

PART B SPP/APR 2009 INDICATOR ANALYSES
(FFY 2007-2008)

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INDICATOR 1: GRADUATION

Completed by NDPC-SD

INTRODUCTION

The National Dropout Prevention Center for Students with Disabilities (NDPC-SD) was assigned the task of compiling, analyzing and summarizing the data for Indicator 1— Graduation—from the 2007–08 Annual Performance Reports (APRs) and amended State Performance Plans (SPPs), which were submitted by States to OSEP in February of 2009. The text of the indicator is as follows: Percent of youth with IEPs graduating from high school with a regular diploma.

In the APR, each State reported its graduation rate for special education students, compared its current graduation rate with the State target rate for the 2007-08 school year, discussed reasons for its progress or slippage with respect to the target rate, and described the improvement activities it had undertaken during the year.

In the amended SPP, States revised their targets for improvement or their strategies and activities, as was deemed necessary by the State or by OSEP. The main reasons given by States for making such changes were: 1) the identification of additional needs during the year, 2) revision or replacement of activities that were not working satisfactorily, and 3) changes in requirements or definitions. Table 1 shows a breakdown of the revisions made.

Table 1: Revisions to the State Performance Plans, As Submitted in February 2009

Type of revision made	Number of States
Activities only	33
Measurement only	1
Targets only	2
Activities and baseline only	2
Activities and targets only	2
Activities, baseline and targets only	1
Activities, baseline, measurement, and targets	1
None	18

This report summarizes the NDPC-SD's findings for Indicator 1 across the 50 States, commonwealths and territories, and the Bureau of Indian Education (BIE), for a total of 60 agencies. For the sake of convenience, in this report the term "States" is inclusive of the 50 States, the commonwealths, and the territories, as well as the BIE, except when noted.

The evaluation and comparison of graduation rates for the States was confounded by several issues, which are described in the context of the summary information for the indicator.

The Definition of Graduation

The definition of graduation remains inconsistent across States. Some States offer a single “regular” diploma, which represents the only true route to graduation. Other States offer two or more levels of diplomas or other exiting documents. For example, some States offer a Regular Diploma, a High School Certificate, and a Special Education Diploma. Some States include General Education Development (GED) candidates as graduates, whereas the majority of States do not.

COMPARING GRADUATION RATES—CALCULATION METHODS

Comparisons among the States are still not easily made because the method of calculation varies from State to State, though this situation will improve with the adoption of a standard graduation-rate calculation in the 2010-11 school year. The graduation rates included in the APRs generally were calculated using one of three methods: an event rate calculation, a leaver method or a cohort method.

Event rate

Event rate calculations provide a single-year snapshot of the graduation rate. While they are relatively easy to calculate, they do not account for dropouts or other attrition from year to year. Event rate calculations used by States generally followed the form below.

$$\frac{\text{\# of special education graduates receiving a regular diploma}}{\text{Total special education enrollment (from 618 Table 4)}}$$

Leaver rate

The leaver rate calculation provides a graduation rate that takes into consideration students who exited by receiving a regular diploma, a certificate, or GED; dropped out; reached the maximum age to receive services; or died. Leaver rate calculations used by States generally follow the form below.

$$\frac{\text{\# of graduates receiving a regular diploma}}{\text{\# of graduates + \# of GEDs + \# of certificates + \# of dropouts + \# that maxed out in age + \# deceased}}$$

Cohort rate

The adjusted cohort rate calculation provides a measure of on-time graduation rate for a 4-year cohort of students. It considers transfers in and out of the cohort, as well as students who died during the period. This is the method recommended by the National Governors Association. This method, as applied in the APRs, generally followed the form below.

$$\frac{\# \text{ Sp Ed graduates receiving a regular diploma who entered HS as 1}^{\text{st}} \text{ time 9}^{\text{th}} \text{ graders in 2004}}{\# \text{ Sp Ed students who entered HS as 1}^{\text{st}} \text{ time 9}^{\text{th}} \text{ graders in 2004} + \text{transfers in} - \text{transfers out} - \text{died}}$$

Graduation rates calculated using these three methods cannot properly be compared with one another. Event rates tend to over-represent the graduation rate, providing a snapshot of the graduation rate for a particular year that ignores attrition over time; leaver rates provide a good measure of a graduation status rate in the absence of individual student data; whereas the adjusted cohort method provides a more realistic description of the number of students who progressed through four years of high school and graduated.

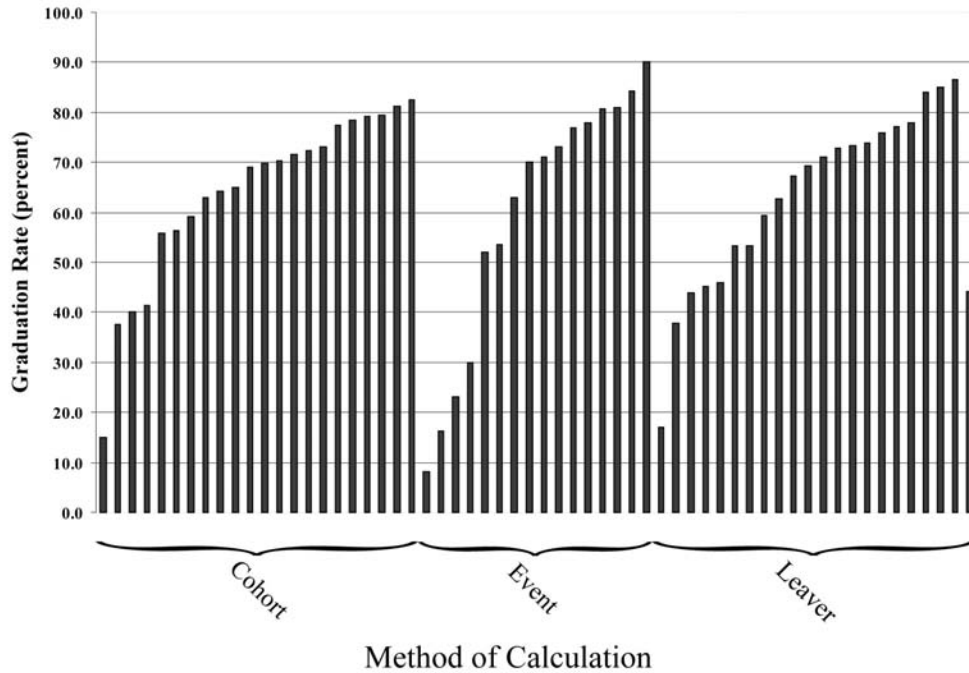
Twenty-two States (37%) used the cohort method for calculating their special-education graduation rates, though several also calculated a 5-year cohort to account for students with disabilities' likelihood of needing more than four years to complete their graduation requirements. Sixteen States (27%) employed the event method and 21 States (35%) computed a leaver rate.

2007-08 GRADUATION RATES

Across the 60 States, the highest reported graduation rate for special education students was 90.2% and the lowest was 8.0%. These extremes occurred in States that calculated an event graduation rate. It also should be noted that the low extreme was reported by a State in which very few students with disabilities were eligible to graduate in 2008.

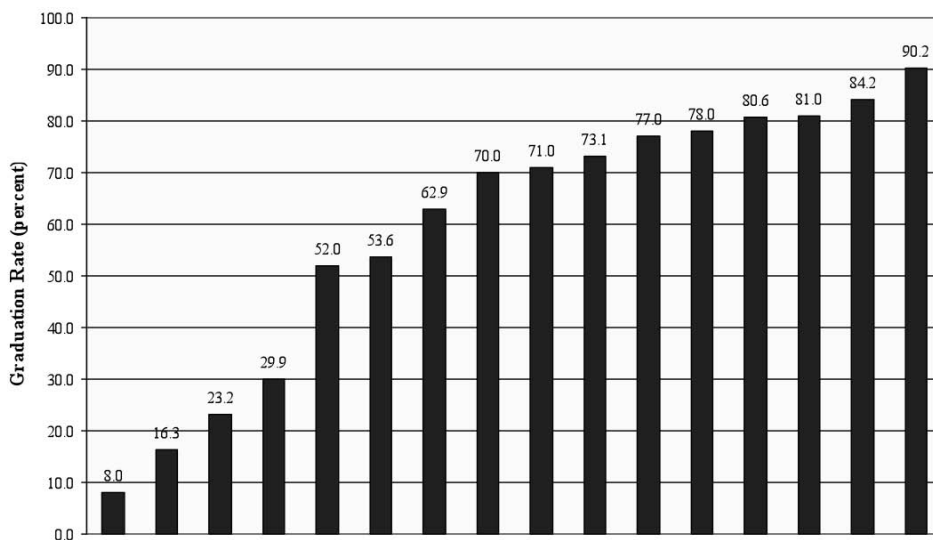
Figure 1 shows the special education graduation rates for all of the States. States are grouped by the method used to calculate their graduation rate.

Figure 1: 2007-08 Graduation Rates for Special Education Students (by Method of Calculation)

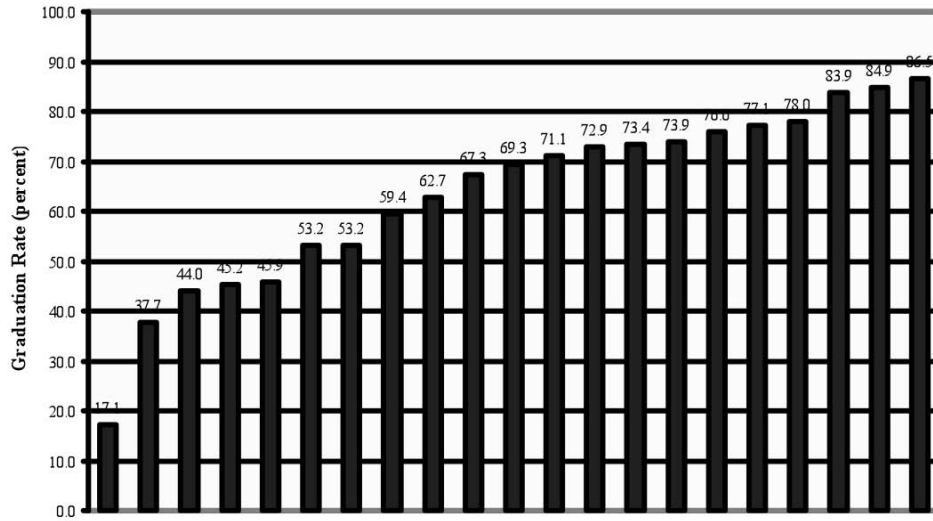


Figures 2, 3 and 4 show the graduation rates for States that employed each of the three methods of calculation. Please note that the BIE's graduation rates are calculated using the method favored by each State in which its schools operate; hence, they are not reported in these charts.

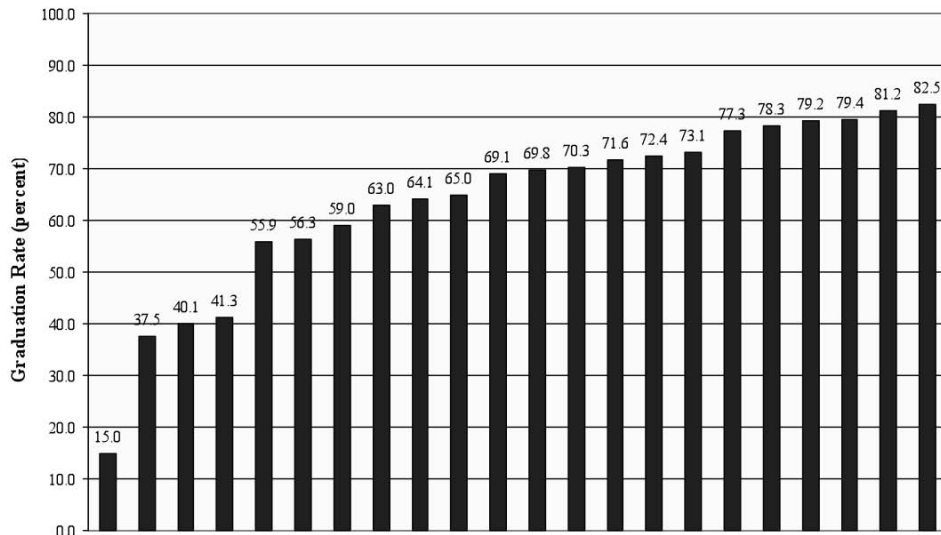
Figure 2: 2007-08 Graduation Rates for Special Education Students Event Rate Calculation



**Figure 3: 2007-08 Graduation Rates for Special Education Students
Leaver Rate Calculation**



**Figure 4: 2007-08 Graduation Rates for Special Education Students
Cohort Rate Calculation**



GRADUATION RATE TARGETS

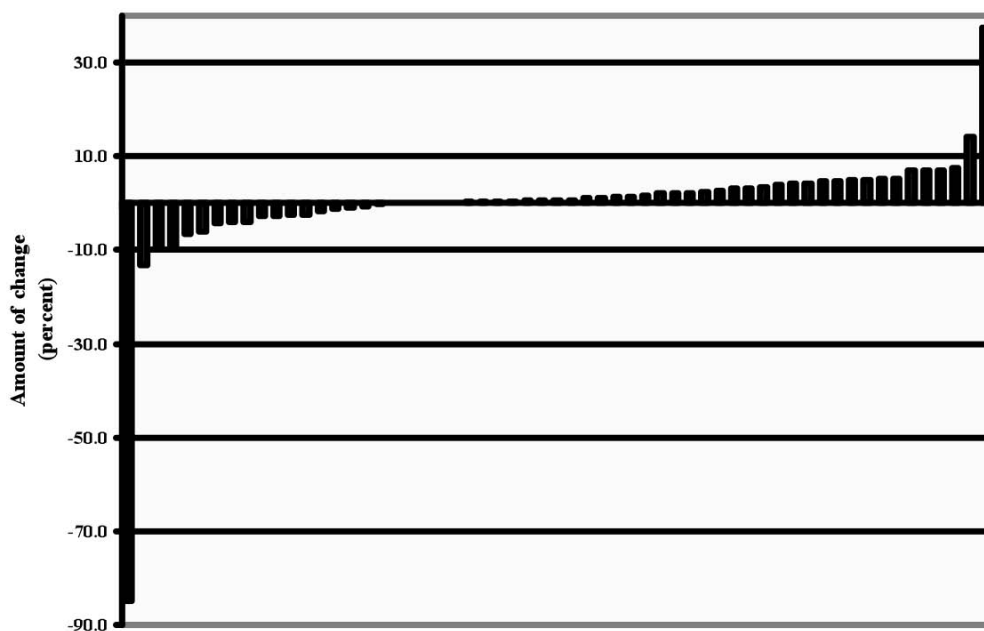
Thirty-four States (57%) achieved their targeted graduation rate for students with disabilities in 2007-08 and 26 States (43%) did not. This represents a trend of improvement from the previous two years of graduation data.

PROGRESS AND SLIPPAGE

Thirty-eight States (63%) made progress from their rates reported in the 2006-07 APR and eighteen States (30%) experienced slippage during the year. The graduation rates of 3 States (5%) remained the same as reported in the 2006-07 APRs. This represents an improvement from the 2006-07 school year, in which 32 States made progress, 23 States showed slippage and 2 States lacked the data to determine progress or slippage. The BIE was excluded from these calculations.

Figure 5 represents the changes in reported graduation rates from the 2006-07 school year. Positive values indicate an improvement in graduation rate from the previous year's data. Once again, it should be noted that the two extreme values were reported by SEAs with low numbers of students. In these States, a change in the number of graduates of 4 or 5 students can result in an enormous fluctuation in the graduation rate from the previous year.

Figure 5: Change in States' Special Education Graduation Rates from 2006-07*



*Positive values represent improvement

CONNECTIONS AMONG INDICATORS

Fifty-five States (92%) made explicit or at least implicit connections between Indicators 1 and 2, and frequently included the other transition indicators, Secondary Transition and Post-School Outcomes (Indicators 13 and 14, respectively), as well.

NDPC-SD INTERACTIONS WITH STATES

All 60 States received some form of technical assistance from NDPC-SD during the 2007-08 school year. Twelve States (20%) received technical assistance from the Center at the universal level (Tier 1 in NDPC-SD parlance). This level of technical assistance may take the form of participation in a Teleseminar or Webinar, receipt of the Center's Big IDEAs newsletter, downloading of documents or other materials from the Center's website, or short-term consultation with the Center via email or telephone. Forty-two States (70%) received targeted technical assistance (NDPC-SD Tier 2), which represents participation in an NDPC-SD conference or receipt of small-group assistance from NDPC-SD. Finally, 6 States (10%) received intensive or sustained technical assistance from NDPC-SD in 2007-08, representing Tier 3 in the Center's hierarchy. NDPC-SD worked to establish model program sites in 3 of these States and worked with the other 3 States in an ongoing manner during 2007-08.

These results represent an increase from the figures reported in the 2006-07 APR. Table 2 shows a breakdown of these interactions in 2007-08 using the categories specified in the OSEP template for this report.

Table 2: NDPC-SD Interactions with States During the 2007-08 School Year

Nature of interaction	Number of States
A. NDPC-SD provided information to State by mail, telephone, teleseminar, listserv, or Communities of Practice	12
B. State attended a conference sponsored by NDPC-SD or received small-group or direct on-site assistance from NDPC-SD	42
C. NDPC-SD provided ongoing, on-site TA to the State and/or worked toward the end of developing model demonstration sites	6

IMPROVEMENT STRATEGIES AND ACTIVITIES

States were instructed to report the strategies, activities, timelines and resources they employed in order to improve the special education graduation rate. The range of proposed activities was considerable. Many States are implementing evidence-based interventions to address their needs. Table 3 shows the number of States employing various evidence-based practices.

Table 3: Evidence-based Practices Listed in Improvement Activities of the 2007-08 APR

Type of activity	Number of States
One or more evidence-based practices	48
Positive Behavior Supports	26
Literacy initiatives	13
Response to Intervention	20
Mentoring programs	8

Forty-eight States (80%) listed one or more evidence-based improvement activities in their APR, while the remaining 12 States (20%) did not propose any evidence-based improvement activities. There are a limited number of evidence-based programs that have demonstrated efficacy for students with disabilities; however, there are a number of promising practices.

Using the 9 categories listed in Table 4, NDPC-SD coded each State's improvement activities. Figure 6 shows the number of States engaging in each of the categories.

Table 4: Activity Categories for the 2007-08 APRs

Code	Description of activity
A	Improve data collection and reporting
B	Improve systems administration and monitoring
C	Build systems and infrastructures of technical assistance and support
D	Provide technical assistance/training/professional development
E	Clarify / examine/develop policies and procedures
F	Program development
G	Collaboration/coordination
H	Evaluation
I	Increase/Adjust FTE
J	Other activities

Figure 6: Number of States Engaging in Each Type of Activity

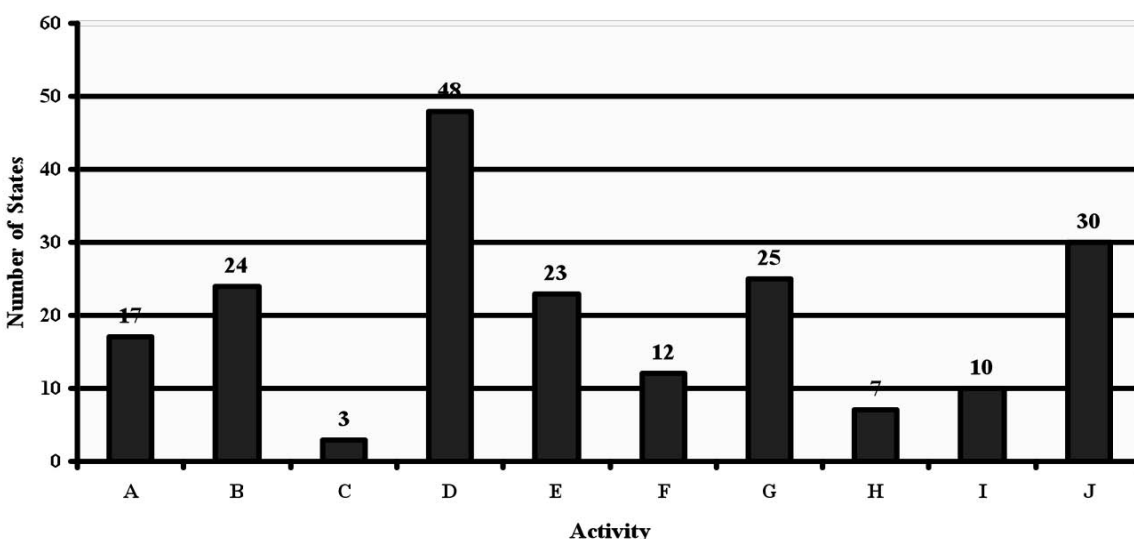


Figure 6 shows that the majority of States (48 States, or 80%) are engaging in one or more technical assistance, training or professional development activities (D). This followed by thirty States (50%) that engaged in one or more unique improvement activities, specific to the State, which were designed to improve school completion rates (J). Twenty-five States (42%) engaged in some form of collaborative activity with technical-assistance providers, other State or local agencies, community organizations, or businesses (G). Twenty-four States (40%) carried on activities that would improve their monitoring or systems administration (B). Twenty-three States (38%) developed, reviewed and/or adjusted their policies and procedures related to school completion (E). Seventeen States (28%) took steps to improve the quality of their data or addressed data collection or data management systems (A). Twelve States (20%) implemented new programs or initiatives directed at improving their school completion rate (F). Ten States (17%) added or reassigned staff to address school-completion issues (I). Seven States (12%) engaged in the evaluation of improvement processes and/or outcomes related to their improvement activities (H). Finally, three States (5%) reported activities related to the development of statewide or regional support systems or infrastructure designed to deliver technical assistance (C).

As was the case in last year's APRs, the collections of activities listed in States' APRs seem improved over those of the previous years. More States appear to be recognizing the benefit of combining activities across indicators to minimize duplication of effort and maximize effect. A substantial number of States described a group of activities that would work well to address their students' needs across the transition indicators (Inds. 1, 2, 13, and 14). Several other States included activities that addressed Indicators 3, 4 and 5 in addition in their mix of improvement activities in support of school-completion. Appendix A contains selected examples of each activity.

EFFECTIVE SCHOOL-COMPLETION ACTIVITIES

There is no magic bullet to improve the graduation or dropout rates for students with or without disabilities, though there are strategies that appear to help in these issues of school completion. Among the successful strategies described in this year's APRs are several, which will be discussed below. Some are obvious—some less so.

The use of data spanning multiple SPP indicators to identify needs and risk factors at the system level as well as at the building and student level has increased. While there is not a great deal of evidence to support this practice in the arena of school completion (because the studies have not been done), it is a logical step to take when considering any new initiative or intervention program. Among the States that reported developing or using some sort of cross-indicator risk calculator for identifying students in need of intervention were Colorado, Connecticut, Georgia, Maryland, Massachusetts, Michigan, Missouri, and Oklahoma.

Sharing information and strategies at all levels—State-to-State, agency-to-agency, LEA-to-LEA, and teacher-to-teacher—is an effective strategy that is increasingly being adopted around the country. While sometimes difficult to initiate, it offers benefits that, once experienced, become difficult to do without. Most capacity building efforts within a State or LEA can benefit from such collaboration. To this end, many States held or participated in a statewide forum on graduation, dropout and/or transition at which district and school teams participated in content sessions about the topic(s), shared experiences and strategies, and developed or continued work on a State improvement plan in the area(s) of concern.

OSEP's three transition-related technical assistance centers (NDPC-SD-SD, NSTTAC and NPSO) co-hosted one such annual institute in Charlotte, NC in May 2007, which was attended by teams from 43 States. Additionally, States, with and without the participation of these national TA centers, hosted other such forums. Among the States that held such forums were Colorado, the District of Columbia, Delaware, Idaho, Iowa, Maryland, Michigan, Missouri, Oklahoma, South Carolina, South Dakota, and Texas.

Tiered systems of intervention offer a practical approach to managing and delivering both technical assistance and student interventions. Kansas offers one example of a State that is adopting a multi-tiered system to support LEAs in their efforts to improve dropout and graduation rates. Nineteen States reported having adopted the use of an RtI model for identifying and delivering interventions for students with disabilities in a tiered fashion. Among these States are California, the District of Columbia, Delaware, Georgia, Maryland, Pennsylvania, South Dakota, the Virgin Islands, and Wisconsin.

Efforts to provide smaller learning communities, such as career academies, freshmen academies and graduation academies have been adopted with success in many States. Such programs can offer students a personalized and/or focused learning experience and, as in the case of freshmen academies, can provide some of the supports that will help students make the difficult transition from middle school to high school. Among the States reporting the use of such programs were Georgia, Maryland, South Dakota, and Virginia.

Some State and local policies actively support school completion, whereas, others inadvertently can push some students out of school. Many States described efforts to review policies, program structures and procedures that impact school completion for students with disabilities toward the end of revising such hostile policies and putting into place policies that would support school completion. Among the States that reported activities of this nature were Florida, Georgia, Guam, Hawaii, Louisiana, Montana, South Dakota, and Washington.

Finally, the involvement of parents/family in the education of their children is a critical factor impacting school completion. Several States reported activities intended to bolster participation of, and support for, parents of students with disabilities. Such statewide efforts included parent mentor networks (SD, GA). At the local level, programs to foster communication among the school, parents and students were also reported in several States.

While the majority of States engaged in a variety of improvement activities that supported school completion, a few States' activities were more concerted and exhibited a higher level of scope, organization, and potential effectiveness. For example, Georgia's statewide dropout-prevention initiative, the *Georgia Dropout Prevention/Graduation Project*, has involved teams from districts from around the State in capacity-building training with the National Dropout Prevention Center for Students with Disabilities, analysis of the factors impacting their districts and schools, identification of their most pressing school-completion needs, development of focused and sustainable plans for addressing the needs, implementation of the plans, and evaluation of the efforts throughout the entire process. This approach appears to be an effective one. The State, as a whole, achieved its graduation-rate target and made progress. Additional information about the project may be found at www.pioneerresa.org/programs/glrs/default.asp.

NOTES

- While the comparison of special-education graduation rates to all-student rates has been removed from Indicator 1, it is important that States not lose sight of the significance of this relationship. In order to continue the push for progress in closing the gap between rates of school completion for students with disabilities and those of their non-disabled peers, it is imperative that we remain aware of how students with disabilities are achieving in relation to all students. While there are various data-related barriers to making such comparisons easily, keeping such comparisons in mind may help us avoid complacency in this area. This said we were pleased to note that several States continue to provide data for their students with disabilities as well as their entire student population.
- This year, many States cited improvements in their procedures around data collection as well as the newly gained ability to follow individual students' progress and movement among districts as having impacted their graduation rates. Some of those States credited their improvement in graduation rate to this, whereas others blamed it for their decreased rates.

- Activities that raise States' awareness of the interconnectivity among the Part B Indicators and assist States in understanding and managing data related to those activities will continue to be beneficial to States.

In one 2008 example of such an activity, the National Dropout Prevention Center for Students with Disabilities, National Secondary Transition Technical Assistance Center, National Post-School Outcomes Center, and Regional Resource Centers collaborated to deliver three regional institutes, "*Making Connections Among Indicators 1, 2, 13, and 14.*" These were attended by teams from a total of 38 States. The institutes focused on the relationships among these four indicators as well as the collection, reporting and use of Part B Indicator data related to school completion, transition from high school to post-secondary education and/or employment, and post-secondary outcomes. Using their own data, States worked through a series of guided questions and activities that helped them understand and identify strengths and needs around these indicators. After this step, each State team developed a plan for addressing their perceived data-related needs in these areas and described the technical assistance they would use to support the plan. The three centers have been following up with these States to provide requested assistance and to monitor their progress.

IN SUMMARY

In general, we have observed an improvement in the overall quality and organization of the APRs as well as continued improvement in the nature of the data submitted by States. The improvement activities are generally more concerted and focused than in previous years. It was encouraging to see 57% of States achieve their graduation-rate targets for students with disabilities last year and 63% of the States make progress in their graduation rates. There is a recognized lag between the time at which implementation of an intervention begins and the point at which it begins to show measurable results. Despite this lag and the annual periodicity of the measurement for this indicator, it appears that things are gradually improving with Indicator 1.

The new graduation rate calculation, which was written into the final regulations for Title I in 2008, will require all States to calculate an adjusted 4-year cohort rate for all students by the 2010-11 school year. This rate will provide an accurate measure of the number of students who complete their high school education and receive a regular diploma within 4 years of entering high school. The calculation will take into account students who transfer into or out of the school system as well as students who die during that 4-year period of time.

States will also be allowed to calculate one or more extended-year, adjusted cohort graduation rates; however they must be reported separately from the 4-year rate. States will have to describe any additional calculations and how they will be used in determining AYP to the U.S. Department of Education and secure their approval.

The expectation though, is that the majority of students will graduate within 4 years. This option for an extended-year rate is significant, as many students with disabilities, need more than four years to meet the requirements for graduation in their particular State or school district.

A major implication of this coming requirement is the need to be able to follow individual students within the State education system—i.e., having a longitudinal student data system that employs unique student identifiers. Many States are currently developing such systems and the procedures necessary to avoid duplication of students within the system, ensure that student information is entered in a consistent manner and ensure that the transfer of student records occurs seamlessly.

Another consequence of this coming change will be that States not currently using the new rate calculation will have to revise their baseline graduation rates and targets for improvement, though this will be subject to the requirements set forth in whatever regulations are developed the coming years. These States will lose the ability to make comparisons of their new graduation rates with the rates from years before they adopted the uniform rate calculation. The benefits of using a uniform calculation for all States, however, will far outweigh this drawback.

INDICATOR 2: DROPOUT RATES

Completed by NDPC-SD

INTRODUCTION

The National Dropout Prevention Center for Students with Disabilities (NDPC-SD) was assigned the task of compiling, analyzing and summarizing the data for Indicator 2—Dropout—from the FY 2007 (2007–08 school year) Annual Performance Reports (APRs) and the revised State Performance Plans (SPPs), which were submitted to OSEP in February of 2009. The text of the indicator is as follows: Percent of youth with IEPs dropping out of high school.

In the APR, each State reported its dropout rate for special education students, compared its current dropout rate with the State target rate for the 2007-08 school year, discussed reasons for its progress or slippage with respect to the target rate, and described the improvement activities it had undertaken during the year.

In the amended SPP, States revised their targets for improvement or their strategies and activities, as was deemed necessary by the State or by OSEP. The main reasons given by States for making such changes were: 1) the identification of additional needs during the year, 2) revision or replacement of activities that were not working satisfactorily, and 3) changes in requirements or definitions. Table 1 shows a breakdown of the revisions made.

Table 1: Revisions to the State Performance Plans, as Submitted in February 2009

Type of revision made	Number of States
Activities only	35
Targets only	3
Activities and targets only	3
Activities and calculation only	1
None	18

This report summarizes the NDPC-SD's findings for Indicator 2 across the 50 States, commonwealths and territories, and the Bureau of Indian Education (BIE), for a total of 60 agencies. For the sake of convenience, in this report the term "States" is inclusive of the 50 States, the commonwealths, and the territories, as well as the BIE, except when noted.

The evaluation and comparison of dropout rates for the States was confounded by several issues, which are described in the context of the summary information for the indicator.

The Definition of Dropout

Some of the difficulties associated with quantifying dropouts can be attributed to the lack of a standard definition of what constitutes a dropout. Several factors complicate our arrival at a clear definition. Among these are the variability in the age group or grade level of students included in dropout calculations and the inclusion or exclusion of particular groups or classes of students from consideration in the calculation. For example, some States include students from ages 14–21 in the calculation, whereas other States include students of ages 17–21. Still other States base inclusion in calculations on students' grade levels, rather than on their ages. Some States count students that participated in a General Education Development (GED) program as dropouts, whereas other States include them in their calculation of graduates. As long as such variations in practice continue to exist, comparing dropout rates across States will remain in the realm of art rather than in that of science.

COMPARING DROPOUT RATES – CALCULATION METHODS

Comparison of dropout rates among States is further confounded by the existence of multiple methods for calculating dropout rates and the fact that different States employ different ones. The dropout rates reported in the 2007-08 APRs were calculated using one of three methods: an event rate calculation, a leaver rate calculation or a cohort rate calculation.

The event rate yields a very basic snapshot of a year's group of dropouts. While the cohort method generally yields a higher dropout rate than the event calculation, it provides a more accurate picture of the attrition from school over the course of four years than do the other methods. As the name suggests, the cohort method follows a group or cohort of individual students from 9th through 12th grades. The leaver rates reported this year were generally higher than those calculated using other methods. This is attributable to circumstances specific to the States using this calculation as well as to the broadly inclusive nature of the calculation.

Event Rate

As reported in the 2007-08 APRs, 47 States (78%) calculated special education dropout using some form of an event rate. Calculations of this type were generally stated in the following form.

SpEd dropouts from Grades 9–12

Total SpEd enrollment in Grades 9–12

Leaver Rate

Eight States (13%) calculated leaver dropout rates for their special education students. These rates are calculated using an equation that generally follows the form below.

$$\frac{\# \text{ of dropouts } 14\text{-}21\text{+ in year } A}{\# \text{ dropouts age } 14\text{-}21 \text{ + in year } A \text{ + } \# \text{ grads ages } 18\text{+ in year } A$$

$$\begin{aligned} &+ \# \text{ grads age } 17 \text{ in year } A\text{-}1 \text{ + } \# \text{ grads age } 16 \text{ in year } A\text{-}2 \text{ + } \# \text{ grads age } 15 \text{ in year } A\text{-}3 \\ &+ \# \text{ grads age } 14 \text{ in year } A\text{-}4 \text{ + } \# \text{ certifs ages } 18\text{+ in year } A \text{ + } \# \text{ certifs age } 17 \text{ in year } A\text{-}1 \\ &+ \# \text{ certifs age } 16 \text{ in year } A\text{-}2 \text{ + } \# \text{ certifs age } 15 \text{ in year } A\text{-}3 \text{ + } \# \text{ certifs age } 14 \text{ in year } A\text{-}4 \\ &\quad + \# \text{ age } 18\text{+ who maxed in age in year } A \text{ + } \# \text{ age } 17 \text{ who maxed in age in year } A\text{-}1 \\ &\quad + \# \text{ age } 16 \text{ who maxed in age in year } A\text{-}2 \text{ + } \# \text{ age } 15 \text{ who maxed in age in year } A\text{-}3 \\ &\quad + \# \text{ age } 14 \text{ who maxed in age in year } A\text{-}4 \end{aligned}$$

Cohort Rate

Only five States (8%) used a true cohort method to calculate their special education dropout rates. These calculations generally follow the form of the following equation.

$$\frac{\# \text{ dropouts from Sp Ed who entered HS as } 1^{\text{st}} \text{ time } 9^{\text{th}} \text{ graders in } 2004}{\# \text{ Sp Ed students who entered HS as } 1^{\text{st}} \text{ time } 9^{\text{th}} \text{ graders in } 2004$$

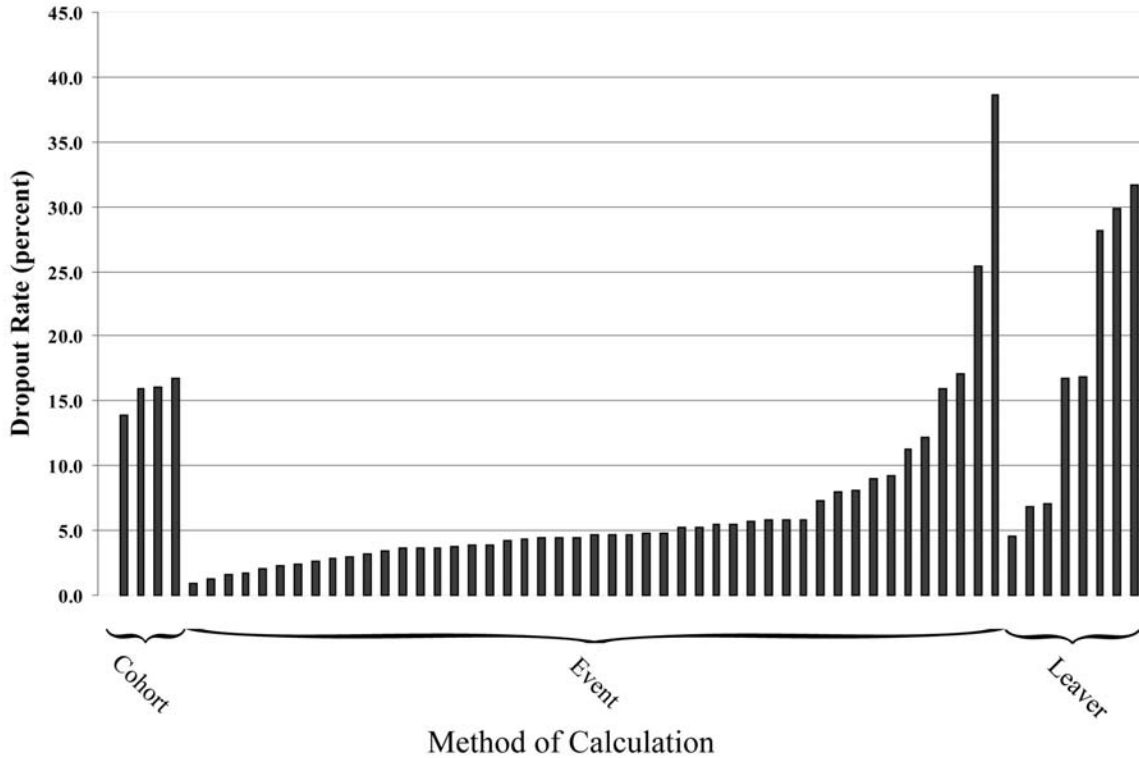
$$\begin{aligned} &+ \text{ transfers in } - \text{ transfers out} \end{aligned}$$

2007-08 DROPOUT RATES

Across the 60 States, the highest special education dropout rate reported for the 2007-08 school year was 38.6% and the lowest rate was 0%. It should be noted that the State with the dropout rate of zero has a very low number of students in special education.

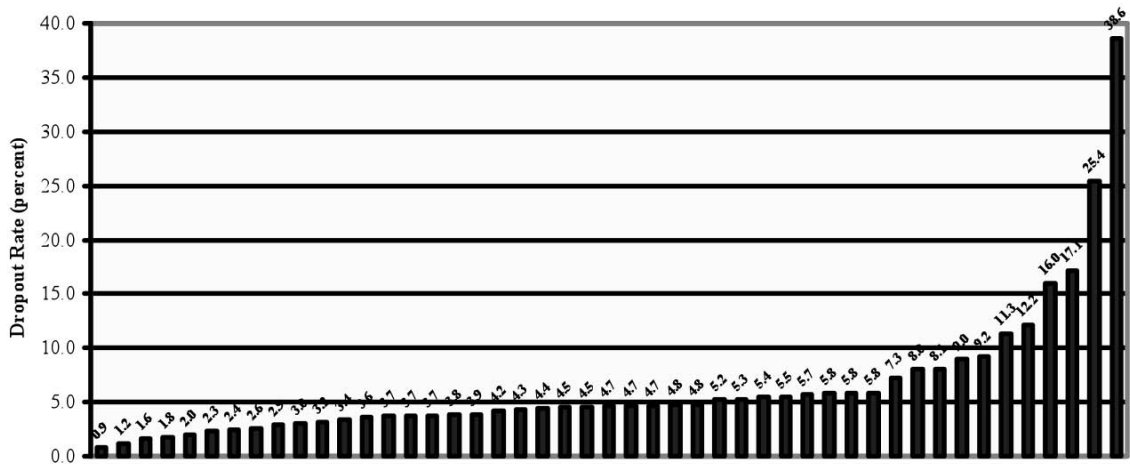
Figure 1 shows the special education dropout rates for all of the States. In this figure, States are grouped by the method used to calculate their dropout rates.

**Figure 1: 2007-08 Dropout Rates for Special Education Students
(by Method of Calculation)**



The States were sorted by the method employed in calculating their special education dropout rates. The sorted data were then plotted as Figures 2–4. Figure 2 shows the special education dropout rates for States that used an event method; Figure 3 shows the data for States that calculated a leaver rate; Figure 4 shows the data for States that used the cohort method of calculation.

**Figure 2: 2007-08 Dropout Rates for Special Education Students
Event Rate Calculation**



**Figure 3: 2007-08 Dropout Rates for Special Education Students
Leaver Rate Calculation**

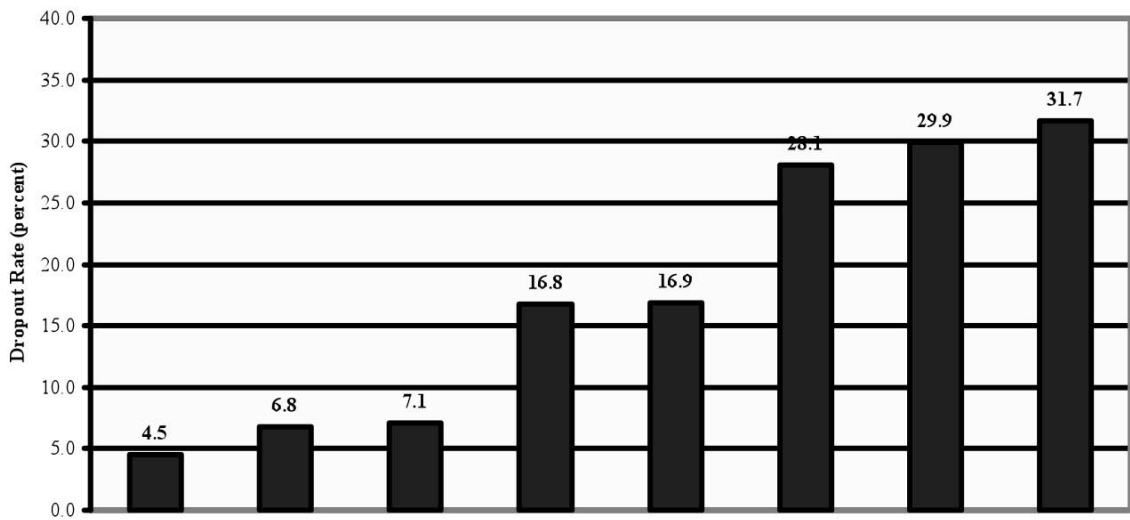
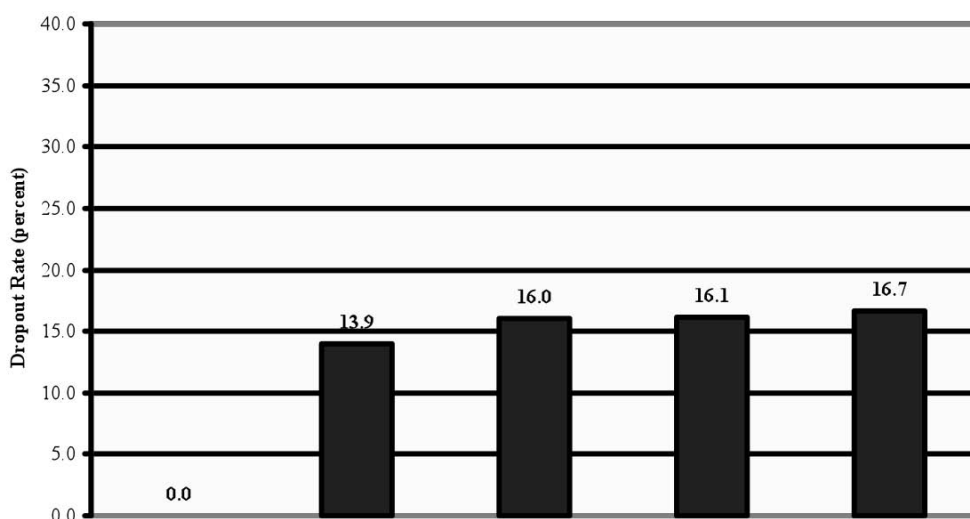


Figure 4: 2007-08 Dropout Rates for Special Education Students
Cohort Rate Calculation



DROPOUT RATE TARGETS

Twenty-four States (40%) achieved their targeted dropout rate for students with disabilities and 36 States (60%) did not. This represents slight slippage, by two States, from the results reported in the 2006-07 APRs.

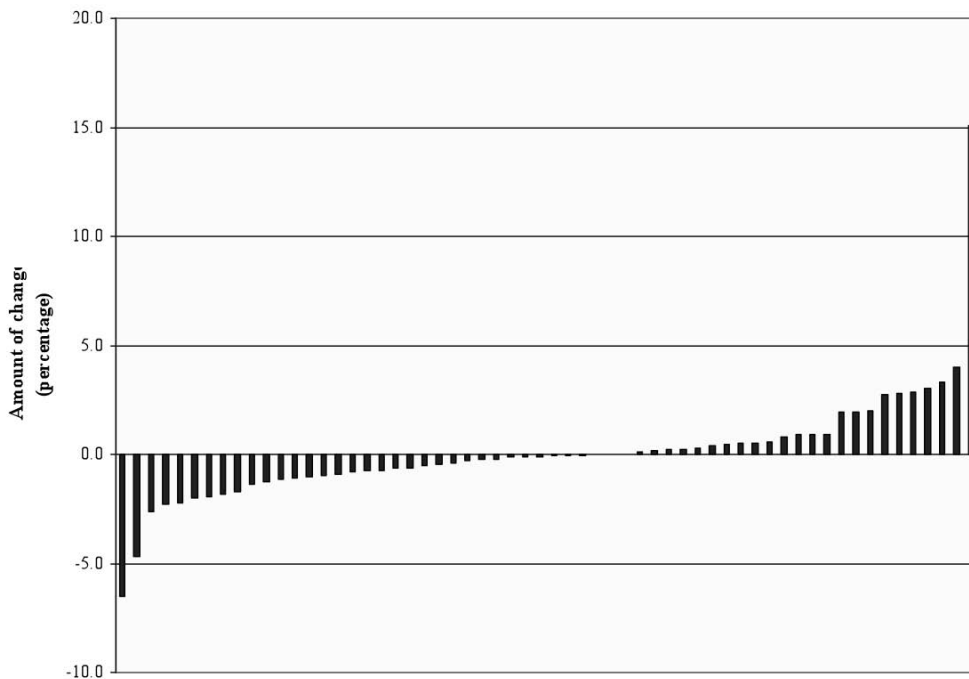
PROGRESS AND SLIPPAGE

Thirty-one States (52%) made progress from their rates reported in the 2006-07 APR and lowered their dropout rates. Twenty-four States (40%) experienced slippage during the year, showing increased dropout rates. Five States' rates (8%) remained unchanged from the previous year—this number up from one State, as reported in last year's APRs.

Across the States, the degree of change in dropout rates observed in this report's comparison (FY 2006 to FY 2007) is less than it was in last year's report, which compared the dropout rates for FY 2005 with those for FY 2006. This year, the mean change was +0.1 with a standard deviation of 2.6, as opposed to last year, when the mean change was -1.2 with a standard deviation of 5.4.

Figure 5 represents the changes in reported dropout rates from the 2006-07 school year to the 2007-08 school year. Unlike the graduation rate data, positive values represent slippage and negative values indicate an improvement in dropout rate from the previous year's data.

Figure 5: Change in States' Dropout Rates from 2006-07 Rates*



*Negative values represent improvement

CONNECTIONS AMONG INDICATORS

Fifty-five States (92%) made explicit or at least implicit connections between Indicators 1 and 2, and frequently included the other transition indicators, Secondary Transition and Post-School Outcomes (Indicators 13 and 14, respectively), as well. Several States also included connections to Indicator 3 (Assessment), Indicator 4 (Suspension/Expulsion) and/or Indicator 8 (Parent Involvement) in their reports.

NDPC-SD INTERACTIONS WITH STATES

All 60 States received some form of technical assistance from NDPC-SD during the 2007-08 school year. Twelve States (20%) received technical assistance from the Center at the universal level (Tier 1 in NDPC-SD parlance). This level of technical assistance may take the form of participation in a Teleseminar or Webinar, receipt of the Center's Big IDEAs newsletter, downloading of documents or other materials from the Center's website, or short-term consultation with the Center via email or telephone. Forty-two States (70%) received targeted technical assistance (NDPC-SD Tier 2), which represents participation or small-group assistance from NDPC-SD. Finally, 6 States (10%) received intensive or sustained technical assistance from NDPC-SD in 2007-08, representing Tier 3 in the Center's hierarchy. NDPC-SD worked to establish model program sites in 3 of these States and worked with 3 other States in an ongoing manner during 2007-08.

These results represent an increase from the figures reported in the 2006-07 APR. Table 2 shows a breakdown of these interactions in 2007-08 using the categories specified in the OSEP template for this report.

Table 2: NDPC-SD Interactions with States During the 2007-08 School Year

Nature of interaction	Number of States
A. NDPC-SD provided information by mail, telephone, teleseminar, listserv, or Communities of Practice to State	12
B. State attended a conference sponsored by NDPC-SD or received small-group or direct on-site assistance from NDPC-SD	42
C. NDPC-SD provided ongoing, on-site TA to the State and/or worked toward the end of developing model demonstration sites	6

IMPROVEMENT STRATEGIES AND ACTIVITIES

States were instructed to report the strategies, activities, timelines and resources they employed in order to improve the special education graduation rate. The range of proposed activities was considerable. Many States are implementing evidence-based interventions to address their needs. Table 3 shows the number of States employing various evidence-based practices.

Table 3: Evidence-based Practices Listed in 2007-08 APR Improvement Activities

Type of activity	Number of States
One or more evidence-based practices	48
Positive Behavior Supports	26
Literacy initiatives	13
Response to Intervention	20
Mentoring programs	8

Forty-eight States (80%) listed one or more evidence-based improvement activities in their APR, while the remaining 12 States (20%) did not propose any evidence-based improvement activities. There are a limited number of evidence-based programs that have demonstrated efficacy for students with disabilities; however, there are a number of promising practices.

Using the 9 categories listed in Table 4, NDPC-SD coded each State's improvement activities. Figure 6 shows the number of States engaging in each of the categories.

Table 4: Activity Categories for the 2007-08 APRs

Code	Description of activity
A	Improve data collection and reporting
B	Improve systems administration and monitoring
C	Build systems and infrastructures of technical assistance and support
D	Provide technical assistance/training/professional development
E	Clarify /examine/develop policies and procedures
F	Program development
G	Collaboration/coordination
H	Evaluation
I	Increase/Adjust FTE
J	Other activities

Figure 6: Number of States Engaging in Each Type of Activity

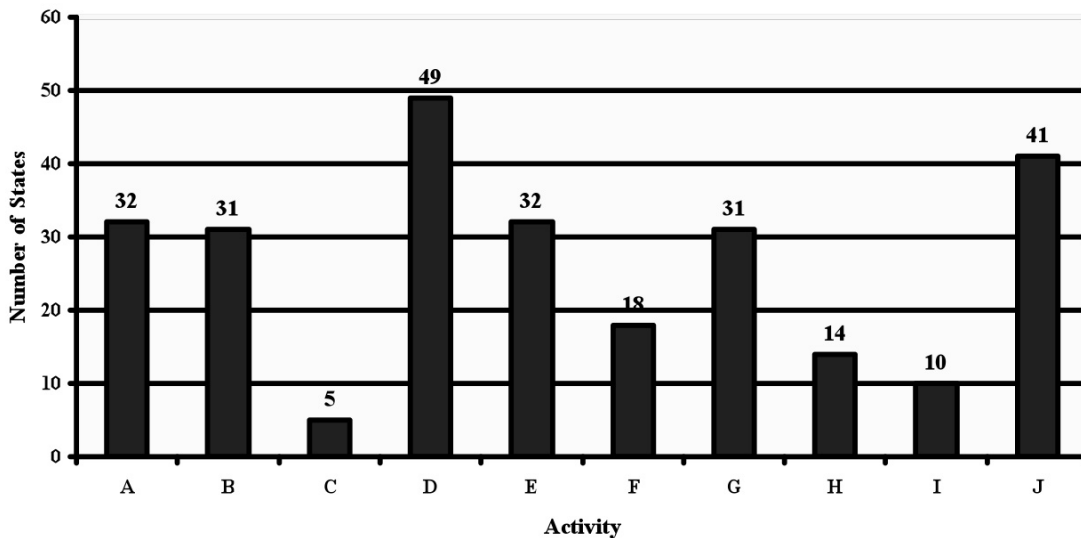


Figure 6 shows that the majority of States (49 States, or 82%) engaged in one or more technical assistance, training or professional development activity (D). This was followed by forty-one States (68%) that engaged in one or more unique improvement activities, specific to the State, which were designed to improving their dropout rates (J). Thirty-two States (53%) took steps to improve the quality of their data or addressed data collection and/or data management systems (A). Additionally, thirty-two States (53%) developed, reviewed and/or adjusted their policies and procedures that related to dropout and school completion (E). Thirty-one States (52%) carried on activities that would improve their monitoring or systems administration (B). Thirty-one States (52%) engaged in some form of collaborative activity with technical-assistance providers, other State or local agencies, community organizations, or businesses (G). Eighteen States (30%) implemented new programs or initiatives directed at improving their dropout rate (F). Fourteen States (23%) engaged in the evaluation of improvement processes and/or

outcomes related to their improvement activities (H). Ten States (17%) added or reassigned staff to address dropout issues (I). Finally, five States (8%) reported activities related to the development of statewide or regional support systems or infrastructure designed to deliver technical assistance (C).

As was the case in last year's APRs, the collections of activities listed in States' APRs seem improved over those of previous years. More States appear to be recognizing the benefit of combining activities across indicators to minimize waste and maximize effect. A substantial number of States described a group of activities that would work well to address their students' needs across the transition indicators (Inds. 1, 2, 13, and 14). Several other States included activities that addressed Indicators 3, 4, and 5 in addition in their mix of improvement activities in support of school-completion. Appendix A contains selected examples of each activity.

EFFECTIVE SCHOOL-COMPLETION ACTIVITIES

There is no magic bullet to improve graduation or dropout rates for students with or without disabilities, though there are strategies that appear to help in these issues of school completion. Among the successful strategies described in this year's APRs are several, which will be discussed below. Some are obvious—some less so.

The use of data spanning multiple SPP indicators to identify needs and risk factors at the system level as well as at the building and student level has increased. While there is not a great deal of evidence to support this practice in the arena of school completion (because the studies have not been done), it is a logical step to take when considering any new initiative or intervention program. Among the States that reported developing or using some sort of cross-indicator risk calculator for identifying students in need of intervention were Colorado, Connecticut, Georgia, Maryland, Massachusetts, Michigan, Missouri, and Oklahoma.

Sharing information and strategies at all levels—State-to-State, agency-to-agency, LEA-to-LEA, and teacher-to-teacher—is an effective strategy that is increasingly being adopted around the country. While sometimes difficult to initiate, it offers benefits that, once experienced, become difficult to do without. Most capacity building efforts within a State or LEA can benefit from such collaboration. To this end, many States held or participated in a statewide forum on graduation, dropout and/or transition at which district and school teams participated in content sessions about the topic(s), shared experiences and strategies, and developed or continued work on a State improvement plan in the area(s) of concern.

OSEP's three transition-related technical assistance centers (NDPC-SD-SD, NSTTAC and NPSO) co-hosted one such annual institute in Charlotte, NC in May 2007, which was attended by teams from 43 States. Additionally, States, with and without the participation of these national TA centers, hosted other such forums. Among the States that held such forums were Colorado, the District of Columbia, Delaware, Idaho, Iowa, Maryland, Michigan, Missouri, Oklahoma, South Carolina, South Dakota, and Texas.

Tiered systems of intervention offer a practical approach to managing and delivering both technical assistance and student interventions. Kansas provides one example of a State that is adopting a multi-tiered system to support LEAs in their efforts to improve dropout and graduation rates. Nineteen States reported having adopted the use of an RtI model for identifying and delivering interventions for students with disabilities in a tiered fashion. Among these States are California, the District of Columbia, Delaware, Georgia, Maryland, Pennsylvania, South Dakota, the Virgin Islands, and Wisconsin.

Efforts to provide smaller learning communities, such as career academies, freshmen academies and graduation academies have been adopted with success in many States. Such programs can offer students a personalized and/or focused learning experience and, as in the case of freshmen academies, can provide some of the supports that will help students make the difficult transition from middle school to high school. Among the States reporting the use of such programs were Georgia, Maryland, South Dakota, and Virginia.

Some State and local policies actively support school completion, whereas, others inadvertently can push some students out of school. Many States described efforts to review policies, program structures and procedures that impact school completion for students with disabilities toward the end of revising such hostile policies and putting into place policies that would support school completion. Among the States that reported activities of this nature were Florida, Georgia, Guam, Hawaii, Louisiana, Montana, South Dakota, and Washington.

Finally, the involvement of parents/family in the education of their children is a critical factor impacting school completion. Several States reported their activities to bolster participation of, and support for, parents of students with disabilities. Such statewide efforts included parent mentor networks (SD, GA). At the local level, programs to foster communication among the school, parents and students were also reported in several States.

While the majority of States engaged in a variety of improvement activities that supported school completion, a few States' activities were more concerted and exhibited a higher level of scope, organization and potential effectiveness. For example, Georgia's statewide dropout-prevention initiative, the *Georgia Dropout Prevention/Graduation Project*, has involved teams from districts from around the State in capacity-building training with the National Dropout Prevention Center for Students with Disabilities, analysis of the factors impacting their districts and schools, identification of their most pressing school-completion needs, development of focused and sustainable plans for addressing the needs, implementation of the plans, and evaluation of the efforts throughout the entire process. This approach appears to be an effective one. The State, as a whole, achieved its graduation-rate target and made progress. Additional information about the project may be found at www.pioneerresa.org/programs/gdrs/default.asp.

NOTES

- While the comparison of special education graduation rates to all-student rates has been removed from Indicator 2, it is important that States not lose sight of the significance of this relationship. In order to continue the push for progress in closing the gap between dropout rates for students with disabilities and those of their non-disabled peers, it is imperative that we remain aware of how students with disabilities are achieving in relation to all students. While there are various data-related barriers to making such comparisons easily, keeping such comparisons in mind may help us avoid complacency in this area. This said we were pleased to note that several States continue to provide data for their students with disabilities as well as their entire student population.
- This year, many States cited improvements in their procedures around data collection as well as the newly gained ability to follow individual students' progress and movement among districts as having impacted their graduation rates. Some of those States credited their improvement in dropout rate to this, whereas others blamed it for their decreased rates.
- Activities that raise States' awareness of the interconnectivity among the Part B Indicators and assist States in understanding and managing data related to those activities will continue to be beneficial to States.

In one 2008 example of such an activity, the National Dropout Prevention Center for Students with Disabilities, National Secondary Transition Technical Assistance Center, National Post-School Outcomes Center, and Regional Resource Centers collaborated to deliver three regional institutes, "*Making Connections Among Indicators 1, 2, 13, and 14.*" These were attended by teams from a total of 38 States. The institutes focused on the relationships among these four indicators as well as the collection, reporting and use of Part B Indicator data related to school completion, transition from high school to post-secondary education and/or employment, and post-secondary outcomes. Using their own data, States worked through a series of guided questions and activities that helped them understand and identify strengths and needs around these indicators. After this step, each State team developed a plan for addressing their perceived data-related needs in these areas and described the technical assistance they would use to support the plan. The three centers have been following up with these States to provide requested assistance and to monitor their progress.

IN SUMMARY

In general, we have observed an improvement in the overall quality and organization of the APRs as well as continued improvement in the nature of the data submitted by States. The improvement activities are generally more concerted and focused than in previous years. There is a recognized lag between the time at which implementation of an intervention begins and the point at which it begins to show measurable results. Despite this lag and the annual periodicity of the measurement for this indicator, it appears that things are gradually improving with Indicator 2.

While the 2008 NCLB regulations specified that States will move to the use of a uniform adjusted cohort calculation for determining the graduation rates of all students by the 2010-11 school year, no such change was specified for dropout rates. Until such a standardized dropout calculation becomes available, comparing dropout rates for students with and without disabilities across the nation will remain a challenge.

INDICATOR 3: ASSESSMENT

Completed by the National Center on Educational Outcomes

INTRODUCTION

The National Center on Educational Outcomes (NCEO) analyzed the information provided by States for Part B Indicator 3 (Assessment), which includes both participation and performance of students with disabilities in statewide assessments, as well as a measure of the extent to which districts in a State are meeting the No Child Left Behind (NCLB) Adequate Yearly Progress (AYP) criterion for students with disabilities.

Indicator 3 information in this report is based on Annual Performance Report data from 2007-08 State assessments. States submitted their data in February 2009 using baseline information and targets (unless revised) that were submitted in their State Performance Plans (SPPs) submitted in December, 2005.

This report summarizes data and progress toward targets for the Indicator 3 subcomponents of (a) percent of districts meeting AYP, (b) State assessment participation, and (c) State assessment performance. It also presents information on Improvement Activities.

This report includes an overview of our methodology, followed by findings for each component of Part B Indicator 3 (AYP, Participation, Performance). For each component we include: (a) findings, and (b) challenges in analyzing the data. We conclude by addressing Improvement Activities.

METHODOLOGY

APRs used for this report were obtained from the RRFC Web site in March, April, May, and June 2009. In addition to submitting information in their APRs for Part B Indicator 3 (Assessment), States were requested to attach Table 6 from their 618 submission if they did not file their data through the EdFacts system. Although AYP data are not included in Table 6, other data requested in the APR for Part B Indicator 3 should be reflected in Table 6. For the analyses in this report, we used only the information that States reported in their APRs for 2007-08 assessments.

Three components comprise the data in Part B Indicator 3 that are summarized here:

- 3A is the percent of districts (based on those with a disability subgroup that meets the State's minimum "n" size) that meet the State's Adequate Yearly Progress (AYP) objectives for progress for the disability subgroup
- 3B is the participation rate for children with IEPs who participate in the various assessment options (Participation)
- 3C is the proficiency rate (based on grade-level or alternate achievement standards) for children with IEPs (Proficiency)

3B (Participation) and 3C (Performance) have subcomponents:

- The number of students with Individualized Education Programs (IEPs)
- The number of students in a regular assessment with no accommodations
- The number of students in a regular assessment with accommodations
- The number of students in an alternate assessment measured against GRADE LEVEL achievement standards
- The number of students in an alternate assessment measured against MODIFIED achievement standards
- The number of students in an alternate assessment measured against ALTERNATE achievement standards

State AYP, participation, and performance data were entered into a Microsoft Excel spreadsheet in April 2009. These data were then verified against secondary State submissions of revised APR documents in May and June 2009. For this report, data for each component are reported overall, by whether the target was met, and by RRC Region.

For Improvement Activities, States were directed to describe these for the year just completed (2007-08) as well as projected changes for upcoming years. The analysis of 2007-08 Improvement Activities used the OSEP coding scheme consisting of letters A–J, with J being “other” activities. The NCEO Improvement Activities coders used 12 subcategories under J (“other”) to capture specific information about the types of activities undertaken by States (see Appendix 3-A for examples of each of these sub-categories). These 12 sub-categories were the same as those used to code 2006-07 data and only slightly modified from those used to code 2005-06 data. Each of two coders independently coded five States to determine inter-rater agreement. The coders discussed their differences in coding and came to an agreement on criteria for each category. An additional five States were then coded independently by each rater and compared. After determining 80% inter-rater agreement, the two coders independently coded the remaining States and then met to compare codes and reach an agreement on final codes for each Improvement Activity in each State. As in previous years, many Improvement Activities were coded in more than one category. Coders were able to reach an agreement in every case.

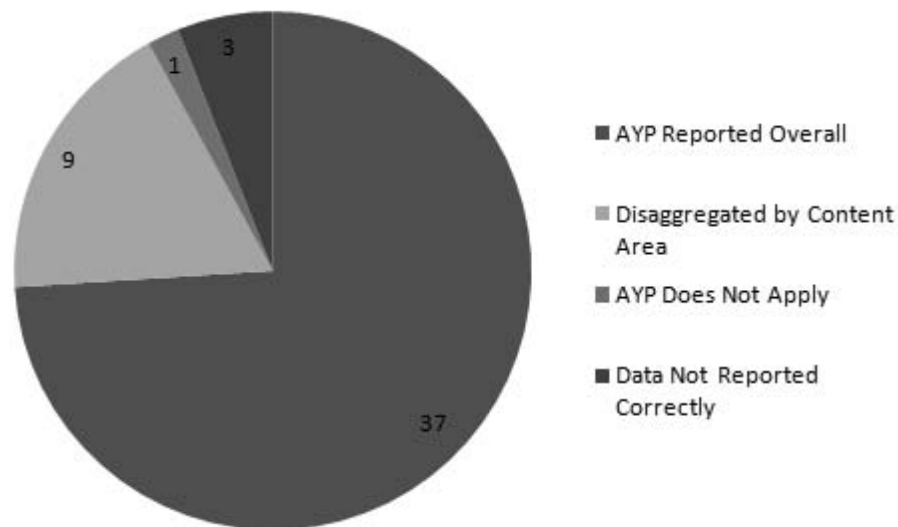
PERCENT OF DISTRICTS MEETING STATE’S ADEQUATE YEARLY PROGRESS OBJECTIVE (COMPONENT 3A)

Component 3A (AYP) is defined for States as:

Percent = [(# of districts meeting the State’s AYP objectives for progress for the disability subgroup (i.e., children with IEPs)) divided by (total # of districts that have a disability subgroup that meets the State’s minimum “n” size in the State)] times 100.

Figure 1 shows the ways in which regular States provided AYP data on their APRs. Forty-nine regular States had data available (one State is a single district and thus is not required to provide data for this component). However, only 37 States (an increase of four States from last year) reported AYP data in their APR in such a way that the data could be combined with data from other States. The other twelve States either provided data broken down by content area or grade level, or computed data incorrectly.

Figure 1: Ways in Which Regular States Provided AYP Data



AYP determinations were not provided for the unique States. As noted in previous years, it is unclear how many of the unique States are required to set and meet the AYP objectives of NCLB (either because they are single districts or because they are not subject to the requirements of NCLB).

AYP FINDINGS

Table 1 shows information about States' AYP baseline and target data reported in their SPPs (or revised) and actual AYP data obtained in 2007-08. The 16 regular States not included in this analysis either lacked disaggregated actual data by content area (n=9) or grade level (n=3), lacked disaggregated targets by content area (n=2), did not provide targets (n=1), or in one State, AYP does not apply as it has just one LEA. The three States that disaggregated targets or did not provide targets explain the difference between the 37 States who reported data and the 34 whose data is analyzed in this section. No unique States had complete data for reporting in Table 1.

The 34 States (up from 27 States a year ago) with sufficient data had an average baseline of 45.4% of eligible districts (those meeting minimum n) making AYP; their average target for 2006-07 was 51.4% (down from 54% two years ago). Actual AYP data for 2007-08 showed an average of 44.8% (down from 54.4% last year) of LEAs in making AYP. Thus, across those States for which data were available, the average

percentage of districts making AYP was slightly *below* the average baseline. This is a change from past years when the average percentage was higher than the baseline and, typically, targets as well. Thirteen of the 34 States met their AYP targets. Twenty-one States did not meet their target for the AYP indicator for the 2007-08 school year (up from 15 one year ago).

Table 1: Average Percentage of Districts Making AYP in 2007-08 for States that Provided Baseline, Target, and Actual Data

	N	Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)
Regular States	34	45.4%	51.4%	44.8%
Unique States	0	---	---	---
TARGET (Regular States)				
Met	13	43.3%	48.6%	64.1%
Not Met	21	46.6%	53.1%	32.9%
TARGET (Unique States)				
Met	0	---	---	---
Not Met	0	---	---	---

The 13 States that met their targets had an average target of 48.6%, more than their average baseline of 43.3%. Their actual 2007-08 data showed an average of 64.1% of districts making AYP, which was well over the baseline and target percentages. In contrast, the 21 States that did not meet their targets had an average baseline of 46.6%, target of 53.1%, and actual data of 32.9%. Trends seen over the past two years showed that States that did not meet targets for districts meeting AYP had a lower baseline, on average, but set a higher average target. In 2007-08 these States still set higher targets; however they had a higher average baseline than States that met targets. Continued examination of these data is warranted.

Data are also presented by RRC Region for regular States, in Table 2. These data show the variation in baseline data (with some regions showing a decrease and others showing an increase). Overall, in just one of the six regions (down from three a year ago), average actual data equaled or exceeded targets set for 2007-08.

Table 2: By Region: Percentage of Districts Making AYP Within Regular States that Provided Data Across Baseline, Target, and Actual Data

RRC Region	N	Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)
Region 1	4	34.0%	62.8%	52.6%
Region 2	7	35.3%	44.2%	31.7%
Region 3	5	58.8%	60.0%	59.6%
Region 4	6	58.0%	62.1%	49.8%
Region 5	6	49.0%	47.8%	47.8%
Region 6	6	39.4%	37.7%	34.7%

CHALLENGES IN ANALYZING AYP DATA

The data submitted by States for the AYP component did not significantly improve in quality over data submitted for the APR one year ago. The major challenge that remains is to ensure that States provide overall AYP data, rather than only disaggregated data (e.g., by content or grade). For a district to meet AYP, it must meet AYP for all grade levels and content areas. Meeting AYP is a determination made across grade levels and content areas, and an overall number for the district CANNOT be derived from numbers provided by grade or content. Fourteen States provided targets or actual data by grade or content rather than overall. This means that State confusion about which data to report for AYP remains a major challenge to be addressed by technical assistance. It also appears that there is a strong desire among States to disaggregate these data points so that they can look at exactly where the students with disabilities are struggling to meet State proficiency goals.

PARTICIPATION OF STUDENTS WITH DISABILITIES IN STATE ASSESSMENTS (COMPONENT 3B)

The participation rate for children with IEPs includes children who participated in the regular assessment with no accommodations, in the regular assessment with accommodations, in the alternate assessment based on grade-level achievement standards, in the alternate assessment based on modified achievement standards, and in the alternate assessment based on alternate achievement standards. Component 3B (participation rates) is calculated by obtaining several numbers and then computing percentages as shown below:

Participation rate numbers required for equations are:

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in regular assessment with no accommodations (percent = [(b) divided by (a)] times 100);
- c. # of children with IEPs in regular assessment with accommodations (percent = [(c) divided by (a)] times 100);
- d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100);
- e. # of children with IEPs in alternate assessment against modified achievement standards (percent = [(d) divided by (a)] times 100); and
- f. # of children with IEPs in alternate assessment against alternate achievement standards (percent = [(e) divided by (a)] times 100).

In addition to providing the above numbers, States also were asked to:

- Account for any children included in 'a', but not included in 'b', 'c', 'd' or 'e'
- Provide an Overall Percent: ('b' + 'c' + 'd' + 'e') divided by 'a'

Forty-nine regular States reported 2007-08 assessment participation data in some way. All of these States either provided appropriate data by content area or provided

adequate raw data to allow for content area calculations (this is up from 44 a year ago). One State did not provide participation data of any kind. All ten unique States reported 2007-08 assessment participation data, although one unique State did not report data disaggregated by content area.

PARTICIPATION FINDINGS

Table 3 shows participation data for math and reading, summarized for all States, and for those States that met and did not meet their participation targets.

A total of 43 regular States and 9 unique States provided adequate participation data for baseline, target, and actual target data (shown in table as actual data) for 2007-08. These States provided appropriate overall data for math and reading (not broken down by grade), or data disaggregated by grade that allowed NCEO to derive an overall number for actual data. For participation (but not for performance), NCEO accepted one target participation rate for both math and reading content areas. This was the presentation style for a number of States. When this occurred the target was assumed to be the same for both math and reading. For both math and reading, average targets for participation for all States were similar to in past years (math and reading - 96.3%) and average baseline data for all States were similar (97.2% for math, 97.3% for reading). Actual data reported by these States were 97.9% for math and 97.8% for reading, both of which were slightly above baseline. It should be noted that States tended to establish targets that were below baseline values.

The nine unique States that provided all necessary data points saw gains from an average baseline of 84.5% for math and 84.4% for reading to a 2007-08 average rate of 86.6% for math and 86.8% for reading. Both rates fell below the average target participation rate of 91.8% for math and 90.9% for reading. These findings are similar to those seen in 2006-07.

Table 3: Average Participation Percentages in 2007-08 for States that Provided Baseline, Target, and Actual Data

	N	Math			Reading		
		Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)	Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)
Regular States	43	97.2%	96.3%	97.9%	97.3%	96.3%	97.8%
Unique States	9	84.5%	91.8%	86.6%	84.4%	90.9%	86.8%
TARGET (Regular States)							
Met	35	96.6%	96.0%	98.1%	96.8%	95.9%	98.1%
Not Met	8	99.6%	97.9%	97.1%	99.6%	97.9%	96.5%
TARGET (Unique States)							
Met	5	86.5%	92.4%	95.3%	86.8%	90.9%	94.6%
Not Met	4	82.5%	91.0%	75.6%	82.0%	91.0%	77.1%

An analysis of State data by target status (either met or not met) was completed. States that met their target for BOTH content areas were classified as “met.” States that did not meet their target for either target area and States that met their target for one content area but not the other were classified as “not met.” Thirty-five regular States and five unique States met their participation targets in both math and reading in 2007-08; eight regular States and four unique States did not meet their targets for participation in either or both content areas, and were therefore classified as “not met.” The remaining States either did not provide appropriate target data, or did not provide actual data and were thus not included in this analysis.

Across regular States that met their targets in both content areas, an average of 98.1% of students participated in math and reading assessments. In States that did not meet their targets, 97.1% of students with disabilities participated in math assessments, and 96.5% in the content area of reading. Previously, States that did not meet their target had higher targets on average than States that did meet their targets. This was true again in 2007-08 as for the third consecutive year this finding was identified. For both content areas, States that met their targets had a lower average value for baseline data as well.

Nine unique States provided adequate participation information to enable determination of whether they met targets. A mean of 95.3% of students with disabilities participated in the State math assessments and 94.6% in reading assessments for the two unique States that met their targets in participation. In the four States that did not meet their targets, 75.6% (down from 79.7%) of students with disabilities participated on the math assessment, and 77.1% (down from 78.1%) in reading. The targets set by the five unique States that met their targets (up from two in 2006-07) were very similar to those for States that did not meet their targets in 2006-07.

Data presented by RRC region for regular States in Table 4 show that for both math and reading, the average 2007-08 participation rates vary little, ranging from 97.2% to 98.8% (this is less variation than in past analyses). Region 6 showed participation rates in the low 97% range, slightly trailing averages seen in the other regions for a second consecutive year. Region 1 was the only region to show average actual data that were lower than the average target for the region; this was true for both math and reading (this was not true of Region 1 last year). Five of the six regions had 2007-08 data that surpassed 2007-08 targets. All regions except Region 1 had targets that were lower than their baseline data for at least one content area. This is different than trends exhibited in performance data (see Table 6).

Table 4: By Region: Average Participation Percentages in 2007-08 for Regular States that Provided Baseline, Target, and Actual Data

RRC Region	N	Math			Reading		
		Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)	Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)
Region 1	4	97.8%	98.0%	97.6%	97.8%	98.0%	97.6%
Region 2	6	96.8%	95.8%	98.8%	97.0%	95.8%	98.7%
Region 3	8	97.4%	96.5%	98.2%	97.4%	96.4%	97.7%
Region 4	8	97.3%	95.6%	97.6%	97.1%	95.6%	97.6%
Region 5	10	96.5%	96.8%	98.0%	97.1%	96.8%	98.1%
Region 6	7	98.0%	95.8%	97.2%	97.9%	95.8%	97.2%

CHALLENGES IN ANALYZING PARTICIPATION DATA

The quality of data submitted by States for the Participation component have improved over those submitted for SPPs (2004-05 data), and moderately improved over the data included in APR 2006-07 submissions. It appears that States used the correct denominator in calculating participation rates (i.e., number of children with IEPs who are *enrolled* in the assessed grades) and did not report participation rates of exactly 100% without information about invalid assessments, absences, and other reasons why students might not be assessed. There has also been an increase in the number of States providing data by raw numbers with or without percentages, as opposed to providing just percentages.

One challenge that remains from the first APR of 2005-06 is the failure of States to provide targets by content area. States should report targets by content area so that readers are not required to assume that participation targets provided in an overall form are meant for both content areas. It also appears that there is a stronger desire than ever to disaggregate by grade levels or school level bands (such as elementary school). This is surely a positive way for States to drill down into their data; however, it presents challenges in data analysis. When possible aggregated targets for each content area should be supplied in addition to disaggregated targets that a State might use in its target analysis.

PERFORMANCE OF STUDENTS WITH DISABILITIES ON STATE ASSESSMENTS (COMPONENT 3C)

The performance of children with IEPs is based on the rates of those children achieving proficiency on the regular assessment with no accommodations, the regular assessment with accommodations, the alternate assessment based on grade-level achievement standards, the alternate assessment based on modified achievement standards, and the alternate assessment based on alternate achievement standards. Component 3C (Proficiency Rate) is calculated by obtaining several numbers and then computing percentages:

Proficiency Rate numbers required for equations are:

- a. # of children with IEPs in assessed grades;
- b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent = [(b) divided by (a)] times 100);
- c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent = [(c) divided by (a)] times 100);
- d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100);
- e. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against modified achievement standards (percent = [(e) divided by (a)] times 100); and
- f. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = [(f) divided by (a)] times 100).

In addition to providing the above numbers, States also were asked to:

- Account for any children included in 'a', but not included in 'b', 'c', 'd' or 'e' above
- Provide an Overall Percent = 'b' + 'c' + 'd' + 'e' divided by 'a'

Forty-eight regular States reported 2007-08 assessment proficiency data in some way. Two States did not provide adequate performance data as one of them provided data aggregated across content areas, and one State provided data calculated in such a way that it could not be analyzed. Eight of the ten unique States also reported performance data.

PROFICIENCY FINDINGS

Table 5 shows proficiency data for math and reading for the 31 States that provided usable target and actual 2007-08 proficiency data. This is down from 33 in 2006-07. It appears that States are becoming more likely to set their targets by grade level (which cannot be aggregated), perhaps in an effort to identify exactly which students are performing poorly on assessment. Data are also disaggregated for those States that met and those States that did not meet their performance targets.

Of the States that could not be included in this analysis, many only provided targets that were disaggregated by content area, and grade level (n=14). The remaining five States either provided no targets (n=3), had separate targets for each assessment (n=1), or did not disaggregate actual data by content area (n=1).

Mean targets for these 31 regular States for math and reading were 46.8% and 50.5%, respectively, across all States that provided analyzable data points for target and actual data (this is an increase of roughly 4 percentage points from average targets last year).

These targets are climbing consistently and were more than nine percentage points higher for both math and reading than they were in 2005-06. The actual data that States reported were, on average, 39.0% (up from 38.8%) for math and 40.6% (down from 40.7%) for reading. States have progressed an average of just three to four percentage points from their baseline values reported in the SPP FY 2005.

Average targets were 27.4% for math and 25.2% for reading across the eight unique States that provided analyzable data points for targets, and actual data. The proficiency percentages these unique States reported were, on average, 13.8% for math and 12.8% for reading. Seven of these unique States did not meet their performance targets. Actual data is actually still relatively close to baseline levels.

Table 5: Average Proficiency Percentages for States that Provided Baseline, Target, and Actual Data

	N	Math			Reading		
		Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)	Baseline (Mean %)	Target (Mean %)	Actual Data (Mean %)
Regular States	31	35.1%	46.8%	39.0%	37.0%	50.5%	40.6%
Unique States	8	15.6%	27.4%	13.8%	12.0%	25.2%	12.8%
TARGET (Regular States)							
Met	6	42.3%	47.0%	51.5%	40.8%	48.0%	50.9%
Not Met	25	33.4%	46.8%	36.0%	36.0%	51.1%	38.1%
TARGET (Unique States)							
Met	1	No Data	39.0%	46.7%	No Data	32.0%	39.3%
Not Met	7	15.6%	25.7%	9.1%	12.0%	24.2%	9.1%

An analysis of State data by target status (either met or not met) was also completed. States that met their target for BOTH content areas were classified as “met.” States that did not meet their target for either target area and States that met their target for one content area but not the other were classified as “not met.” Six regular States (down from 16 in 2005-06) and one unique State met their targets in math and reading for proficiency in 2007-08; 25 regular States (16 States in 2005-06) and 7 unique States did not meet their targets for proficiency in either or both content areas. The remaining States either did not provide appropriate target data, or did not provide actual target data and thus were not included in this analysis.

Across the 6 regular States that met their targets in both content areas, an average of 51.5% of students scored as proficient on math assessments and 50.9% of students scored as proficient on reading assessments. In States that did not meet their targets, 36.0% of students were proficient in math, and 38.1% were proficient in reading. States that are meeting and States not meeting their targets previously appeared to be progressing in student proficiency at roughly the same rate. That is no longer true as data for States that did not meet their targets had slippage occur this year. As with previous participation for math and reading States that met their targets had set lower average targets. It appears, however, that this trend has reversed for 2007-08 (see Table 5).

Just one of the eight unique States providing usable data met their target for performance for the 2007-08 school year. This is similar to 2006-07 when zero of four unique States met targets and a change from 2005-06 when two unique States met their targets and three did not.

Data presented by RRC region for regular States for math and reading show considerable variability in the average baselines and in the targets that were set for both content areas. None of the six regions for math or reading met 2007-08 performance targets. For all six regions, the average 2007-08 targets for the States within the region surpassed the average baseline data for those States. For four regions in 2007-08, actual data also surpassed average baseline data in that region. However, for two regions each for both math and reading, actual data were below baseline. It should be noted that only two Region 1 States reported data that was of adequate quality to be included in the analysis.

Table 6: By Region: Average Proficiency Percentages in 2007-08 for Regular States that Provided Baseline, Target, and Actual Data

RRC Region	N	Math			Reading		
		Baseline (Mean %)	Target (Mean %)	Actual (Mean %)	Baseline (Mean %)	Target (Mean %)	Actual (Mean %)
Region 1	2	34.5%	66.7%	22.9%	23.5%	66.8%	28.8%
Region 2	5	43.0%	50.2%	43.9%	49.8%	55.3%	47.7%
Region 3	8	36.3%	44.4%	39.1%	38.1%	46.7%	39.9%
Region 4	6	28.8%	44.4%	40.5%	30.3%	48.3%	37.8%
Region 5	6	35.7%	48.7%	43.6%	39.0%	52.4%	44.7%
Region 6	4	31.8%	38.4%	31.6%	32.3%	44.4%	36.9%

CHALLENGES IN ANALYZING ASSESSMENT PERFORMANCE DATA

The data submitted by States for the performance component were greatly improved over those submitted for the SPP (2004-05 data), but improvement seems to have paused since the 2006-07 APR. Still, not all States used the correct denominator in calculating proficiency rates (i.e., number of children with IEPs who are *enrolled* in the assessed grades). Several States made the mistake of using the number of students *assessed* as the denominator for proficiency rate calculation. The denominator used in all calculations performed by NCEO for these States was changed to the number enrolled.

States presenting only overall performance data for math and reading was a limiting factor for our analysis. Several States did not provide data for subcomponents (i.e. a-e, as explained below, which covered the different types of assessments). It is important for technical assistance centers to have a clear pictures of which assessments States are making gains in, and which they are experience slippage in, as it points to academic struggles by specific groups of students who may be taking those types of

assessments. One State did not disaggregate its data even for content areas, much less subcomponents. This is the first occurrence we have seen of this practice since the initial SPPs.

One challenge that remains for proficiency data (as for participation data) is the failure of some States to report targets aggregated by content area as well as disaggregated by grade. Targets cannot be averaged to an overall number as there are different denominators for each grade level.

IMPROVEMENT ACTIVITIES

States identified Improvement Activities for Part B, Indicator 3, revising them if needed from those that were listed in their previous SPPs and APRs. These were analyzed, as described in the Methodology section, using OSEP-provided codes. Although States generally listed their Improvement Activities in the appropriate section of their APRs, sometimes we found them elsewhere. When this was the case, we identified the activities in other sections and coded them.

IMPROVEMENT ACTIVITIES FINDINGS

A summary of Improvement Activities is shown in Table 7. The data reflect the number of States that indicated they were undertaking *at least one* activity that would fall under a specific category. A State may have mentioned several specific activities under the category, or merely mentioned one activity that fit into the category.

Table 7: State Improvement Activities

Description (Category Code)	Number Indicating Activity	
	Regular States (N=50)	Unique States (N=10)
Improve data collection and reporting—improve the accuracy of data collection and school district/service agency accountability via technical assistance, public reporting/ dissemination, or collaboration across other data reporting systems. Developing or connecting data systems. (A)	16	8
Improve systems administration and monitoring—refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration. (B)	18	8
Provide training/professional development—provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders. (C)	47	9
Provide technical assistance—provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs. (D)	39	6
Clarify/examine/develop policies and procedures—clarify, examine, and or develop policies or procedures related to the indicator. (E)	24	4
Program development—develop/fund new regional/statewide initiatives. (F)	19	1
Collaboration/coordination—collaborate/coordinate with families/agencies/initiatives. (G)	24	6
Evaluation—conduct internal/external evaluation of improvement processes and outcomes. (H)	11	3
Increase/Adjust FTE—add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff. (I)	5	0
Other (J) See J1-J12		
Data analysis for decision making (J1)	28	1
Data provision/verification State to local (J2)	11	1
Implementation/development of new/ revised test (Performance or diagnostic) (J3)	20	5
Pilot project (J4)	13	3
Grants, State to local (J5)	16	0
Document, video, or web-based development/dissemination/framework (J6)	37	5
Standards development/revision/dissemination (J7)	11	3
Curriculum/instructional activities development/dissemination (e.g., promulgation of RTI, Reading First, UDL, etc.) (J8)	42	5
Data or best practices sharing, highlighting successful districts, conferences of practitioners (J9)	25	0
Participation in national/regional organizations, looking at other States' approaches (J10)	14	5
State working with low-performing districts (J11)	25	1
Implement required elements of NCLB accountability (J12)	23	4

The activities reported by a majority of regular States were training/professional development (C); technical assistance (D); data analysis for decision-making (J1); document, video, or web-based development/dissemination/ framework (J6); and curriculum/instructional activities development/dissemination (J8). The only change from last year to this list of most frequently-reported activities is the addition of J1.

The activities reported by a majority of unique State entities, were: improve data collection and reporting (A), improve systems administration and monitoring (B), provide training/professional development (C), provide technical assistance (D), and collaboration/coordination (G). A change from last year to this list is an increase in overall reporting of Improvement Activities by the unique State entities. None of these activities was in this high-frequency category last year.

CHALLENGES IN ANALYZING IMPROVEMENT ACTIVITIES

Overall, States' descriptions of Improvement Activities were more detailed than in previous years. Moreover, many States labeled these descriptions using the OSEP-specified categories that were used in this report (A–I). However, the coders in certain cases did not code the activities in the same way that States did. Additionally, as in previous years, there were instances in which it was difficult to determine whether an activity was new or revised in 2007-08, or was completed in the previous year.

Several activities fell in two or more categories of analysis, and were coded and counted more than once. For example, a statewide program to provide professional development and school-level implementation support on the Strategic Instruction Model would be coded as professional development, technical assistance, and curriculum/instructional strategies dissemination. When there was doubt, data coders gave the State credit for having accomplished an activity. As in previous examinations of Improvement Activities, our coding of activities by State reflects the presence of one or more instances of that activity in a State, and did not involve counting the frequency of each activity. While frequency might be of interest, coders noted, as in previous years, that the same activity was often mentioned multiple times, which would make it difficult to determine the number of unique efforts of a type within a State.

CONCLUSION

It was apparent that most States made an effort to provide clear, concise and connected information for large-scale assessment, including Improvement Activities, in FY 2007 reporting. Though States were less likely to disaggregate testing data by content areas, specific tests, and grade levels, they were more likely to have included necessary data in a figure or chart. Greater attention to detail was also readily apparent in the Improvement Activities sections of each State's APR with many States using tables that clearly outlined activities, actions, dates, and desired outcomes. With increased efforts in these directions by all States, State documentation of large scale assessment data and activities will be more transparent and will provide for significant improvements in analysis.

For AYP data, seven additional regular States (for a total of 34) provided all the elements needed to examine the data as compared to a year ago. Unique States did not provide AYP data; this is consistent with the fact that most of these States are not required to comply with AYP requirements (although some are). Of the 34 regular States that provided all elements, more than half did not meet their AYP targets (n = 21). This was similar to data seen in 2006-07 APRs when 15 of 27 States did not meet their targets. However it is unclear what effect confidence intervals, safe harbor, growth models, etc., may have played as factors in boosting State numbers. It is also unclear whether this increase in States meeting AYP targets signals that States are approaching 100% proficiency on State assessments in the timely manner specified by NCLB.

As in the past, most States providing data are meeting their participation targets. On the whole, both regular States and unique States are providing the data needed to determine whether targets are being met. Unique States, at this point, are less likely to be meeting their targets than regular States. This finding is based on only those States that had baseline, target, and actual data in their reports. This included 43 regular States and 9 unique States.

Fewer States provided all the elements needed to examine performance data. In 2007-08, 31 regular States and 8 unique States (up from 4 one year ago) provided baseline, target, and actual data in their reports for this component. The vast majority of States did not meet their performance targets in both content areas; more than four in five regular States and all but one of the unique States that provided all data elements did not meet their targets. There appears to be a general trend towards States having an increasingly difficult time in making targets set for proficiency. States' explanations often celebrated the improvements that were made while conceding that AYP targets were becoming more challenging to meet with each successive year.

Improvement Activities reported by States seemed to reflect increased attention to detail and increased connectivity between the activities and the indicator itself. Most frequently cited by regular States were training/professional development (C); technical assistance (D); data analysis for decision-making (J1); and document, video, or web-based development/dissemination/ framework (J6). Unique States frequently mentioned a number of these as well, in what were far more detailed reporting efforts for these States than in past years. In addition many unique States identified improve data collection and reporting (A), improve systems administration and monitoring (B), and collaboration/coordination (G).

Once again, the data provided in 2007-08 for the Annual Performance Reports were as consistent and clear (if not more clear) than those provided for 2006-07, which in turn were clearer than those provided in 2005-06 APRs and the 2004-05 State Performance Plans. With improved data, it is possible for NCEO to better summarize the data to provide a national picture of 2007-08 AYP, participation, and performance indicators as well as States' Improvement Activities.

APPENDIX: EXAMPLES OF IMPROVEMENT ACTIVITY CATEGORIES

A: Improve data collection and reporting

Example: Implement new data warehousing capabilities so that Department of Special Education staff have the ability to continue publishing LEA profiles to disseminate educational data, increase the quality of educational progress, and help LEAs track changes over time.

B: Improve systems administration and monitoring

Example: The [State] DOE has instituted a review process for schools in need of improvement titled Collaborative Assessment and Planning for Achievement (CAPA). This process has established performance standard for schools related to school leadership, instruction, analysis of State performance results, and use of assessment results to inform instruction for all students in the content standards.

C: Provide training/professional development

Example: Provide training to teachers on differentiating instruction and other strategies relative to standards.

D: Provide technical assistance

Example: Technical assistance at the local level about how to use the scoring rubric [for the alternate test].

E: Clarify/examine/develop policies and procedures

Example: Establish policy and procedures with Department of Education Research and Evaluation Staff for the grading of alternate assessment portfolios.

F: Program development

Example: The [State] Department of Education has identified math as an area of concern and has addressed that by implementing a program entitled “[State] Counts” to assist districts in improving math proficiency rates. “Counts” is a three-year elementary math initiative focused on implementing research based instructional practices to improve student learning in mathematics.

G: Collaboration/coordination

Example: A cross-department team led by the Division of School Standards, Accountability and Assistance from the [State] DOE in collaboration with stakeholders (e.g. institutions of higher education, families) will plan for coherent dissemination, implementation, and sustainability of Response to Intervention.

H: Evaluation

Example: Seventeen [LEAs] that were monitored during the school year were selected to complete root cause analyses in the area of reading achievement in an effort to determine what steps need to be taken to improve the performance of students with disabilities within their agency.

I: Increase/Adjust FTE

Example: Two teachers on assignment were funded by the Divisions. These teachers provided professional learning opportunities for district educators on a regional basis to assist them in aligning activities and instruction that students receive with the grade-level standards outlined in the State performance standards.

J: Examples (edited for brevity and clarity)

J1: Data analysis for decision making (at the State level)

Example: State analyzed aggregated (overall State SPED student) data of student participation and performance results in order to determine program improvement strategies focused on improving student learning outcomes.

J2: Data provision/verification State to local

Example: The DOE maintains a Web site with updated State assessment information. The information is updated at least annually so the public as well as administrators and teachers have access to current accountability results.

J3: Implementation/development of new/revised test (performance or diagnostic)

Example: [State] DOE developed a new alternative assessment this year.

J4: Pilot project

Example: Training for three pilot districts that implemented a multi tiered system of support were completed. Information regarding the training was expanded at the secondary education level. Project SPOT conducted two meetings for initial secondary pilot schools with school district teams from six districts. Participants discussed the initial development of improvement plans.

J5: Grants, State to local

Example: Forty-seven [State] program incentive grants were awarded, representing 93 school districts and 271 elementary, middle and high schools. Grants were awarded to schools with priorities in reading and math achievement, social emotional and behavior factors, graduation gap, and disproportionate identification of minority students as students with disabilities.

J6: Document, video, or web-based development/dissemination/framework

Example: The Web-based Literacy Intervention Modules to address the five essential elements of literacy developed for special education teachers statewide were completed.

J7: Standards development/revision/dissemination

Example: Align current grade level standard with alternate assessment portfolio process.

J8: Curriculum/instructional activities development/dissemination

Example: Provide information, resources, and support for Response to Intervention model and implementation.

J9: Data or best practices sharing, highlighting successful districts, conferences of practitioners

Example: Content area learning communities were developed as a means to provide updates on [State/district] initiatives and school initiatives/work plans in relation to curriculum, instruction, assessment and other topics.

J10: Participation in national/regional organizations, looking at other States' approaches

Example: The GSEG PAC6 regional institute provided technical support to all the jurisdictions in standard setting, rubric development, and scoring the alternate assessment based on alternate achievement standards. During the one-week intensive institute, [State] was able to score student portfolios gathered for pilot implementation, as reported in this year's assessment data.

J11: State working with low-performing districts

Example: The Department of Education has developed and implemented the State Accountability and Learning Initiative to accelerate the learning of all students, with special emphasis placed on districts with Title I schools that have been identified as "in need of improvement."

J12: Implement required elements of NCLB accountability

Example: Many strategies are continually being developed to promote inclusion and access to the general education curriculum.

INDICATOR 4A: RATES OF SUSPENSION AND EXPULSION

Completed by DAC

INTRODUCTION

Indicator 4A measures the percentage of districts within a State that had significant discrepancies in the rate of suspensions and expulsions of students with disabilities for more than 10 days during a school year. Indicator 4A is measured as:

Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year divided by the # of districts in the State times 100.

This indicator requires States to use data collected for reporting under Section 618 (i.e., data reported in Table 5, in Section A, Column 3B). States are also required to specify the type of comparison they use to determine discrepancies in suspension/expulsions. States must complete and report one of the following comparisons of suspension/expulsion data:

- Among local educational agencies within the State
- To the rates for children without disabilities within the agencies

States are required to define significant discrepancy and explain the method(s) used to identify whether a significant discrepancy exists. Then, States must explain how they completed a review of policies, procedures, and practices related to suspension and expulsion of students with disabilities within identified districts. States are required to report progress or slippage on this indicator, correction of noncompliance, and improvement activities related to their results.

The Data Accountability Center (DAC) reviewed a total of 60 FY 2007 APRs for this summary, including the 50 States, the District of Columbia, the outlying areas, and the Bureau of Indian Education (BIE). (For purposes of this summary, we will refer to all of these as States.) Although States vary in the terms they use to identify educational agencies (e.g., districts, LEAs), the term district is used to discuss results in this summary for ease of interpretation.

The next section of the report summarizes the information States reported for B4A. States were not required to report data for B4B during the FY 2007 reporting period. This summary is organized into six sections and a concluding summary. These sections are 1) type of comparison; 2) method to identify significant discrepancy; 3) explanation of progress or slippage; 4) review of policies, procedures, and practices; 5) technical assistance accessed and actions taken by States determined to be in needs assistance for the second consecutive year; and 6) improvement activities. Throughout this analysis and summary table for B4A, "discipline" data are defined as student-level suspension and expulsion data. Unless otherwise noted, the data include suspensions and expulsions of 10 days or greater in a school year. In one instance, a State used multiple suspensions and no expulsion data in the definition, and that is noted.

TYPE OF COMPARISON

States used one of the following required types of comparisons to evaluate and identify discrepancy in suspension and expulsion rates:

- Most, 80% (48 of 60 States), compared differences in suspension and expulsion rates for children with disabilities among districts or schools for outlying unitary areas.
- Twelve States (20%) compared rates for children with disabilities to rates for children without disabilities within a district or schools for outlying unitary areas.

METHOD TO IDENTIFY SIGNIFICANT DISCREPANCY

A majority of States (59 of 60 or 98%) described the method they used to determine possible discrepancies in the suspension and expulsion rates of students with disabilities. Measurement methods applied by States to calculate significant discrepancies in the rates of suspension and/or expulsion of students with disabilities fit into five categories. These methods are summarized in Table 1 below.

Table 1: Identification Method

Method	Number of States
Differences from State-defined rate	36
Differences from statewide average	12
Risk ratio	6
Unitary system	4
Multiple methods	1

The two most prominent methods used by States to identify significant discrepancies in suspension and expulsion data were measuring differences from a State-defined rate, typically defined as the State target rate, and statewide average (60% and 20%, respectively). Two States also reported that they opted to include data for districts serving fewer than 10 students with disabilities in the calculation of the statewide mean rates. Additionally, 13 of 60 States (22%) revised their definition of significant discrepancy.

PROGRESS OR SLIPPAGE

Nearly all States, 57 of 60 (95%), reported reasons for progress or slippage in suspension/expulsion rates. Among this group, 32 (53%) reported progress, 15 (25%) reported slippage, and one State reported both progress and slippage. Six States (10%) reported no change in suspension/expulsion rates; and six (10%) stated they could not report these data. Reasons for not reporting the data included recalculating suspension and expulsion trend data using a revised State definition of significant discrepancy. Five other States did not define significant discrepancy.

REVIEW OF POLICIES, PROCEDURES, AND PRACTICES

The majority of States, 59 of 60 (98%), described how they reviewed and revised policies, procedures, and practices when significant discrepancies were identified. Many States used multiple types of activities in their review process. The types of activities States described included:

- Self-assessments completed by districts and/or schools
- State verification of corrective actions
- Submission of determinations, functional behavior analyses, and behavior intervention plans or corrective action plans
- Root cause analyses
- Verification activities, including focused monitoring visits
- Ongoing monitoring and/or submission of suspension and expulsion data

In addition, 55 of the 60 States (92%) reported correction of noncompliance.

STATES DETERMINED TO BE NEEDS ASSISTANCE FOR TWO CONSECUTIVE YEARS

For the FY 2007 reporting period, six States were required to access and report technical assistance activities and the results within their APRs for this indicator. As a result of working with the Technical Assistance Centers, States implemented:

- Building Effective Schools Together (BEST),
- Positive Behavior PBIS (five of six States), or
- Response to Intervention (RtI).

Each initiative listed is designed to develop school-wide behavioral supports for students.

Specific activities completed by NA2 States are summarized in Table 2.

Table 2: Summary of Actions Taken by States

Activity	Number of States Reporting Activity
Disseminated professional development resources	4
Adopted or expanded specific interventions	4
Improved data analysis and reporting	3
Developed new self-assessments	3
Conducted professional development activities	3
Applied for a grant	1
Contract with targeted monitoring staff	1

IMPROVEMENT ACTIVITIES

States were required to describe improvement activities to decrease suspension and expulsion rates for students with disabilities. Activities described in the APRs were analyzed using a coding system developed by OSEP. Three additional codes were used in this analysis for activities within the “Other” category (coded J1, J2, or J3 where J1=Development of materials; J2=Ongoing activities that do not reflect change or improvement; and J=3 Scaled-up State-implemented initiatives).

A large number of States, 55 of 60 (92%) described improvement activities and interventions they implemented to reduce suspension and expulsion rates. Types of improvement activities described by States are summarized in Table 3. Improvement activities are arranged from most to least frequently reported.

Table 3: Summary of Improvement Activities

Improvement Activity Category	Number of States Reporting at Least One Activity from the Category
D. Provide TA/training/professional development	54
A. Improve data collection and reporting	47
E. Clarify/examine/develop policies and procedures	43
G. Collaboration/coordination	37
J1. Develop materials	33
B. Improve systems administration and monitoring	29
H. Evaluation	27
J3. Scale-up State-implemented initiatives	23
F. Program development	21
J2. Ongoing activities not reflecting change or improvement	17
C. Build systems and infrastructures of TA and support	9

Among specific improvement activities implemented by States, PBIS and RtI were the most frequently reported research-based interventions (33 and 7 States, respectively). Few States reported increasing or adjusting full-time employees (8%); however, 23 States (38%) reported scaling up implementation of initiatives.

OBSERVATIONS AND CONCLUSIONS

From this analysis, it can be concluded that a majority of States compared suspension/expulsion rates for students with disabilities among districts, defined significant discrepancy in terms of differences from a State-defined rate, reported progress toward the State target and correction of noncompliance, and identified improvement activities. The improvement activities most frequently cited were in the following categories:

- Provide technical assistance and/or professional development (90%),
- Improve data collection and reporting (78%),
- Clarify, examine or develop policies and procedures (72%),
- Collaborate or coordinate with families, agencies or initiatives (62%), and
- Development of materials (55%).

Actions taken by States in needs assistance for the second consecutive year parallel in frequency the improvement strategies listed above.

INDICATOR 5: LRE

Completed by NIUSI-LeadScape

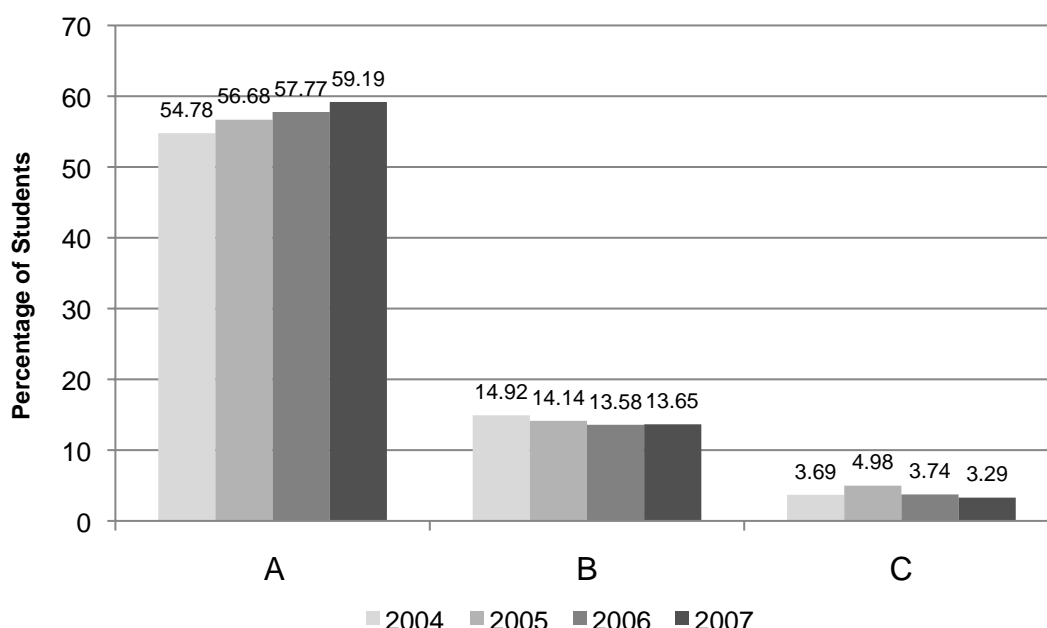
NIUSI-*LeadScape*¹ staff compiled, analyzed, and summarized data for Indicator 5 of the 2007-2008 Annual Performance Reports (APRs). This narrative report presents a review of states' improvement activities from the APRs of the fifty states, District of Columbia, eight territories, and Bureau of Indian Education (BIE). The definition of the indicator is as follows: Percent of children with IEPs aged 6 through 21: a) Removed from regular class less than 21% of the day; b) Removed from regular class greater than 60% of the day; or c) Served in public or private separate schools, residential placements, or homebound or hospital placements.

Table 1: Overview of Reported Indicator 5 Data

	A	B	C
Mean	59.19%	13.65%	3.29%
Minimum	17.37%	3.4%	0
Maximum	94.2%	33.0%	12.15%
Standard Deviation	14.11	6.11	2.37
States Meeting Target	39 of 60	33 of 60	32 of 60
Mean Change	1.29	0.31	0.18
Maximum Improvement	+7.82	-9.32	-1.5
Maximum Slippage	-13.33	+7.71	+9.55

¹ NIUSI-*LeadScape* is a technical assistance and dissemination center funded by OSEP to develop a sustained professional community of school principals of inclusive schools.

Figure 1: Change in Indicator 5 over Time: Percentage of Students Served by Category

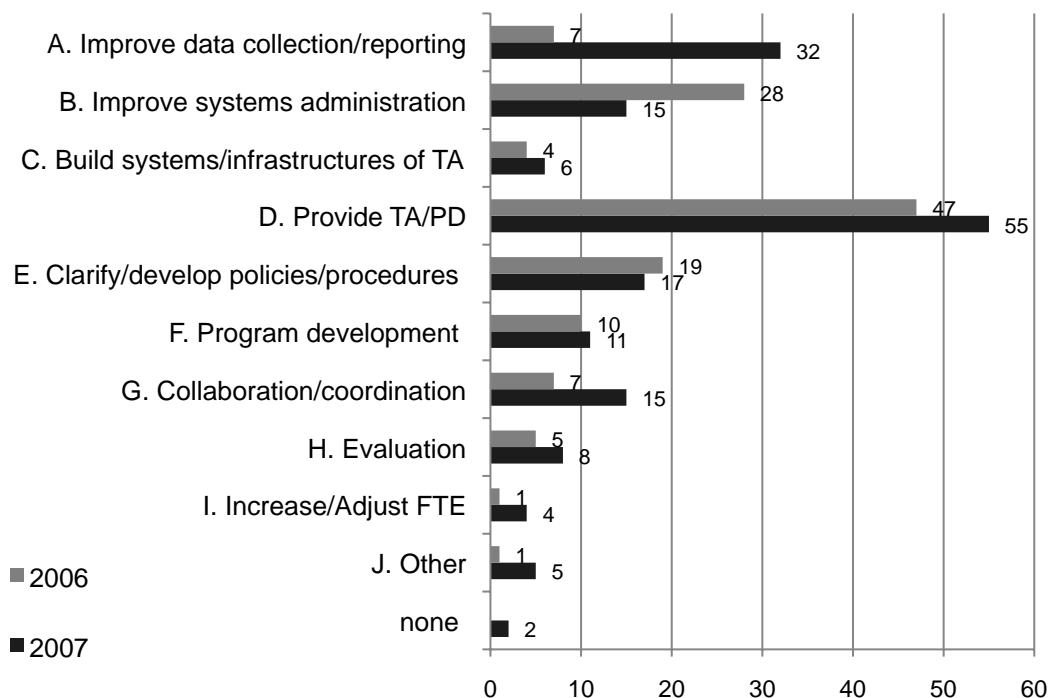


Nationally, the proportion of students served in category A, removal from general education less than 21% of the day, has steadily increased to an average of approximately 59% across all states, with a range of 17% to 94%. While an extreme variation in the proportion of students served in this category remains, it has decreased somewhat from 2004, when the range was 9.5% to 98.7%. There has been little change in the average proportion of students served in category B, but the proportion served in the most restrictive placements, category C, is .40 lower than in 2004. There has been little change in the variation for category B, which had a range of 0 to 32% two years ago. The variation across states in students served in category C has significantly decreased each year of the APRs, from a maximum of 31% in 2005, to 26% in 2006, and 12% in 2007.

Among the ten states that report the highest numbers of students with disabilities served in category A, the mean number of students in category A was 79%, with a range of 69.95% to 94.2%. Territories are most likely to serve the vast majority of their students with disabilities in general education settings for most of the day. The ten states with the lowest numbers of students in category A ranged from 17.34% in general education to 51.4% with a mean of 38.94% of students served in the general education class setting. There seems to be no pattern in the type or location of SEAs experiencing the lowest levels of student participation in the general education class setting, versus those with the greatest levels of student participation in the general education class setting, as measured by students served in category A. There are education units that represent some of the largest population centers in the US as well as the smallest. Among the 10 states with the greatest numbers of students in category A, there are both territories and small population states.

States are increasingly favoring the improvement of data collection and reporting, as well as the provision of technical assistance and professional learning, as improvement activities for this indicator.

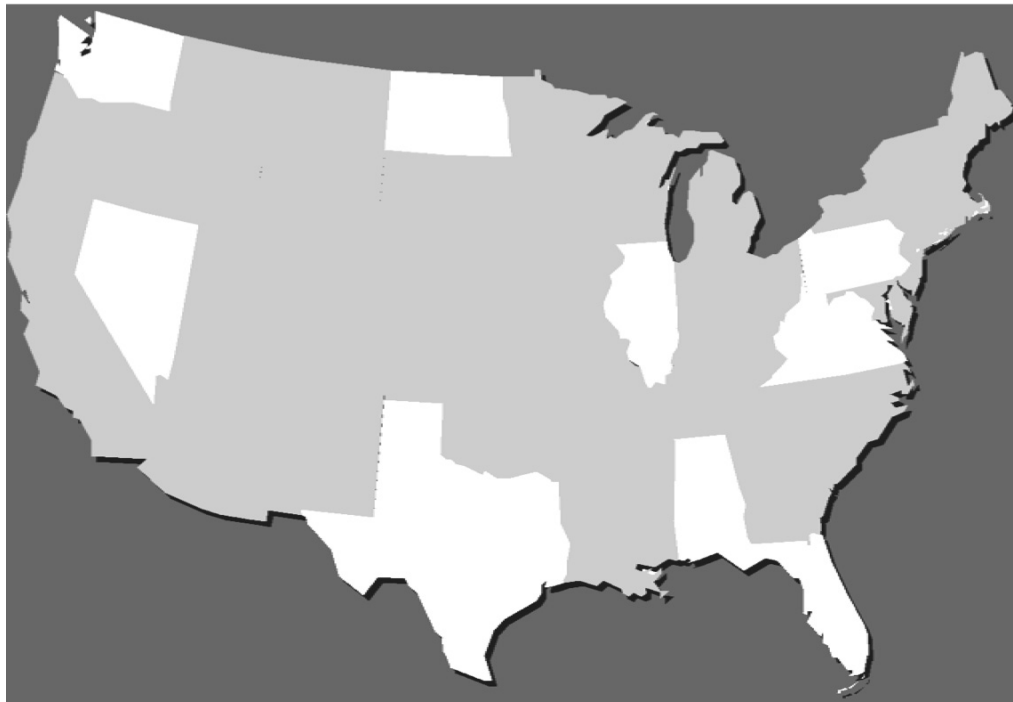
Figure 2: Reported Improvement Activities: 2006, 2007



NIUSI-*LeadScape's* Consultation with States

NIUSI-*LeadScape* is designed to engage principals in a sustained professional community focused on developing capacity to support inclusive educational systems. As such, the focus of NIUSI-*LeadScape's* consultation is on building-level administrators rather than States. Nevertheless, NIUSI-*LeadScape* includes a multi-level networking and dissemination plan that allows for the engagement of multiple levels of stakeholders, including a listserv of over 8,600 members who receive weekly communications from the center. This listserv includes staff from 41 different States or territories. States in the bottom and top of the distribution for number of students served in the general education classroom were equally as likely to be a part of this network. In addition, one State received specialized technical assistance from the center.

Figure 3: Dark States indicate those where administrators at the State Education Agency are members of the NIUSI-*LeadScape* listserv.



Explanations of Progress

Few states provided adequate explanations of progress. Of the explanations offered, multiple states cited the following factors:

- Eight states attributed improvement to a general emphasis on improving access to general education.
- Eight states reported that improvement could be attributed to the professional development opportunities that were provided to teachers and administrators.
- Four states cited the impact of RTI on students' access to general education settings.
- Four states reported an emphasis on team teaching and co-teaching over pullout programs.
- Two states mentioned technical assistance provided by the state as an improvement activity influencing districts' improvement in access to LRE.
-

Other factors cited by individual states include: added programming, emphasis on achievement under NCLB, improved accuracy in the data, increased awareness, district improvement plans, increased collaboration between general and special educators, emphasis on resource rooms over home services, and a shift from separate school placements to self-contained classrooms.

Explanations of Slippage

Although 21 to 28 states failed to show progress in all of the target areas for Indicator 5, few actually provided explanations of slippage. The explanations that were provided included the following rationale:

- The high school service delivery model was mentioned by 2 states as a factor limiting students' with disabilities access to general education classes in secondary school.
- Two states cited block scheduling as a hindrance.
- Other possible causes of slippage included: lack of personnel, lack of adequate training, highly restrictive placement decisions made by non-educational agencies, students moving into the state with restrictive placements, and the failure of students with certain disabilities to keep up with the curriculum in general education classes.

Recommendations

While these data suggest improvement in this indicator, a major limitation is that these data are aggregated across all disabilities and racial groups. This is notable since we know from other studies that access to general education varies substantially when disaggregated by either race/ethnicity and/or disability. For instance, examination of placement data from Table 2-2 at IDEAdata.org shows that less than 16% of students identified with mental retardation are served in category A compared to more than 59% of students identified with learning disabilities and nearly 87% of students identified with speech-language impairment. Likewise, in 2005, just under 60% of all White students were served in category A compared to 21% of Asian students, 44% of Black students, 50% of Native American students, and 53% of Hispanic students (see Table B4A for 2007).

As noted in previous years, there is a need to emphasize the meaning of rigorous targets. We must examine what the least restrictive learning environment for our students is, and engage in dialogues regarding what is appropriate access and participation for students with disabilities so that we can develop goals for making substantive improvements in access for students with disabilities. The APRs should emphasize the need to make changes in what is happening in school systems, in addition to focusing on how we examine and report data. In too many states, overemphasis on data collection and reporting seems to eclipse efforts for making real gains in students' access to general education.

States need to be specific in their reporting of activities and explanations of progress/slippage. Encourage states to think critically about how policies and practices support or hinder access, and to engage in formative evaluation of their stated improvement activities. Some states give little to no consideration to how various actions affect their data while others make suppositions which seem to lack evidence or consideration of why specific activities resulted in change. States attribute a wide array of activities to changes in the data, but the bases for these attributions are unclear. Instead, States should engage in a process of continuous improvement, including an evaluation component, to determine the impact and effectiveness of specific practices and policies.

INDICATOR 7: PRESCHOOL OUTCOMES

Prepared by ECO

INTRODUCTION

The text of Part B Indicator 7 is as follows: Percent of preschool children with IEPs who demonstrate improved: a) Positive social-emotional skills (including social relationships); b) Acquisition and use of knowledge and skills (including early language/ communication and early literacy) and; c) Use of appropriate behaviors to meet their needs.

This summary is based on information reported by 59 States and jurisdictions in the revised State Performance Plans (SPPs) submitted to OSEP February 2009. Please note that States and jurisdictions will be called “States” for the remainder of the report. Also note that the analysis for this report includes only information specifically reported in SPPs. Therefore, it is possible that a State has additional procedures or activities in place that are not described here. In some cases, States did not repeat some of the details about their approach that they reported in last year’s SPP/APR. In those cases, we assumed the information from last year’s report was still correct.

MEASUREMENT APPROACHES

States reported a variety of approaches for measuring child outcomes. Of the 59 States included in the analysis, 38 (64%) said that they are currently using the ECO Child Outcomes Summary Form (COSF). Of these, one State plans to switch from the COSF to the Work Sampling System online. Nine States (15%) reported the use of one assessment tool statewide. Six States (5%) reported that they are using publishers’ online assessments for outcomes measurement. These systems, created and maintained by the publishers of the assessment tools, produce reports based on assessment data entered online. One of these States also uses the COSF for districts and service providers who choose not to use an online assessment.

Seven States (11%) described other measurement approaches. These included a State-developed conceptual model that aligns assessment information with early learning standards, extrapolation of raw assessment data from the State data system, and State-developed summary tools. See a summary of approaches in the table, below.

Table 1: Types of Approaches to Measuring Child Outcomes (N=59)

Type of Approach	Current	Future
COSF 7 point scale	38 (64%)	37 (63%)
One statewide tool	9 (15%)	9 (15%)
Publishers’ online tools	6 ¹ (10%)	7 (11%)
Other	7 (11%)	7 (11%)

¹One of these states also uses the COSF for districts and service providers who choose not to use an online assessment.

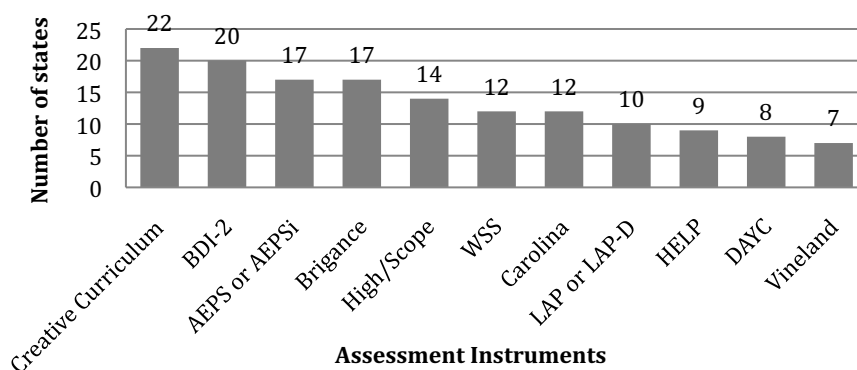
States also described the assessment tools and other data sources on which outcomes measurement is based. Of the States reporting the use of one tool statewide, four named the Battelle Developmental Inventory, Second Edition (BDI-2), one State reported the use of the Assessment, Evaluation, and Planning System (AEPS), one State uses the Work Sampling System (WSS), and one uses selected subtests of the Brigance Inventory of Early Development II statewide. Two States have developed their own assessment tools.

States using publishers' online systems include three States that allow local agencies to choose from several tools and three States that require all programs to use the same tool. Of those using multiple tools, one State allows the use of the Creative Curriculum Developmental Continuum, AEPSi, the online Work Sampling System, and High/Scope; one State allows the Creative Curriculum, AEPSi, and High/Scope; and one allows the Creative Curriculum, AEPSi, and the Brigance. Of those that require the use of one tool, two States use the Creative Curriculum and one uses AEPSi. One State that is currently using the COSF will switch to the online Work Sampling System for the next reporting period.

For States using the COSF, eight required a specific assessment tool or required local programs to choose a tool from an "approved" list, three States recommended the use of certain tools, and two States specifically reported that local programs are free to use the assessment tools of their choice for outcomes measurement. Others cited the "most commonly used" tools or simply said that programs will use multiple sources of information for assessing children's functioning in the three outcome areas.

Across States, the most frequently named assessment tools in use for outcomes measurement were the Creative Curriculum Developmental Continuum, the BDI-2, AEPS, Brigance, High/Scope Child Observation Record, the Work Sampling System, Carolina Curriculum for Preschoolers with Special Needs, Learning Accomplishment Profile (LAP) ,Hawaii Early Learning Profile (HELP), Developmental Assessment of Young Children (DAYC), and the Vineland Adaptive Behavior Scales. See the bar chart below for a summary of most frequently reported assessment instruments.

Figure 1: Most Frequently Reported Assessment Instruments



In addition to formal assessment instruments, some States reported other key data sources in the child outcomes measurement process, including parent/family input (36%) and professional observation (39%). Some instruments include parent input and professional observation as part of the assessment; States using such tools did not always name these data sources in addition to naming the assessment tool.

In general, States' descriptions of their outcomes measurement approaches were similar to those reported last year. There was a slight increase in States using the COSF (from 34 to 38) and publishers' online tools (from 3 to 6). States reporting the use of one tool statewide decreased from 13 to 9. However some of these States are now using the single tool's online version and were therefore counted as using publishers' online tools. There was a slight decrease in the number of States using an "other" approach (from 9 to 7). Only one State reported plans to switch to a new method for outcomes data collection (from the COSF this year to a publisher's online tool next year).

In addition, there was little change in the way States are using assessment data sources with the COSF. This year's lists of assessment tools, parent/family report, and professional observation were very similar to those reported last year.

POPULATION INCLUDED

For this reporting period, 30 States reported that they collected outcomes data statewide, compared with 23 States that collected data statewide last year. Another 16 States described data collection that appeared to be statewide, although they did not specifically say so in their reports. Eight States were not yet collecting data statewide, either because they were still in a "phase-in" process, or because they were switching to a new approach that was not yet in full implementation. Five States reported that they are using a sampling methodology.

The number of States reporting broader outcomes measurement slightly increased this year as compared with last year. Seven States described outcomes measurement systems that encompass both children with and without IEPs, as compared with five last year. These include children in State-supported preschool settings, as well as Head Start and child care.

DEFINITIONS OF NEAR ENTRY AND NEAR EXIT

State definitions of "near entry" and "near exit" data collection were similar to those reported last year. Most States (75%) specified a timeframe within which the first, or "near entry," child outcomes measurement should occur. The variable timeframes within which this measurement was required to occur included: one month (10 States), 45 days (3 States), 60 days (8 States), 90 days (1 State), and 4 to 6 weeks (7 States) from entry. One State allowed entry data collection to take place within 4 months of entry. Rather than specify a timeframe, six States reported that "near entry" data should occur at the initial IEP meeting. Another six States reported that they include outcomes data

collection as part of a regularly occurring assessment cycle. Entry data are collected during the first cycle in which a child is enrolled in the program.

About half of the States (56%) defined data collection at “near exit.” Timeframes within which exit data should occur included 30 days (7 States), 45 days (2 States), 60 days (3 States), and 90 days (4 States). Some States described exit data collection more generally, such as at the end of the school year, at the annual IEP meeting, when the child transitioned from preschool, or prior to the child’s 6th birthday. Those States measuring outcomes as part of a regularly occurring assessment cycle noted that the exit data would be collected in the last cycle in which the child was enrolled in the program.

CRITERIA FOR COMPARABLE TO SAME AGE PEERS

As noted in last year’s report, the criteria States set for functioning at the level of “same age peers” depended upon measurement approach. For States using the COSF process, a rating of 6-7 on the 7-point rating scale indicated that a child’s functioning met age expectations. Most COSF States reported that they used the “COSF Calculator”² to translate data from the 7-point rating scale to the five categories for reporting progress data.

States using one tool statewide or publishers’ online assessments applied developer or publisher-determined standard scores, developmental quotients, or age-based benchmarks and cut-off scores. Some States using online systems were working with publishers to determine cut-off scores for age expectations, as well as for scores corresponding to each of the five progress categories.

PROGRESS DATA 2007-2008

Almost all of the SPPs reviewed this year (58 of 59) reported data in the five progress categories for all three outcomes. Whereas six States did not report progress data last year, only one State was without data this year.

The progress data reported by States continue to represent a wide range in terms of number of children included. Across States, the number of children reported in the data ranged from 3 to 10,157. The upper range more than doubled compared to last year’s maximum of 4,249.

Only one State reported progress data for less than 10 children this year (last year, four States included less than 10 children). Eleven States’ numbers ranged from 10 to 99 and fourteen included 100 to 499 children in the progress data. Ten States were able to include 500 to 999 children and nine States included from 1000 to 1999 children. Seven States included 2000 to 3999 children. Another seven States included 4,000 to 10,157. These numbers show a marked increase in the number of children included in progress data. Whereas last year 19 States included 500 or more children in their data, this year

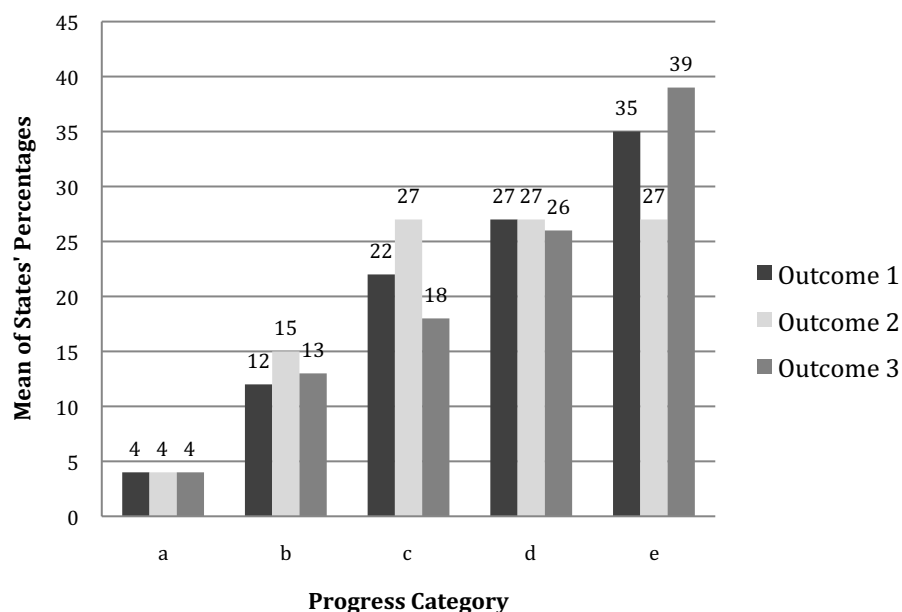
² http://www.fpg.unc.edu/~eco/assets/xls/ECO_COSF_OSEP_Categories.xls

33 States included 500 or more children. The table, below, summarizes the numbers of children included in progress data reported across States.

Number of children in progress data	Number of States
<10	1
10–99	11
100–499	14
500–999	10
1000–1999	8
2000–3999	7
4000–10157	7

Our analysis of progress data is based on the mean percentage of children reported in each progress category, per outcome, across States (see bar chart below). Although this is the second year States reported progress data, and the numbers of children included in the data are increasing, States are still in the early stages of implementing outcome measurement procedures. Therefore, it is still too early to draw conclusions about child outcomes from the analysis. In future years, when States' outcomes measurement systems are more firmly in place, our analysis will also include a calculation of percentages for each progress category based on the number of children included per State, thereby providing a national picture of outcomes for preschool children with IEPs.

Figure 2: Average Percentage of Children in Each Progress Category, by Outcome (N=58 states)



The pattern for this year's analysis is very similar to last year's analysis, with the lowest percentages of children in category "a" and increasingly higher percentages in categories "b" through "e" for Outcomes 1 and 3. As noted last year for Outcome 2, lower percentages of children were reported in category "a," with percentages increasing in categories "b" and "c," and holding steady in category "d." Although the percentages for Outcome 2 decreased in category "e" last year, this year they held steady across progress categories "c," "d," and "e." Data varied by specific progress category as follows.

Progress Category "a": Percentage of children who did not improve functioning.

Across outcomes, States reported similar percentages of 4% in the category of "no improvement." These figures are much lower than those for other progress categories. At 4% across outcomes, these figures are also lower than those reported last year (6–7%).

Progress Category "b": Percentage of children who improved functioning, but not sufficient to move nearer to functioning comparable to same-aged peers.

The percentages of children in the category of "making some improvement" were 12–15%—more than double those in category "a." Compared across outcomes, percentages in this category were higher for Outcome 2 than they were for Outcomes 1 and 3. Percentages for Outcomes 1 and 3 were comparable. These figures are similar to the pattern of last year's progress data, although the percentages are slightly lower this year (12–15% compared to 14–17%) in this progress category.

Progress Category "c": Percentage of children who improved functioning to a level nearer to same-aged peers but did not reach it.

Compared with the percentages reported for progress categories "a" and "b," States reported more children (18–27 %) in category "c." This category represents the children who narrowed the gap but did not catch up. Percentages for Outcomes 1 and 2 were 10 or more points higher than they were in the previous category of children who made some improvement but did not narrow the gap. Percentages of children in this category for Outcome 3, however, were only five points higher than in category "b." Compared across outcomes, the percentages of children category "c" are higher for Outcome 2 than for Outcomes 1 and 3. The percentages reported here are very similar to those reported last year (18–27% this year compared to 17–26% last year).

Progress Category "d": Percentage of children who improved functioning to reach a level comparable to same-aged peers.

For Outcomes 1 and 3, reported percentages of children who "caught up"—27% and 26%—are higher than in the previous progress categories. Outcome 3, in particular, shows percentages of about eight points higher than category "c." Percentages for Outcome 2, however, show about the same percentages of children "catching up" as those who narrowed the gap, but did not catch up (27%). Compared across outcomes, the percentages are quite similar at 26–27%. They are also similar to the pattern reported last year.

Progress Category “e”: Percentage of children who maintained functioning at a level comparable to same-aged peers.

Outcomes 1 and 3 show the highest percentages of children who entered and exited programs functioning at age level—35% and 39%. Compared to the other outcomes, fewer children were reported in this category for Outcome 2 (27%). The percentages for Outcome 2 stayed constant across progress categories “c,” “d,” and “e.” When compared with last year’s data, the patterns are similar for progress category “e,” although the percentages are higher for each outcome.

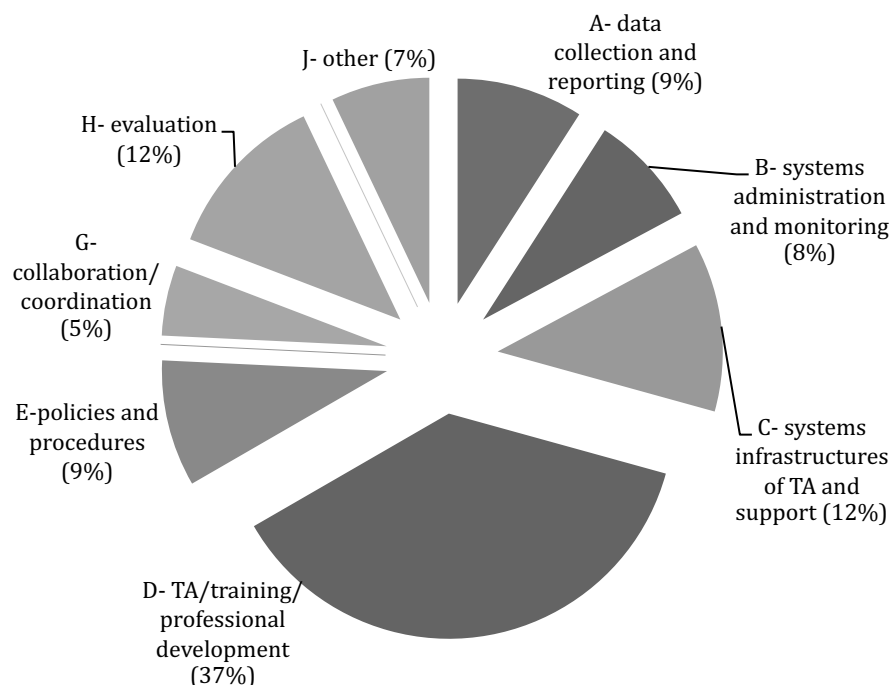
In summary, the average percentages of children in each progress category are similar to those reported last year, in terms of overall pattern. For most outcomes, the percentages are lowest in category “a” and highest in category “e.” Outcome 2 is the exception, with similar percentages of children across progress categories “c,” “d,” and “e.” Notable differences in this year’s report are a decrease in the percentages for category “a” and an increase in the percentages for category “e.”

IMPROVEMENT ACTIVITIES

The following analysis focuses on current and future improvement activities, rather than those that had already occurred for this indicator. All 59 States described current and future improvement activities. Of the 363 activities reported across States, the highest percentage focused on the provision of TA, training and professional development (37%). Along those same lines, many of the improvement activities targeted TA systems and infrastructure improvement (12%). Improvement activities for this indicator also included evaluation (12%), improving data collection and reporting (9%), and clarifying, examining, and developing policies and procedures (9%). States also reported improving systems administration and monitoring (8%) and collaboration activities (5%). “Other” improvement activities (7%) included training and TA to improve service delivery and practices.

In general, the range and variety of improvement activities included in this year’s reports were similar to those reported last year. There was a slight increase in the percentage of activities related to improving systems administration and monitoring (from 5% to 8%) and in “other” activities (from 3% to 7%). A slight decrease was noted in the percentage of activities related to TA, training, and professional development (from 42% to 37%). The pie chart that follows illustrates the percentage of activities reported, per category.

Figure 3: Types of Improvement Activities Reported by States



Analysis of the same data by State (see chart below) showed that most States reported improvement activities related to training and professional development (92%), and more than half reported activities related to building TA infrastructures (53%) and evaluation (54%). Many States reported improvement activities related to improving data collection and reporting (42%), improving systems administration and monitoring (42%), and clarifying and developing policies and procedures (41%). Compared with last year's improvement activities, this year more States addressed systems administration and monitoring (24 compared to 19) and TA infrastructure (31 compared to 25).

Improvement Activity Category	# IAs	# States	% States
A. Improve data collection and reporting	34	25	42%
B. Improve systems administration and monitoring	30	25	42%
C. Build systems and infrastructures of TA and support	43	31	53%
D. Provide TA/training/professional development	132	54	92%
E. Clarify/examine/develop policies and procedures	34	24	41%
F. Program development	0	0	0
G. Collaboration/coordination	18	14	24%
H. Evaluation	45	32	54%
I. Increase/adjust FTE	0	0	0
J. Other	27	16	27%

Improvement activities in the area of TA, training, and professional development continue to focus on assessment practices, including use of specific tools, and on data collection and entry procedures. States described various audiences they hoped to reach, including IEP teams, general and special educators, administrators, new providers, Head Start providers, parents, and other stakeholders. They planned to provide training and TA through statewide early childhood conferences, annual training events, monthly meetings, round-table discussion groups, conference calls, written materials such as newsletters and FAQ documents, and via the web.

States also included improvement activities related to emerging topics, such as training on quality assurance, and on interpreting, analyzing, and using outcomes data. Some States described sharing data with local districts as part of professional development activities.

In the area of TA systems and infrastructure improvement, States continued to describe the development of online training modules, train-the-trainer materials, and surveys of professional development needs and priorities. This year's activities also focused on the review of existing materials, with revisions based on feedback from users. In addition, some States were promoting access to training materials on their websites and through regional TA systems, with emphasis on the delivery of a coordinated, consistent message to their providers and stakeholders about outcomes measurement.

For evaluation improvement activities, States reported the development and implementation of quality assurance procedures, including the review of COSFs and data analysis to identify data collection issues. This year's activities emphasized the sharing and discussion of data with districts and providers in order to provide feedback to them on their performance, as well as to collect recommendations from them on how to improve data collection and reporting. In addition, some States noted that they would evaluate improvement activities for effectiveness.

Activities in the area of data collection and reporting continued to emphasize improving data systems. Some States are still building data systems while others continue to try to modify their existing systems to incorporate outcomes data. States with outcomes data systems in place were increasing reporting features and adding "reminder" mechanisms to reduce missing data. States also continued to provide training and technical assistance on data entry. In addition, for States using online publishers' tools, improvement activities included working with the publishers to improve data analysis and reporting

Activities related to improving systems administration and monitoring for this indicator included expanding existing compliance verification procedures to include child outcomes. States planned to monitor the implementation of data collection, entry, and reporting procedures. Some States said that they would develop a focused monitoring tool or incorporate data verification into local programs' self assessment. Others specified that they would verify outcomes data by comparing the data with information in files as part of an onsite record review.

States continued to describe the use of stakeholder groups as part of their improvement activities related to clarifying, examining, and developing policies and procedures. Based on their advice, States planned to review and revise some of the processes they had put in place to start measuring child outcomes. Some States were reviewing and revising their lists of approved assessment tools. Others were working toward the alignment of outcomes measurement procedures with IFSP or IEP procedures and evidence-based practices.

In the area of collaboration and coordination improvement activities, agencies were working together to align outcomes measurement procedures, standards, data systems, and to develop joint training opportunities. States described collaboration and coordination across Part C and 619 programs, with general early childhood programs, and with Head Start.

ECO TA SUPPORT

Some States named the TA Centers they would involve in their improvement activities. Of the 59 States reporting, 26 said that they planned to seek assistance from the ECO Center. Twenty States reported that they would get help from the National Early Childhood TA Center (NECTAC).

All 59 States included in this analysis received cross-State TA via mechanisms such as the 619 listserv and national conference calls. Almost all (53) attended the national outcomes conference co-sponsored by NECTAC and the Early Childhood Outcomes (ECO) Center and/or participated in ECO/NECTAC communities of practice related to outcomes measurement. Six States received intensive, individualized on-site TA from ECO/NECTAC.

INDICATOR 8: PARENT INVOLVEMENT

Completed by the Technical Assistance ALLIANCE for Parent Centers:

National Parent Technical Assistance Center (PTAC) at PACER Center, Region 1 PTAC at Statewide Parent Advocacy Network, Region 2 PTAC at Exception Children's Assistance Center, Region 3 PTAC at Partners Resource Network, Region 4 PTAC at Wisconsin FACETS, Region 5 PTAC at PEAK Parent Center, Region 6 PTAC at Matrix Parent Network and Resource Center

The text of Part B Indicator 8 reads: "Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities."

This narrative and the Indicator 8 template are based on information from States' Annual Performance Reports (APRs) submitted for FY 2007 and any revisions submitted to OSEP in April 2009. States' State Performance Plans (SPPs) and subsequent revisions were also consulted when information was not available in the APR.

One State did not report any Indicator 8 data due to miscommunication with the survey vendor. Seven States reported separate data for parents of preschoolers (3–5 years) and parents of school-age students (6–21 years). Several other States reported composite performance data but used separate survey instruments or analysis methods for preschool and school-age surveys. Therefore, totals in some of the tables will be more than 60 (the number of states and territories submitting reports). Percentages may not total 100 due to rounding.

For the purposes of this report, "States" refers to the 50 states, nine territories, and the District of Columbia.

SURVEY INSTRUMENT

Data Summary

Table 1: Survey Instruments Used

Survey Instrument	# of States	% of States
NCSEAM	37	63%
Adapted NCSEAM or ECO	10	17%
State-Developed	10	17%
Combination	2	3%

Narrative Summary

Thirty-seven States (63%) used some version of the preschool and/or school-age special education parent involvement surveys developed by the National Center on Special Education Accountability and Monitoring (NCSEAM).

Ten States (17%) adapted questions from the NCSEAM or Early Childhood Outcomes (ECO) Center parent surveys to develop their own Indicator 8 surveys.

Ten States (17%) utilized their own instrument, either one that been developed previously for monitoring or other purposes or a survey created specifically to respond to this APR indicator.

Two States (3%) used a combination of surveys (different survey instruments for preschool and school-age parents).

At least twenty-four States provided translations of their surveys, sometimes into multiple languages. The NCSEAM survey has been translated into Spanish. Many of the island States and Territories translated their surveys into local languages, and several States offered verbal translations of survey questions even if printed copies were not available.

SAMPLING

Data Summary

Table 2: Sampling Methodology

Sampling Method	# of States	% of States
Sample	37	63%
Census	19	32%
Combination	3	5%

Narrative Summary

A variety of sampling plans were used to distribute the parent involvement surveys.

Sample

Thirty-seven States (63%) implemented some type of sampling plan. Generally this involved developing rotating cohorts so that over a two to six year period all districts would be surveyed. These cycles frequently corresponded to existing monitoring plans used by the State to evaluate LEAs. Most often all parents in participating districts would be invited to complete the survey, although sampling was used in larger districts in some States. OSEP requires districts with over 50,000 students to be surveyed annually.

Census

Approximately one third of States (19) utilized a census and made the survey available to all parents of children ages 3–21 receiving special education services.

Combination

Three States (5%) used a combination of census and sampling. Typically in these cases the preschool survey was conducted through a census while a sampling plan was developed for parents of school-age students.

Most States included information in their report regarding the representativeness of the sample that completed the survey.

SURVEY DISTRIBUTION

Data Summary

Table 3: Survey Distribution Methods

Distribution Method	# of States	% of States
Mail	30	51%
Varied	15	25%
Unknown	6	10%
Web	3	5%
In-Person	2	3%
Phone	2	3%
Students	1	2%

Narrative Summary

Mail

Mail was the most common method of distributing the parent involvement surveys. Thirty States (51%) utilized this as their only form of dissemination.

Web

Three States (5%) used the internet as the main way to conduct the survey. States that used online surveys as their primary method of survey collection generally appeared to offer print versions or other options for parents without internet access.

In-Person

Two States (3%) distributed the surveys in-person, either at IEP meetings or as part of monitoring visits.

Phone

Two States (3%) conducted phone interviews or used an automated phone system as their primary method of collecting survey responses.

Students

One State (2%) sent the surveys home with students to give to their parents to complete.

Varied

Fifteen States (25%) used a variety of methods, generally a combination of mail, Web, and phone.

Unknown

Six States (10%) did not include enough information in their reports to determine the survey distribution method used.

RESPONSE RATE

Data Summary

Table 4: Response Rates

Response Rate	# of States	% of States
0–9%	6	9%
10–19%	24	36%
20–29%	18	27%
30–39%	4	6%
40–49%	2	3%
50–59%	0	0%
60–69%	2	3%
70–79%	0	0%
80–89%	1	1%
90–100%	1	1%
Set N	1	1%
Unknown	8	12%

Narrative Summary

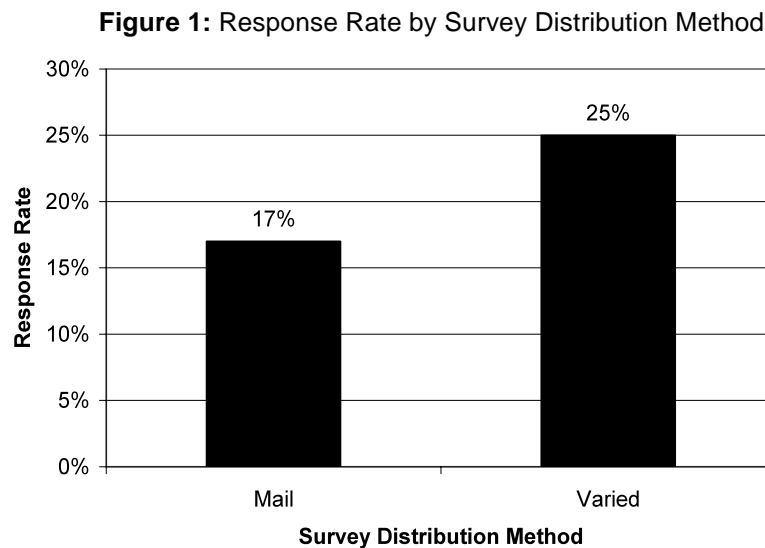
The average response rate across all States was 22.93%. One territory had a 100% response rate from parents of their small preschool population. However, even after removing that outlier from the data the average only dropped to 21.58%. This is less than a 1% increase from FY 2006.

Only ten States reported response rates of 30% or higher.

One State did not report a response rate, but rather determined the sample size (n) needed to achieve the desired confidence interval and margin of error and ensured they collected enough surveys to reach the “n” needed.

Eight States did not report enough information to determine a response rate for their parent involvement surveys.

Response rates seem to be affected by the survey distribution method used by the State. The following chart compares the response rate for the two most highly utilized methods. Fifty-one percent of States distributed the parent involvement surveys by mail, and 25% used “varied” methods which generally included a combination of mail plus an additional option such as web or phone. The data demonstrates that States who offered parents a variety of ways to respond to the survey achieved a higher response rate than those just distributing the survey by mail.



CRITERIA FOR A POSITIVE RESPONSE

Data Summary

Table 5: Criteria for Positive Response

Criteria for Positive Response	# of States	% of States
NCSEAM	20	34%
Percent of Maximum	15	25%
Other	13	22%
Single Question	10	17%
Unknown	1	2%

Narrative Summary

NCSEAM Standard

Twenty States (34%) utilized the NCSEAM standard for determining a positive response to their parent involvement surveys. This represents 54% of States using the NCSEAM Survey.

The NCSEAM standard was developed by a group of stakeholders as part of the NCSEAM National Item Validation Study. The standard is based on the Rasch analysis framework. This framework creates an “agreeability” scale with corresponding calibrations (agreeability levels) for each survey item. Survey items with lower calibrations are “easier” to agree with, while questions with higher calibrations are more difficult. A respondent’s survey answers are compiled into a single measure.

The calibration levels for the NCSEAM survey ranged from 200-800. The stakeholder team recommended using a measure of 600 as the standard for a positive response. This corresponds to the survey item, “The school explains what options parents have if they disagree with a decision of the school.” A score of 600 would mean that the parent had a .95 likelihood of responding “agree,” “strongly agree,” or “very strongly agree” to that question. More information about the NCSEAM standard can be found at: http://www.accountabilitydata.org/parent_family_involvement.htm.

Percent of Maximum

Fifteen States (25%) used a “percent of maximum” method to determine a positive response.

When using a “percent of maximum” analysis, the survey responses for each respondent are averaged and compared to a pre-determined cut-off value that indicates a positive response. For example, on a 6-point scale, a respondent who marked “6 - very strongly agree” to all survey items would receive a score of 100%. Someone who marked “1-very strongly disagree” on all items would receive a score of 0%. Someone who marked “4-agree” on all survey items (or whose responses averaged a score of 4) would receive a score of 60%.

Not all States using this method had the same “cut-off” for a positive response. Many were 4 (60%) on a 6-point scale. Others used 75% (4 on a 5-point scale) or other criteria.

Single Question

Ten States (17%) used a response to a single question to determine whether that parent felt the school facilitated parent involvement as defined in this indicator. Often States used this data analysis method when they were using a state-developed survey that had relatively few questions relating to parental involvement. States using the single question method varied with regard to the degree of agreeability needed to count the item as a positive response (i.e., some States required a response of “yes” to a yes/no question; others required a response of “3” or “4” on a 4-point scale.). One State did further analysis to determine whether the question selected represented parents’ response to the survey as a whole.

Other

Thirteen States (22%) utilized other criteria for a positive response. Many of the “Other” criteria included some sort of average over a subset of survey questions; however, not enough information was included to categorize the precise method used. Several States in this category described the criteria for responses to individual questions to be considered a positive response (e.g., response of “agree” or “strongly agree” on 5 point scale), but did not explain how many or what percentage of questions needed to be responded to in that way for the survey as a whole to be counted towards the State facilitating parent involvement. It is possible some States counted as “Other” used a percent of maximum method but did not indicate that clearly in their report.

Some states in the “Other” category used two questions to determine whether a parent reported that schools facilitated parental involvement.

Additionally, a couple of States seemed to calculate an average survey response across the entire sample of survey questions answered, rather than analyzing each parent’s survey individually. This seems to be a questionable method of performing analysis for this indicator which is supposed to examine the *percentage of parents* reporting that schools facilitate parent involvement.

Unknown

One States (2%) did not describe the criteria for a positive response in its APR or SPP.

INDICATOR PERFORMANCE

Data Summary

The average of the data reported for Indicator 8 in FY 2007 was 63.67%, less than a 1% increase from FY 2006. Thirty-three States met their target, 24 missed their target, and one met its preschool target but missed its school-age target. Two States could not report on meeting their targets because of missing data and new baselines.

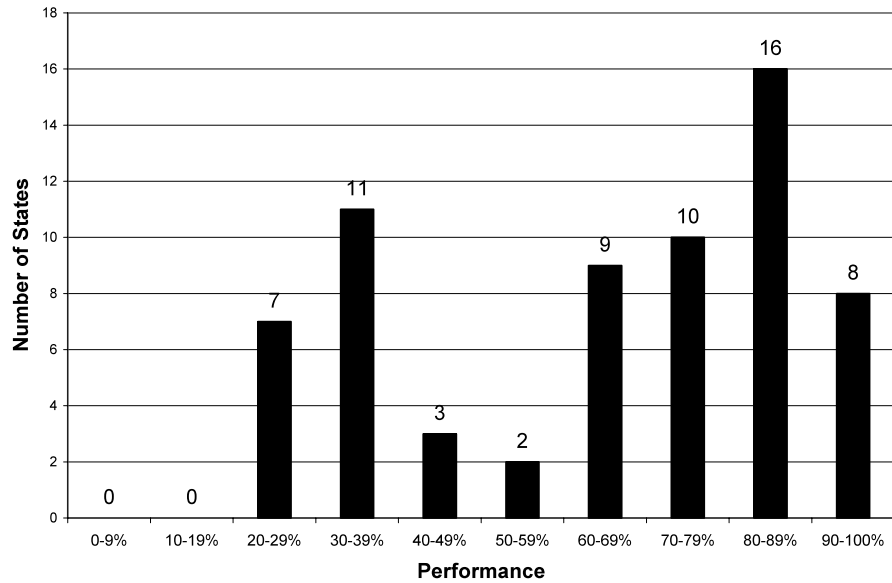
Table 6: Performance Summary: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Ind. 8 Performance	# of States	% of States
0–9%	0	0%
10–19%	0	0%
20–29%	7	11%
30–39%	11	17%
40–49%	3	5%
50–59%	2	3%
60–69%	9	14%
70–79%	10	15%
80–89%	16	24%
90–100%	8	12%

Narrative Summary

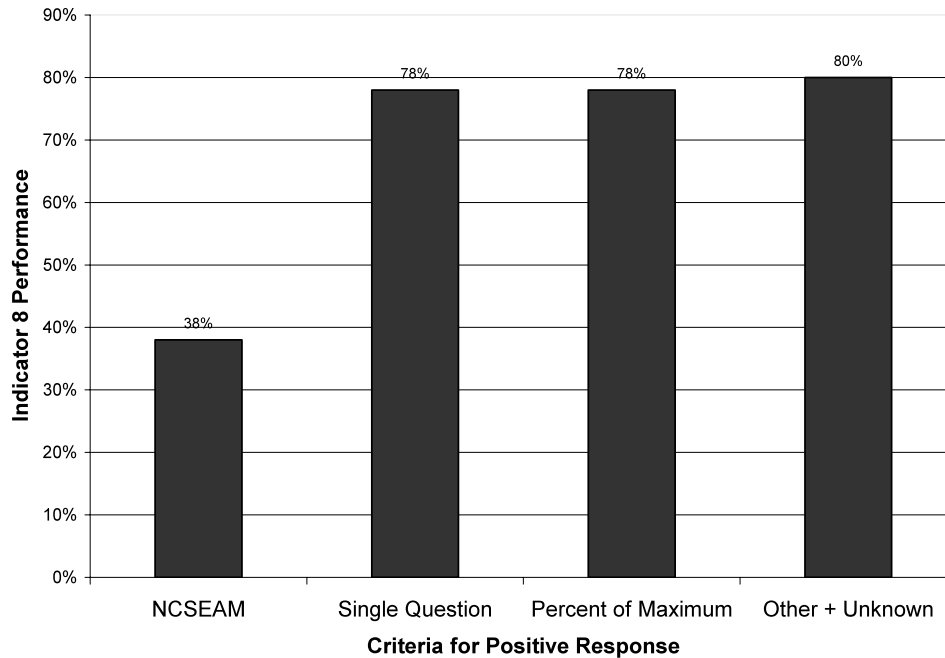
The data for 2006-2007 is distributed in a similar manner to the data from the previous two fiscal years, as demonstrated in the following graph.

Figure 2: Performance Data Distribution



As noted in previous Indicator 8 summaries, there are two distributions of performance data at the lower and higher ends. This data corresponds to the criteria for positive response used by the State. States using the NCSEAM Standard have a lower distribution of scores while those using “percent of maximum” or other methods reported a higher range of percentages. The following chart represents average Indicator 8 performance data based on criteria for determining a positive response.

Figure 3: Performance by Criteria for Positive Response



The NCSEAM standard of 600 using the Rasch framework appears to be a much more rigorous standard than other methods used for data analysis. Centers using the NCSEAM standard reported an average performance of 38% while the combined average of states using other analysis methods was 79%. The difference in distributions among positive response criteria makes it more challenging to compare data across States. It should also be noted that in Table 3, States using “single question” or “percent of maximum” have varying requirements in terms of degree of agreeability required in order to consider a survey a positive response.

TECHNICAL ASSISTANCE (TA) CENTERS CONSULTED

Data Summary

Table 7: Technical Assistance Centers Consulted

TA Center	# of States	% of States
RRCs	15	25%
NCSEAM	12	20%
Other	5	8%

Narrative Summary

Several States cited instances in their improvement activities or elsewhere in the APR where they consulted with technical assistance centers that are part of the OSEP-funded TA&D Network.

Twelve States (20%) reported consulting with the National Center on Special Education Accountability and Monitoring (NCSEAM). NCSEAM completed intensive work on this indicator in terms of survey development and analysis. Many States received TA on using and analyzing the NCSEAM Parent Survey. NCSEAM is no longer an OSEP-funded project, however the Louisiana State University (where NCSEAM was located) Web site still contains many useful materials on the NCSEAM survey and data analysis methods.

Fifteen States (25%) also consulted with Regional Resource Centers (RRCs). RRCs provided assistance on sampling plans, data analysis, and in other areas.

Other OSEP projects consulted include the National Secondary Transition Technical Assistance Center and the National Early Childhood Technical Assistance Center. Several States also mentioned using the National Post-School Outcomes Center's sampling calculator.

PARENT CENTERS

Data Summary

- 40 States (67%) reported some type of partnership with Parent Centers.

Narrative Summary

Forty States mentioned some type of collaboration with their Parent Training and Information Center(s) (PTI) or Community Parent Resource Center(s) as part of conducting the Indicator 8 survey or improvement activities. (In FY 2006, 41 States mentioned Parent Centers in their Indicator 8 reports.)

A wide range of collaborations was reported. Some were very minimal, involving activities such as asking Parent Centers to publicize the survey to families they serve. Others were much more intensive, with Parent Centers playing a major role in improvement activities through parent trainings, assisting with survey collection, and participating on various task forces.

IMPROVEMENT ACTIVITIES

Data Summary

Table 8: Improvement Activities

Improvement Activity	# of States	% of States
A. Improve data collection and reporting	50	83%
B. Improve systems administration and monitoring	36	60%
C. Build systems and infrastructures of technical assistance and support	25	42%
D. Provide technical assistance/training/professional development	49	82%
E. Clarify/examine/develop policies and procedures	18	30%
F. Program development	20	33%
G. Collaboration/coordination	48	80%
H. Evaluation	15	25%
I. Increase/adjust FTE	3	5%
J. Other	2	3%

Narrative Summary

The most frequently used code for improvement activities was “A. Improve data collection and reporting.” Eighty-three percent of States had at least one activity related to data collection. Many data collection activities involved publicizing the survey to increase response rate or improving sampling plans to ensure responses received were representative of the population.

Forty-nine States (82%) reported conducting improvement activities involving technical assistance, training, and staff development. This type of improvement activity had a 24% increase from FY 2006. Technical assistance and professional development activities included school-based workshops, statewide conferences, or other events. They were designed to reach parents, educators and other professionals, or both.

Forty-eight States (80%) reported collaboration and coordination, five percent more than in FY 2006. Often these were activities that involved the PTIs and CPRCs or other parent groups.

The number of States reporting activities to “improve systems administration and monitoring” (code B) also increased from 20 to 36 in the last year.

It is noteworthy that although data collection remained the most frequently used indicator code, many States reported removing survey administration items from their list of improvement activities as conducting the survey had become a regular annual data collection activity. Last year’s Indicator 8 summary report included a concern about the number of activities focused on administering the survey compared to improving parent involvement, but there did appear to be improvement in this area.

CONNECTIONS ACROSS INDICATORS

Only a few States mentioned how parent involvement was connected to other Part B Indicators. Some referenced improvement activities that were listed in other indicators that involved parents or mentioned they hoped that improved parent involvement would have a positive effect on the State's performance in other areas.

DIVERSITY

Very few States described specific activities designed to increase parent involvement of diverse families. Most often the only mention of diversity was translation of the survey or ensuring the representativeness of the survey sample with respect to race/ethnicity.

INDICATORS 9, 10: DISPROPORTIONATE REPRESENTATION DUE TO INAPPROPRIATE IDENTIFICATION

Completed by DAC

INTRODUCTION

The indicators used for SPP/APR reporting of disproportionality data are as follows:

9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

For these indicators, States were required to include the State's definition of "disproportionate representation" and describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.

Measurement of these indicators was defined as:

9. Percent = # of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by # of districts in the State times 100.
10. Percent = # of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by # of districts in the State times 100.

The Data Accountability Center (DAC) compiled all of the FY 2007 APRs for the 50 States, the District of Columbia, the territories, and the Bureau of Indian Education (BIE). (For purposes of this discussion, we will refer to all as States, unless otherwise noted.) We then reviewed each State's APR, focusing on:

- Percentage of districts with disproportionate representation as a result of inappropriate identification
- Number of districts identified with disproportionate representation
- Method(s) used to calculate disproportionate representation
- Definition of disproportionate representation
- Minimum cell sizes used in calculations of disproportionate representation
- Description of how the State determined the disproportionate representation was the result of inappropriate identification
- Descriptions of technical assistance accessed and actions taken by States in Needs Assistance for the second consecutive year

For each of the above, we summarize the results of the analyses and discuss common themes or findings. It should be noted that although we reviewed APRs for all 50 States, the District of Columbia, the territories, and the BIE, our summary focuses only on the 50 States, the District of Columbia, and the Virgin Islands. All the other territories and the BIE Stated that 9 and 10 did not apply to them. We also include a section on the technical assistance provided to States by DAC with regard to these indicators.

PERCENTAGE OF DISTRICTS WITH DISPROPORTIONATE REPRESENTATION AS A RESULT OF INAPPROPRIATE IDENTIFICATION

In their APRs, States were required to report on the percentage of districts that had disproportionate representation that was a result of inappropriate identification for both 9 and 10.

Forty-nine States (94%) reported the percentage of districts that had disproportionate representation that was a result of inappropriate identification for both 9 and 10. One additional State reported data for 9 but not for 10 because children were not identified by disability in that State.

- For 9, the percentages of districts that were reported to have disproportionate representation that was the result of inappropriate identification ranged from 0% to 8% ($M=0.3$ and $Mdn=0.0$). Of the 50 States that reported data for 9, 42 States (84%) reported that 0% of their districts had disproportionate representation that was the result of inappropriate identification.
- For 10, the percentages of districts that were reported to have disproportionate representation that was the result of inappropriate identification ranged from 0% to 14.4% ($M=1.0$ and $Mdn=0.0$). Of the 49 States that reported data for 10, 35 States (71%) reported that 0% of their districts had disproportionate representation that was the result of inappropriate identification.

Of the two States that did not report data for 9 and 10, one State reported it had a flawed definition of disproportionate representation in its SPP and a lack of reliable data for FY 2005 and FY 2006. The other State did not report these data because it had not yet completed its review of identified districts' policies, procedures, and practices.

NUMBER OF DISTRICTS IDENTIFIED WITH DISPROPORTIONATE REPRESENTATION

In their APRs, States were asked to report on the number of districts that were identified with disproportionate representation and subsequently were targeted for a review of their policies, procedures, and practices.

- For 9, 44 States (85%) provided these data; an additional 2 States (4%) provided data on the number of cases identified with disproportionate representation, but it was unclear how many districts these cases represented.

- For 10, 41 States (79%) provided these data; an additional 8 States (15%) provided data on the number of cases identified with disproportionate representation, but it was unclear how many districts these cases represented.

A percentage of the States that reported on the number of districts they identified as having disproportionate representation reported that no districts were identified, meaning that none of the State's districts met the State's definition of disproportionate representation.

- For 9, 13 States reported that they identified no districts with disproportionate representation.
- For 10, six States reported that they identified no districts with disproportionate representation.

A number of States went on to report that all of the districts they identified as having disproportionate representation were found to be in compliance after a review of their policies, procedures, and practices. That is, the disproportionate representation was not the result inappropriate identification.

- For 9, 28 States reported that all of the identified districts were found to be in compliance.
- For 10, 29 States reported that all of the identified districts were found to be in compliance.

METHODS USED TO CALCULATE DISPROPORTIONATE REPRESENTATION

The APR instructions advised States that they should consider using multiple methods to calculate disproportionate representation to reduce the risk of overlooking potential problems. However, States were not required to use multiple methods or to use a specific methodology to calculate disproportionate representation. Thus, the APRs were examined to determine what method or methods States used to calculate disproportionate representation. Overall, 49 States (94%) reported the method that was used to calculate disproportionate representation.

States Using One Method

The majority of States used one or more forms of the risk ratio as the sole method for calculating disproportionate representation (36 States or 69%). For the purposes of this report, we consider the risk ratio, the alternate risk ratio, and the weighted risk ratio all to be versions of the same method.

A small number of States used other methods as their sole method for calculating disproportionate representation (five States or 10%). These methods included composition, the E-formula, and an analysis of means calculation.

States Using Multiple Methods

Eight States (14%) used more than one method to calculate disproportionate representation. The methods States combined consisted of risk ratio, odds ratio, composition, disparity index, and other calculations that focused on the expected number of students. Some of the combinations were:

- Composition and a disparity index
- Composition and risk ratio
- Risk ratio and odds ratio
- Risk ratio and an expected number of students calculation
- Risk ratio and risk

Two of the States that used multiple methods to calculate disproportionate representation reported using different methods for 9 than they did for 10. For another State, the method that was used depended upon the number of students with disabilities in the district who were from the racial/ethnic group.

DEFINITIONS OF DISPROPORTIONATE REPRESENTATION

States were instructed to include the State's definition of disproportionate representation in their APRs. The definitions that States used varied and depended upon the method the State used to calculate disproportionate representation.

A number of States (10 States or 19%) required that the district meet the State's definition of disproportionate representation for multiple years—typically 2 (four States) or 3 (six States) consecutive years—before the district was identified as having disproportionate representation. In addition, seven of the States that reported using multiple methods to calculate disproportionate representation required that the district meet the State's definition for disproportionate representation for two or more methods before the district was identified as having disproportionate representation. One State identified districts as having disproportionate representation if the district met the State's definition for just one of the methods.

Five States (10%) did not provide a definition of disproportionate representation. In addition, although most States included definitions for both overrepresentation and underrepresentation, four States (8%) did not provide a definition for underrepresentation.

Risk Ratio

Most of the States using the risk ratio defined disproportionate representation with a risk ratio cut-point. That is, the risk ratio had to be greater than the cut-point for overrepresentation and had to be less than the cut-point for underrepresentation.

- For overrepresentation, the most common risk ratio cut-points were 3.0 (used by 16 States), 2.0 (used by 8 States), 2.5 (used by 6 States), and 4.0 (used by 5 States). Other cut-points included 1.5, 2.8, and 3.5.

- For underrepresentation, the most common risk ratio cut-points were 0.25 (used by 14 States) and 0.33 (used by 6 States). Other cut-points included 0.2, 0.3, 0.4, and 0.5.

Three States used different cut-points for 9 than they did for 10. For example, one State used risk ratio cut-points of 3.00 and 0.25 for 9 and risk ratio cut-points of 4.00 and 0.20 for 10. In addition, one State used different risk ratio cut-points for each racial/ethnic group.

A small number of States did not use cut-points to define disproportionate representation when using the risk ratio. For example, three States calculated risk ratio confidence intervals, and one State calculated a “risk gap” by subtracting the risk ratio for white students from the risk ratio for the racial/ethnic group. In another State, risk ratios were part of a process that ranked districts then subjected the lowest ranking districts to a chi-square test of statistical significance.

Other Methods

States that calculated disproportionate representation using composition defined disproportionate representation in three ways. These were:

- A percentage point difference in composition (e.g., 2%, 10%, 15% or 20%)
- A relative difference in composition. For overidentification, 20% more and 40% more were used. For underidentification, 20%, 40%, and 50% less were used
- A difference in composition of more than three standard deviations

Some States used calculations that focused on the expected number of students. Disproportionate representation was flagged in those districts whose actual number of students with disabilities for the racial/ethnic group exceeded or fell short of the expected number of students by 5% or 10%. One State used an impact estimate that presumably was also based on the difference between an expected number of students and the actual number of students.

MINIMUM CELL SIZE USED IN CALCULATIONS OF DISPROPORTIONATE REPRESENTATION

Forty States (77%) specified minimum cell sizes that they used in their calculations of disproportionate representation. There was quite a bit of variation with regard to States’ definitions of “cell”; some States used enrollment data (all students), while others used child count data (just students with disabilities). Fifteen States used more than one minimum cell size requirement, usually requiring that two or three different minimum cell size requirements be met before proceeding with their analyses. Some States made different choices for overrepresentation and underrepresentation, and one State required that minimum cell sizes be met for 2 consecutive years.

Some of the most common cell size requirements used by States are discussed below.

Enrollment Data

- Fourteen States used enrollment data for each racial/ethnic group. Most of these States used a minimum cell size of 20 or 30.

Child Count Data

- Eight States used child count data for each racial/ethnic group. Most of these States used a cell size of 10.
- Eleven States used child count data for each racial/ethnic group for 9 and child count data by disability category for each racial/ethnic group for 10. Most of these States used a cell size of 10.
- Two States used child count data without disaggregating at all. One State required that there be 10 students with disabilities in the district, and the other State required 30 students.
- Two additional States had similar requirements for 9 but then for 10, disaggregated the child count data by disability category. These States used cell sizes of 40 and 45.
- One State required at least 10 students in “any” racial/ethnic group for each disability category. It was unclear exactly how this was interpreted, but it did eliminate all but three of the State’s districts from the analyses.

Others

- Seven States counted the number of students in the comparison or “other” group. It was not always made clear exactly what the comparison group was. The cell sizes for this group ranged from 10 to 100.
- Twelve States that indicated they used a minimum cell size did not specify whether this number was referring to child count data or to enrollment data. For example, several States simply said that they used a minimum cell size of 10 students.
- One State eliminated from consideration ethnic groups that formed less than 5% or more than 95% of the total district enrollment. Another included the minimum of 5% as one of its requirements for underrepresentation.

DESCRIPTION OF HOW THE STATE DETERMINED DISPROPORTIONATE REPRESENTATION WAS THE RESULT OF INAPPROPRIATE IDENTIFICATION

For 9 and 10, States were required to describe how they determined that disproportionate representation of racial/ethnic groups in special education was the result of inappropriate identification. All but four States (8%) included this information in their APR. The amount of information States included about their reviews of policies, procedures, and practices varied, however. Some States provided only limited detail regarding how this was accomplished, while other States included quite a bit of detail. Some of the approaches that States described are summarized below. In many cases, States’ reviews included a combination of two or more of these approaches.

Twenty-six States indicated that at least some reviews included State-level monitoring activities. Some of these were linked to the State's standard monitoring process. These monitoring activities are listed below, with the number of States mentioning each in parentheses.

- Reviews of policies, practices, and procedures (includes desk audits; 17)
- Reviews of student records (10)
- Reviews of existing monitoring data (6)
- Onsite visits (5)
- Reviews of due process complaints (2)
- Additional data collection and analysis (1)

Twenty-five States required at least some identified districts to complete a self-assessment or a self-study. Of these States, seven indicated that the finding from the self-assessments would be reviewed at the State level. Three additional States used data from self-assessments that were completed by all districts as part of the State's monitoring activities and were not specific to the districts being identified as having disproportionate representation. Of the States that used self-assessments, 17 indicated that they provided districts with a disproportionality tool or rubric to guide the review process. Some of the activities that States mentioned were included as part of the self-assessment process are listed below, with the number of States mentioning each in parentheses.

- Reviews of policies, practices, and procedures (includes desk audits; 21)
- Reviews of existing monitoring data (5)
- Reviews of student records (4)
- Data verification (3)
- Onsite visits (1)
- Additional data collection and analysis (1)

A small number of States (three States or 6%) described using a different set of procedures for determining if overrepresentation was the result of inappropriate identification than they did for determining if underrepresentation was the result of inappropriate identification.

STATES IN NEED OF ASSISTANCE FOR TWO CONSECUTIVE YEARS

Any States that were found to be in need of assistance for two consecutive years were required to describe in their APRs the sources from which they received technical assistance and the actions they took as a result of that assistance. Eight States were found to be in need of assistance for two consecutive years for 9 and/or 10; with one exception, all of these States included the requested information in their APRs.

Sources of Assistance

These States reported that they received technical assistance from multiple sources via conference calls, in-person meetings, and email correspondence. These sources included:

- DAC
- RRCs
- RTI Center
- Outside consultants and experts
- OSEP

States also noted that they reviewed and/or downloaded information or documents from different websites, including those of the RRCs, NASDSE, NCCRESt, and States recommended by the RRCs. States also mentioned participating in various regional and/or national meetings and conferences, such as the National Accountability Conference, the OSEP Leadership Conference, and the National Disproportionality Forum.

Actions Taken as a Result of the Assistance

As a result of the assistance they received, these States reported that they took a range of actions, including:

- Developing a new calculation methodology and/or definition for determining disproportionate representation
- Improving data collection and analysis procedures to ensure accuracy and timeliness
- Implementing a new process for reviewing district-level practices, policies, and procedures or refining an existing process
- Developing or improving TA documents and trainings for districts
- Defining more clearly the evidence of correction needed for districts identified as having disproportionate representation as a result of inappropriate identification

TECHNICAL ASSISTANCE TO STATES

DAC records were reviewed to determine the number of States receiving specific levels of technical assistance from DAC in FY 2007. The levels of technical assistance listed below are defined by DAC and are not precisely aligned to those in the OSEP draft Conceptual Model. The percentages of States that received technical assistance from DAC are reflected using the following three codes:

- A. National/Regional—100%
- B. Individual State TA—6%
- C. Customized TA—0%

DAC provided National technical assistance on disproportionality by means of two documents that were made available to all States:

1. *Methods for Assessing Racial/Ethnic Disproportionality in Special Education: A Technical Assistance Guide* (available on www.IDEAdata.org)
2. An Excel disproportionality spreadsheet application designed to assist States with their district-level analyses (available by emailing IDEAdata@westat.com or calling 1-888-819-7024)

DAC also responded to States' questions about these two documents, as well as more general questions about calculating disproportionality, via conference calls and emails. In addition, all States were provided the opportunity to attend the annual Data Meetings sponsored by OSEP/DAC.

INDICATORS 9, 10: DISPROPORTIONALITY

Completed by NCRTI

OVERVIEW

For the 2007-08 IDEA Annual Performance Reports (APRs), the Office of Special Education Programs (OSEP) has assigned the National Center on Response to Intervention (NCRTI) with the task of analyzing and summarizing State progress with addressing disproportionality in special education as measured by priority indicators 9 and 10. NCRTI is focused on providing States and local school districts with evidence-based information, tools and technical assistance that increases their capacity for implementing effective Response to Intervention (RTI) frameworks for student support. The key components of RTI include identifying students at risk for poor learning outcomes, providing evidence-based, culturally responsive supports and interventions, and monitoring student progress. RTI has a strong potential for reducing and possibly eliminating the disproportionate identification of students for special education (Indicator 9) and for special education in specific disability categories (Indicator 10). The formal definitions of these indicators are as follows:

- Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. (20 U.S.C. 1416(a) (3) (C)).
- Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. (20 U.S.C. 1416(a) (3) (C)).

The narrative that follows provides a review of States' levels of disproportionality due to inappropriate identification and improvement activities, in aggregate form, from the APRs of 50 States and territories for Indicator 9 and 49 States and territories for Indicator 10. The remaining States and territories did not provide 2007-08 APR data in response to these indicators. The target goal for each indicator is zero percent disproportionality that is the result of inappropriate identification.

DEFINING DISPROPORTIONALITY AND INAPPROPRIATE IDENTIFICATION

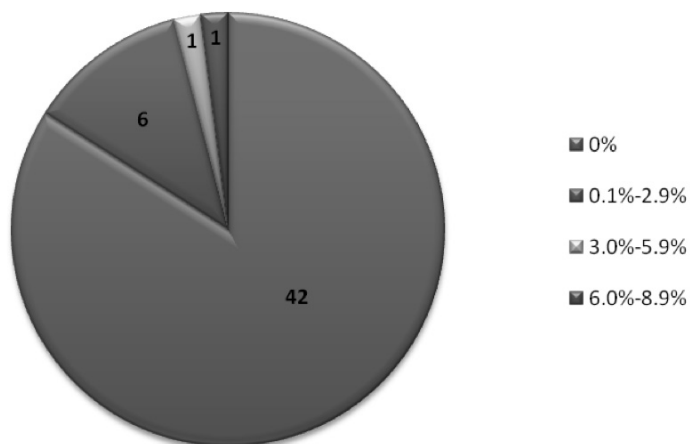
Under IDEA regulations, SEAs are allowed to develop their own standards for determining disproportionality and inappropriate identification. Over the past three reporting years, the majority of States have utilized some variation of the relative risk ratio for comparing the odds of identifying a specific student subgroup to the odds for identification of all other groups (e.g., weighted risk ratio, alternate risk ratio), with cutoffs for disproportionality ranging from 0.25 to 0.33 for underrepresentation and 1.5 to 4 for overrepresentation. Some States using the risk ratio specify that district data must be above the established cutoff ratio for either two or three consecutive years in order to be considered disproportionality. Other States have utilized a subgroup composition index, with cutoffs ranging from 5% to 20%.

The process for determining inappropriate identification is determined by each SEA. Once the target cutoff for establishing disproportionality has been reached, many States require LEAs to complete a self-assessment of existing policies, procedures and practices related to special education referral and identification, report their findings back to the SEA, and then a decision is made on the appropriateness of the identification process. In some cases the SEAs verify LEAs findings through onsite visits, interviews with key personnel and review of student records.

STATE REPORTED LEVELS OF DISPROPORTIONALITY—INDICATOR 9

For 2007-08, a growing number of States reported no occurrence of disproportionality due to inappropriate identification in any of their local school districts. In addition, no State reported more than nine percent of local districts as having disproportionate representation due to inappropriate identification. For Indicator 9, 42 States reported that none of their local districts were determined to have disproportionality due to inappropriate practices. Six States reported that less than 3% of local districts were determined to have disproportionality due to inappropriate practices. One State found 3–5.9% of districts to have disproportionality due to inappropriate identification and one State found 6–8.9%. No States found more than 9% of local districts to have disproportionality due to inappropriate identification (see Figure 1).

Figure 1: States with LEAs Determined to Have Disproportionality Due to Inappropriate Identification (Ind. 9, 2007-08)



This data represent numerical improvement over previous years, with two States reporting over 9% of local districts with disproportionality due to inappropriate identification in 2005-06, zero States in 2006-07, and zero in 2007-08 (see Table 1).

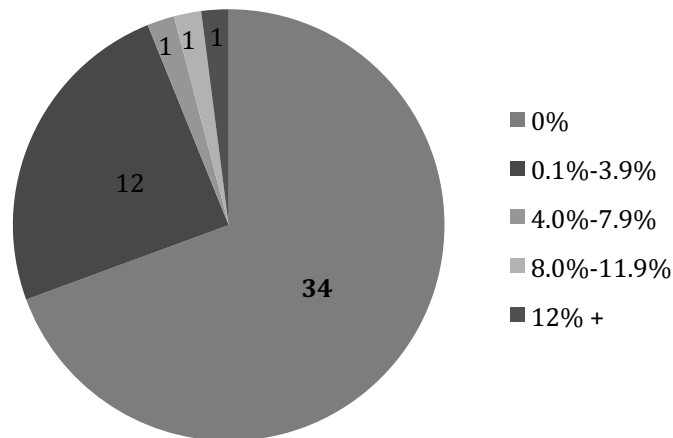
Table 1: Number of States Reporting Percentage of LEAs with Disproportionality Due to Inappropriate Identification, 2005-06 – 2007-08.

APR Report Year Indicator 9	0%	0.1–2.9%	3.0–5.9%	6.0–8.9%	9% or Higher	Total SEAs
2007-08	42	6	1	1	0	50
2006-07	38	7	4	1	0	50
2005-06	26	13	3	3	2	47

STATE REPORTED LEVELS OF DISPROPORTIONALITY—INDICATOR 10

As with Indicator 9, for 2007-08 a growing number of States reported no occurrence of disproportionality in specific disability categories (Indicator 10) due to inappropriate identification in any of their local school districts and no State reported more than 9% of districts as having disproportionate representation due to inappropriate identification. For Indicator 10, 34 States reported that none of their local districts were determined to have disproportionality due to inappropriate identification. Twelve States reported that less than 4% of local districts were determined to have disproportionality due to inappropriate identification. One State found 4–7.9% of districts to have disproportionality due to inappropriate practices and one State found 8–11.9%. One State reported more than 12% of local districts as having disproportionality in specific disability categories due to inappropriate identification (see Figure 2).

Figure 2. States with LEAs Determined to Have Disproportionality Due to Inappropriate Identification (Ind. 10, 2007-08)



As with Indicator 9, these data represent numerical improvement from previous years, with four States reporting over 12% of local districts with disproportionality in specific disability categories due to inappropriate identification in 2005-06, two States in 2006-07, and only one State in 2007-08 (see Table 2). The number of States reporting no district disproportionality in specific disability categories grew from 21 in 2005-06 to 27 in 2006-07 to 34 in 2007-08.

Table 2: Number of States Reporting Percentage of LEAs with Disproportionality in Specific Disability Categories Due to Inappropriate Identification, 2005-06 – 2007-08

APR Report Year Indicator 10	0%	0.1–3.9%	4.0–7.9%	8.0–11.9%	12% or Higher	Total SEAs
2007-08	34	12	1	1	1	49
2006-07	27	13	3	3	2	48
2005-06	21	11	3	6	4	45

TRENDS ACROSS INDICATORS 9 AND 10

For Indicator 9, the number of States reporting zero LEAs with disproportionality due to inappropriate identification grew from 26 in 2005-06 to 42 in 2007-08, an increase of 62%. The number of States reporting more than 3% of districts with disproportionality due to inappropriate identification decreased from eight States in 2005-06 to two States in 2007-08, a decrease of 75%.

For Indicator 10, the number of States reporting zero LEAs with disproportionality in specific disability categories due to inappropriate identification grew from 21 in 2005-06 to 34 in 2007-07, an increase of 62%. The number of States reporting more than 4% of districts with disproportionality due to inappropriate identification decreased from 13 States in 2005-06 to three States in 2007-08, a decrease of 76%.

EXPLANATIONS OF SLIPPAGE AND PROGRESS

As indicated in the summary of indicator trends, for 2007-08 States generally showed progress or maintained their status in reducing their levels of disproportionality due to inappropriate identification. For Indicator 9, the number of States reporting zero LEAs with disproportionality due to inappropriate identification grew from 38 in 2006-07 to 42 in 2007-08. Specific reasons for the documented progress were generally not provided by States. For slippage, only two States reported setbacks from 2006-07. One of these States claimed slippage was the result of the establishment of a more comprehensive data collection process for the current reporting year.

As with Indicator 9, for Indicator 10 most States reported progress or maintenance of their disproportionality status. The number of States reporting zero LEAs with disproportionality due to inappropriate identification grew from 27 in 2006-07 to 34 in 2007-08. Again, only two States reported slippage from 2006-07 with “a more active role” by directors in district review procedures and a “turnover in administration” provided as reasons for the slip in progress.

REPORTED IMPROVEMENT ACTIVITIES

States reported a variety of improvement activities aimed at reducing or preventing disproportionality. The number of States reporting each type of improvement activity for 2006-07 and 2007-08 is presented in Table 3. By far, the most frequently reported activity was the provision of technical assistance, training and professional development. Table 4 provides a breakdown of the specific types of TA, training and professional development activities engaged in by States. Clarification and development of policies and procedures regarding disproportionality were also common across the States and territories. The relatively low number of States and territories that indicated the building of infrastructures for TA and support may reflect the financial and personnel capacity challenges currently experienced by many SEAs.

Table 3: Number of States Reporting Improvement Activities by Type

Improvement Activity	Ind. 9 2006-07	Ind. 9 2007-08	Ind. 10 2006-07	Ind. 10 2007-08
A. Improve data collection and reporting	9	21	3	17
B. Improve systems administration and monitoring	10	24	8	23
C. Build systems and infrastructures of technical assistance and support	3	2	9	4
D. Provide technical assistance/training/professional development	46	45	39	45
E. Clarify/examine/develop policies and procedures	27	35	25	33
F. Program development	13	10	11	8
G. Collaboration/coordination	20	20	12	18
H. Evaluation	12	8	6	5
I. Increase/Adjust FTE	3	2	1	2
J. Other	0	0	0	1

Table 4: TA, Training and Professional Development Activities Reported by States

PD Activities	Number of States
RTI (Response to Intervention)	14
Disproportionality awareness training	12
Positive behavior supports	12
Policy/procedures/assessment/ progress monitoring	11
Instructional strategies and supports	10
Screening and identification	8
Cultural and linguistic diversity	7
Collaborative partnerships and school support	6
Data entry and analysis	4
Early intervention	4
Pre-referral interventions	3
Inclusive practices	2
Achievement gap awareness training	1
School climate	1

Needs Assistance States

As part of section 616(e) of the IDEA and 34 CFR §300.604, States that do not show substantial compliance or improvement with respect to indicator guidelines (i.e., very high performance, defined as 95% or better or timely correction of noncompliance), are determined to need assistance in meeting compliance. If a State is determined to need assistance for two consecutive years, the Secretary of Education must take one or more of the following actions:

1. Advise the State of available sources of technical assistance that may help the State address the areas in which the State needs assistance
2. Direct the use of State-level funds on the area or areas in which the State needs assistance
3. Identify the State as a high-risk grantee and impose special conditions on the State's Part B grant award

States that were so directed by the Secretary to take such action for Indicators 9 and 10 reported on their TA activities for 2007-08, which is summarized below.

For Indicator 9, there were seven States in the “needs assistance” category for two consecutive years as of 2007-08. These States focused on accessing available TA services related to disproportionality, including participation in training meetings by State staff and the use of assessment tools and online supports from a variety of sources, including OSEP, national centers (DAC, NCCREST, and NCRTI), Regional Resource Centers, and national associations (NASDSE). One State provided funding for a State-based TA center on disproportionality.

For Indicator 10, there were five States in the “needs assistance” category for two consecutive years as of 2007-08. These States accessed the same variety of resources indicated for Indicator 9 and one State also contracted with consultants to provide direct TA to its State disproportionality team.

SUMMARY AND RECOMMENDATIONS

In the context of continuing national and State overrepresentation of racial and ethnic minority groups in special education, it is encouraging that States are making progress towards the goal of eliminating disproportionality due to inappropriate policies, procedures and practices. The growing participation of States in specific improvement activities, including improved data collection, reporting and monitoring; provision of TA, training and professional development; and collaboration and coordination with other agencies, centers, and associations offers the promise of continued improvement on these priority indicators. In contrast, the reduction in the number of States working to build infrastructures for technical assistance and the decrease in program development around disproportionality indicate the need for broader support to States in addressing this problem.

INDICATOR 11: TIMELY INITIAL EVALUATIONS

Completed by DAC

INTRODUCTION

FY 2007 (2007-08) was the third year of required data reporting for Indicator 11. Among the 60 States and territories, two States submitted baseline data.

This indicator requires the State to collect and report data from the State's monitoring activities or data system. Additionally, the State is required to indicate the established timeline for initial evaluations. The instructions direct States to refer to "initial" eligibility determination.

Specifically, Indicator 11 measures the "percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline)." The performance target for this indicator is 100%. Specifically the indicator States:

Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State-established timeline) (20 U.S.C. 1416(a)(3)(B))

Measurement:

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days (or State-established timeline).
- c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days (or State-established timeline).

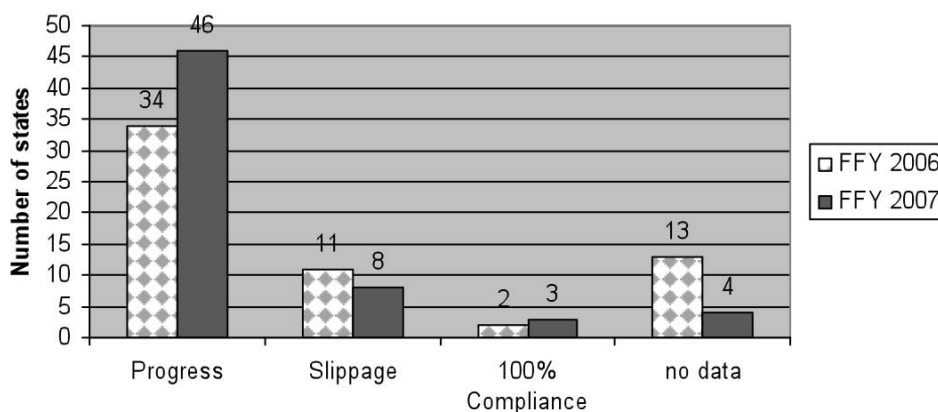
Account for children included in "a" but not included in "b" or "c." Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delay. Percent = [(b + c) divided by (a)] times 100.

The remainder of this analysis focuses on five other elements: (1) States' descriptions of progress and/or slippage; (2) descriptions of technical assistance accessed and actions taken by States in Needs Assistance for the second consecutive year; (3) discussion of States' established timelines; (4) method of data collection, range of days beyond the timeline and reasons for delays; and (5) States' improvement activities.

PROGRESS OR SLIPPAGE

In FY 2007, the number of States reporting progress rose from 34 (57%) to 46 (77%); two States (3%) maintained 100% compliance; and one State newly achieved 100% compliance. The State that newly achieved 100% compliance is counted twice, once in the progress tally and once in the 100% tally. Therefore, the total appears to be 61 States. The number of States reporting slippage declined from 11 States (18%) to eight States (13%). Finally, two States (3%) had baseline data, and two States (3%) did not report in the APR whether there was progress or slippage.

Figure 1: Comparison of FFY 2006 and FFY 2007 Data for Indicator 11



The target for this indicator is 100%. States are continuing to move toward that goal. In FY 2007, 21 States (35%) reported that they were at or above a substantial compliance benchmark set at 95%. This is an increase of 11 States (18%) from FY 2006.

A total of 45 States reported reasons for their progress or slippage. The explanations of progress focused on various aspects of technical assistance to the LEAs. Most of the States reporting slippage cited changes to their data collection systems or to the data itself. Specifically:

States attributed progress to a variety of factors, including:

- States increased the level of LEA accountability
- States provided intensive targeted assistance to LEAs and/or preschool sites
- State worked directly with schools, resource specialists, and teachers
- States increased their focus on LEAs with noncompliance with the goal of identifying and correcting barriers. In some States site visits, file reviews were conducted
- States added new data collection elements or changed the data collection methods that resulted in improved accuracy of the data
- States increased clarity of guidance/ technical assistance documents
- OSEP instituted the requirement of this indicator
- LEAs used focus groups or other effective problem solving processes
- States provided consistent procedures for timely evaluations and paperwork and the implementation of CAPs
- States provided increased awareness and understanding of the timelines, better defined procedures, and continued public reporting of the timelines
- States increased reporting requirements and imposed sanctions on outside corporations/contractors

States attributed slippage to:

- A decrease in the number of initial evaluations and an increase in the percentage of eligible students
- The use of a new database that still has some inconsistencies that are being corrected
- Improved accuracy of the data system
- Increasing the number of records reviewed
- Not completing the process until an MDT meeting had occurred

STATES IN NEED OF ASSISTANCE FOR TWO CONSECUTIVE YEARS

For Part B, in total for all indicators, 26 States were found to be in need of assistance for two consecutive years in June 2008 for the FY 2006 APR. For 13 States, Indicator 11 was specifically identified as a factor. IDEA requires those States to receive technical assistance, designate the State as a high-risk grantee, or direct the State to use the State set-aside funds in the areas where the State needs assistance. Eleven of the 13 States provided information on the technical assistance accessed and actions taken in this specific indicator.

The following is a synopsis of the States' responses to the determination letters. States responded with assurances they:

- Reviewed and revised their improvement activities
- Provided technical assistance to LEAs
- Held regional trainings
- Identified areas of noncompliance and then demonstrated compliance
- Districts submitted CAPs
- Made timely corrections
- Redefined their definition of a finding
- Realigned their self-assessment/monitoring system to be consistent with the Indicator
- Submitted census data that were valid and reliable
- Described their progressive enforcement action procedures
- Began reporting correction of noncompliance by the number of findings
- Explained how the uncorrected finding of non-compliance was resolved through dispute resolution

States were asked to report their sources of technical assistance. The sources included the SERRC, MPRRC, NERRC, WRRC, DAC, and OSEP. States also downloaded information related to this indicator from the RRFC and OSEP websites. Specifically, OSEP's Memorandum on the Correction of Non-Compliance and the Investigative Questions Document for Part B were mentioned. One State, other than Wyoming, also used Wyoming's *Early Intervention Monitoring Manual*.

Some States mentioned specific conferences as sources of technical assistance. States indicated that information was gleaned from the OSEP Data Managers Meeting, the National Accountability Conference, the General Supervision Regional Meeting, the Summer Leadership Meeting, and the State Systems Improvement Regional Forum.

DAC TECHNICAL ASSISTANCE PROVIDERS TO STATES

DAC records were reviewed to determine the number of States receiving specific levels of technical assistance from DAC in FY 2007. The levels of technical assistance listed below are defined by DAC and are not precisely aligned to those in the OSEP draft Conceptual Model. The percentages of States that received technical assistance from DAC for this indicator are reflected using the following three codes:

- A. National/Regional TA—100%
- B. Individual State TA—3%
- C. Customized TA—0%

ESTABLISHED TIMELINES

The Indicator stipulates a timeline of “60 days (or State-established timeline).” States’ timelines for evaluation ranged from 25 school days to 120 days. There was great variation in the use of the term “days.” Across the States, terms used included “school days,” “working days,” “business days,” as well as “calendar days.”

- The majority of States, 40 (67%), used 60 days as their timeline. Among this group:
 - 22 States did not define “days”
 - 12 States used calendar days
 - 5 States used school days
 - 1 State used 60 school days for districts and 60 calendar days for charter schools and the State’s early intervention program.
- Only 6 States (10%) used a 45-day timeline. All of those States defined the term “day” as a school day
- Other definitions were used by 14 States (23%). Among this group:
 - 4 States used 25 to 40 school days
 - 2 States used 65 days, 1 of which used “business” days, and the other did not stipulate
 - 2 States used 90 days, the days were not defined
 - 1 State used 60 calendar or 45 school days
 - 1 State used 30 school days for preschool and 60 calendar days for school age
 - 1 State used 45 school days or 90 calendar days, whichever was shorter
 - 1 State used 120 days
 - 1 State used 80 days
 - 1 State did not provide data for this indicator in its APR

DATA COLLECTION METHODS

Determining the primary data collection method used for this indicator was difficult because many States provided minimal information about the setup and implementation of their data systems. Furthermore, only approximately three-fourths of the States and territories reported their data collection systems. Among this group, a wide variety of data collection methods were used. Some States collected data at the State level while others collected at the LEA level. Additionally, in some States multiple methods were reported. In summary, States:

- Had statewide electronic tracking systems that used various program applications
- Used individual student-level data collection systems that were reported at the LEA level
- Required their DOE to work directly with school resource specialists and teachers
- Required LEAs to develop self-monitoring processes that included reviews of student files, interviews with key personnel, and surveys
- Conducted State-level onsite monitoring visits and reviewed student records;
- Used desk audits in addition to other methods
- Mentioned that they added additional tables or data collections requirements to their child count requirements, but were nonspecific
- Monitored timelines through reports submitted by each LEA
- Selected LEAs on a cyclical basis
- Combined Excel-based data collection forms with paper systems
- Did not specify further than saying that the data were extracted from the census data collected; other States specified an online census of every district

RANGE OF DAYS BEYOND THE TIMELINE AND REASONS FOR THE DELAYS

States are required to report the range of days they exceeded the timeline. Only two States did not report a range. An additional three States reported that they stayed in the timelines and achieved 100% compliance. However, 21 States did not report an upper boundary.

The minimum ranges were:

- 1 day: 48 State. Most started the range at 1 day, but a few started at 36, 46, or 61 days because they continued the count from their established timeline. These States are included in the minimum of 1 day
- 2 or 3 days: 5 States
- 7–9 days: 2 States

The maximum ranges were:

- Less than 50 days: 5 States
- 51–99 days: 6 States
- 100–200 days: 9 States
- 201–433 days: 14 States
- Not reported: 21 States. These States reported an upper range from more than 21 days to more than 150 days, but did not provide an upper limit

Most States, including States that did not report a range of days, provided reasons for delays in meeting the timelines. The reasons for the delays varied, but reasons mentioned by more than one State were:

- Shortages or turnovers in qualified personnel
- Student delays (e.g., student illness, student absence for reasons other than illness, student incarceration)
- Family delays (e.g., parent cancelled meeting, parent did not show up, parent did not sign consent or evaluation plan when transferring from 0-3 Program)
- Scheduling conflict among school personnel
- Lack of cooperation from non-public schools
- School breaks
- LEA did not provide timely followup or lacked an adequate tracking/scheduling system
- School error (lost files)
- Evaluations not received in a timely manner
- Delays in receiving medical records or reports
- Need for further testing (requested either by the family or school personnel)
- Transfer into or out of the district
- Custody issues
- Weather-related delays, natural disaster, and/or power outages

IMPROVEMENT ACTIVITIES

One of the requirements of this indicator is the implementation of improvement activities that will increase compliance. The activities described in the APR were analyzed using the codes developed by OSEP. The “Other” category was not used in this indicator analysis. Category H, evaluation, was used in a somewhat broad way that included audits, internal and external evaluations of the improvement process, and targeted self-assessments conducted at the district level.

Among the 60 States and territories, four States (7%) did not include improvement activities under Indicator 11 in the APR, and one additional State only reported improvement activities for Section 619. Technical assistance was the most widely

reported activity, while increasing or adjusting the number of personnel was used the least. This same pattern was true in FY 2006.

Among the States reporting improvement activities, the number of activities reported per State for this indicator ranged from 1 to 23. The average number of activities reported per State was 4.7. The improvement activities used by the remaining 56 States are included in Table 1. Activities are listed from most frequently reported to least.

Table 1: Summary of Improvement Activities

Improvement Activity Category	Total Number of Improvement Activities	Percentage of Activities
D. Provide TA/training/professional development	106	37
A. Improve data collection and reporting	42	15
B. Improve systems administration and monitoring	38	13
E. Clarify/examine/develop policies and procedures	32	11
H. Evaluation	26	9
G. Collaboration/coordination	19	7
C. Build systems and infrastructures of TA and support	8	3
F. Program development	7	2
I. Increase/Adjust FTE	6	2
Total	284	100

OBSERVATIONS AND CONCLUSIONS

Overall, the number of States moving toward the goal of 100% compliance for this indicator is increasing. Again, this is evidenced by the fact that 24 States were either at 100% or substantial compliance levels. Numerous States attributed the general progress to either the technical assistance they provided their local LEAs or the technical assistance they received at the State level from either OSEP or the RRCs. Technical assistance was again the most widely used improvement activity.

In both FY 2006 and 2007, lack of qualified personnel, particularly those skilled in conducting evaluations and translating, was one of the most frequently mentioned reasons for not meeting the timelines, yet increasing staff was the least frequently identified improvement activity. It is not clear as to why this trend continued, but possible reasons include an inability to attract qualified personnel to certain regions of the country and lack of funding to hire new personnel.

INDICATOR 12: EARLY CHILDHOOD TRANSITION

Completed by NECTAC

INTRODUCTION

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

The Individuals with Disabilities Education Improvement Act (IDEA) specifies that in order for a State to be eligible for a grant under Part B, it must have policies and procedures that ensure that, “Children who participated in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part [Part B] experience a smooth and effective transition to those preschool programs in a manner consistent with 637(a)(9). By the third birthday of such a child an individualized education program has been developed and is being implemented for the child” [Section 612(a)(9)].

The following analysis of Part B Indicator 12 is based on a review of Part B Annual Performance Reports (APRs) for FY 2007-08 of 56 of 59 States and jurisdictions. Indicator 12 does not apply to three jurisdictions in the Pacific Basin because those jurisdictions are not eligible to receive Part C funds under the IDEA. For the purpose of this report all States and territories are referred to collectively as States.

In responding to this indicator, States were required to report on their actual 2007-08 performance data, discuss their completed improvement activities, give an explanation of progress or slippage, and describe any revisions to their targets, improvement activities and timelines. As part of the measurement formula for this indicator, States were also asked to indicate the range of days and reasons for delays for not having an IEP developed and implemented by the third birthday. States designated by OSEP as having a determination level of needs assistance for two consecutive years were required to describe technical assistance accessed to improve performance.

DATA COLLECTION AND MEASUREMENT

Data Sources

The majority of States (34) used State data systems as the data source for reporting on the early childhood transition indicator requirements. The capacity of States to include the transition measurement requirements into statewide data systems has increased steadily since the FY 2005-06. The number of States using statewide data systems has not increased significantly since the last reporting period. However, the capacity of States to report on all the measurement requirements has significantly improved. In the 2007 APR, many States that were using data systems reported more than one data source because systems needed refinements to include all the required data elements. Prior to FY 2007-08, States that reported data systems as a data source were sometimes unable to report on all the measurement or descriptive report requirements

such as the range of days for delays, reasons for delays and incidence of parental refusal for consent. Therefore, the data displayed in Table 1 for Baseline 04-05 represents a duplicated count.

Thirteen States were coded in the category of “Other” data collection source. These States typically described using statewide forms, Excel workbooks, and spread sheets. One State required LEAs to develop databases for data collection on the indicator but used a spread sheet for the statewide data collection. The number of States reporting monitoring as a sole data source has decreased over time, representing a trend toward reporting census data. It was not possible to determine the data source for four States.

Table 1: Comparison of Types of Data Sources Reported Over Time

Data Collection Source	Number of States 05-06	Number of States 06-07	Number of States 07-08
State data system	24	33	34
State data system and monitoring	NA	1	3
Monitoring	16	8	2
618 data (represents duplicated count for 05-06)	13	1	0
Other	6	6	13
Not reported	8	7	4

Reasons for Delay

States are required to provide information on the reasons why IEPs are not in place by a child’s third birthday. States demonstrating progress are required to report on this element unless they demonstrated 100% compliance. States describe a variety of factors causing delays. Delays were typically related to system capacity or family related scheduling issues. Some of the most frequently mentioned system capacity delays are related to late referrals from Part C and initial evaluation issues. As compared to the previous reporting periods, most States were able to document and factor out “Measurement d: # of children for whom parent refusal to provide consent caused delays in evaluations or initial services”.

Target Population – Children Referred by Part C

As part of the measurement formula for Indicator 12, States are required to report on the number of children who have been served in Part C and referred to Part B for eligibility determination. The total number of children referred from Part C to Part B in FY 2007-08 was 105,364. The national number of children referred ranged from 19 to 10,226. All States reported data on the number of children referred in FY 2007-08 as compared to previous reporting periods. Table 2 displays the distribution of children referred by number of States. In previous reporting periods it was sometimes unclear whether census or sampling approaches were used for reporting child referral data. States were more likely to provide census data for FY 2007-08. Even the 13 States that collected data on spread sheets and unique statewide data collection forms reported statewide data.

Table 2: Distribution of Children Referred by State FY 2007–08

Number of Children Referred	Number of States
8,000 to 10,000	3
6,000 to 8,000	2
4,000 to 6,000	0
2,000 to 4,000	13
1000 to 2,000	12
500 to 1,000	10
200 to 499	8
100 to 200	3
Less than 100	5

Data Sharing

Four States reported using unique child identifiers. Three of the four States utilizing a unique identifier reported compliance performance of 96% to 100% and the other State demonstrated considerable progress since the prior reporting period. An additional four States described improvement activities related to the development of unique identifiers. Twelve States continued to describe data sharing activities across Part C and Part B. States reported using data to jointly track local performance on timelines and to determine technical assistance needs. States reported collaborative activities such as developing a mechanism to document reasons for delay, monthly meetings of the data managers, evaluating data system effectiveness, and joint data verification.

COMPARISON OF BASELINE, TARGET AND ACTUAL PERFORMANCE

Ten States met full compliance and an additional 19 States met the OSEP definition of substantial compliance (95% and higher). Table 3 displays the distribution for FY 2007-08 performance in comparison to FY 2006-07 performance for 52 States. In FY 2007-08, three States did not have valid and reliable data.

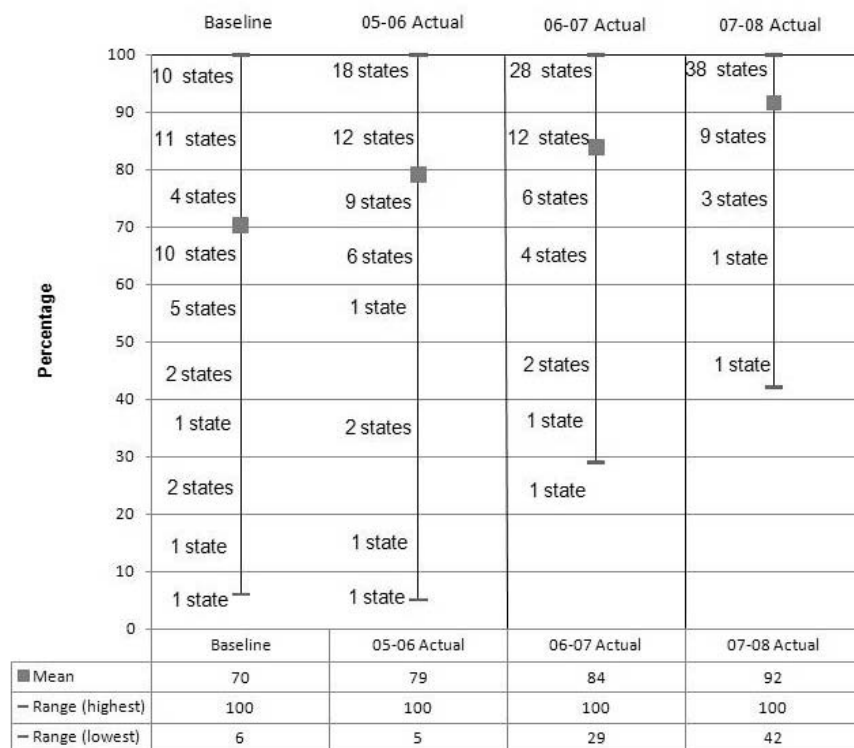
Table 3: Comparison of Distribution of State Performance from FY 06-07 to 07-08

Actual Performance	Number of States (06-07)	Number of States (07-08)
100%	5	10
95–99%	14	19
90–94%	8	9
85–89%	3	6
80–84%	9	3
70–79%	7	3
60–69%	3	1
< 50%	3	1
Data Not Valid and Reliable	3	3
No data	1	

Comparison of Baseline and Actual Performance

Figure 1 illustrates the change in State performance from baseline through subsequent reporting periods. The trend in performance is positive with the majority of States reporting performances above 90%. The mean performance has risen from 70% at baseline to 92% in FY 2007-08. The number of States reporting on the indicator has also increased. FY 2007-08 was the first reporting period that all States reported data since the first APRs were written for Indicator 12. The data for three States were not included in this analysis as their data were not determined to be valid and reliable. The range has also decreased since FY 2006-07 with the lowest performance rising from 6% at baseline to 29% in FY 2006-07 and 42% in FY 2007-08.

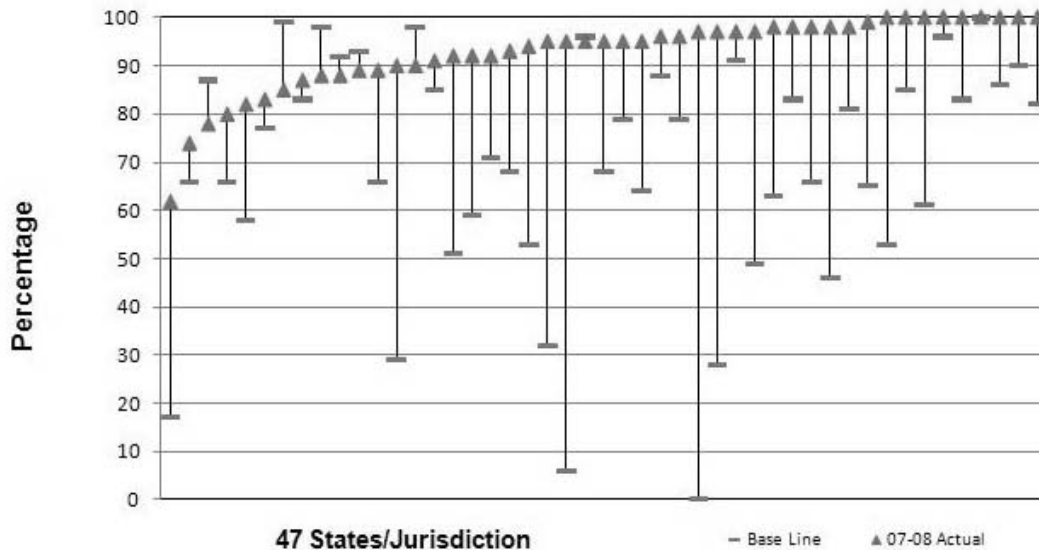
Figure 1: Comparison of Baseline, Actual 05-06, Actual 06-07, and Actual 07-08



Trajectory from Baseline

Figure 2 illustrates the trajectory of 47 States' performances from baseline to the FY 2007-08 reporting period. Data could not be provided for nine States that did not report baseline or performance for FY 2007-08. Seven States reported performance that was below their baseline. However, some of the seven States reported inflated baselines before improvements occurred in data quality. Overall, States have shown considerable progress from baseline.

Figure 2: Trajectory from Baseline to Actual Performance in FFY 07-08



EXPLANATION OF PROGRESS AND SLIPPAGE

Thirty-four States reported progress, six States reported slippage and nine States reported no change. It was not possible to calculate progress or slippage for four States. One State had not reported data for the previous year and three States did not report valid and reliable data. It should be noted that for the purposes of this report, progress and slippage were defined as less than a full percentage point change and that percentages were rounded to the nearest whole number. Five of the six States reporting slippage showed a change of only one to two percentage points from the prior reporting period. Four States demonstrated substantial compliance of 95% and higher. All nine States reporting no change in performance were at 95% and higher, with four States maintaining a performance of 100%.

Explanation of Progress

All but three of the 34 States reporting progress provided an explanation. The most frequently reported factor related to progress was improved data collection, analysis, and reporting processes (N=17). The second most frequently mentioned factors were Training, TA, and Policy Clarification (N=13). States also mentioned collaborative activities with Part C and other entities (N=9), improved monitoring processes, focused attention on transition, and building local capacity to meet the transition requirements. Quite a few States stressed that implementing their improvement activities positively impacted their performance.

Explanation of Slippage

Four of the six States reporting slippage provided an explanation. Three of the four States only described one reason for slippage. One State described a variety of factors contributing to slippage. It should be noted that most States reporting slippage were still

performing at 95% or higher. These States reported several factors including moving from a cyclical monitoring approach to statewide reporting, difficulty in conducting timely evaluations, district capacity and late referrals from Part C. One State's data were impacted negatively by the low performance of specific LEAs in this particular monitoring cycle.

IMPROVEMENT ACTIVITIES

Completed Improvement Activities

All States reported on improvement activities conducted during FY 2007-08. There was a range in the number of activities reported and variation in the level of detail provided. Thirty-seven States reported additional activities completed beyond the reporting period. In some cases, the reporting period and status for an activity was not clearly designated. Activities initiated or completed after the reporting period were not included in this analysis.

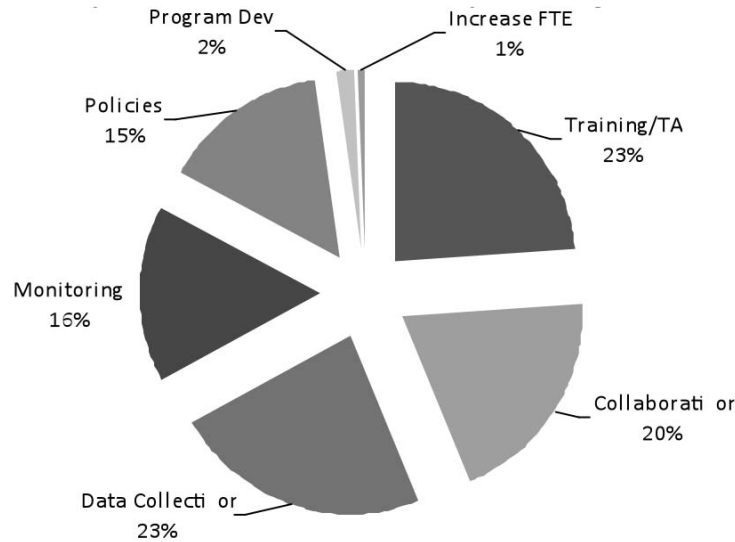
Table 4 provides a comparison of the types and frequency of improvement activities reported by States for the last two reporting periods. Fewer improvement activities were reported as "completed" or "completed and ongoing" as compared to FY 2006-07. In FY 2007-08 States reported completion of 149 activities, as compared to 216 completed activities in FY 2006-07.

Table 4: Comparison of Types of Improvement Activities Used by States

Improvement Activity	Number of States 06-07	Number of States 07-08
Provide TA/Training/Professional Development	49	42
Collaboration/Coordination	39	35
Improve Data Collection and Reporting	37	40
Improve Systems Administration and Monitoring	37	28
Clarify/Examine/Develop Policies and Procedures	30	26
Program Development	9	3
Increase/Adjust FTE	6	1
Build Systems/Infrastructures of Technical Assistance	5	0
Evaluation	4	0

Generally, the types of improvement activities described by States were similar to the previous reporting period. The provision of training and technical assistance continued to be the most frequently reported. Activities pertaining to data collection and reporting processes moved to the second most frequently used and activities supporting collaboration and coordination ranked third. No activities were reported as completed during FY 2007-08 for building TA systems or program evaluation as compared to the previous reporting period. Figure 3 presents data showing percentage by category of improvement activities used by States to improve performance and correct noncompliance for FY 2007-08.

Figure 3: Proportion by Category of Activities Reported by States



Technical Assistance, Training and Professional Development

In previous reporting periods, many States described training and professional development activities. While States did report on the development of new materials and online courses for FY 2007-08, more States described completed and ongoing annual training events and TA opportunities. Routine training was provided to LEAs and administrators on the transition and APR requirements at statewide meetings and conferences. A few States reported ongoing quarterly training activities conducted collaboratively with Part C. States reported collaborative training with the Parent Training and Information Centers as well as with Part C State staff. One State completed the development of an online course collaboratively with Part C that will be required for LEAs not demonstrating compliance. Most States described training as generally covering transition requirements, but a few States described training and TA on specific topics. The topics included Regulation 300.301(d) (the exception for parent refusal to provide consent), practices for children with summer birthdays, local interagency agreement development, referral procedures, and eligibility.

Data Collection and Reporting

States reported a variety of completed improvement activities to develop, refine or maintain data collection and reporting capacity. Some of the States that used other data collection mechanisms described efforts to design or modify statewide data systems to include the transition measurement requirements. Six States described completion of tasks related to data system development, such as field testing and adding required data elements. The majority of States with existing data systems reported on completion of data verification processes with LEAs. In this reporting period more States described activities as completed and ongoing in relation to data collection processes. A few States with existing data systems reported modifications to define and add reasons for delay. States reported routine data sharing between Part B and Part C databases and a few States described their efforts to develop a unique child identifier.

Collaboration and Coordination

States reported a variety of collaborative activities with Part C and Parent Training and Information Centers such as reciprocal participation on steering committees and task forces to address issues and desired practices, development or revision of guidance documents, design and implementation of joint training and TA, updating and implementing State interagency agreements, dissemination of materials, and data sharing. Many of the reported activities represented routine and ongoing coordination as compared to the first reporting periods when States described new activities. One State described collaboration with Part C to conduct joint monitoring of local programs which was a unique activity. A few States described joint support for the development and implementation of local community teams and use of local interagency agreements and supporting LICCs to identify and address transition issues.

Systems Administration and Monitoring

Many States described the routine and ongoing implementation of their systems of general supervision to identify and correct noncompliance, created processes for root causes analysis and provided targeted follow-up TA to LEAs on corrective action plans. A few States reported unique strategies such as designing a self-assessment for LEAs to use in developing corrective action plans, including performance on Indicator 12 as criteria for local determinations and collaboration with Part C in monitoring.

Policies and Procedures

Twenty- six States reported the completion of improvement activities related to clarification, revisions, or development of policies and procedures. Eight States reported revisions and updates to special education handbooks, policy bulletins, State rules, FAQs, and memoranda to reflect IDEA 2004 and APR reporting requirements. Seven States reported the development of new resources such as planning forms, FAQs, memoranda, and guides. Three States reported changes and updates to specific policies. These policies pertained to child find, eligibility, and notification requirements. One State education law was amended to require preschool special education services be provided as soon as possible following IEP development.

Program Development

Only three States reported new program development activities. One State redirected funds to issue grants to LICCs for supporting local activities focused on child find and transition issues. Another State reported a policy to allow school districts to provide teacher units for serving infants and toddlers. The third State was awarded a SpecialQuest grant that will include activities to address transition.

Correction of Non-Compliance

In this analysis and the OSEP review, 33 States reported the correction of non-compliance from the previous reporting period. Some States reported on outstanding compliance from FY 05-06 as well. In FY 2007-08, the number of States describing actions taken to identify and correct non-compliance increased compared to FY 2006-07 representing improvement to State systems of data collection, verification and

general supervision. Ten States did not report correction of all identified non-compliance. Five of the 13 States that did not report findings were at 100% compliance.

USE OF NECTAC TA CENTER

All States received a standard set of basic technical assistance on early childhood transition such as Part C and Section 619 Coordinator listserv postings and dissemination of updates to the NECTAC, NECTC, DAC, and Transition Initiative web sites. States also received information on resources posted to the SPP/APR web site specifically for Indicators C8 and B12. Upon request, 19 States received less extensive technical assistance resources via telephone, email and face to face meetings on the topics of evaluation, child find, interagency collaboration, and transition.

Concurrent and post conference sessions on transition and networking opportunities with colleagues were provided during the December 2007 OSEP National Early Childhood Conference. NECTAC staff and Regional Resource Center Programs collaborated during the Winter and Spring of 2008 by providing TA in five regional meetings focusing on transition for Part C and Part B State level personnel. NECTAC collaborated with the RRCP to provide two conference calls on evidenced-based practice and data sharing mechanisms. On site presentations and training were conducted with two States and five States received more intensive, sustained ongoing consultation by NECTAC in collaboration with their respective RRC.

STATES WITH NEEDS ASSISTANCE DETERMINATION AND ACTIONS TAKEN

IDEA identifies specific technical assistance or enforcement actions for States that are not determined to meet requirements. The Secretary of the U.S. Department of Education must take one or more actions against States that are determined to be in the category of needs assistance for two consecutive years (NA2). One of the actions the Secretary may take is to advise States of available sources of technical assistance that may help the State address the area of need. Fifteen States received a needs assistance determination for a second year based on their performance on Indicator 12. These States may have received this determination because of performance on other indicators in addition to Indicator 12. This analysis only describes technical assistance accessed and actions taken related to the early childhood transition indicator.

It should be noted that all but one of the 15 States reported progress on their performance. Five of the 15 States' improved performance to a level of substantial compliance with another five reporting performance below 90%. The one State reporting slippage gathered data from specific programs designated during cyclical monitoring. Figure 4 displays the degree of change for NA2 States from FY 2006-07 to FY 2007-08. The NA2 States' performance reflected an average gain of nine percentage points.

Figure 4: Change in Performance for NA2 States from FY 2006-07 to FY 2007-08

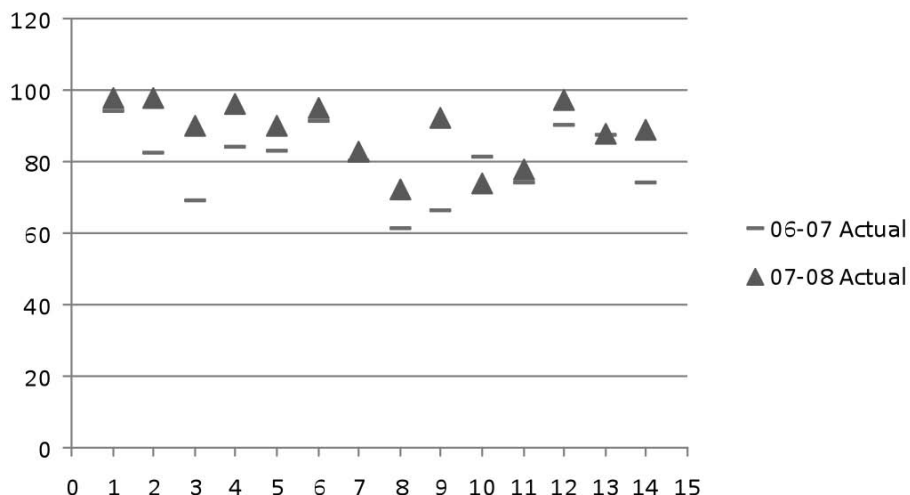


Table 5 depicts the type of technical assistance accessed by the 15 States with NA2 determinations. Seven States reported accessing three or more types of technical assistance, with one State accessing all five types.

Table 5: Types of Technical Assistance Accessed by Number of States

Types of Technical Assistance	Number of States
A. Individualized TA	14
B. National Meetings and Conferences	5
C. National Conference Calls/Webinars	6
D. RRCP Regional Meeting	6
E. Accessing Written and Online Resources	12

The majority of NA2 States reported receiving individualized TA from OSEP or an OSEP funded TA Center. Individualized TA was provided in a variety of ways with a range of intensity and action and was defined for this analysis as TA received via telephone, email, resource review or development, consultation, a meeting, or the development and implementation of a systems change plan. Almost all States reported receiving some form of individualized TA. Some, but not all States, linked the TA received to specific improvement activities. Two States only described receiving TA from OSEP. The majority of the States reported working with one or more OSEP funded TA Centers such as NECTAC, DAC, and their RRC. The degree of detail varied from State to State regarding TA specificity and actions taken.

The second TA most frequently accessed was written and online resources. Twelve States reported using online resources from the SPP/APR Calendar for Indicator 12. States also reported using online resources from NECTAC, NECTC, NCRRC and the Transition Initiative web sites. Some States mentioned specific resources accessed

such as the indicator investigative questions, indicator drill down tool, legal resources and the transition infrastructure processes document.

States provided less detail about the impact of participating in conference calls and national conferences. States reported participation in the monthly OSEP conference calls as well as calls sponsored by ECO, NECTAC and the RRCP. The most frequently mentioned national conferences were the National Accountability Conference (Summer 2008) and the OSEP National Early Childhood Conference (December 2007). Six States reported participation in the RRCP sponsored regional meetings in which a portion of the agenda was devoted to early childhood transition in 2008. NECTAC and DAC collaborated with the RRCs in the design and implementation of these meetings.

INDICATOR 13: SECONDARY TRANSITION

Completed by NSTTAC

Indicator 13 requires States to report data on “The percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the child to meet the post-secondary goals.” The sections below summarize the 2007-08 APR data for Indicator 13.

DATA REPORTED

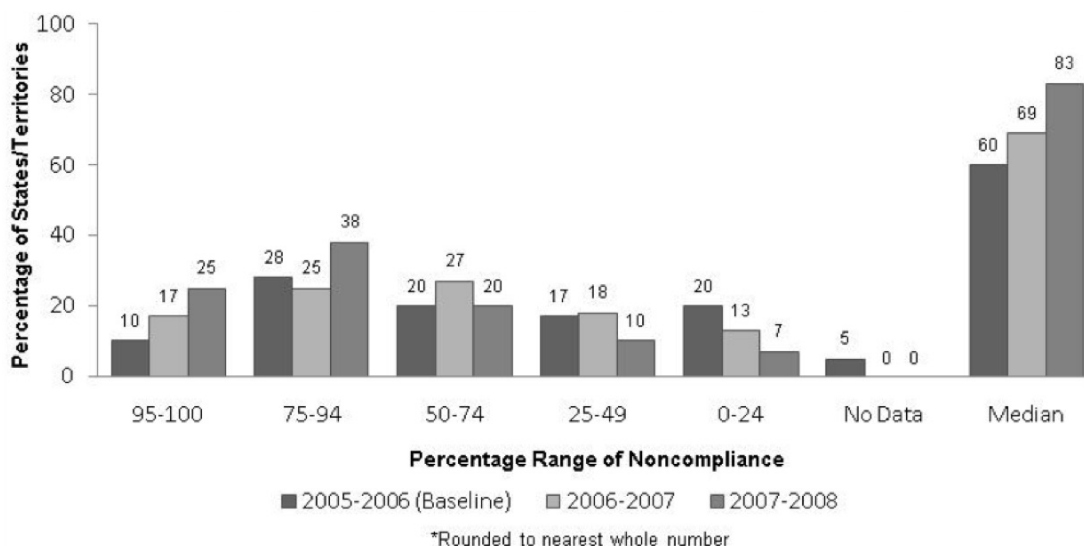
For 2007-08, all 60 States and territories reported data for Indicator 13. Table 1 and Figure 1 compare the number and percent by percentage ranges across years.

Table 1: Summary of Number and Percent of Indicator 13 Scores by Percentage Ranges

Percent	05-06—Baseline # (%)	2006-07 # (%)	2007-08 # (%)
95–100*	6 (10%)	10 (16.7%)	15 (25.0%)
75–94	17 (28.3%)	15 (25%)	23 (38.3%)
50–74	12 (20%)	16 (26.6%)	12 (20.0%)
25–49	10 (16.7%)	11 (18.3%)	6 (10.0%)
0–24	12 (20%)	8 (13.3%)	4 (6.7%)
No Data	3 (5%)	0 (0%)	0 (0%)
Median	60%	69%	82.9%
Range	0–100%	3-100%	4.65–100%

Note: * = met compliance

Figure 1: Percent of Indicator 13 Scores by Percentage Ranges*



- For 2007-08, 15 States (25%) and territories met the compliance criteria (an increase of 8.3% from 2006-07)
- Overall, data ranged from 4.6% to 100% with a median of 83% (an increase of 14% from 2006-07) with 63.3% of States and territories reporting data between 75% and 100% (an increase of 21.6% from 2006-07).

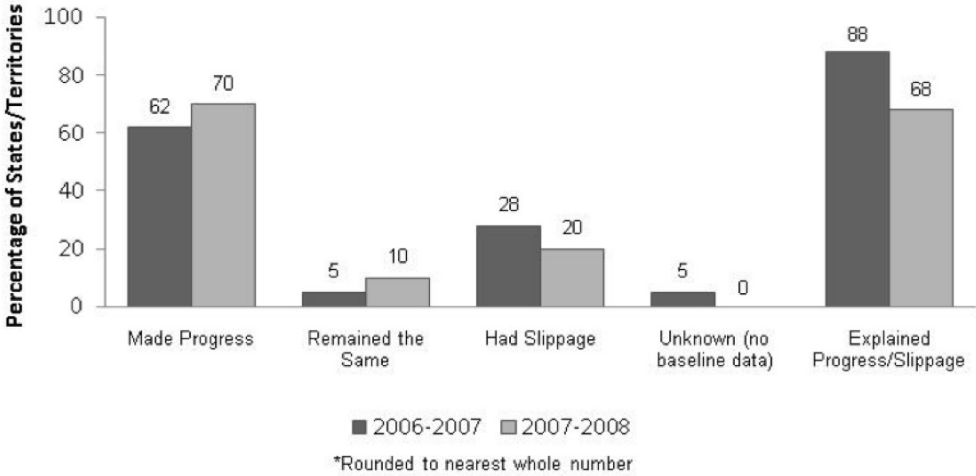
PROGRESS AND SLIPPAGE

Table 2 and Figure 2 summarize the progress or slippage across all 60 States and territories, as well as if the progress or slippage was explained.

Table 2: Progress and Slippage Comparisons across 2006-07 and 2007-08

Type of Change	2006-07 # (%)	2007-08 # (%)
Made Progress	37 (61.7%)	42 (70.0%)
Remained the Same	3 (5.0%)	6 (10.0%)
Had Slippage	17 (28.3%)	12 (20.0%)
Unknown (no baseline data)	3 (5.0%)	0 (0%)
Explained Progress/Slippage	53 (88.3%)	41 (68.3%)

Figure 2: Progress and Slippage Comparisons Across Years*



For 2007-08:

- 48 States (80.0%) and territories made progress or remained the same
- Of the 12 States (20.0%) and territories who reported slippage, 3 stated that slippage was due to implementing a more rigorous set of criteria for measuring Indicator 13.
- While 41 States (68.3%) provided an explanation of what Improvement Activities may have caused their progress or slippage, only 6 States (10.0%) provided data on the impact of their Improvement Activities
- States and territories that did not explain their progress or slippage often discussed their monitoring process or described comparisons as difficult to make due to procedures that sample different districts from year to year

Comparisons Across Years:

- While more States and territories have made progress on Indicator 13 across years and fewer have reported slippage, fewer have provided explanations for their progress or slippage compared to 2006-07

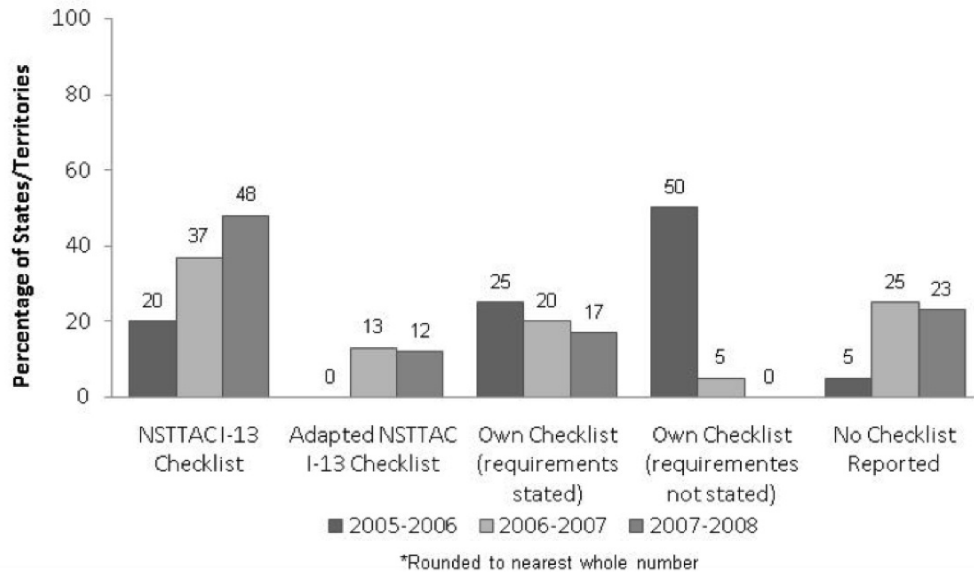
TYPE OF CHECKLIST USED TO COLLECT DATA (VALIDITY AND RELIABILITY OF DATA)

States and territories continued to use a variety of checklists to measure Indicator 13 including the NSTTAC Indicator 13 Checklist, an Adapted NSTTAC Indicator 13 Checklist, or their own checklist. Table 3 and Figure 3 compare the type of checklists used by States and territories to measure Indicator 13 over time.

Table 3: Type of Checklist Used to Collect Indicator 13 Data

Type of Checklist	2005-06—Baseline # (%)	2006-07 # (%)	2007-08 # (%)
NSTTAC Indicator 13 Checklist	12 (20%)	22 (36.7%)	29 (48.3%)
Adapted NSTTAC Indicator 13 Checklist	0 (0%)	8 (13.3%)	7 (11.7%)
Own Checklist (requirements Stated)	15 (25%)	12 (20%)	10 (16.7%)
Own Checklist (requirements not Stated)	30 (50%)	3 (5%)	0 (0%)
No Checklist Reported	3 (5%)	15 (25%)	14 (23%)

Figure 3: Type of Checklist Used to Collect Indicator 13 Data*



- 46 States (76.7%) stated the requirements used to measure Indicator 13. Since all the requirements were related to the language used in the Indicator, we concluded that these were valid instruments. The percent of States using a valid instrument has increased 6.7% from 2006-07.
- 14 States (23%) did not provide the requirements used to measure Indicator 13. Therefore, it is impossible to determine if they used a valid instrument.
- 51 States (85%) described their reliability/verification process in their APR. This typically included training monitors (both SEA and LEA) and/or a State or LEA reviewing data collected via onsite file reviews or by a web-based data collection system.
- The number of States providing an Item-by Item summary of their Indicator 13 data decreased from 18 (30%) in 2006-07 to 15 (25%) in 2007-08.

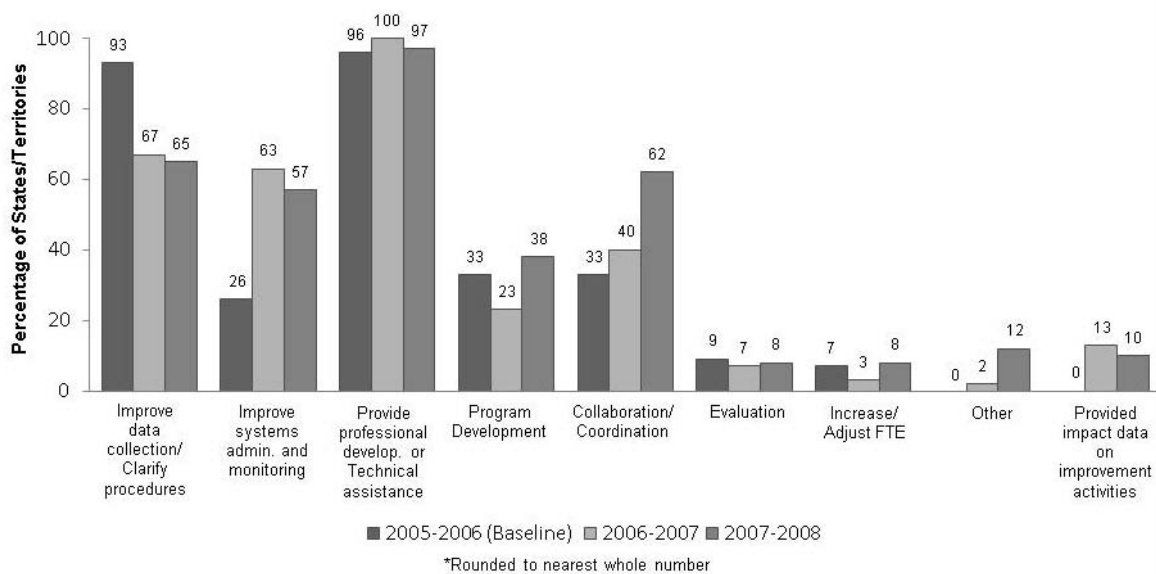
IMPROVEMENT ACTIVITIES

Of the 60 States reporting Indicator 13 data for 2007-08, 59 (98.3%) included improvement activities. Table 4 and Figure 4 provide a summary of the Improvement Activities Stated in the reports across three years of data collection.

Table 4: Summary of Improvement Activities

Improvement Activity	2005-06—Baseline # (%)	2006-07 # (%)	2007-08 # (%)
(A) Improve data collection and reporting &/or (E) Clarify/examine/develop policies and procedures	53 (92.9%)	40 (66.7%)	39 (65.0%)
(B) Improve systems administration and monitoring	15 (25.8%)	38 (63.3%)	34 (56.7%)
(C) Provide training/professional development &/or (D) Provide technical assistance	56 (96.5%)	60(100%)	58 (96.7%)
(F) Program development	19 (33.3%)	14 (23.3%)	23 (38.3%)
(G) Collaboration/coordination	31 (32.6%)	24 (40%)	37 (61.7%)
(H) Evaluation	5 (8.8%)	4 (6.7%)	5 (8.3%)
(I) Increase/Adjust FTE	4 (7.0%)	2 (3.3%)	5 (8.3%)
(J) Other	N/A	1 (1.7%)	7 (11.7%)
Provided Impact Data on Improvement Activities	N/A	8 (13.3%)	6 (10.0%)

Figure 4: Summary of Improvement Activities*



- The two most frequently Stated Improvement Activities continued to be provide training/professional development/technical assistance (C/D) and improve data collection and reporting/examine policies and procedures (A/E).
- Although Improvement Activities continue to be written around data collection and monitoring, the largest increase was in collaboration/coordination (G). While it may be too early to call this a trend, this could be explained by the possibility that States and territories are reaching the point where their data collection system is becoming more routine, so they now have time to focus on other Improvement Activities.
- Only 6 States (10.3%) provided data on the impact of their Improvement Activities including:
 - (A/E) Evaluating effects of technical assistance/professional development (n=3) by collecting pre-post data on content presented (e.g., improved transition components of IEPs) or analyzing survey data to determine training effectiveness.
 - (B) Improving systems administration and monitoring (n=2) by conducting pre- and post file reviews after the introduction of new checklist (e.g., item by item analysis of transition components).
 - Creating quantitative, systematic evaluation standards (n=1) that were applied against all improvement activities to determine: fidelity, effectiveness, sustainability, and potential of each improvement activity.
- Of the 35 States (58.3%) that explained progress or slippage, but did not provide impact data, nearly all provided some type of *process* data (e.g., # of workshops held, # of attendees, # of materials produced, # of meetings held).

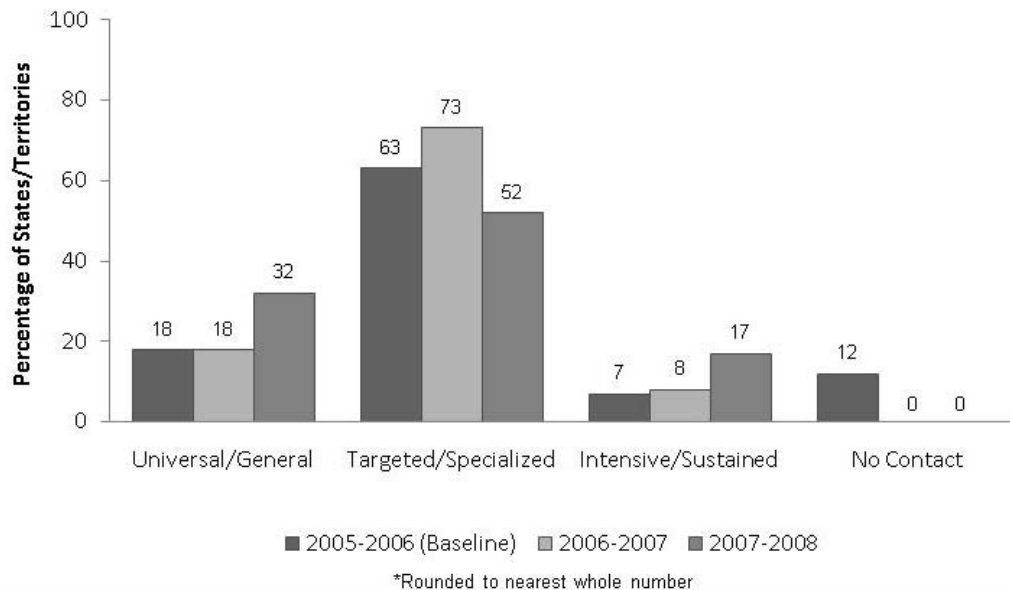
TA CENTER CONSULTED WITH STATES

NSTTAC provided various levels of consultation to all 60 States and territories. Table 5 and Figure 5 compare the types of consultation provided across years.

Table 5: Summary of NSTTAC Consultation to States and Territories

Level of Technical Assistance	2005-06—Baseline # (%)	2006-07 # (%)	2007-08 # (%)
Universal/General	11 (18.3%)	11 (18.3%)	19 (31.7%)
Targeted/Specialized	38 (63.3%)	44 (73.3%)	31 (51.7%)
Intensive/Sustained	4 (6.7%)	5 (8.3%)	10 (16.7%)
No Contact	7 (11.7%)	0 (0%)	0 (0%)

Figure 5: Summary of NSTTAC Consultation to States and Territories*



- All States and territories received some level of technical assistance from NSTTAC.
- 41 States (68.3%) received Targeted or Intensive technical assistance from NSTTAC.
- The most frequent type of Targeted technical assistance was attending a State Planning Institute, an Indicator 1, 2, 13, and 14 Cross-Indicator Regional Meeting, or participating in IDEA Partnership-Community of Practice on Transition conference calls.

HIGHLIGHTS OF 2007-08 APR INDICATOR 13 DATA

- All States provided data for 2007-08.
- 15 States (25%) met the compliance criteria of 95–100%.
- 63.3% of States reported data between 75% and 100% (an increase of 21.6% from 2006-07).
- Overall, data ranged from 4.6% to 100% with a median of 83% (an increase of 14% from 2006-07).
- 48 States (80%) made progress or remained the same.
- 41 States (68.3%) provided an explanation of their slippage or progress (a 20% decrease from 2006-07).
- 46 States (76.7%) stated the requirements used to measure Indicator 13. Since all the requirements were related to the language used in the Indicator, we concluded

that these were valid instruments. The percent of States and territories using a valid instrument has increased 6.7% from 2006-07.

- 14 States (23%) did not provide the requirements used to measure Indicator 13. Therefore, it was impossible to determine if they used a valid instrument.
- The two most frequently stated Improvement Activities continued to be (C/D) provide training/professional development/technical assistance and (A/E) improve data collection and reporting/examine policies and procedures, however (G) collaboration/coordination showed the biggest increase in use (from 40% in 2006-07 to 62% in 2007-08).
- Only 6 States (10%) provided data on the impact of their Improvement Activities.
- All States received some level of technical assistance from NSTTAC, with 41 States (68.3%) receiving Targeted or Intensive technical assistance from NSTTAC.

INDICATOR 14: POST-SCHOOL OUTCOMES

Completed by National Post-School Outcomes Center

INDICATOR

Indicator 14: Percent of youth who had Individualized Education Plans (IEPs), are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school (20 USC 1416(a)(3)(B)).

OVERVIEW

Since 2005, the U.S. States and jurisdictions have described in their State Performance Plans (SPPs) and Annual Performance Reports (APRs) as a system to collect information about the further education and employment activities of youth with disabilities who have been out of school for one year. Specifically, States are asked to report the “Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school” (20 USC 1416(a)(3)(B)).

Note: Reference to the 60 States, jurisdictions and territories in the remainder of this document will be as “States.” We use the term “engagement” when referring collectively to the sum of individuals who are competitively employed, enrolled in some type of postsecondary school, or both.

In December 2004, the National Post-School Outcomes (NPSO) Center was funded by the U.S. Department of Education, Office of Special Education Programs (OSEP) to support States in the collection, analysis, and use of post-school outcome data for youth with disabilities. The mission of the NPSO Center is to assist States in developing a practical, yet rigorous data collection system designed to yield valid and reliable data and use that data to guide program improvement.

In the FFY 2006 SPPs (due to OSEP February 1, 2008), States were asked to report the first results of their data collection efforts by: (a) establishing a baseline of the State’s engagement rate (i.e., the aggregate percent of youth competitively employed, enrolled in postsecondary school, or both); (b) setting measurable and rigorous targets; and (c) identifying improvement activities designed to increase the engagement rate.

For the FFY 2007 APR (reported to OSEP February 1, 2009), States reported: (a) Actual Target Data (i.e., the engagement rate); (b) a discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred; and (c) Revisions to Proposed Targets, Improvement Activities, Timeline, and Resources.

In summary of the actual data for Indicator 14, the median for the overall engagement rate (i.e., employed, enrolled in postsecondary school, or both) was 78.26% (SD = 9.74) with a minimum engagement rate reported by States of 48.00% and a maximum

engagement rate of 93.30%. The following is a more specific report on the NPSO Center's analysis of the FFY 2007 APRs for Indicator 14. Following a brief description of the analysis process used by Center staff, this report describes the States':

- Data collection methods, including sampling procedures
- Results relevant to engagement rate, representativeness and progress or slippage toward the targets
- Improvement activities
- Technical assistance (TA) as reported in the APRs

Analysis Process

NPSO Center staff analyzed APRs States submitted to OSEP. To conduct the analyses, a coding protocol was developed in alignment with the requirements of the APR; OSEP staff reviewed and approved the coding protocol. States were not required to report the method used to collect the data in the APR but had done so in the SPP of the previous year. The coding process used the FFY 2007 APRs (submitted to OSEP in February 2009) and the FFY 2006 SPPs (either the original submitted in February 2008 or, if revised, submitted in February 2009). To ensure inter-rate reliability, Center staff reviewed each APR twice using the approved coding protocol.

The coding protocol contained questions related to three primary themes:

- Data collection method and sampling procedures
- Results relevant to engagement rate, representativeness and progress or slippage toward the target
- Improvement activities and TA

The questions from the coding protocol corresponding to these areas are provided below as a means for organizing the remainder of the summary report.

Section I: Data Collection Method and Sampling Procedures

- 1) Did the State report a definition for: (a) competitive employment and (b) postsecondary school enrollment?
- 2) Did the State use a census or a sample to define on whom data were collected?
- 3) Did the sampling States include non-graduates (i.e., those who age-out or dropout) in their sampling frame?
- 4) Did the sampling States define a representative sample by disability type, ethnicity and gender?
- 5) What method did the State use to collect their post-school data (e.g., extant data or survey methodology)?
- 6) If a survey was conducted, what type of survey method was used (e.g., mail, web-based, phone, etc.)?
- 7) Who collected the data (e.g., school personnel or contractor)?
- 8) Who was the respondent (e.g., former student and/or parent/guardian)?

Section II: Results for Engagement Rate, Representativeness and Progress/Slippage toward the Target

- 9) Did the State describe how representative the respondent group was to the target leaver group (i.e., the representative sample or population) based on the categories of disability, race/ethnicity, gender and exit status?
- 10) Was the respondent group representative of the total leavers?
- 11) What was the percent of post-school engagement reported in the APR?
- 12) Did the State meet the FFY 2007 target?
- 13) Did the State report slippage or progress?
- 14) What justification/explanation did the State give to explain progress/slippage?

Section III: Improvement Activities and TA Services

- 15) Has the State accessed TA from the NPSO and other TA Centers or Regional Resource Centers in the past?
- 16) Does the State report a plan to access TA in the future?
- 17) What type of TA has the State received from NPSO Center?
- 18) What type of Improvement Activities has the State reported?

The results from this analysis were organized by the questions in the three sections presented above. Percentages are based on an N = 60, the total of all States, jurisdictions and territories. Percents may not total 100 percent based on rounding procedures. Where only a subset of the 60 States could be reported (e.g., only States who conducted a sample), we elected to present actual numbers and not percentages.

RESULTS

Section I: Data Collection Method and Sampling Procedures

This section describes the definitions States reported for competitive employment and postsecondary school and the method States reported for collecting data on school leavers with IEPs. This information was taken from the FFY 2007 APR (submitted in February 2009), revised FFY 2006 SPP (submitted in February 2009) when available and/or original FFY 2006 SPP (submitted in February 2008).

To address Indicator 14, States had the option of either conducting a census of all students with IEPs leaving high schools in their State in a particular year or establishing a representative sample of school leavers in their State for a particular year. In either case, data were to be gathered in such a way as to: (a) include students who graduated, completed high school with a modified completion document, aged out of school, dropped out or were expected to return but did not return for the current school year and (b) describe students in terms of their primary disability, gender and ethnicity.

States conducting a sample of school leavers were to describe the sampling methodology outlining how the design yielded valid and reliable estimates. That is,

States were to describe: (a) the sampling procedures (e.g., random, stratified, etc.); (b) the methods used to test the similarity or difference of the sample from the population of students with IEPs; and (c) how the State Education Agency addressed problems with response rates, missing data and selection bias.

Additionally, States were to describe their data collection method, including the: (a) type of data collected; (b) method of collection (e.g., an extant data set or survey); (c) “representativeness” of the data collected by gender, disability type and ethnicity; and (d) definitions of competitive employment and postsecondary school.

OSEP recommended, but did not require States to use the Vocational Rehabilitation Act (VRA) (29 USC 705(11) and 709(c)) definition of competitive employment. It reads: *Competitive employment means work—(i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.* (Authority: Sections 7(11) and 12(c) of VRA.)

When defining postsecondary school, States were asked to report: (a) type of school, education or training; (b) whether enrollment was full-time or part-time; and (c) what constituted full-time enrollment.

The following summarizes the results based on the questions listed above.

- 1) Did the State report a definition for (a) competitive employment and (b) post-secondary school enrollment? Of the 60 States:
 - a. 59 States (98%) reported a definition for competitive employment. Of those:
 - 41 reported using the definition from the VRA as recommended in the OSEP Measurement Table.
 - 18 augmented the VRA definition or reported a definition of competitive employment different than the VRA definition.
 - o Additions to the definition included categories of military, home or family business, supported employment, sheltered employment and/or training opportunities.
 - b. 58 (97%) reported a definition for postsecondary school. Of those:
 - 34 reported definitions that included: (a) the type of education; (b) whether enrollment was full- or part-time; and (c) what constitutes full-time enrollment.

- 2) Did the State use a census or a sample to define on whom data were collected? Of the 60 States:
- 36 (60%) reported they conducted a census of school leavers with disabilities.
 - 22 (37%) reported they identified a sample of school leavers with disabilities.
 - 2 (3%) did not report whether they conducted a census or identified a sample for the collection of post-school outcomes.
- 3) Did the sampling States include non-graduates (i.e., those who age-out or dropout) in their sampling frame? Of the 60 States:
- 33 (55%) reported they included students who graduated, aged-out and dropped out in the target leaver group.
 - 11 (13%) did not specify the students included in their target leaver group.
 - 8 (13%) reported they included students who graduated, aged-out, dropped out, and did not return in the target leaver group.
 - 7 (12%) specified they included students other than graduates (e.g., graduates and dropouts or graduates, dropouts and non-returns).
 - 1 (2%) included only graduates in their target leaver group.
- 4) Did the sampling States define a representative sample by disability type, ethnicity, and gender? Of the 22 States conducting a sample:
- 12 reported identifying a representative sample of school leavers based on disability category, race/ethnicity and gender.
- 5) What method did the State use to collect their post-school data (e.g., extant data or survey)? Of the 60 States:
- 58 (97%) reported their method of data collection.
 - 56 reported using a survey
 - 2 reported using extant databases.
 - 2 (3%) did not specify a data collection method.
- 6) If a survey was conducted, what type of survey method was used (e.g., mail, web-based, phone, etc.)? Of the 56 States who conducted a survey:
- 30 reported using an interview (i.e., phone or face-to-face contact).
 - 10 reported using a combination of survey methods (e.g., phone and mail).
 - 12 did not report a specific survey method.
 - 4 reported using a mail survey.

- 7) Who collected the data (e.g., school personnel or contractor)? Of the 56 States who conducted a survey:
- 24 reported State or local education agency personnel collected the data.
 - 15 reported a contractor collected the data.
 - 16 did not report who collected the data.
 - 1 left the decision to the local education agency to determine who would collect the data.
- 8) Who was the respondent (e.g., former student or parent/guardian)? Of the 56 States who conducted a survey:
- 19 reported respondents were parents or former students.
 - 14 reported respondents were only former students.
 - 22 did not specify who the respondents were for data collection.
 - 1 reported respondents were only parents.

Section II: Results for Engagement Rate, Representativeness and Progress/Slippage toward the Target

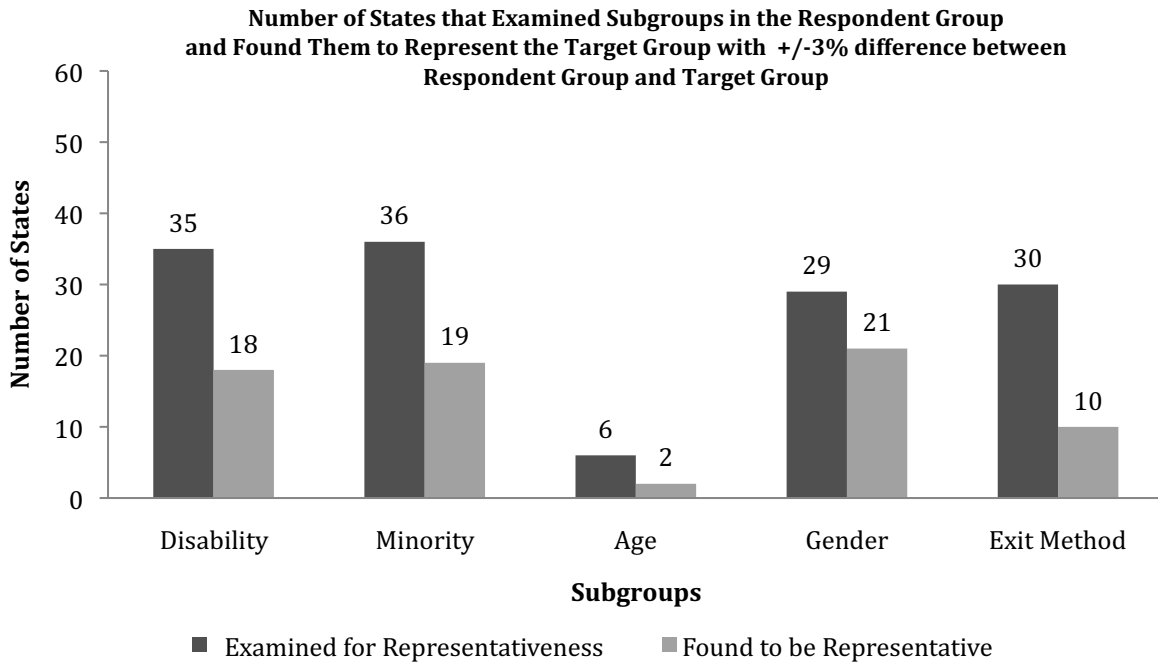
As noted previously, for the first time in the FFY 2007 APR (submitted in February 2009) States were to describe the actual data (i.e., engagement rate) obtained in the data collection and compare them to the FFY 2007 target set in the FFY 2006 SPP (submitted in February 2008). Furthermore, States were to describe progress or slippage toward the target. States were to include the numbers used in the calculations for the engagement rate.

Additionally, States were to identify any problems related to response rate, missing data, and/or selection bias. To analyze these potential problems areas, the States' response rates and respondent groups were examined to determine if they were representative of the total leavers on the categories of disability, race/ethnicity, age, gender, and exit status. The potential for missing data, selection bias, and whether the State acknowledged problems in these areas were also examined.

- 9) Did the State describe how representative the respondent group was to the target leave group (i.e., the representative sample or population) based on the categories of disability, race/ethnicity, gender and exit status?

Figure 1 presents the number of States that examined the respondent group to the target leaver group (i.e., representative sampling frame or population) by the subgroups of disability, race/ethnicity, age, gender, and exit status.

Figure 1: Subgroups Examined in the Response Group and Representative of the Target Group



10) Was the respondent group representative of the total leavers?

In survey methodology, it is important to understand who the respondents are, specifically, how similar or dissimilar the respondents are to the target population, as a measure of confidence that the respondents are reflective of all students who left school. In examining States’ description of the representativeness of the respondent group to the target leavers, NPSO Center staff qualitatively examined potential problems related to response rate, missing data, selection bias, and representativeness of the target group.

Across the 60 APRs, three common themes were noted:

- Great variation in response rates across States ranging from 14% to 94%. States often reported the cause of low response rates as lack of accurate leaver contact information.
- Representativeness of the respondent group to the target leaver group was either not examined or not addressed.
- Lack of actual numbers provided in the APR to calculate the percentages, verify the calculations or identify errors in the calculations for representativeness.

NPSO Center staff relied on the guideline of “important difference”, set at $\pm 3\%$, to determine whether the respondents represented the target leaver group. That

is, if the difference in proportion between the respondent group and the target group exceeded $\pm 3\%$, the difference was considered sufficient enough not to be representative. Applying a $\pm 3\%$ difference between the respondent group and the target leavers is consistent with the NPSO Response Calculator approved by OSEP.

Using the $\pm 3\%$ criterion to determine representativeness, 4 States were determined to have a respondent group representative of the target leavers based on all four categories—disability, gender, race/ethnicity, and exit status. In addition, there were States who reported their respondents were representative using an unspecified criterion; NPSO Center staff was unable to determine the accuracy of the calculations or a criterion that exceeded a $\pm 3\%$ difference between the respondent group and the target leaver group.

As evidenced in prior submissions, many States continue to have lower number of responses from leavers in two categories—those who dropped out of school and those who received special education services under the eligibility category of emotional/behavioral disabilities.

11) What was the percent of post-school engagement reported in the APR?

States were required to report only one percentage for this Indicator. That one percentage, referred to as “engagement”, is the unduplicated sum of former students who are or have been competitively employed, enrolled in some type of postsecondary school or both within one year of leaving high school divided by the total number of youth who responded to the survey (i.e., assessed).

For the FFY 2007 reporting period, OSEP extracted the Actual Target Data (i.e., engagement rate for Indicator 14) reported by the States for use in this analysis. Therefore, as directed by OSEP, the following engagement rates are based solely on the percentages recorded by OSEP. According to the information provided to the TA Centers, all 60 States reported engagement data for FFY 2007.

Of the 60 States, 4 were recorded as having three data points, presumably the disaggregated percent of youth competitively employed, enrolled in postsecondary school or both, without a single aggregated percentage of engagement. Data from these four States are not included in the aggregated engagement rate. The median engagement rate was 78.26% (SD = 9.74) with a minimum engagement rate of 48.00% and a maximum engagement rate of 93.30%.

12) Did the State meet the FFY 2007 target?

To determine whether a State met the FFY 2007 target, NPSO Center staff compared the State's Actual Target Data (i.e., engagement rate) to the Measurable and Rigorous Target reported in the APR. Based on this calculation, if the Actual Target Data were greater than the target engagement rate, the State was coded as "met." Of the 60 States:

- 35 (58%) met the FFY 2007 target.
- 24 (40%) did not meet the FFY 2007 target.
- 1 (2%) reported meeting the targets, but the calculation could not be verified.

13) Did the State report slippage or progress? Of the 60 States:

- 28 (47%) reported making progress toward the target.
- 19 (32%) reported slippage.
- 12 (20%) did not indicate progress or slippage.
- 1 (2%) reported no change.

14) What justification/explanation did the State give to explain progress/ slippage?

States were instructed to explain progress or slippage. Half of the States either did not address reasons for slippage or progress or Stated there was no change between the baseline (FFY 2006) and the data reported in FFY 2007. NPSO Center staff qualitatively examined the explanations provided and identified some common themes.

States cited progress attributable to:

- Improvement activities, including training and professional development to teachers and interviewers, materials developed to address post-school options.
- More youth having driver's license, work-based learning opportunities.
- Gains in response rate and locating leavers in specific subgroups (e.g., emotional disabilities or dropout categories).
- Exiters received benefit from improvement activities.

States cited slippage attributable to:

- Lack of representation of subgroups in the respondent group.
- Increase in response rate from subgroups (e.g., dropouts) in the respondent group.
- Decrease in the number of youth in the sample; decrease in number of respondents.

- Economic downturn in States may be reflective of the decreased employment rates.
- Error made in FFY 2006 Indicator 14 calculations.

Section III: Improvement Activities and TA Services

Through the coding process, NPSO Center staff identified States reporting use of some type of TA to support the State in the development and implementation of their post-school outcome data collection process. Reported TA was provided by the NPSO Center, Regional Resource Centers and research experts in the field.

15) Has the State accessed TA from the NPSO in the past?

Of the 60 States, 36 (60%) reported in their APR accessing TA in the past or currently. In the past year, based on NPSO Center records, the Center has provided direct TA to 58 States (97%).

From the inception of the NPSO Center, all 60 States have received some type of TA from the Center. Specifically, all States have received 2 or more types of TA (e.g., teleconference participation, on-site consultation, information request, etc). In addition, 45 (75%) have accessed 4 or 5 types of TA from the Center. The average number of TA events participated in by an individual State is 21 (SD, 10.4). The minimum number of TA events in which a State has participated is 6 and the maximum number of TA events in which a State has participated is 56.

16) Does the State report a plan to access TA in the future? Of the 60 States:

- 31 (52%) reported plans to access TA in the future.
- 9 (15%) did not report having received TA in the past and did not indicate whether they plan to do so in the future.

17) What type of TA has the State received from NPSO Center?

Since the formation of the NPSO Center in December 2004, it has provided TA to all 60 States in their development of rigorous, yet practical, systems to collect post-school outcomes data on youth who had IEPs.

As cited in the Year 4 NPSO Evaluation Report (December 1, 2008 to November 30, 2009), the Center consulted with States in the following ways:

- 58 (97%) have received some type of information about Indicator 14 provided directly by the Center. The methods to provide such information included: teleconferences, participation in the NPSO Community of Practice, information requests directly from States via e-mail or phone, participation in the Secondary Transition State Planning Institute or Making Connections Across Indicators 1, 2, 13 and 14 regional events, and attending informational conference sessions at non-NPSO-sponsored conferences.

- 51 (85%) participated in NPSO–sponsored conferences such as the Secondary Transition State Planning Institute in Charlotte, NC or the Making Connections Across Indicators 1, 2, 13 and 14 regional events.
- 22 (53%) received individual consultation from Center staff.
- 9 (23%) received direct on-site consultation by NPSO staff in their States.

18) What type of Improvement Activities has the State reported?

The States' improvement activities were coded using the categories defined by OSEP (listed below). This coding assessment was a judgment by the coders based on the information provided by each State. At this time, a majority of States continue to focus on improving data collection and reporting (A, n = 51) and providing training/professional development and TA (C and D, n = 11 and 49, respectively) as their primary improvement activity.

The descriptions of improvement activity provided by States varied with regard to the type and scope of improvement activity listed, as well as the level of specificity. The level of specificity may lead to difficulties in evaluating the effectiveness of the improvement activities and their impact on improving the data collection systems and/or the post school outcomes of former students.

The summary for each improvement activity category are provided below:

- 51 States (85%) included at least one improvement activity pertaining to *Improve data collection and reporting* (A).
- 14 States (23%) included at least one improvement activity of *Improve systems administration and monitoring* (B).
- 11 States (18%) included at least one improvement activity of *Provide training/professional development* (C).
- 49 States (82%) included at least one improvement activity of *Provide TA* (D).
- 12 States (20%) included at least one improvement activity of *Clarify/examine/develop policies and procedures* (E).
- 11 States (18%) included at least one improvement activity of *Program development* (F).
- 26 States (43%) included at least one improvement activity of *Collaboration/coordination* (G).
- 9 States (15%) included at least one improvement activity *Evaluation* (H).
 - 1 State (2%) included an improvement activity related to *Increase/Adjust FTE* (I).
 - 3 States (5%) included an improvement activity that did not fit within the above listed categories. These included, but are not limited to: (a) rewrite State transition planning and anticipated services guide; (b) continue to work with the NPSO Center via an OSERS Grant; (c) launch websites; and (d) attend meetings.

SUMMARY

From this analysis and the work of the NPSO Center, States are demonstrating a good faith effort to design and implement rigorous, yet practical, systems to collect, analyze, and use post-school outcome data. Wide variation exists across States relative to: (a) methodologies for collecting data, (b) definitions of employment and postsecondary enrollment, (c) response rates, and (d) engagement rates. States have begun to analyze the representativeness of their respondent group compared to the target leavers, although this remains an area where improvement is needed. States in general need to focus improvement activities on increasing response rates by: (a) collecting better student exiting contact information and (b) defining strategies to collect post-school outcome data on groups demonstrating poor representativeness (e.g., dropouts, students with emotional/behavioral disabilities).

With the release of the OSEP-revised Measurement Table in February 2009, Indicator 14 has substantial changes specifically related to definitions and calculations of the outcome measures of employment and postsecondary education. These changes will require States to alter their data collection systems. States will now be required to submit new Indicator 14 baseline for the FFY 2009 (due February 2011 on the SPP template). The NPSO Center has started revising tools and resources and working with States to assist in the implementation of these changes.

INDICATOR 15: TIMELY CORRECTION OF NONCOMPLIANCE

Prepared by DAC

INTRODUCTION

Indicator 15 requires States to determine whether their “general supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.” States must meet a target of 100% measured by the “the percent of noncompliance corrected within one year of identification” using the following formula:

Percent of noncompliance corrected within one year of identification = # of findings of noncompliance divided by # of corrections completed as soon as possible but in no case later than one year from identification times 100.

The measurement of this indicator requires that the State “for any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.” The APR instructions require that State education agencies describe the process for selecting local programs for monitoring. Additionally, States are to describe the results of the calculations as compared to the target, reflect monitoring data collected through the components of the general supervision system, and group areas of noncompliance by priority areas and other topical areas.

Sixty APRs were reviewed for this summary. These included the 50 States, the District of Columbia, the territories, and the BIE. For purposes of this summary, the term “State” will be used for any of these 60 entities.

PROGRESS OR SLIPPAGE

This section provides an analysis based on the States’ reports of progress or slippage since the APR submission of February 2007 for correction of findings of noncompliance identified in 2005-06 and corrected in 2007-08. The review of the States’ APRs included how they reported progress or slippage from the previous year. While 31% of the States did not address progress or slippage, the following represents the remaining percentages of States that reported:

- Progress: 50%
- Slippage: 12%
- Maintained previous level of compliance: 7%
- Did not address in the APR: 31%

Of those States reporting progress, 64% explained the progress. The most common explanations included:

- Defining “finding” at the individual student level
- Receiving guidance provided during the OSEP verification visit
- Assigning district monitoring liaisons
- Conducting follow-up visits
- Conducting regular follow-ups with the local district to determine progress in correcting noncompliance
- Developing/revising the local self-assessment monitoring system
- Refining the general supervision system
- Adjusting the database

Of the States reporting slippage, 86% reported explanations of what attributed most to that slippage. The most common reasons included:

- Misunderstanding among State staff regarding internal monitoring procedures
- Vacant staff positions
- Additional indicators added to the monitoring system
- Inability to respond to data management and general supervision responsibilities
- Defining local education agency as the unit of monitoring
- Noncompliance concerning a particular LEA

States reporting they have maintained 100% compliance from one year to another most often attributed it to implementing the improvement activities and providing targeted technical assistance to local agencies.

METHODS USED TO COLLECT 616 DATA

DAC reviewed the APRs to identify the methods the State used to collect 616 monitoring data. All but two States (3%) described the methods they used to collect monitoring data. While many States reported more than one monitoring method or activity, the following represents the percentages of States by data collection method:

- Self-assessment—50%
- Review of State database system—48%
- Complaints—40%
- Focused onsite monitoring—37%
- Onsite monitoring (timelines and purpose not specified)—33%
- Due process—30%
- Dispute resolution—20%
- Cyclical onsite—20%
- Local performance plans—7%
- Fiscal audit—7%

Some States (18%) reported methods of collecting monitoring data that were unique to their State, causing those data collection activities to be coded as “other.” Those activities included monitoring in conjunction with Quality Assurance Administration, Local Determinations, LEA Quality Reports, student file review, and parent and others surveys.

METHODS USED TO VERIFY INDICATOR 15 DATA—CORRECTION OF NONCOMPLIANCE

DAC also reviewed the APR to identify the methods States used to verify Indicator 15 data, specifically the correction of noncompliance. Seventeen percent of the States did not specify data verification methods. While again many States reported multiple methods and activities to verify the correction of noncompliance, the following represents the percentages of States that used identified data verification methods:

- Onsite review—42%
- Database review at State level—38%
- State review of correction data submitted by local agency—32%
- State reviews conclusions of correction submitted by local agency—7%

As described with “Methods Used to Collect 616 Data,” 22% of States reported using methods to verify data collected to show the correction of State-specific noncompliance, causing those data collection activities to be coded as “other.” These methods included corrective action plan completion, review of local policies and procedures, web-based monitoring system, compliance tracking tool, and State staff members assigned to assist the local agency.

IMPROVEMENT ACTIVITIES

For the review of improvement activities identified by States in their APR, the reviewers were to code each activity using the codes listed below. Multiple codes per individual activity were allowed.

- A. Improve data collection and reporting
- B. Improve systems administration and monitoring
- C. Build systems and infrastructures of technical assistance and support
- D. Provide technical assistance/training/professional development
- E. Clarify/examine/develop policies and procedures
- F. Program development
- G. Collaboration/coordination
- H. Evaluation
- I. Increase/Adjust FTE
- J. Other

Refer to Table 1 for the summary of improvement activities. These activities are ordered from most frequently noted to least. Reviewers also added codes for activities that were not determined to be included in the list above. DAC included three additional activity codes to further describe improvement activities:

- J1. Develop materials
- J2. Ongoing activities that do not reflect change or improvement
- J3. Issue mini-grants to assist with costs associated with corrective actions and improvement process

Table 1: Summary of Improvement Activities

Improvement Activity Category	Percent of States
Improve systems administration and monitoring (B)	75
Provide TA/training/professional development (D)	60
Ongoing activities not reflecting change/ improvement (J2)	38
Improve data collection and reporting (A)	32
Collaboration/coordination (G)	20
Clarify/examine/develop policies and procedures (E)	17
Build systems and infrastructures of TA and Support (C)	13
Increase/Adjust FTE (I)	10
Evaluation (H)	8
Developing materials (J1)	6
Issue mini-grants (J3)	5
Program development (F)	3

Four States did not specifically identify improvement activities. One State reported no changes in its improvement activities. Another reported it was going to review its improvement activities over the next year, and a third indicated that revised activities will begin in 2008-09. One State did not address improvement activities for Indicator 15 in its APR.

TECHNICAL ASSISTANCE CENTERS

DAC records were reviewed to determine the number of States receiving specific levels of technical assistance from DAC in FY 2007 (Year 1 of funding). The levels of technical assistance listed below are those defined by DAC and are not precisely aligned to those in the OSEP draft Conceptual Model. The percentages of States receiving technical assistance from DAC related to this indicator are recorded using the following three codes:

- A. National/Regional TA—100% (through the annual Data Meeting)
- B. Individual State TA—0%
- C. Customized TA—6%

While the table above is technically accurate, it fails to capture some of the subtleties of providing technical assistance. Examples include providing support and assistance during OSEP verification visits and innumerable TA provided in consultation with other TA centers, most specifically the Regional Resource Centers.

STATES IN NEEDS ASSISTANCE FOR A SECOND YEAR

The 2008 OSEP State status determinations identified 26 States as Needs Assistance for a second year (NA2) due to previous reporting for Indicator 15. NA2 States were required to report TA sources and the actions taken as a result of the TA in the FY 2007 APR. Of the 26 NA2 States, 46% met the reporting requirements, while 14 States (54%) did not report TA sources and actions taken as a result of the TA. Two of the 14 States that did not meet all reporting requirements did acknowledge that their status was NA2 but failed to meet the requirements of reporting TA sources and the actions taken.

CONCLUSIONS

The overall impression for the 60 entities included within this review is that many States are becoming more clear and succinct in describing the requirements for Indicator 15. Most States are using the Indicator 15 worksheet, and it appears to be a useful tool in organizing their data.

It appears that States are continuing to expand the methods of collecting monitoring data, implying that States are expanding their understanding of general supervision and overall monitoring responsibilities (e.g., fiscal audits, complaints). Clearly, using the State database system to determine compliance is more widely happening than in the past.

While States continue to be less specific in describing methods they use to verify 616 data, particularly those related to the correction of noncompliance, there does seem to be an increasingly wide range of methods that are State specific. However, having noted that, the efforts many States are taking to verify the correction of noncompliance falls into ongoing technical assistance and support to the LEA throughout the year of correction, including soliciting support from other State and regional entities.

As the number of years States have submitted an APR increases, many improvement activities are continuing from previous years, but 2007-08 appears to be a time of revision and reflection for some States to rework or recreate their improvement activities. While it is lower than the 100% of the States found in last year's analysis, the largest percentage of States continue to describe improvement activities in the area of improving systems administration and monitoring.

INDICATORS 16, 17, 18, 19: DISPUTE RESOLUTION

Prepared by CADRE

INTRODUCTION

The Individuals with Disabilities Education Improvement Act 2004 (IDEA) requires that States, in order to be eligible for a grant under Part B, must provide three dispute resolution options to assist parents and schools in resolving disputes: written State complaints, mediation, and due process complaints (hearings). IDEA expanded the use of mediation to allow parties to resolve disputes involving any matter under IDEA. In addition, IDEA added a new “resolution process” whenever a due process complaint is filed, to afford parents and schools a more informal setting in which to reach a settlement and avoid the cost and stress of a fully adjudicated hearing. These additions to the statute reflect the Congressional preference expressed at 20 U.S.C. 1401(c)(8) for the early identification and resolution of disputes: “Parents and schools should be given expanded opportunities to resolve their disagreements in positive and constructive approaches.” In addition to these required procedures, many States offer informal “early dispute resolution” processes intended to diffuse and resolve disagreements before they reach a level requiring a formal process.

States are also required to report annually to the Office of Special Education Programs, U. S. Department of Education, on their compliance with and performance in key areas of the Law. This document is a summary and analysis of the FFY 2007 State Annual Performance Reports for the dispute resolution indicators under Part B. These include:

- Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.
- Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.
- Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.
- Indicator 19: Percent of mediations held that resulted in mediation agreements.

This summary addresses State performance on the required dispute resolution processes, as well as any information provided by the States on early resolution options. CADRE’S approach to technical assistance and improvement is systemic – focusing on all dispute resolution areas and emphasizing early resolution and conflict management processes. That orientation is reflected in this combined report on the four indicators.

DATA SOURCES FOR THIS REPORT

The main document sources for this report are the FY 2007 (school year 2007-08) Annual Performance Reports submitted to the Office of Special Education Programs (OSEP) on February 1, 2009, and clarifications submitted by 60 States/entities as of April 1, 2009. For comparison purposes, this report also draws on past APRs, specifically on indicator performance and other State data from prior years.

Beginning with school year 2002-03, States have reported dispute resolution activity to the Office of Special Education Programs (OSEP), first as “Attachment 1” to their Annual Performance Reports and later as “Table 7” in these reports. CADRE has maintained, since the beginning of this data collection, a National Longitudinal Dispute Resolution Database. IDEA required, as of FY 2006, that this data collection be managed under the “Section 618” data collection provisions of the statute. For the past two years, then, the required data have been reported to the Westat/Data Accountability Center (DAC). As a result, CADRE receives dispute resolution data from the DAC after it has been verified for publication in OSEP’s Annual Report to Congress. Complete Table 7 data are no longer included in the APRs, so available information in the current APR documents, except for the Indicators, cannot be used to display current summaries and analyses of change over time. Some CADRE longitudinal data are referred to in portions of this report in order to demonstrate change over time in State compliance and performance on these indicators. Otherwise, the data used in this report are drawn from State APRs, OSEP summaries of the indicators related to The U.S. Department of Education Determination Letters On State Implementation of IDEA (June 2009), and CADRE’s records of Technical Assistance provided to States during FFY 2007.

SUMMARY OF COMPLIANCE AND PERFORMANCE IN DISPUTE RESOLUTION

Sixty (60) States and entities submitted Part B Annual Performance Reports and/or clarifications in 2009. Some of the smallest population States/entities have little or no dispute resolution activity. The number of States reporting some activity for 2007-08 was highest for Written State Complaints (56), then Mediation (53), Resolution Meetings (50), and Due Process Complaints/Hearings (47). Table 1 displays the number of States reporting baseline data (2004-05 for all except Indicator 18 which has 2005-06 baseline data) and actual data for 2007-08.

Table 1: States Reporting Data by Indicator for 2007-08

	# States with Baseline Data (Baseline Year)	# States Reporting 2007-08 Data
Indicator 16	55 (2004-05)	56
Indicator 17	53 (2004-05)	47
Indicator 18	41 (2005-06)	50
Indicator 19	46 (2004-05)	53

More than 80% of all dispute resolution activity is accounted for by relatively few of the 50 States: 8 States account for 82% of all due process hearing requests and hearings held; 13 States for more than 80% of all mediations held; and 19 States for more than 80% of all written complaints filed. For many States, dispute resolution activity reported across the last several years reveals relatively few dispute resolution events (often none). For example, there were fewer than 10 hearings held in half or more of the States during the past four years (40 States held fewer than 10 hearings each in 2006-07). These relatively rare events, however, are not without cost. Just the filing of a State written complaint or due process complaint consumes significant personnel and fiscal resources, with much higher costs for those that result in a full-blown complaint investigation or due process hearing.

State Compliance and Performance Indicator Change Over Time

Table 2 is a summary of the mean reported Indicator values for the baseline year and for 2007-08 activity in all States (*n* indicates the number of States with any activity for that indicator). [Note: These are not average indicator values for the nation, but are the average of State indicator values reported. A national average would be driven largely by the States with the most activity.] For the compliance indicators (B16 and B17) some “average” improvement is evident in compliance areas. The performance on written settlement agreements resulting from resolution meetings (B18) and mediation agreement rate (B19) appear relatively stable.

Table 2: Mean of States Reported Indicators for 2007-08

	<i>N</i>	Mean Baseline	Mean 2007-08 Indicator Value
Indicator 16	56	89%	95.8%
Indicator 17	48	93%	93.8%
Indicator 18	52	54%	53.3%
Indicator 19	55	73%	72.8%

The stability of Indicators 18 and 19 is interesting in light of the introduction of the resolution process which States began implementing in earnest during the 2005-06 school year. Table 3 displays the number of States with and without resolution meeting and mediation activity in 2006-07 and 2007-08, and, for those with activity, the number of States achieving resolution written settlement or mediation agreement rates of less than or more than 75%. It is evident that more States used resolution meetings and mediations in 2007-08 than in 2006-07 (fewer had no activity/no data). For the two years, the number of States achieving 75% or greater mediation agreement rate (B19) fell by one State and increased for resolution written settlement agreements (B18) by two States. The number of States with agreement rates less than 75% fell for both indicators.

Table 3: Number of States with Resolution Meeting and Mediation Activity and Their Agreement Rates (Less Than or Greater Than 75%)

	B18		B19	
	2006-07	2007-08	2006-07	2007-08
Agreement Rate <75%	32	37	18	25
Agreement Rate >75%	10	12	29	28
No Activity/No Data	18	11	13	7

Between 2005-06 and 2006-07, as resolution meeting use increased, the use of mediation related to due process fell, while the proportion of due process complaints resolved without a hearing remained fairly stable. It is too soon to determine what the impact of resolution meetings has been on the overall dispute resolution picture in States.

A clearer picture of State progress in achieving compliance on Indicators B16 and B17 may be seen by looking at the number of States achieving substantial compliance across the past five years. The number of States either achieving compliance or having no dispute resolution activity on which to base an indicator calculation has grown fairly consistently, with only 9 States in 2007-08 not achieving substantial compliance (<95%) for timely written complaints (B16) and 12 not achieving substantial compliance for due process hearing timelines (B17). Table 4 shows a summary of the number of States achieving each of these compliance conditions.

Table 4: Number of States/Entities and Levels of Compliance Achieved (5 years)

	2003-04	2004-05	2005-06	2006-07	2007-08
Indicator B16					
Substantial Compliance (95% or more)	28	38	43	40	47
No Substantial Compliance (<95%)*	24	17	11	15	9
No Activity	8	5	6	5	4
Indicator B17					
Substantial Compliance (95% or more)	28	35	33	41	35
No Substantial Compliance (<95%)*	22	16	14	8	12
No Activity	10	9	13	11	13

*Includes entities that were unable to submit valid and reliable data.

State systems may still be adjusting to the inclusion of resolution meetings in the due process timelines. For due process complaints filed toward the end of the school year, the addition of up to 30 days for the resolution process has apparently increased the likelihood that due process complaints are pending at the end of the reporting period.

Describing Improvement Strategies Used by States

In reviewing the States' APRs and preparing this chapter, CADRE adopted the nine improvement strategies and definitions provided by OSEP and added three additional strategies: Public Awareness/Outreach; Upstream or Early Resolution Processes; and

Stakeholder Involvement. Activity in all of these areas of program function seems necessary to the operation of a capable State dispute resolution system. States, however, are asked to describe in their APRs the “improvement strategies” they undertake to maintain or improve their performance in the various indicator areas. Most States do not fully describe the operations of their systems in their APRs, but rather describe where they are concentrating efforts to improve. As a result, most APRs provide only a partial view of how dispute resolution systems function overall. “What’s working well” for many States may go unreported, or may be only alluded to in describing completed activities or in explanations of progress. A summary count of the number of States reporting on the use of the twelve improvement strategies is displayed in Table 5.

Table 5: Number of States Reporting Activity by Type of Improvement Strategy for Dispute Resolution Indicators B16–B19*

Improvement Strategies Reported	Indicator B16	Indicator B17	Indicator B18	Indicator B19
A: Data Collection and Reporting	<u>35</u>	<u>28</u>	<u>27</u>	<u>21</u>
B: Administration and Monitoring	<u>43</u>	<u>39</u>	<u>26</u>	<u>26</u>
C: TA and Support Systems	10	9	6	9
D: TA, Training and Prof. Dev.	<u>35</u>	<u>42</u>	<u>39</u>	<u>44</u>
E: Policies and Procedures	<u>28</u>	<u>27</u>	<u>21</u>	19
F: Program Development	1	0	1	3
G: Collaboration and Coordination	14	16	13	14
H: Evaluation	13	16	11	19
I: Increase or Adjust FTE	<u>26</u>	12	9	9
J: Public Awareness and Outreach	18	15	<u>22</u>	<u>34</u>
K: Upstream/Early DR Processes	18	12	12	18
L: Stakeholder Group	16	16	16	17

*Entries in bold, italic, underline (***NN***) indicate more than 20 States reporting.

Most States tend to focus improvement efforts across indicators on three main strategies: Data collection and reporting; Administration and monitoring; and TA, training and professional development. Policy and procedure development is a frequent improvement strategy for the compliance related indicators (B16 and B17). Many States have also invested in increased staffing for complaints investigation and reporting, an area where they tend to have more control over staffing than other areas of dispute resolution. Public awareness and outreach have been emphasized for the new resolution process (B18) and even more so for mediation (B19). The emphasis on upstream and early resolution processes is reported more for Indicators B16 and B19. A total of 31 States/entities report supporting one or more early dispute resolution or prevention strategies under one of the four dispute resolution indicators. In the area of written complaints, for example, such strategies may involve effort early in the 60 day complaints timeline to resolve the issues without a full investigation and report, while still leaving time to proceed with a full investigation if those efforts are unsuccessful. Some States are experimenting with the use of resolution facilitators in resolution meetings (B18). Strategies to prevent conflict from reaching formal procedure levels include such things as co-populated

communication and conflict resolution skills training, IEP facilitation, parent help-lines, and parent-to-parent support programs. CADRE is aware of States that support Early Complaints Resolution processes that do not report on them in their APRs.

SUMMARY OF CADRE PROVIDED TECHNICAL ASSISTANCE:

Twenty-three (23) States noted in their APRs having received technical assistance (TA) from CADRE, or having used CADRE products or services. CADRE resources were mentioned most frequently under Indicators B16 (complaints) and B19 (mediation). Table 6 displays the number of States reporting that they accessed CADRE resources (by Indicator).

Table 6: Number Of States Reporting Receipt of TA from CADRE in APRs

B16	B17	B18	B19	Any Indicator
17	12	12	16	23

CADRE also tracks technical assistance we provide to States. These records reveal more State involvement than is generally mentioned in the APRs.

“Universal TA” was available to all States/entities during 2007-08 through:

- CADRE web site (over 100,000 documents were downloaded from the CADRE website in 2008)
- *CADRE Caucus* (an electronic newsletter reaching over 3,000 subscribers)

All States had access to universal TA through these two mechanisms. Data on web access indicates that almost all States participate in accessing CADRE resources at this basic level.

“Targeted TA” is provided through:

- Wide dissemination of print materials: for example, the CADRE/ALLIANCE product, “Resolution Meetings: A Guide for Parents” was sent to all States/entities and their PTIs.
- CADRE’s Information Request/Contact System: 34 States requested (by email or phone) and received specific technical assistance. These requests typically require from an hour to several days to compile and provide the requested assistance. In addition, ten States requested and received CADRE products through the mail (usually these are orders for multiple copies of CADRE products to be used in trainings or conferences).
- CADRE facilitates ListServes for State managers of written complaints systems, mediation systems, and hearings systems. States post queries to other State managers on these ListServes, providing a rich source of support for these “communities of practice.” During 2007-08, participants from 38 States posted

requests for information and assistance to the ListServ, and received information and resources from other State colleagues in response to those inquiries.

- “Intensive TA” involves CADRE providing on-site training and/or technical assistance and follow-up. CADRE’s model for systemic dispute resolution TA, “DR SIPE,” involves intensive preparation, on-site assistance and follow-up over a period of years. Four States were actively involved in this systems level work with CADRE during 2007-08.

WHAT TECHNICAL ASSISTANCE DID “NEEDS ASSISTANCE 2” STATES ACCESS? WHAT DID THEY DO WITH IT?

Eight of the States with 2006-07 “Needs Assistance 2” determinations from OSEP had compliance issues with Indicator 16 (timeliness of written complaint reports issued) and two of these States also had compliance issues with Indicator 17 (timeliness of hearing decisions). CADRE particularly reviewed their APRs for information about the TA resources they accessed and what specific use they made of those resources. A summary of these resources, across all eight States, follows.

Table 7: Number of NA2 States Reporting Use of TA Resources

TA Resources	Number of States Reporting Use
CADRE	5
RRC Program	4
SPP/APR Calendar	2
Other TA (contractors, consultants)	2
National Accountability Center	1
OSEP Staff/Monitoring Team	1
Other OSEP TA	1
Collaboration with other agencies	1
Nothing specified	1

CADRE was the most commonly reported TA resource (5 of 8 States), with the RRC Program a close second (4 States). Two States reported accessing resources from the SPP/APR Calendar. The use of external consultants or contractors was noted by two States, although the improvement strategies being used by many States suggest external contractors may be more common than is reflected in the APRs. The details of what TA was received or how the TA was being used differs widely from report to report, making a detailed summary difficult to construct.

The most commonly reported improvement strategy, based on TA received, was the upgrading or redesign of the State’s data tracking system for dispute resolution activity. These revised systems are described most often as allowing for more time sensitive tracking of complaint report timelines or hearing timelines. For complaints, several States added new complaint report “milestones” to their systems (for example: date received, date assigned to investigator, date allegations sent to the parties, date

documentation due from parties, 30- and 60-day timeline checks, date letter of findings issued, date the corrective action due, and date complaint closed). States also typically matched the improved process tracking with increased supervision and monitoring of complaint investigators and hearing officers. Through regular review, States identify areas and individual investigators or hearing officers where timelines may be slipping and then intervene with technical assistance, training, and supervision to ensure that timelines are met.

Improved data tracking was often matched with increased monitoring of the timelines of each specific written complaint or due process filing, along with technical assistance, supervision and training of complaint investigators or hearing officers. Half of the States placed major emphasis on increasing the use of early intervention and dispute prevention strategies in hopes of decreasing reliance on more formal processes. The frequency of reported improvement strategies, based on the TA received, include:

Table 8: Number of NA2 States Reporting Application of TA Resources to Particular Improvement Efforts

Application of Technical Assistance	Number of States Reporting this Strategy
Improve Data/Tracking System	5
Monitor/Intervene with Practitioners	5
Evaluate/Redesign DR System	4
Increase Upstream Focus	4
Revise Policies and Procedures	4
Train Practitioners	2
Adjust Staffing Levels and/or Assignments	2

Seven of the eight States improved, reaching “substantial compliance” (>95% on time) for written complaints, Indicator B16. The two States that had Indicator B17 performance at <95% for 2006-07 remained almost unchanged in their performance for 2007-08. States reported that they had made use of OSEP-sponsored TA (including the SPP/APR calendar, SPP/APR conference calls, other regional and national conference calls, and the OSEP Leadership and National Accountability Conference). At least one State reported that they had difficulty finding information specific to improving the timeliness of the written complaints process in these resources. This may reflect a need for better indexing or targeting of available resources rather than their absence. It may also suggest that States in need of assistance could benefit from knowledgeable guidance in identifying resources specific to their needs. For some States, at least, finding the TA resources they thought they needed was not easily accomplished.

An additional analysis of the activities of these NA2 States was carried out based on the improvement strategies we coded from their APRs, whether or not they related this work to technical assistance received. From this analysis, we conclude:

- NA2 States had broader improvement strategy plans than non-NA2 States. Across all four dispute resolution indicators, they reported more than 1.5 times as many improvement strategies as did non-NA2 States.
- NA2 States focused more improvement efforts under B16 and B17 than other, non-NA2 States in these areas:
 - A. Data Collection and Reporting (e.g., expanding the range of process steps tracked for each process)
 - B. Admin. and Monitoring (e.g., reviewing tracking data regularly and intervening to ensure process timeliness)
 - E. Policies and Procedures (e.g., clarifying conditions for use of extensions)
 - G. Collaboration and Coordination (e.g., with the State office of administrative hearings)
 - H. Evaluation (e.g., systems reviews to identify barriers to compliance)
 - I. Increase or Adjust FTE (e.g., increasing the number of complaint investigators)
 - L. Stakeholder Group (e.g., State advisory panel subcommittees formed to review dispute resolution activity)
- NA2 States focused more improvement efforts in B18 and B19 than other, non-NA2 States in these areas:
 - A. Data Collection and Reporting (elaborating tracking systems to handle resolution meeting timelines and non-required, early resolution processes)
 - G. Collaboration and Coordination (e.g., with PTIs)
 - H. Evaluation (e.g., client satisfaction)
 - I. Increase or Adjust FTE (e.g., offering resolution facilitation)
 - J. Public Awareness and Outreach (e.g., emphasizing mediation and early resolution activity)
 - K. Upstream/Early DR processes (e.g., supporting IEP facilitation)
 - L. Stakeholder Group (e.g., State advisory panel subcommittees formed to review dispute resolution activity)

These differences suggest that while NA2 States were focusing systematically on their required processes for complaints and/or hearings management, they were also increasing focus on the use of less contentious and informal dispute resolution processes with parents and schools, and increasing stakeholder involvement.

CONCLUSIONS AND RECOMMENDATIONS

CADRE finds that States that are reaching compliance and reporting favorable outcomes in dispute resolution share some common features:

- Most State APRs now reflect a comprehensive, systemic perspective on dispute resolution, with the required dispute resolution processes and other alternate dispute resolution approaches seen as part of an overall system.
- Compliance with complaints timelines requires capable tracking systems. States with moderate to higher levels of activity that report success in meeting complaints timelines invest in tracking multiple steps in the process, and reviewing those data on a very regular (weekly) basis, taking action to correct problems with each complaint as they arise.
- Compliance with hearings timelines also benefits from improved tracking of process, as well as from methods for providing clarity to and supervision of hearing officers. This can represent a challenge for States that do not directly manage their hearing systems. However, even in some of those States, improved compliance is associated with clear guidance on process (e.g., hearing officer handbooks, tool kits, or other guidance resources); interagency agreements that ensure process tracking; appropriate criteria for extensions; and training or more direct intervention with hearing officers who do not meet timelines.
- It is too soon to draw conclusions about how well the “resolution process” (reflected in part by Indicator B18) is working. Based on the first two years of implementation (2005-06 and 2006-07), it appears that the “resolution meeting” may have formalized activities that were already in place, and temporarily at least, substituted this forum for what had been “mediations related to due process.” States differ with regard to whether they consider this process an appropriate area for State oversight and guidance, and they differ in the success they have had with resolution meetings. For many States, the level of “resolved without a hearing” has remained fairly stable, even where “written settlement agreement rates” (the B18 Indicator) are low. Communication across States on how to effectively manage the resolution process could be very useful.
- Mediation continues to be supported by States, as do other forms of dispute resolution that seek agreement before conflict resolution processes are formalized. Challenges in operating an effective mediation program include: how to address practitioner standards and training; school and parent trust of the independence of mediators; guidance to mediators on effective agreement preparation; and follow-up on implementation of agreements. Most States now pursue some form of alternate dispute resolution beyond those required by IDEA, with more than 31 States having some form of alternate dispute resolution practice in place. The success of these approaches has helped reduce the use of formal processes in some States.

INDICATOR 20: TIMELY AND ACCURATE DATA

Prepared by DAC

INTRODUCTION

Indicator 20 measures the timeliness and accuracy of State-reported data (618 and SPP and APR). The data sources for this indicator are State selected and include data from the State data system, assessment system, and technical assistance and monitoring systems.

Measurement of this indicator is defined in the SPP/APR requirements as:

State-reported data, including 618 data and annual performance reports, are: (a) Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement, and assessment, and November 1 for exiting, discipline, personnel, and dispute resolution, and February 1 for the APR); and (b) Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

OSEP has developed a rubric to measure the timeliness and accuracy of 616 and 618 data submitted by States. Use of this rubric was voluntary for FY 2007 APR submissions.

The Data Accountability Center (DAC) reviewed a total of 60 FY 2007 APRs. These included the 50 States, the District of Columbia, the territories, and the Bureau of Indian Education (BIE). (For purposes of this discussion we will refer to all as States, unless otherwise noted.) Analysis of the actual target data as reported by States indicates:

- Thirty-four States (57%) reported that their data were 100% accurate.
- Twenty-six States (43%) reported accuracy other than 100%.
 - Out of these 26 States, 25 reported a percentage between 90 and 99%.
- Fifty-eight States (97%) used the rubric.

The remainder of our analysis focused on five other elements: (1) States' descriptions of progress and/or slippage, (2) comparisons of State-reported 618 data to DAC's data submission records, (3) descriptions of how States ensured timely and accurate data, (4) technical assistance and actions taken by States determined to Need Assistance for two consecutive years, and (5) States' improvement activities.

PROGRESS OR SLIPPAGE

Thirty States and territories (50%) reported progress; seven States (12%) reported slippage; 11 (18%) reported only that the target was met; and 12 (20%) did not provide information on slippage or progress.

States attributed progress to a variety of factors, including (listed from highest to lowest frequency):

- Updating existing or establishing new data systems
- Providing technical assistance to local districts
- Increasing knowledge of the OSEP requirements

States attributed slippage to:

- Inability to submit 618 tables in a timely and accurate manner
- Updating existing or establishing new data systems
- Personnel shortages
- Specific districts in the State

COMPARISON OF STATE-REPORTED 618 DATA TO DAC'S DATA SUBMISSION RECORDS

This was the second year that States had an option of using the rubric created by OSEP to determine data accuracy. Fifty-eight of the 60 States (97%) used the rubric. The other States used their own calculations to determine timeliness and accuracy.

- The majority, 39 States (65%), reported the same data that DAC had in its records. These included States that provided a description of their calculation methods, if the rubric was not used.
- Nineteen States (32%) had differences from DAC's data submission records when reporting about passing edit checks. In all cases, the State reported having passed the edit checks, while records indicated that the State did not pass initial edit checks.
- Thirteen States (22%) had differences from DAC's data submission records when reporting about complete data. In all cases, the State reported having complete data, while records indicated that the State did not report complete data.
- Four States (6%) had differences from DAC's data submission records when reporting about timeliness of data. In all cases, the States reported having submitted their data on time, while records indicated that the States did not submit their data in a timely fashion.
- Two States (3%) had differences from DAC's data submission records when reporting about data note submissions. In both cases, the States reported having submitted the data notes, while records indicated that the States did not submit their data notes.

DESCRIPTION OF METHODS OF ENSURING TIMELY AND ACCURATE DATA

The majority of States, 42 (70%), provided some description on how they ensured that their data were timely and accurate. Many States relied on their data systems to provide timely and accurate data. Nineteen States (32%) had built-in edit checks and validations to ensure that the data were valid. Some States also used onsite monitoring, manual comparisons of State data to district-level data, and internal and external workgroups. States also provided various forms of technical assistance to local education agencies and the Department of Education employees to ensure that their personnel knew the correct guidelines for the reported data.

STATES DETERMINED TO NEED ASSISTANCE TWO CONSECUTIVE YEARS

Twenty-six States were determined to need assistance for two consecutive years in 2008. Only two States provided an explanation of the technical assistance that was sought out and the results of the technical assistance. This may have occurred because States were not determined to be in need of assistance for the second year as a result of Indicator 20.

IMPROVEMENT ACTIVITIES

One of the requirements of this indicator is the implementation of improvement activities that will increase compliance for this indicator. The activities described in the APR were analyzed using the codes developed by OSEP. The “Other” category was used. The notation “J1” was used for the development of materials. An example would be a State that reported it had created a manual to be used by its personnel. The notation “J2” was used for ongoing activities that did not reflect change or improvement. An example of J2 is a State that continued to conduct onsite monitoring or continued to conduct local program self-assessment.

Among the 60 States and territories, one State did not report improvement activities in its FY 2007 APR. Updating or establishing new data systems was the most widely reported activity, while program development was the least reported. The improvement activities used are included in Table 1. Activities are listed from most to least frequent.

Among the States reporting improvement activities, the number of activities reported per State for this indicator ranged from 1 to 13. The average number of activities reported per State was five.

Table 1: Summary of Improvement Activities

Improvement Activity Category	Number of States Reporting at Least One Activity from the Category	Percentage of States Reporting at Least One Activity from the Category
A. Improve data collection and reporting	57	95
D. Provide TA/training/professional development	48	80
E. Clarify/examine/develop policies and procedures	22	37
B. Improve systems administration and monitoring	21	35
G. Collaboration/coordination	18	30
J1. Create technical assistance materials	12	20
J2. Ongoing activities	9	15
C. Build systems and infrastructures of TA and support	7	12
I. Increase/Adjust FTE	5	8
H. Evaluation	3	5
F. Program development	0	0

TECHNICAL ASSISTANCE PROVIDED TO STATES

DAC records were reviewed to determine the number of States receiving specific levels of technical assistance from DAC in FY 2007. The levels of technical assistance listed below are defined by DAC and are not precisely aligned to those in the OSEP draft Conceptual Model. The percentages of States that received technical assistance from DAC related to this indicator are reflected using the following three codes:

- A. National/Regional TA—100%
- B. Individual State TA—75%
- C. Customized TA—7%

National/Regional TA was in the form of technical assistance documents posted on www.IDEEdata.org, assistance with the reporting of 618 data, annual data meetings, and year-to-year change reports to help with data notes.

OBSERVATIONS AND CONCLUSIONS

It is important to note that certain problems came up when trying to analyze these data. Some States did not describe to what their progress or slippages was attributed or provide many details about how their programs ensure timely and accurate data. A few States did not specify which activities they considered their improvement activities in this SPP/APR. In addition, many States did not specify whether their activities for ensuring quality data were used for 618 and/or 616 data.

Last year, many States had to adjust their understanding of the requirements for this indicator. Based on this analysis, States seem to have a better understanding of the requirements for indicator 20. In FY 2006, 30 States reported slippage, while in FY 2007, only seven States reported slippage and 30 States reported progress. Additionally, and perhaps more importantly, most States reported improved data collection methods. This was clear from the number of States that had either updated or implemented a new data system.