So what does that look like in Monitoring?

- **Intensive**
- **Targeted**
- **Universal**

**Directive Support**

**Assistance Provided**

**Resources**
What is the CIM Process?

Step 1 Gather and Inquiry
• What is occurring?

Step 2-Investigate
• Why is this happening?

Step 3-Plan
• How can we address it?

Step 4-Implementation
• How is it going?
• Are we meeting expectations set forth in the plan

Year 1
- Implementation updates with CDE

Year 2
- Review local data

Year 3
- Update Plan
The 2023 Monitoring Year

**Just starting CIM**
- March
  - Annual Determination Letter
  - Instructional Webinars

**Continuing with CIM**
- March
  - Annual Determination Letter
- March-June
  - Connecting with TA providers
- July-September
  - Updating implementation with CDE
  - Measure milestones
- October-December
  - Review initial implementation data

**Instructions for Webinars**
- March-June
  - CIM Step 1
    - Gather and Inquire
- July-September
  - CIM Step 2
    - Investigate
- October-November
  - CIM Step 3
    - Plan
    - November 1 Plans due
Annual Determination Letter

• Will be published on or around March 20
• Includes Information on 4 Required Areas
  • Annual Determination (Lag Year)
  • Monitoring Tier and Level for 2023
  • Timeline Compliance
  • Official Significant Disproportionality
• Small LEAs will not be receiving an Annual Determination Letter this year unless they are Disproportionate or Significantly Disproportionate.
How to Read the Annual Determination Letter

March 20, 2023

Subject: Notification of 2022 Annual Determination Pursuant to the Individuals with Disabilities Education Act and Selection for 2023 Compliance and Improvement Monitoring Activities including Identification of Significant Disproportionality

Dear <<Title>> <<LastName>>:

The California Department of Education’s (CDE) Special Education Division 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:

- 2022 Annual Determination under IDEA Part B
- Selection for 2023 Monitoring
- Official Significant Disproportionality Determination for the 2023–24 Budget Year

2022 Annual Determination under IDEA Part B

In accordance with IDEA Section 616(e) and 34 CFR Sections 300.600–300.604, the CDE is required to make an annual determination on the performance of each local educational agency (LEA). The CDE reviews LEA compliance, disproportionality and performance data related to the implementation of IDEA requirements. 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 LEA Name is 2022 Annual Determination in meeting the requirements of the IDEA, Part B, for the 2021–22 school year. If the LEA did not meet requirements, the LEA will be monitored by the CDE in the 2023 Monitoring Year, described in greater detail below.
How to Read the Annual Determination Letter

Annual Determination are lag year and based on activities from 2022

Categories are:
• Meet requirements
• Needs assistance
• Needs Intervention
• Needs Substantial Intervention
How to Read the Annual Determination Letter

2023 Special Education Monitoring

The CDE’s monitoring framework is a tiered system that differentiates the level of monitoring, technical assistance and support for each LEA based on the analysis of compliance, disproportionality, performance data and that LEA’s particular need. The framework includes three monitoring tiers: Universal, Targeted and Intensive. LEAs that meet requirements under IDEA remain in the Universal monitoring tier and have access to resources to support continued compliance and performance. LEAs that do not meet requirements are identified for either the Targeted or intensive monitoring tier. CDE differentiates the level of engagement to LEAs in Targeted and Intensive monitoring tiers.

Beginning in the 2022 Monitoring Year, the CDE released the Compliance and Improvement Monitoring (CIM) Process to replace previous monitoring processes. The CIM is a four-step process designed for LEAs experiencing issues in compliance, disproportionality and performance. It requires the LEA complete activities to identify systemic issues that led to poor student outcomes and culminates in a cohesive and comprehensive improvement plan.

CDE will continue with the CIM Process in the 2023 Monitoring Year and LEAs – where applicable – will be identified for one monitoring tier and differentiated monitoring level within that tier.

Identification and Selection for 2023 Monitoring Year

The CDE reviews data submitted by the LEA to the state to determine their monitoring tier and level based on LEA overall performance in meeting the needs of students with disabilities in a number of areas including academic achievement, school climate, disproportionality and compliance with regulatory requirements.

Based on these analyses, <<LEA Name>> will be monitored under the <<Tier and Level>> monitoring tier and differentiated monitoring level in the 2023 Monitoring Year.

Monitoring Tier and Differentiated Monitoring Level

<<Tier and Level>>

Please follow the link to see the data associated with the identified monitoring tier and level: <<LINK>>.

LEAs identified for Universal monitoring tier are not subject to the CIM Process, nor address any compliance concerns. LEAs identified for Targeted monitoring tier do not have a defined level within the tiers.

Description of Monitoring System

The Monitoring Tier and Level Example: Targeted Level 2

An individual link to an LEA’s Data on how they were selected
How to Read the Annual Determination Letter

Compliance and Timeliness issues

As a factor for identification and selection for monitoring reflected above, CDE assesses an LEA in several key timelines areas. Related to an LEA’s timeliness in individualized education programs (IEPs) and holding initial assessments, CDE compares previous school year to current school year student-level data to assess if an LEA fell into one of three areas of timeliness concern.

- 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 based on the End of Year Certified CALPADS submission. CDE expects the LEA to review any and all noncompliance within their local system and correct any noncompliance before the end of year for CALPADS. Any outstanding noncompliance will be considered overdue and your Focused Monitoring Technical Assistance consultant will work with you to correct noncompliance in accordance with 34 CFR section 300.600(e).

- Late IEPs/Initial Assessments 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 TBD will need to review their local data, access technical assistance resources provided by SELPAs to support LEAs, and hold the overdue IEP meeting. During that meeting, the IEP Team should consider comprehensive education.

- Late IEPs/Initial Assessments 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 TBD will need to review their local data, receive technical assistance provided by SELPAs to support LEAs, and hold the overdue IEP meeting. During that meeting, the IEP Team should consider comprehensive education.

Based on compliance data analyses, <<LEA Name>> was flagged for a timeliness issue in the following area:

- Any Late IEP or Initial Assessment
How to Read the Annual Determination Letter

Significant Disproportionality

Categories for Significant Disproportionality

Notification of LEA Selection for 2023-24 Set Aside for Significant Disproportionality

Official Significant Disproportionality Determination for the 2023–24 Budget Year

This section serves as official notification to those LEAs that have been identified as Significantly Disproportionate for 2023 Monitoring Year, impacting the 2023–24 budget year.

Each year, the CDE 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 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.

<<LEA Name>> has been identified as Significantly Disproportionate. Please follow the link to see the data associated with your identification. <<LINK>>

LEAs identified as Significantly Disproportionate are monitored under the Intensive monitoring tier and participate in the CIM described above. Additionally, LEAs who are significantly disproportionate are required to take mandatory actions including, but not limited to, reserving 15 percent of IDEA funds to provide Comprehensive Coordinated Early Intervening Services for the 2023-24 budget year. More information about the next steps for LEAs identified for intensive monitoring and specifically for Significant Disproportionality, can be found at CIM Website:

https://www.cde.ca.gov/sp/sega/cimprocess.asp
How to Read the Annual Determination Letter

Next Steps Introductory Webinars

Website and contact information

March 20, 2023
Page 5

Next Steps

The CDE will provide a detailed introduction to LEAs in each monitoring tier at the following webinars:

<table>
<thead>
<tr>
<th>Monitoring Tier</th>
<th>Webinar Date and Time</th>
</tr>
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<tbody>
<tr>
<td>Intensive …</td>
<td>TBD</td>
</tr>
<tr>
<td>Targeted…</td>
<td>TBD</td>
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</tbody>
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Please visit the CIM website at https://www.cde.ca.gov/sp/sf/aacimproces.asp for more information and the support team assigned to your LEA.

The CDE looks forward to supporting LEAs’ efforts under the IDEA to improve outcomes for all students. We hope this communication is a helpful overview of the monitoring process that you will see from the CDE in the coming months. If you have any questions or concerns, please reach out to me by email at 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,

[Signature]
Heather Catomese, Director
Special Education Division

HC:sdb

cc: <<ELPA Director>>; FMTA
Questions?