under 34 CFR § 300.646(b), states could choose a methodology and had flexibility in applying calculations.

In 2013, the US Government Accountability Office (GAO) released a report that was very critical of how states were complying with the IDEA regulations, basically stating that the spirit of the law was not being implemented.

Report: gao.gov/assets/660/652437.pdf

Identification History

Based on the GAO report and OSEP's own monitoring, updated regulations were proposed to address the inconsistencies across the country. The final regulations took effect in January 2017.

Due to the significant regulation changes made to the calculation requirements, States were allowed a grace period (up to July 2020) to update their own systems.

Federal Register: <https://www.govinfo.gov/app/details/FR-2016-12-19/2016-30190>

Identification Trend

Wisconsin's last year under the former calculation was FY 2018-2019.

The new criteria was applied and impacted LEAs beginning in FY 2019-2020.

2018-2019	2019-2020	2020-2021
6 LEAs	57 LEAs	~ 57 LEAs
\$1,486,782 Required Set-Aside	\$15,252,270 Required Set-Aside	\$ ↑ ↑ ↑ Required Set-Aside

Federal Register: <https://www.govinfo.gov/app/details/FR-2016-12-19/2016-30190>

Clarification Provided on CEIS / CCEIS

Prior to the revised regulations, the use of the 15% set-aside was exactly the same for voluntary LEAs and required LEAs; restricted to:

- ❖ Students *without* disabilities
- ❖ Academic or Behavioral Interventions (above the core)
- ❖ Kindergarten - Grade 12

Identified LEAs found it very difficult to use their required "CEIS" set-aside to address and improve practice.

Clarification Provided on CEIS / CCEIS

With the release of the revised regulations, OSEP clarified that the required 15% set-aside for identified LEAs was **Comprehensive Coordinated Early Intervening Services (CCEIS)** and the funds could be used to benefit:

- ❖ All Students
- ❖ No Limitation on Activities (can include universal)
- ❖ All ages 3 to 21

34 CFR § 300.646 (d)

Clarification Provided on CEIS / CCEIS

With the flexibility, however, came the caveat:

- ❖ CCEIS expenditures must be used to address factors the LEA identifies as contributing to the significant disproportionality (determined through a root cause analysis).
- ❖ The funds should be used “particularly, but not exclusively” for students in the groups that were significantly over identified.

34 CFR § 300.646 (d)(1)(ii-iii) and § 300.646 (d)(2)

Responsibility of Identified LEAs

1. Conduct a Root Cause Analysis (Needs Assessment).
2. Based on the results, identify the Factors (reasons) for the significant racial disproportionality.
3. Select evidence-based improvement strategies that will have impact on the affected student groups.
4. Develop a plan to implement the strategies and establish long-term improvement goals.

Root Cause Analysis

*also known as a
"Needs Assessment"*

What is it?

- ❖ Needs assessment, data inquiry/adults practices inquiry that determines the reason (root cause) of the racial disproportionality.

Who conducts it?

- ❖ District or school leadership team.

How often should it be done?

- ❖ Minimum of annually to meet requirement.

Root Cause Analysis Technical Assistance

Costs of conducting a root cause analysis / comprehensive needs assessment and costs associated with establishing a continuous improvement plan can be funded with CCEIS.

WISExplore Resources (including the Data Inquiry Journal)

dpi.wi.gov/wisexplore

Technical Assistance Network for Improvement

dpi.wi.gov/continuous-improvement/resources-supports/ta-network

Continuous Improvement Performance Data Report

- ❖ Housed within WISEgrants.
- ❖ Displays IDEA district-level and ESSA school-level identifications.
- ❖ LEAs identified with significant racial disproportionality have either ESSA-identified “CSI,” “ATSI” or “TSI” schools with similar student groups.

IDEA – District Identifications

IDEA - LEA Identifications

IDEA Determination	Number of Years in this Category
Needs assistance in implementing the requirements of the IDEA	2

Racial Disproportionality in Special Education Identification, Discipline, and/or Placement	Student Groups	Number of Years in this Category
Racial disproportionality in specific disability categories.	Emotional Behavioral Disability: Black - African American	1
Racial disproportionality in specific disability categories.	Intellectual Disability: Black - African American	1
Significant disproportionality in discipline.	Black - African American	2
Significant disproportionality in discipline.	Hispanic	1
Significant disproportionality in discipline.	Two or More Races	1

Schools Identified for Additional Targeted Supports and Interventions (ATSI)

School Code	School Name	ATSI Student Group(s)	Cohort Name	Cohort Year	Title I School Served
0492		<ul style="list-style-type: none"> Black - African American Hispanic Students with Disabilities 	ATSI Cohort FY 2018-2019	1	No
0134		Black - African American	ATSI Cohort FY 2018-2019	1	Yes

Schools Identified for Targeted Supports and Interventions (TSI)

School Code	School Name	TSI Student Group(s)	Consecutive TSI Years	Title I School Served
0491		<ul style="list-style-type: none"> Black - African American Hispanic Students with Disabilities 	1	No
0118		<ul style="list-style-type: none"> Black - African American Students with Disabilities 	1	Yes
0492		English Learners (EL)	1	No
0130		Black - African American	1	Yes
0134		<ul style="list-style-type: none"> Hispanic Students with Disabilities 	1	Yes
0111		Hispanic	1	Yes

Factors

What are they?

- ❖ Root Cause FACTORS are the reason for the disproportionality identification as determined by the data inquiry.

Are there common factors? **

- ❖ bit.ly/sig-dispro-factors

What should be avoided?

- ❖ Blaming the students, listing areas of disproportionality or student-based deficits instead of root cause factors.

**Distinguishing Differences from Disability: The Common Causes of Racial/Ethnic Disproportionality in Special Education

FACTORS	RATING	RATIONALE
Lack of effective MLSS behavior supports and staff training on trauma informed care impact all students, and impact {Black} students disproportionately, causing gaps.	Excellent	Root cause analysis uses student outcome and teacher practice data, addresses target population.
Despite many years of implementation of Positive Behavior Interventions and Supports and various professional development opportunities, systemic delivery of school-wide practices lack consistency and rigor.	Good	Does not directly address target population.
Students arrive in our district already identified and not knowing how to act at school.	Poor	Blame is placed on the students/families.
Area of Significant Disproportionality: Discipline		

Evidence-Based Improvement Strategies

What are they?

- ❖ Strategies the team determines will address their root cause factors and their target populations.

Where do we get them?

- ❖ TA Network/CESA supports, DPI support, district leadership teams.

What should be avoided?

- ❖ Listing all universal strategies without “enhancers” for target population, not having strategies connected to root cause factors.

Area of Significant Disproportionality: Black, LD Root Cause Factor: Teachers lack culturally-responsive practices

STRATEGY	RATING	RATIONALE
Hiring additional reading interventionists with training in culturally responsive reading practices.	Excellent	Strategy is related to root cause factor, addresses target population.
Hiring reading interventionist(s).	Good	Only partially addresses root cause factor and does not specify target population.
Hiring behavior interventionist(s).	Poor	Does not appear to be related to the factor or identified student groups.

CCEIS Funding – Flexibility in Action

As long as the cost addresses the results of the LEA's root cause analysis (and is allowed under the Federal Uniform Grant Guidance (2 CFR §200)) – it can be for services provided *outside* of school.

- ❖ Private Child Care
- ❖ Head Start
- ❖ Feeder Schools
- ❖ Mental Health Services

Factor

Through their root cause analysis, Snow Day School District discovered that three elementary schools made significantly more referrals of black students to special education than any other schools.

These same three schools were identified as TSI under ESSA for Black and Students with Disabilities.

Meetings with the three schools led to a hypothesis that young students entering school were under prepared due to a lack of best practice at the Early Childhood level.

Impacting Early Childhood

If the key is earlier prevention, then CCEIS funds can be used to invest in Early Childhood multi-level systems of support through partnerships with Community Approach 4K, Private Child Care Centers and Head Start.

- ❖ Determine who should be a part of the child development team at the local level best suited to make this happen.
- ❖ Focus on the centers in which the elementary school students are attending.

UNIVERSAL SUPPORTS

Collaborative professional development learning around:

- ❖ Developmentally Appropriate Practices and Environments for children in pre-K and early childhood programs.
- ❖ Social and Emotional development such as a Pyramid Model, Second Step and Conscious Discipline.
- ❖ Culturally and linguistically responsive instructional practices.
- ❖ Family Engagement.

Expenditures:

- ❖ Position dedicated to Early Childhood – Disproportionality (such as a Social Worker who can be a coordinator / coach)
- ❖ Training / Professional Development / Collaboration

TARGETED SUPPORTS

Leverage support by:

- ❖ Paying for staff in private child care centers and Head Start to participate in shared training opportunities.
- ❖ Provide coaching / mentoring onsite at the private child care centers and Head Start to implement practices in the students' environment.
- ❖ Children removed from early childhood centers can be referred to the LEA for family transition services to prepare for entry into school.

Expenditures:

- ❖ Stipends
- ❖ Mileage
- ❖ Coaches
- ❖ Mentors
- ❖ Materials
- ❖ Collaboration

INTENSIVE SUPPORTS

Most likely young children with IEPs:

- ❖ Support specific one-on-one coaching / child specific services in private child care center or Head Start.
 - ❖ Support could be for staff and families.

Expenditures:

- ❖ Staff time
- ❖ Mental Health contract
- ❖ Mileage
- ❖ Coaching
- ❖ Materials
- ❖ Collaboration

Early Childhood – Disproportionality

Invest in a position that can coordinate the partnerships with the local early childhood providers:

- ❖ Determine and identify child care centers in the region.
- ❖ Examine available regional resources (both public and private).
- ❖ Establish shared professional development with incentives.
- ❖ Provide coaching onsite to the child care centers and LEAs.

Connect with Collaborating Partners <http://www.collaboratingpartners.com>

CCEIS Application Process - Plan

A copy of the LEA's most current Continuous Improvement Plan (CIP)-

- ❖ The plan must include:
 - The results of a needs assessment, including a root cause analysis.
 - The factors (based on the results of the root cause analysis) contributing to the significant racial disproportionality **for the identified category or categories**.
 - The strategies selected to address factors determined through the root cause analysis with action steps documented.

[Continuous Improvement Process Criteria and Rubric](#) (*link*)

CCEIS Application Process - Factors

The factors (as stated in the CIP) contributing to the significant disproportionality, which may include:

- ❖ A lack of access to scientifically based instruction;
- ❖ Economic, cultural, or linguistic barriers to appropriate identification or placement in particular educational settings;
- ❖ Inappropriate use of disciplinary removals;
- ❖ Lack of access to appropriate diagnostic screenings;
- ❖ Policies, practices, or procedures that contribute to the significant disproportionality.

(34 CFR § 300.646 (d)(1)(ii))

CCEIS Application Process - Strategies

The evidence-based improvement strategies the LEA plans to implement in this fiscal year to address the factors contributing to the significant racial disproportionality:

- ❖ The strategies will be tied to expenditure items within the CCEIS budget.
- ❖ Strategies should be broad to encompass several expenditures and not minutely specific such as “Training by CESA.”

The user will connect each strategy to a “Factor” prior to budgeting funds under CCEIS.

CCEIS Application Process – DPI Review

- ❖ To expedite the process, DPI will review the LEA-entered factors prior to the LEA making “Factor – Strategy” combinations for the purpose of budgeting.
- ❖ During this review, DPI will also check to see that the uploaded CIP includes the root cause analysis, the factors derived from the root cause analysis, the strategies selected and action steps outlined.
- ❖ Factors that are ‘approved’ can be connected to evidence-based improvement strategies.
- ❖ Once factor – strategy combinations have been made, LEAs can enter items into the CCEIS budget.

CCEIS Accounting

CCEIS is not used for expenditures tied to the excess cost of special education and related services, but for universal supports that should impact all students but particularly the student groups identified as significantly disproportionate.

Fund 10

Project 341

General Education / Pupil Service Functions

Source 730

Supplement / Not Supplant

Definition: Replacing previously existing costs with federal dollars

For special education, there is no supplement / not supplant provision with IDEA funds if an LEA is meeting maintenance of effort requirements

HOWEVER – cannot supplant Title funds with CCEIS funds

- ❖ Not just Title, any federal funds
- ❖ Existing Title-funded reading teachers cannot be moved onto CCEIS funding

Funding Timeline

Once funds are set-aside for Comprehensive CEIS, the LEA must expend the amount within 27-months to remain in compliance.

- ❖ Expenditures must be tied to factors determined through a root cause analysis.
- ❖ Carryover of unspent CCEIS funds undergo the same budgeting and review process regardless of current year identification.
- ❖ The continued use of CCEIS funds for long-standing positions or activities will be approved only if the LEA demonstrates the activities are having impact on the *identified student groups*.

Mandatory Student Reporting

An LEA using CCEIS funds must report annually the students impacted by activities CCEIS dollars.

The LEA will need to flag students in their own student information system (with the program association “Coordinated Early Intervening Services), and this data must get successfully pushed to WISEdata.

Under CCEIS, students with IEPs and students outside of the grade range of K-12 should also be flagged if receiving CCEIS-funded services (unlike voluntary CEIS).

Mandatory Student Reporting

DPI reports to the US Department of Education, annually, the number of students who were impacted by the use of CEIS funds and then the count of those students without IEPs consequently qualifying for special education services within the next two years.

If an LEA does not identify any students as being served during Year 1 of a required set-aside, then the LEA must identify students during Year 2 even if CCEIS funds are not required in Year 2.

In depth technical assistance on identifying students as being impacted by CCEIS will be sent out in late spring 2020.

Technical Assistance

❖ **CCEIS- WISEgrants Application Technical Assistance**

<http://bit.ly/cceis-guide>

❖ **Wisconsin's Framework for Equitable Multi-Level Systems of Supports**

<https://dpi.wi.gov/sites/default/files/imce/rti/pdf/rti-emlss-framework.pdf>

❖ **Wisconsin's Continuous Improvement Process Criteria and Rubric**

https://dpi.wi.gov/sites/default/files/imce/continuous-improvement/pdf/CIP_rubric_draft.pdf

Jessica Moe, DPI Consultant - Disproportionality

Set up a call with Jessica at <http://bit.ly/Call-Jessica>