

Exceptional Student Services Unit
1560 Broadway, Suite 1100
Denver, CO 80202-5149

April 19, 2024

Dear Wendy Pyott,

IDEA requires States to make an annual determination of the extent to which each Administrative Unit (AU) meets the requirements and purposes of IDEA based on the information in the SPP/APR, information obtained through monitoring visits, and any other publicly available information. [34 C.F.R. § 300.603\(b\)\(1\)](#)

The AU's performance is measured based on data submitted by the AU during the 2022-2023 SY and information obtained through general supervision and monitoring activities to determine if the AU:

- 1) Meets Requirements: if the Overall Percentage is at least 73%,
- 2) Needs Assistance: if the Overall Percentage is at least 58% but less than 73%,
- 3) Needs Intervention: if the Overall Percentage is less than 58%,
- 4) Needs Substantial Intervention: for a substantial failure to comply with a condition of AU eligibility under Part B of the IDEA

[34 C.F.R. § 300.200-300.213](#)

The CDE has made the following Determination for Delta 50(J), Delta:

Overall Percentage (%)	AU Determination
83.58%	Meets Requirements

2024 Compliance and Results Scoring

	Points Earned	Points Eligible	Score (%)
Compliance	14	14	100.00%
Results	201.5	300	67.17%

Determination Criteria:

- A **Compliance Matrix** that includes scoring on SPP/APR compliance indicators and other compliance elements
- A **Results Matrix** that includes scoring on SPP/APR results indicators and other results elements
- A **Compliance Score**
- A **Results Score**
- An **Overall Percentage** is calculated by adding 50% of the Compliance Score and 50% of the Results Score.
- A consideration of **Special Conditions**
- The AU's **Determination**



SPP/APR compliance indicators and other compliance elements examined:

Indicator 4A: Whether the AU has significant discrepancy from the state in the rate of out-of-school suspensions/expulsions of students with disabilities that sum up to greater than 10 days in a school year.

Indicator 4B: Whether the AU has disproportionate representation by race/ethnicity in the rate of out-of-school suspensions/expulsions of students with disabilities that sum up to greater than 10 days in a school year, and the disproportionate representation is due to inappropriate policies, procedures, or practices.

Indicator 9: Whether the AU has disproportionate representation of students with disabilities by race/ethnicity due to inappropriate policies, procedures, or practices.

Indicator 10: Whether the AU has disproportionate representation of students with disabilities by race/ethnicity in a specific disability category due to inappropriate policies, procedures, or practices.

Indicator 11: Percent of children who were evaluated within 60 calendar days of receiving parental consent for initial evaluation.

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

Indicator 13: Percent of youth ages 15 and above with an IEP that includes each of the required components for secondary transition.

Timely and Accurate Data Submission: The timeliness and accuracy of data submitted by the AUs under section 616 and 618 of the IDEA.

SPP/APR results indicators and other results elements examined:

Graduation Rate: Colorado's best of 4-, 5-, 6-, or 7-year cohort graduation rate.

Indicator 2: Percent of youth ages 14 and above with IEPs who exited from school due to dropping out.

Indicator 3A and Academic Achievement: Statewide assessments participation, regular assessment mean scale score, and alternate assessment proficiency rate.

In addition, the following results elements are also included:

- 1) Median Growth Percentile in English Language Arts (ELA) and Math
- 2) Rise Up in ELA and Math (No data available)
- 3) Keep Up in ELA and Math (No data available)
- 4) For information only: Regular assessment mean scale score in ELA and Math with "IEP exiters" included. (Please see "How CO Made Determinations 2024," for detailed information.)



Indicator 7: Percent of preschool children who showed substantial growth and those who reached age expectations by the time they exited the program in positive socio-emotional skills, acquisition and use of knowledge and skills, and use of appropriate behaviors.

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and

- 1) Whom AUs attempted to contact.
- 2) Participated in the post-school outcome interview.
- 3) Interview results indicate that the youth is enrolled in higher ed or some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

The State is required to take certain enforcement action(s) if an AU needs assistance for two consecutive years, needs intervention for three or more consecutive years, or at any time the State determines that an AU needs substantial intervention or that there is a substantial failure to comply with any Part B eligibility condition or Part C requirement. [34 C.F.R. § 300.604](#)

For more information on enforcement actions that a State must, or may impose under IDEA, please see pages 34-36 of [OSEP QA 23-01](#).

CDE is committed to supporting Delta 50(J), Delta in its efforts to improve results for children with disabilities and looks forward to working with you over the next year.

Resources and AU reports are publicly posted on the [Determinations for AUs web page](#).

For questions, contact Gloria Durosco at Durosco_g@cde.state.co.us.

Sincerely,



Paul Foster, Ed.D.
Executive Director; State Director of Special Education
Exceptional Student Services Unit



AU Compliance Matrix 2024

Indicator 4A

Measure	Performance	Points Eligible	Points Earned
4A: Significant discrepancy in the rate of suspension and expulsion from the state rate.	0.80	2	2

Score Rubric:

2 = The rate of children with disabilities who received suspensions/expulsions for > 10 days in a school year was below 2.32

1 = Rate is above threshold for current year

0 = Rate is above threshold for the current and previous two school years

Indicator 4B

Measure	Performance	Points Eligible	Points Earned
4B: Significant discrepancy in the rate of suspensions and expulsions from the state rate by race and ethnicity.	No Significant Discrepancy	2	2

Score Rubric:

2 = No racial category was found with significant discrepancy for Indicator 4B

1 = At least one racial category was found with significant discrepancy for current year

0 = At least one racial category was found with significant discrepancy for the current and the previous two school years, and 2) policies, procedures, and/or practices were found to contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards

Indicators 9 & 10

Measure	Performance	Points Eligible	Points Earned
Indicator 9: Disproportionate representation of racial and ethnic groups in special education and related services due to inappropriate identification.	No disproportionate representation	2	2
Indicator 10: Disproportionate representation of racial and ethnic groups in specific disability categories due to inappropriate identification.	No disproportionate representation	2	2

Score Rubric:

2 = No racial category was found with disproportionate representation due to inappropriate identification for Indicators 9 and 10.

1 = At least one racial category was found with disproportionate representation for the current year

0 = At least one racial category was found with disproportionate representation for the current and previous year

Indicators 11, 12 & 13

Measure	Performance	Points Eligible	Points Earned
Indicator 11: Timely initial evaluation	98.17%	2	2
Indicator 12: IEP developed and implemented by third birthday	n/a	0	0
Indicator 13: Secondary transition	100.00%	2	2

Score Rubric:

2 = Indicators were at least 95% compliant

1 = Indicators were at least 75% and less than 95 % compliant

0 = Indicators were less than 75% compliant in the current year OR less than 95% compliant for the current and previous year

Timely and Accurate Data Submission

Measure	Performance	Points Eligible	Points Earned
Timely and Accurate Data Submission	Yes	2	2

Special Education December Count, Special Education End of Year Collection, Special Education Discipline Collection, and Indicator 13 file review

Score Rubric:

2 = All above submissions were both timely and accurate

1 = One or two of the above submissions were late and/or inaccurate

0 = Three or four of the above submissions were late and/or inaccurate

Compliance Score

Description	Score
Total Points Earned:	14
Compliance Points Eligible:	14
Compliance Score (%):	100.00%

AU Results Matrix 2024

Academic Achievement is worth 15% of the Results Score

State Assessment Participation Detail

ELA	ELA Results	Math	Math Results
Participated	308	Participated	311
Excused	0	Excused	0
Parent Opt-Out	36	Parent Opt-Out	32
Unexcused	0	Unexcused	1
OSEP Participation Rate	89.53%	OSEP Participation Rate	90.41%
CO IEP Participation Rate	100.00%	CO IEP Participation Rate	99.68%

State Assessment Participation (Part of Indicator 3A)

	N	%	AU's Percentile	Rubric	Points Eligible	Points Earned
ELA Participation	308	100.00%	87.8	95% ≤ AU = 3 AU < 95% = 0	3	3
Math Participation	311	99.68%	84.8	95% ≤ AU = 3 AU < 95% = 0	3	3

Regular Assessment

*In the tables below IEP Exiter and Combined rows are provided for information only

ELA Mean Scale Score

	N	Mean Scale Score	AU's Percentile	Rubric	Points Eligible	Points Earned
Current IEP	293	711.03	78.7	AU ≥ 712.0 = 9 712 > AU ≥ 701.9 = 6 701.9 > AU ≥ 693.6 = 3 AU < 693.6 = 0	9	6
IEP Exiter*	57	741.39	n/a	n/a	n/a	n/a
Combined*	350	715.97	n/a	n/a	n/a	n/a

Math Mean Scale Score

	N	Mean Scale Score	AU's Percentile	Rubric	Points Eligible	Points Earned
Current IEP	296	708.07	77.2	AU ≥ 711.8 = 9 711.8 > AU ≥ 701.1 = 6 701.1 > AU ≥ 694.2 = 3 AU < 694.2 = 0	9	6
IEP Exiter*	57	732.46	n/a	n/a	n/a	n/a
Combined*	353	712.01	n/a	n/a	n/a	n/a

Alternate Assessment Proficiency Rate (Part of Indicator 3C)

	N	% Proficient	AU's Percentile	Rubric	Points Eligible	Points Earned
ELA	35	42.86%	83	AU ≥ 48.8% = 6 48.8% > AU ≥ 31.6% = 4 31.6% > AU ≥ 17.9% = 2 AU < 17.9% = 0	6	4
Math	35	20.00%	54.7	AU ≥ 26.7% = 6 26.7% > AU ≥ 14.1% = 4 14.1% > AU ≥ 6.9% = 2 AU < 6.9% = 0	6	4

Indicator 7 Preschool Skills

Growth = Of those children who entered or exited the program below age expectations, the percent who substantially increased their rate of growth by time of exit from the program;

Achievement = functioning within age expectations by time of exit.

A. Positive social-emotional skills

	N	% Succeeded	AU's Percentile	Rubric 0 to 0.5 to 1.0 to 1.5	Points Eligible	Points Earned
A1. Growth	23	69.23%	33.8	73.9%·to·82%·to· 91.5%	1.5	0.0
A2. Achievement	23	69.57%	62.7	59.6%·to·67.5%·to· 82.8%	1.5	1.0

B. Acquisition and use of knowledge and skills

	N	% Succeeded	AU's Percentile	Rubric 0 to 0.5 to 1.0 to 1.5	Points Eligible	Points Earned
B1. Growth	23	62.50%	22	72.1%·to·80.4%·to· 91.2%	1.5	0.0
B2. Achievement	23	69.57%	69.4	55.9%·to·69.3%·to· 81.8%	1.5	1.0

C. Use of appropriate behaviors to meet their needs

	N	% Succeeded	AU's Percentile	Rubric 0 to .5 to 1.0 to 1.5	Points Eligible	Points Earned
C1. Growth	23	61.54%	15.2	66.7%·to·76.2%·to· 86.6%	1.5	0.0
C2. Achievement	23	69.57%	54.2	61.8%·to·71.4%·to· 86.0%	1.5	0.5

Note: n/a

Achievement Points Earned

28.5 out of 45

Academic Growth is worth 50% of the Results Score

Median Growth Percentile

	N	Median Growth Percentile	AU's Percentile	Rubric	Points Eligible	Points Earned
ELA	228	47.5	84.8	$AU \geq 47 = 15$ $47 > AU \geq 39.1 = 10$ $39.1 > AU \geq 33 = 5$ $AU < 33 = 0$	15	15
Math	227	45	65.1	$AU \geq 47 = 15$ $47 > AU \geq 40.7 = 10$ $40.7 > AU \geq 34.5 = 5$ $AU < 34.5 = 0$	15	10

Rise Up (no data available)

	Points Eligible	Points Earned
ELA	45	30
Math	45	30

Keep Up (no data available)

	Points Eligible	Points Earned
ELA	15	10
Math	15	10

Academic Growth Points Earned

105 out of 150

Postsecondary and Workforce Readiness is worth 35% of the Results Score

Graduation: Anticipated Year of Graduation (AYG) cohort rate

Year	N	% Graduated
4-Year Grad Rate	57	56.14%
5-Year Grad Rate	16 - 50	80.85%
6-Year Grad Rate	16 - 50	75.00%
7-Year Grad Rate	16 - 50	80.00%

When the AYG cohort size (N) is 16-50, student counts are presented as a range to protect student privacy. For more information, see CDE's [Graduation Statistics Webpage](#).

Note: n/a

Rubric for Graduation Rate:

AU \geq 92.3% = 21
 92.3% > AU \geq 79.2% = 14
 79.2% > AU \geq 66.9% = 7
 AU < 66.9% = 0

Graduation Score

Highest Graduation Rate	Highest Rate Percentile	Points Eligible	Points Earned
80.85%	34.8	21	14

Indicator 2 IEP Dropout Exiter Rate

Measure	N	% Dropout Exiters	AU's Percentile	Rubric	Points Eligible	Points Earned
IEP Dropout Exiter Rate	43	16.28%	46.1	AU < 6.5% = 42 6.5% \leq AU < 19% = 28 19% \leq AU < 34.2% = 14 AU \geq 34.2% = 0	42	28

N = students age \geq 14 who exited special education

Note: n/a

Indicator 14 Post-School Outcomes

Contacts Attempted and Students Participated

Measure	N	%	Rubric	Points Eligible	Points Earned
Contacts Attempted	34	94.1%	AU at 100% = 6 AU < 100% = 0	6	0
Students Participated	34	79.4%	60% \leq AU = 6 60% > AU = 0	6	6

N = Students in adjusted sample

Engagement Rate

Students enrolled in higher ed, in some other postsecondary ed or training program, competitively employed, or in some other employment.

Measure	N	%	Percentile Rank	Rubric	Points Eligible	Points Earned
Engagement	27	88.89%	82.0	AU ≥ 91.5% = 30 91.5% > AU ≥ 75.3% = 20 75.3% > AU ≥ 59.8% = 10 AU < 59.8% = 0	30	20

N = Students who participated in the interview

Postsecondary and Workforce Readiness Points Earned 68 out of 105

Results Score

Scores per Section

Section	Points Eligible	Points Earned
Academic Achievement	45	28.5
Academic Growth	150	105
PS and Workforce Readiness	105	68

Results Score:

Description	Score
Total Points Earned:	201.5
Results Points Eligible:	300.0
Results Score (%):	67.17%

If the AU's final points eligible are less than 300, the original scores have been adjusted to meet the full scale of 45, 150, or 105 proportionally.