

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

April 19, 2024

Dear Danielle Holmes,

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 El Paso 38, Lewis-Palmer:

Overall Percentage (%)	AU Determination
90.83%	Meets Requirements

2024 Compliance and Results Scoring

	Points Earned	Points Eligible	Score (%)
<b>Compliance</b>	16	16	100.00%
<b>Results</b>	245.0	300	81.67%

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 El Paso 38, Lewis-Palmer 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 Duroske at [Duroske\\_g@cde.state.co.us](mailto:Duroske_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.	0.00	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	100.00%	2	2
Indicator 12: IEP developed and implemented by third birthday	100.00%	2	2
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:	16
Compliance Points Eligible:	16
<b>Compliance Score (%):</b>	<b>100.00%</b>

# AU Results Matrix 2024

Academic Achievement is worth 15% of the Results Score

## State Assessment Participation Detail

ELA	ELA Results	Math	Math Results
Participated	218	Participated	217
Excused	0	Excused	0
Parent Opt-Out	103	Parent Opt-Out	104
Unexcused	1	Unexcused	1
OSEP Participation Rate	67.70%	OSEP Participation Rate	67.39%
CO IEP Participation Rate	99.54%	CO IEP Participation Rate	99.54%

## State Assessment Participation (Part of Indicator 3A)

	N	%	AU's Percentile	Rubric	Points Eligible	Points Earned
ELA Participation	218	99.54%	80.3	95% ≤ AU = 3 AU < 95% = 0	3	3
Math Participation	217	99.54%	81.8	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	205	722.28	96.9	AU ≥ 712.0 = 9 712 > AU ≥ 701.9 = 6 701.9 > AU ≥ 693.6 = 3 AU < 693.6 = 0	9	9
IEP Exiter*	36	743.75	n/a	n/a	n/a	n/a
Combined*	241	725.49	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	204	722.03	98.4	AU ≥ 711.8 = 9 711.8 > AU ≥ 701.1 = 6 701.1 > AU ≥ 694.2 = 3 AU < 694.2 = 0	9	9
IEP Exiter*	36	748.47	n/a	n/a	n/a	n/a
Combined*	240	726.00	n/a	n/a	n/a	n/a

*Alternate Assessment Proficiency Rate (Part of Indicator 3C)*

	<b>N</b>	<b>% Proficient</b>	<b>AU's Percentile</b>	<b>Rubric</b>	<b>Points Eligible</b>	<b>Points Earned</b>
<b>ELA</b>	32	34.38%	67.9	AU ≥ 48.8% = 6 48.8% > AU ≥ 31.6% = 4 31.6% > AU ≥ 17.9% = 2 AU < 17.9% = 0	6	4
<b>Math</b>	32	34.38%	88.6	AU ≥ 26.7% = 6 26.7% > AU ≥ 14.1% = 4 14.1% > AU ≥ 6.9% = 2 AU < 6.9% = 0	6	6

**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*

	<b>N</b>	<b>% Succeeded</b>	<b>AU's Percentile</b>	<b>Rubric</b> <b>0 to 0.5 to 1.0 to 1.5</b>	<b>Points Eligible</b>	<b>Points Earned</b>
<b>A1. Growth</b>	19	87.50%	79.6	73.9% to 82% to 91.5%	1.5	1.0
<b>A2. Achievement</b>	19	68.42%	59.3	59.6% to 67.5% to 82.8%	1.5	1.0

*B. Acquisition and use of knowledge and skills*

	<b>N</b>	<b>% Succeeded</b>	<b>AU's Percentile</b>	<b>Rubric</b> <b>0 to 0.5 to 1.0 to 1.5</b>	<b>Points Eligible</b>	<b>Points Earned</b>
<b>B1. Growth</b>	19	88.24%	81.3	72.1% to 80.4% to 91.2%	1.5	1.0
<b>B2. Achievement</b>	19	78.95%	93.2	55.9% to 69.3% to 81.8%	1.5	1.0

*C. Use of appropriate behaviors to meet their needs*

	<b>N</b>	<b>% Succeeded</b>	<b>AU's Percentile</b>	<b>Rubric</b> <b>0 to .5 to 1.0 to 1.5</b>	<b>Points Eligible</b>	<b>Points Earned</b>
<b>C1. Growth</b>	19	87.50%	86.4	66.7% to 76.2% to 86.6%	1.5	1.5
<b>C2. Achievement</b>	19	68.42%	45.7	61.8% to 71.4% to 86.0%	1.5	0.5

Note: n/a

Achievement Points Earned

40.0 out of 45

Academic Growth is worth 50% of the Results Score

*Median Growth Percentile*

	<b>N</b>	<b>Median Growth Percentile</b>	<b>AU's Percentile</b>	<b>Rubric</b>	<b>Points Eligible</b>	<b>Points Earned</b>
<b>ELA</b>	148	48	90.9	$AU \geq 47 = 15$ $47 > AU \geq 39.1 = 10$ $39.1 > AU \geq 33 = 5$ $AU < 33 = 0$	15	15
<b>Math</b>	147	55	96.9	$AU \geq 47 = 15$ $47 > AU \geq 40.7 = 10$ $40.7 > AU \geq 34.5 = 5$ $AU < 34.5 = 0$	15	15

*Rise Up (no data available)*

	<b>Points Eligible</b>	<b>Points Earned</b>
<b>ELA</b>	45	30
<b>Math</b>	45	30

*Keep Up (no data available)*

	<b>Points Eligible</b>	<b>Points Earned</b>
<b>ELA</b>	15	10
<b>Math</b>	15	10

Academic Growth Points Earned

110 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	56	71.43%
5-Year Grad Rate	60	80.00%
6-Year Grad Rate	16 - 50	89.47%
7-Year Grad Rate	16 - 50	95.35%

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
95.35%	90.9	21	21

*Indicator 2 IEP Dropout Exiter Rate*

Measure	N	% Dropout Exiters	AU's Percentile	Rubric	Points Eligible	Points Earned
IEP Dropout Exiter Rate	35	5.71%	12.3	AU < 6.5% = 42 6.5% $\leq$ AU < 19% = 28 19% $\leq$ AU < 34.2% = 14 AU $\geq$ 34.2% = 0	42	42

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	42	100.0%	AU at 100% = 6 AU < 100% = 0	6	6
Students Participated	42	69.0%	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	29	82.76%	67.0	AU $\geq$ 91.5% = 30 91.5% > AU $\geq$ 75.3% = 20 75.3% > AU $\geq$ 59.8% = 10 AU < 59.8% = 0	30	20

N = Students who participated in the interview

Postsecondary and Workforce Readiness Points Earned 95 out of 105

### Results Score

Scores per Section

Section	Points Eligible	Points Earned
Academic Achievement	45	40.0
Academic Growth	150	110
PS and Workforce Readiness	105	95

Results Score:

Description	Score
Total Points Earned:	245.0
Results Points Eligible:	300.0
<b>Results Score (%):</b>	<b>81.67%</b>

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.