

PART B SPP/APR INDICATOR ANALYSES

08/01/07

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INDICATOR 1: GRADUATION

Prepared by NDPC-SD

INTRODUCTION

The National Dropout Prevention Center for Students with Disabilities (NDPC-SD) was assigned the task of analyzing and summarizing the data for Indicator 1—Graduation—from the 2005–06 Annual Performance Reports (APRs) and amended State Performance Plans (SPPs), which were submitted by states to OSEP in February of 2007. The text of the indicator is as follows.

Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating 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 2005-06 school year, discussed reasons for its progress or slippage with respect to the target rate, and described any improvement activities it had undertaken during the year.

In the amended SPP, each state revised its baseline data, measurement of the indicator, targets for improvement, and improvement strategies/activities, as was deemed necessary by the state or by OSEP. A breakdown of the revisions made to the SPPs is shown in Table 1.

Table 1
Revisions to the State Performance Plans as submitted in February 2007

Type of revision made	Number of states
Baseline data	14
Measurement of graduation rate	6
Improvement targets	14
Improvement activities	25
None	22

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.

The evaluation and comparison of graduation rates for the states was confounded by several issues, which will be described in the context of the summary information for the indicator. Given the limited data that is currently available as well as the number of revisions that states made to their baselines, measurement of the indicator, and targets, only very limited generalizations can be made about states' progress on Indicator 1 at this time.

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 document, (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. Until a consistent definition of graduation can be established and effected, making meaningful comparisons of graduation rates from state to state will be difficult, at best.

Within-state comparisons—internal consistency

States were instructed that the measurement of graduation rates for special education students should be the same as the measurement for all youth. Additionally, they were directed to explain their calculations. Forty-two states (70%) were internally consistent, using the same method to calculate both their rates. Two states (3%), however, used different methods for calculating the two rates. Sixteen states (27%) did not specify how they calculated one or both of their rates, though all did reiterate the OSEP statement that measurement was the same for both groups.

The states that employed two different calculations cited a lack of comparable data for the two groups of students as having forced the use of different methods. For example, as required under No Child Left Behind (NCLB), states generally calculate average daily membership (total enrollment) per grade in September or October of the year. Special education student counts, however, were usually derived from the 618 data and reflected the number of students between ages 14 – 21 (or 17 – 21 in other states) enrolled in school on December 1st of the year. Several states acknowledged that comparisons of their two rates should not be made.

Types of comparisons made

The graduation indicator requires a comparison of the percent of youth in special education graduating with a regular high school diploma to the percent of all youth in the state graduating with a regular diploma. The majority of states (74%) made the requested comparison. Eight percent of the states compared special-education rates to general-education rates. Thirteen percent made both comparisons. The remaining

states (5%) were unable to make comparisons because they lacked either their special education or all-student graduation rate.

Between-state comparisons—calculation methods

Even for states that are internally consistent in calculating graduation rates, comparisons among the states are not easily made because the method of calculation is variable from state to state. The graduation rates included in the APRs were generally calculated using one of two methods: an event rate calculation or a cohort rate calculation. The event rate calculation used by states generally followed the form below.

of graduates receiving a regular diploma

*# of graduates + # of students receiving GED + # of dropouts + # who maxed out in age +
deceased*

The cohort rate calculation provides a graduation rate for a 4-year cohort of students. This method, as applied in the APRs, generally followed the form below.

graduates receiving a regular diploma

graduates receiving a regular diploma + the 4 year cohort of dropouts

Graduation rates calculated using the event method cannot properly be compared with those derived using the NCES formula. The event rate method tends to over-represent the graduation rate, providing a snapshot of the graduation rate for a particular year that ignores attrition over time, whereas the cohort method provides a more realistic description of the number of students who made it through four years of high school and graduated.

Thirty-four states (57%) used the cohort method for calculating special-education graduation rates. Eighteen states (30%) used the event method and one state (2%) employed a status method. Another seven states (11%) did not specify how this rate was calculated; and the Bureau of Indian Education used the method employed by each state in which one of its schools was located. In the revised SPP, six states (10%) described changes to their methods of calculating graduation rates.

Many states adopted the use of a cohort rate several years ago and were able to report a cohort rate for 2005-06. Other states, however, reported that they were in the process of adopting a cohort-based graduation calculation and would not have their first complete set of cohort data until one or more years from now.

Baseline year

In the guidance for the 2005 SPP, states were directed to provide baseline graduation-rate data for the 2004-05 school year and to set graduation targets for the out years of the Performance Plan based on those data. In the original SPPs, 41 states (68%) complied and provided data from the 2004-05 school year. Seventeen states (28%) reported baseline data from the 2003-04 school year because the 2004-05 data were not available when the SPP was written. One state (2%) reported its baseline data from the 2002-03 school year and one other state (2%) did not provide baseline data at that time.

In the revised SPPs, submitted in February 2007, seven states (11%) reported 2003-04 data; 52 states (87%) reported data from 2004-05; and one state (2%) reported baseline data from the 2005-06 school year.

Graduation Rates

Across the 60 states, the highest reported graduation rate for special education students was 93.9% and the lowest was 13.6%.

Figure 1 shows the special education graduation rates for all of the states. Note that states are grouped by the method used to calculate their graduation rate. Additionally, the states for which a rate is not shown did not have data available for the 2005-06 school year at the time of this report.

2005-06 Special Education Graduation Rates

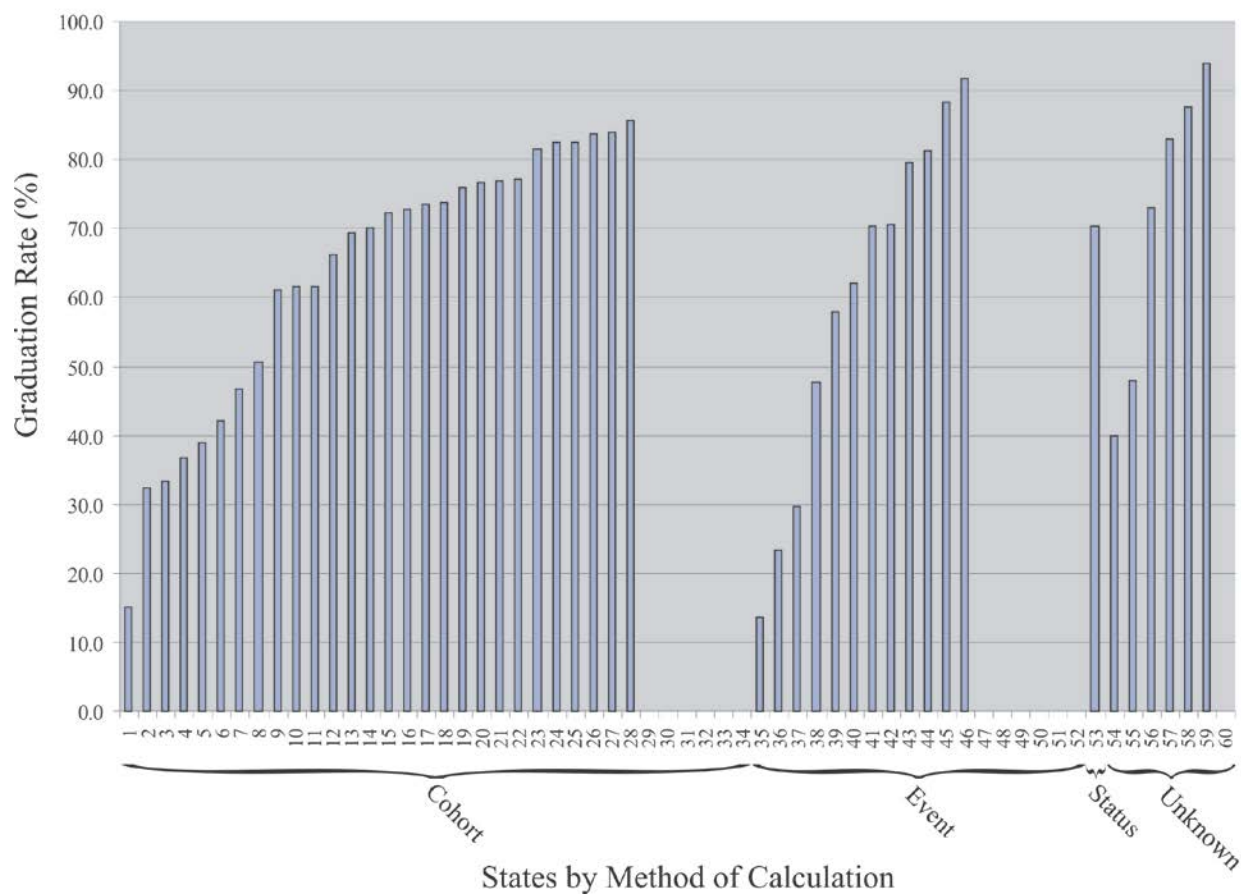


Figure 1

Figures 2, 3 and 4 show states' graduation rates, sorted by method of calculation, for both special education and all students. Again, note that some states have missing data and hence are displayed as gaps in the chart.

2005-06 Graduation Rates (Cohort Method)

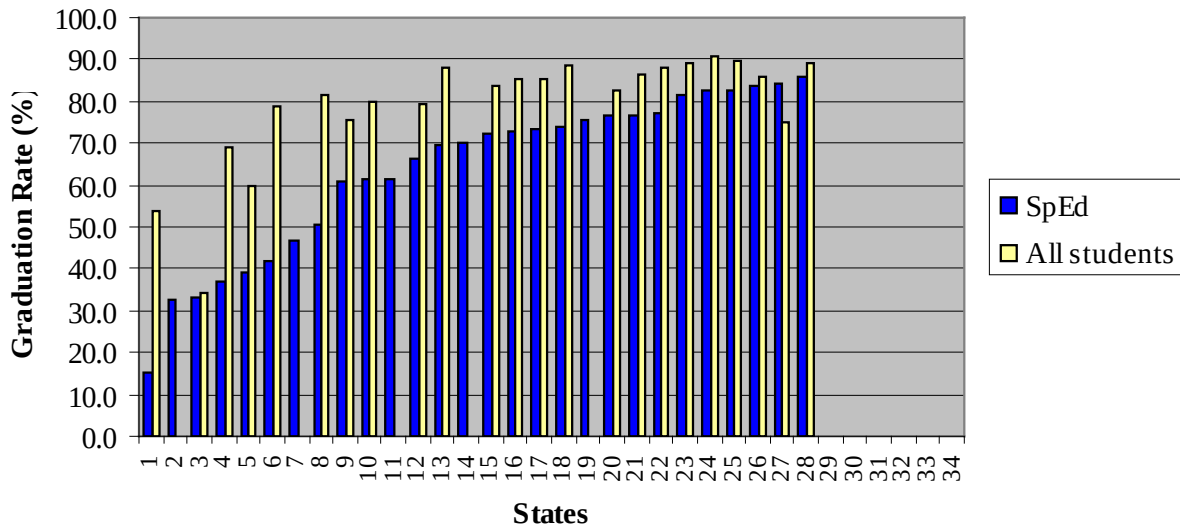


Figure 2

2005-06 Graduation Rates (Event Method)

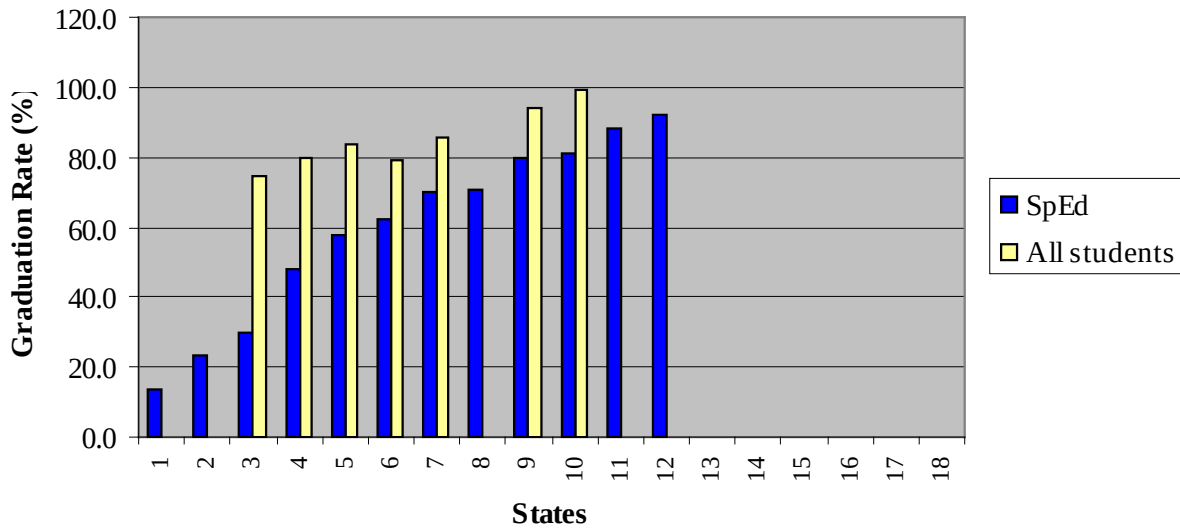


Figure 3

2005-06 Graduation Rates (Unknown Method)

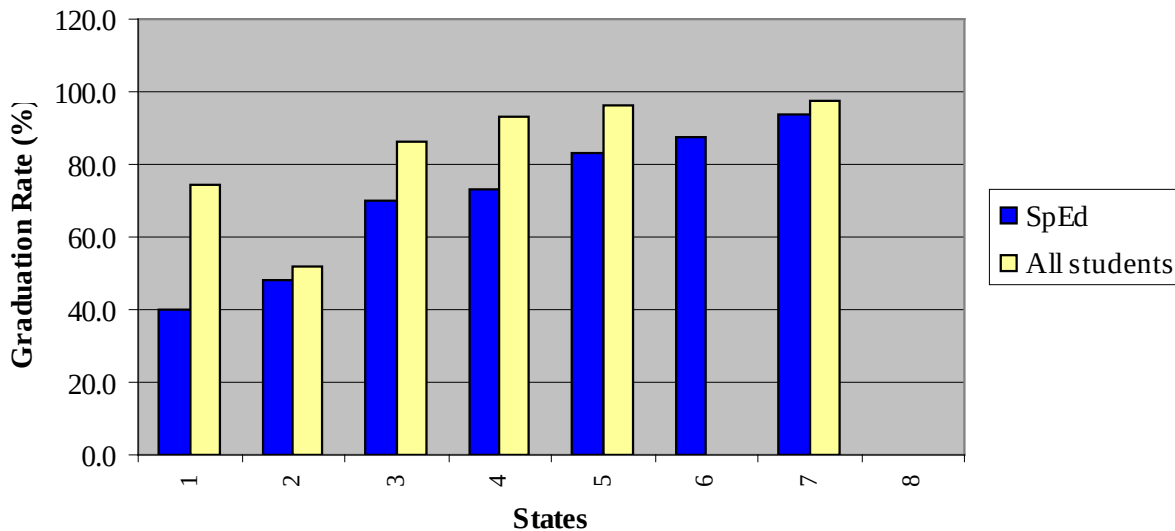


Figure 4

GRADUATION GAP

States were instructed to identify and address any gap that exists between the all-student graduation rate and the rate for special education students. To calculate that gap, the special education rate is subtracted from the all-student rate. If a gap exists and has a positive value, this indicates that the all-student graduation rate is higher than the rate for special education students. This was the case in 35 states (58%). Conversely, a negative value for a gap indicates that special education students graduate at a higher rate than the entire population of students in the state. Based on the data in these APRs, this was the case in only one state (2%). The remaining 24 states (40%) did not report one of the two graduation rates needed to calculate the gap value. Consequently, no gap values were calculated for those states.

Figure 2 shows the graduation-rate gaps for the states. The order of states on the graph is based on each state's gap score. Note State #1 has a negative gap, which indicates a higher graduation rate for special education students than for all students. The rest of the states' gaps, where they could be calculated, are positive values. The states at the right end of the chart are those for which data were missing.

2005-06 Graduation Rate Gaps (All-student Graduation Rate – SpEd Graduation Rate)

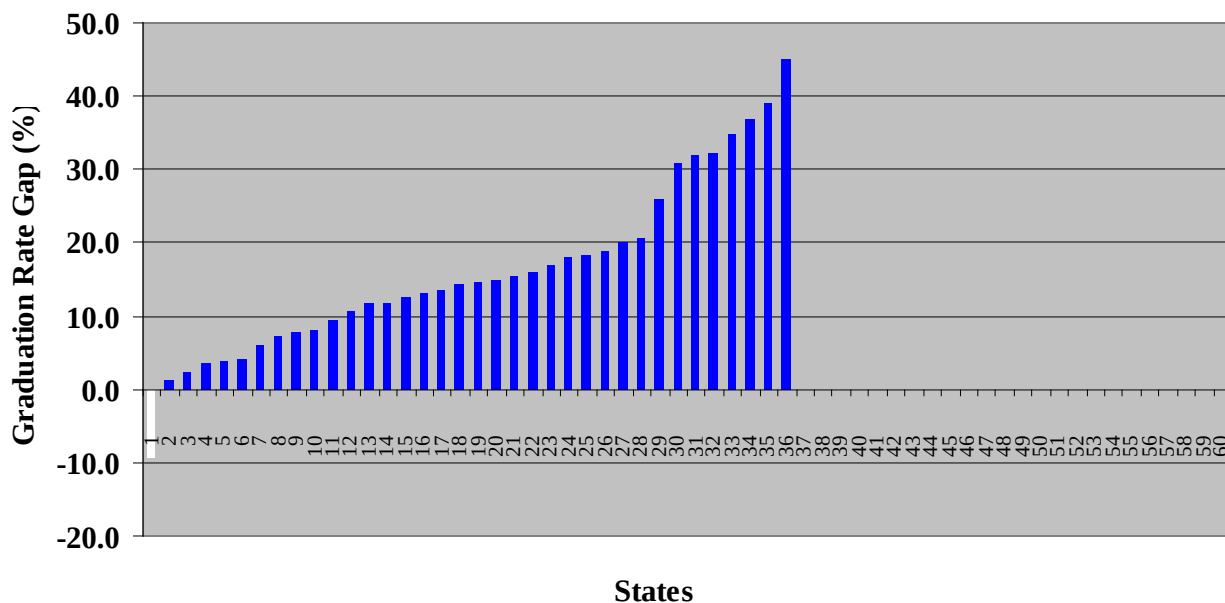


Figure 5

GRADUATION RATE TARGETS

Twenty-two states (37%) achieved their targeted graduation rate for students with disabilities and 31 states (52%) did not. The remaining 16 states (11%) were missing special education data and could not determine progress made to achieve their targeted graduation rates.

Most states described their graduation targets in terms of a graduation rate that they plan to achieve during each year of the SPP. Of the 60 states, 46 (77%) specified their targets in this manner. For these states, the median targeted gain was 6.0% and the average targeted gain was 9.4%. The remaining states described their targets in a variety of ways that can be categorized as 1) improving over the previous year by x%, 2) decreasing the graduation gap by x% per year, 3) improving the graduation rate within a certain range each year, or 4) moving a specified number or percentage of districts to a particular graduation rate.

While OSEP instructed states to set measurable and rigorous targets for their special-education graduation rates, the term 'rigorous' is not defined and the majority of states have set modest targets. The targeted improvement in graduation rates by the 2010-11 school year, as described in these APR submissions, ranged between 0% and 30%,

with the largest number proposing improvements of between 0 and 5% by 2011. Table 2 shows a breakdown of these proposed improvements.

Table 2

Proposed amounts of improvement in special education graduation rates by the end of the 2010-11 school year

Range of improvement	Number of states
0% - 5.0%	21
5.1% - 10.0%	10
10.1% - 15.0%	8
15.1% - 20.0%	1
20.1% - 25.0%	4
>25%	2
Unable to calculate because of method of specifying targets	14

CONNECTIONS AMONG INDICATORS

Twenty-nine states (48%) identified a strong connection between Indicators 1 and 2, saying that the two indicators are so tightly intertwined that combining the efforts made sense. This is an increase from the 2005 SPP reports, which listed only 13 states using common activities for Indicators 1 and 2. Several states additionally described a connection among Indicators 1, 2, 3, 13, and 14 and coordinated some of their activities accordingly.

NDPC-SD INTERACTIONS WITH STATES

Fifteen states (25%) indicated that they had either used materials from NDPC-SD, received some form of technical assistance from NDPC-SD, or planned to request assistance from the Center in the future. During the year, NDPC-SD had some form of interaction with all 60 states. Table 3 shows a breakdown of these interactions using the categories specified in the OSEP template for this report.

Table 3

NDPC-SD Interactions with States during the 2005-06 school year

Nature of interaction	Number of states
A. Information – NDPC-SD provided information by mail, telephone, teleseminar, listserv, or Communities of Practice to State	60
B. Conference – State attended a conference sponsored by NDPC-SD	21

C. <i>Regional or State Group Assistance</i> – NDPC-SD provided small group assistance to the State	48
D. <i>Consultation</i> – NDPC-SD provided on-going consultation in the State	8

IMPROVEMENT STRATEGIES AND ACTIVITIES

States were instructed to report the strategies, activities, timelines, and resources they plan to employ in order to improve the special education graduation rate over the years of the SPP. The range of proposed activities was considerable. Forty-one states (68%) listed one or more evidence-based improvement activities in their APR, while the remaining 19 states (32%) did not propose any evidence-based improvement activities. There is still a dearth of evidence-based programs in the area of school completion that have demonstrated efficacy specifically for students with disabilities.

Using the 10 categories provided by OSEP, NDPC-SD coded each state's improvement activities. Center staff then calculated the percentage of effort directed toward each of these categories. Figure 6 shows the overall distribution of activities, by category, across all states. A list of the categories and subcategories appears in Appendix 1-A with examples of each.

Figure 6 shows that data and monitoring activities (A & B) as well as professional development (C) and technical assistance (D) activities were relatively abundant, each accounting for between 12 and 14% of all state activities. Policy (E) and program evaluation (H) activities were much less common (at 5% and 6%, respectively), as was states' increasing the number of FTEs at the state level (I), which accounted for only 2% of all activities. Many states described one or more improvement activities that were unique to their specific needs and programs (J). These activities constitute 14% of the total states' activities.

2005-06 Improvement Activities for Indicator 1

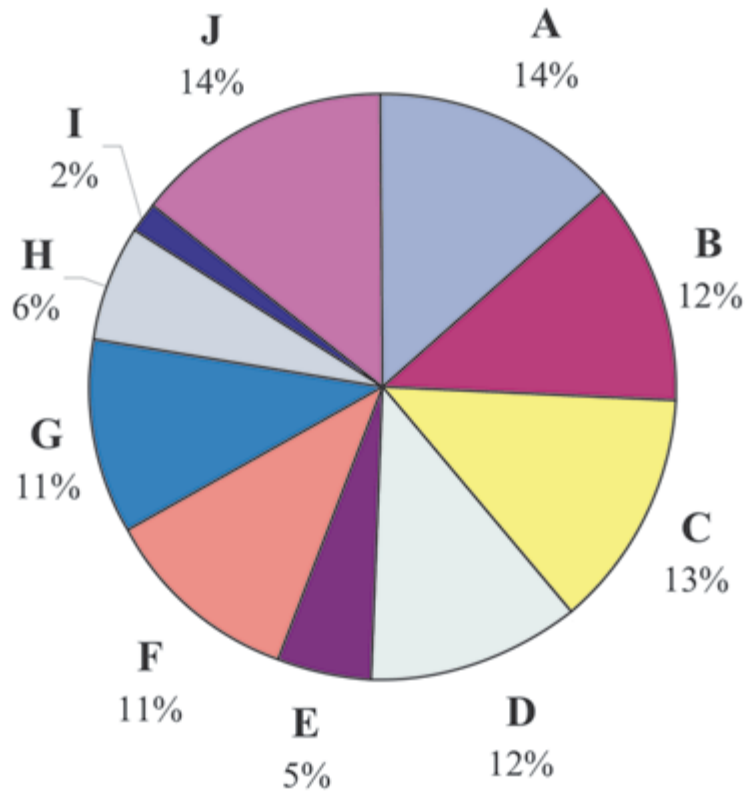


Figure 6

Legend

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

RECOMMENDATIONS

Many of the recommendations made in NDPC-SD's reports on the 2005 SPPs still hold true for the current APR submissions. Additionally, several additional recommendations have arisen while working with the current submissions. The recommendations are listed below.

- There needs to be a better correspondence between what states report in the APR and what is actually being done in terms of improvement activities as well as the calculation of actual graduation rates and the meeting of improvement targets.
- Instruct states to number their improvement activities clearly, rather than embedding numerous activities in long sections of text.
- States should, as much as possible, obtain their all-student and special education data using comparable methods at comparable times of the year. This may be difficult, as the December 1 Child Count generally serves as the source for the special-education data and states' total enrollment is usually collected earlier in the fall.
- Many states are moving toward the use of a cohort-based calculation method, though not all states are there yet. This move, toward what most feel is a more accurate method, should yield a fairly realistic picture of graduation rates.
- In the next round of APRs, it would be helpful to have states report the exact calculation(s) used in arriving at their graduation rates as well as the exact source of the data used in both the all-student and special-education rate calculations.

APPENDIX 1-A – OSEP IMPROVEMENT ACTIVITY CATEGORIES

A) Improve data collection / reporting or systems – 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.

- The Office of Special Education Services met with the Office of Accreditation, the Student Information System, and the Data Services section to discuss differences in the reporting of graduates for special education and regular education students. Although it seems that these differences are based on definitions of graduates provided by federal (special education) and state (regular education) laws – so they cannot be modified for consistency – the sections discussed ideas to make the differences in reporting more understandable to the public.
- State has expanded the ISD and LEA level data reports to include data from the Single Record Student Data system. This additional information allows districts to disaggregate data around the complex issues related to student performance and graduation rates for the purpose of developing system improvement plans.
- Design protocol for data analysis at district level to evaluate students' access to general education curriculum in regular education environments. Protocol will include inquiry regarding: IEP justifications for removal from regular education environments; IEP components establishing foundation for access to general education curriculum, e.g., present levels of performance, goals/objectives, special education services, supplementary aids and services; Extent to which accommodations for participation in general education curriculum are individually determined and precise; Extent to which general education teachers are aware of and fulfill IEP implementation responsibilities; Extent to which general and regular education teachers use methods for collaboration that maximize students' access to general education curriculum; Any disproportionality in placement of race/ethnic groups in less inclusive settings; and Teacher competency in core academic subjects.
- Provide districts with longitudinal baseline data for future program improvement activities.
- Align Special Education Program data collection to track information consistent with the one used by Academic Affairs for NCLB.
- Grade level fields were added to the Special Education Student Information System (SESIS). This will allow a more appropriate comparison between special education students and all students (the measurement is consistent for figuring graduation and dropout rates).

B) *Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration.*

- Monitor IEP students by organizing counselors, resource specialist, and teacher to interpret data and react to the pattern of data to develop ways to encourage and reward student participation in school.
- Monitor LSS to evaluate the effectiveness of the activities in increasing the number of students who complete their educational programs.
- Graduation data were analyzed with the following key stakeholders: Special Education Advisory Panel, SEA Staff, and the State Behavioral Alliance. Discussions focused on AEA level trend data. Positive discussions centered on the decrease in the graduation gap in one AEA. The bulk of the discussion focused on the increase in graduation gap across the remaining ten AEAs. Further, although two AEAs met the state's target, both of these AEAs increased the graduation gap.
- In June 2006, state data was used to verify whether students had exited from special education with a "Graduation" status, whether they were within the appropriate age range, and/or whether they had reentered the system.

C) *Provide training/professional development – provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders.*

- Provide training to schools to increase consistency in their methods of reporting graduation and dropout rates.
- The State has provided monthly guidance in the form of conference calls to ISD directors and other key stakeholders on key priorities related to new graduation requirements. The State has also hosted more than ten (10) day-long workshops and work sessions around the graduation requirements to a variety of stakeholder groups.
- Professional development has been provided statewide in collaboration with Title I, Reading First and the state reading coordinator. This has been accomplished through a variety of delivery formats including face-to-face, webinars, online training modules and the development of an on line learning community. The content of the training and information was developed to target areas identified by the SDE and school districts for improvement. This year, the State has

focused on the highest need areas of middle school math, reading curriculum leadership, vocabulary development and Response to Intervention.

- Support to school personnel on implementation of RTI at the secondary level and implementation of co-teaching models being adopted by all districts.

D) *Provide technical assistance – provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs.*

- The Department of Education (DOE) provided self-determination training for students with disabilities at the Annual Transition Conference, held on March 8-9, 2005. Parents, teachers, and students with disabilities participated in the training.
- Governor's Youth Leadership Forum – Governor's Youth Leadership Forum is an innovative, intensive, five-day career leadership training program for high school juniors and seniors with disabilities. Program activities focus on career planning, leadership development, technology resources, and information on disability history to assist young people with disabilities in reaching their maximum potential.
- Region 4 Education Service Center (ESC) provides statewide leadership for the State Behavior Support Initiative. Region 4 ESC works in conjunction with a 20-region network to ensure dissemination of information and training statewide. Training modules assist campus teams in developing and implementing a wide range of behavior strategies and prevention-based interventions. These skills have helped educators establish systems of support at school-wide, classroom, and individual student levels.
- Continue to host a statewide conference on promising practices in education programs and services for children and youth who receive educational services in non-traditional education programs (including non-public, charters, and education programs associated with treatment programs).
- The SEA engaged in developing an extensive document detailing research-based interventions and policies that effect graduation and dropout. To this end, the SEA supported a statewide dropout advisory group to conduct an analysis of policies, procedures and practices in the areas of graduation and dropout prevention. A result of this work was a series of online supports to identify successful interventions used within schools of similar characteristics.
- Continue after school mentoring program and encourage students with disabilities to take advantage of the program.

E) *Clarify/examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator.*

- Develop a companion document to the State High School Diploma and the Certificate of Program Completion. The Exit Document meets the IDEA 2004 summary statement requirement. The Exit Document provides useful information on the student's course of study and academic success as well as assistance the students may need as they move toward their post-school goals.
- Review LSS policies and procedures for practices that assure the provision of services, supports, aids accommodations, and interventions assure access to and participation in general curriculum and assessments, and promote high school graduation with a regular high school diploma.
- The State Board of Education proposed rule changes were approved that address students with disabilities ability to demonstrate skills and complete graduation requirements. One significant change is regarding the requirement for students to reach a 'proficient level' on the 10th grade statewide assessment. Students with IEPs now have three options available to them for proficiency demonstration; 1) use the statewide assessment, 2) use a locally design alternate process available to all students in the district and 3) the IEP team can design the method that the student will use to demonstrate proficiency. This change allows students to use a variety of methods that are appropriate for them to demonstrate proficiency and to meet this state graduation requirement.
- A new state regulation has been put in place that allows students to come back to school (until legal school age) if they get a certificate of attendance, or complete the required coursework but have not received a diploma.
- State minimum dropout age was raised to age 18; School Flex and Fast Track were implemented; Early Warning Signs/School Report Card were implemented.

F) *Program development – develop/fund new regional/statewide initiatives.*

- Project FOCUS Academy, a pilot distance-learning program with courses for educators in Universal Design for Learning, Transition/Post-School Outcomes, and Positive Behavioral Interventions and Supports, which supports participants in making school-wide changes that benefit students with disabilities.
- As a part of the High School Redesign efforts the SDE developed an application for and received a grant from the National Governors Association to bring together state leaders for the purpose of developing a plan to improve Adolescent Literacy. The needs of students with disabilities are a priority of the

plan and we are continuing to work to ensure that students with the most significant challenges to reading are addressed and supported.

- Performance Learning Centers were designed for at-risk students. They use an on-line, self-paced curriculum and encourage hands-on projects and activities. These centers are open to students with disabilities.
- DOE Strategic Plan Initiative to support dropout prevention efforts.

G) *Collaboration/coordination – Collaborate/coordinate with families/agencies/initiatives.*

- Collaborate with the National Dropout Prevention Center for Students with Disabilities to identify effective strategies/interventions to support school completion.
- SDE staff participated in the National Dropout Prevention Center (NDPC) conference and conceptualized state strategies to address improving graduation rates for students of diverse learning needs. State has deployed components of this conceptual model in a year-long initiative “Reach and Teach for Learning” within which 17 building teams are closing the achievement gap and improving graduation rates for at-risk learners.
- SDE and Vocational Rehabilitation are partnering to develop a state Youth Leadership Network. The primary purpose of this council will be to provide opportunities for transition age youth with disabilities to develop leadership skills, and to promote membership in other youth organizations. An additional purpose is to provide input on disability related issues, especially related to the transition from school to work and adult living.
- Stakeholders in both general and special education are continuing the dialogue necessary to establish the framework for addressing the needs of all struggling students. The crossover between general education and special education implicit in RTI and the related activities described above will require a blending or “braiding” of programs and issues in order to maximize resources and avoid duplication of efforts. Braided Services describes the blending of several concepts that are a part of the reauthorization of Individuals with Disabilities Education Act (IDEA '04) and that have a considerable degree of overlap, in particular, the involvement of both special and general education.
- Collaborate with the Divisions of Career Technology and Adult Learning and Student, Family, and School Support in the development of a career awareness instructional framework to be infused into the Voluntary State Curriculum.

H) *Evaluation – conduct internal/external evaluation of improvement processes and outcomes.*

- Review the trend data of all districts and schools to determine whether dropout prevention activities are working.
- Request that each school and LEA complete a self-assessment of its district and school dropout prevention programs.
- Use evaluation data from school- and district-planning efforts to develop future activities.

I) *Increase/Adjust FTE – Add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff.*

- New High School Re-Design Coordinator position created.
- State is in the process of hiring more teachers for the high school to assist in general classes.
- Hire more special education teachers in the high school to assist students in the general classes.
- Reassignment of Department of Education, Office of Special Populations personnel to align with districts in need of intervention. Assign appropriate personnel to Progressive Support and Intervention Teams targeting LEAs with high schools “in need of intervention.”
- Increase in the number of human resources available at the high school level.

J) *Other – TA Center should indicate any additional types of improvement activities specific to their topic/area.*

- Develop a best practices manual on effective practices/strategies based on schools that have made progress in improving graduation rates.
- Preparing for Life Manual is available on the State Department of Education Web site for parents, students, and LEAs. The document can be used for training and awareness on diploma and exit option requirements and other transition topics.
- State will examine transition-related activities and align them with the National Standards and Indicators for Secondary Education and Transition for program effectiveness. State will disseminate Standards after completion to interagency

partners, Special Education Cooperative Transition consultants, Directors of Special Education, SDE staff, and institutions of higher education.

- Apply for the next cycle of State Personnel Development Grants (SPDG), focused on implementing a statewide Positive Behavior Interventions and Supports (PBIS) initiative.
- Assist school districts to identify opportunities for expanding community-based placement options, particularly for early childhood special education programs.

INDICATOR 2: DROPOUT RATES

Prepared by NDPC

INTRODUCTION

The National Dropout Prevention Center for Students with Disabilities (NDPC-SD) was assigned the task of summarizing and analyzing the data for Indicator 2—Dropout—from the 2005–06 Annual Performance Reports (APRs) and the revised State Performance Plans (SPPs), which were submitted to OSEP in February of 2007. The text of the indicator is as follows.

Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State 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 2005-06 school year, discussed reasons for its progress or slippage with respect to the target rate, and described any improvement activities it had undertaken during the year.

In the amended SPP, each state revised its baseline data, measurement of the indicator, targets for improvement, and improvement strategies/activities, deemed necessary by the state or by OSEP. A breakdown of the revisions made to the SPPs is shown in Table 1.

Table 1

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Type of revision made	Number of states
Baseline data	15
Measurement of dropout rate	11
Improvement targets	17
Improvement activities	25
None	21

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.

The evaluation and comparison of dropout rates for the states was confounded by several issues, which will be described in the context of the summary information for the indicator. Given the limited data that is currently available as well as the number of revisions that states made to their baselines, measurement of the indicator, and targets, only very limited generalizations can be made about states' progress on Indicator 2 at this time.

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 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.

Timing of data collections for all-student and special-education data

The timing of data collections is another factor that has the potential to cause discrepancy between the all-student dropout rate and the rate for special education students. The special-education data reported in the SPPs were generally derived from the 618 data collection, which occurred on December 1 of the year, whereas all-student enrollment data were generally collected earlier in the fall.

Types of comparisons made

States were instructed to compare their dropout data for special education students with that for all students. Forty states (67%) made this comparison. Eight states (13%) compared special education to general education rates. Eight states (13%) made both comparisons. The remaining four states (7%) were unable to make comparisons because they lacked either their special-education or all-student dropout rate.

Methods of calculating dropout rates

Another factor that confounded comparisons of dropout rates across states was that three methods exist for calculating dropout rates and different states employed different

ones. The dropout rates reported in the APRs were calculated as event rates, status rates, or cohort rates.

In general, states employing an event or status rate reported lower dropout rates than states that used a cohort rate. This is, in large part, due to the nature of the calculations and the longitudinal nature of the cohort method. While this method generally yields a higher dropout rate than the event or status calculations, it appears to provide a more accurate picture of the nature of attrition from school over the course of four years than do the other methods.

As reported in the APRs, 44 states (73%) calculated special education dropout using some form of an event rate. Calculations of this type were generally stated in the following form.

$$\frac{\# \text{ 2004 SpEd dropouts from Grades 9 - 12}}{\text{Total 2004 enrollment in Grades 9 - 12}}$$

Two states (3%) reported a status rate. These calculations generally followed a form like that of the equation below.

$$\frac{\# \text{ of SpEd dropouts}}{\# \text{ SpEd enrollment}}$$

Ten states (17%) used some form of a cohort method in calculating their special education dropout rates. These calculations generally follow some form of the equation shown below.

$$\frac{(\# \text{ 2004 SpEd dropouts})}{(\# \text{ 2004 SpEd grads} + \# \text{ G9 SpEd dropouts in 2000-01} + \# \text{ G10 SpEd dropouts in 2001-02} + \# \text{ G11 SpEd dropouts in 2002-03} + \# \text{ G12 SpEd dropouts in 2003-04})}$$

Finally, four states (7%) did not specify the method used to calculate their special education dropout rates.

A number of states reported that they are in various stages of moving from the use of an event rate to using a cohort rate. Most of these added a caveat about the potential necessity of adjusting their dropout targets in years to come. In this submission, 13 states revised their targets and updated their rate calculation, baseline year data, or both.

Baseline year

In the instructions for completing the 2005 SPP, OSEP instructed states to provide baseline dropout data for the 2004-05 school year. While the majority of states (42 states or 70%) were able to provide this, another 16 states (27%) used data from the 2003-04 school year because data from the 2004-05 year were not available when the report was being compiled. One state (2%) used data from 2002-03 and another (2%) did not specify the year of its baseline data.

In the revised SPPs, submitted in February 2007, one state (2%) reported baseline data from 2002-03 and two states (3%) reported data from 2003-04. The overwhelming majority of states (93%) reported baseline data from the 2004-05 school year. Finally, one state (2%) reported data from 2005-06 as baseline, explaining it was necessary because they had changed their method of calculating dropout rates and had improved the accuracy of their reporting methods, which would have invalidated comparison of current data with prior years' data.

DROPOUT RATES

Across the 60 states, the highest special-education dropout rate reported in the SPPs was 47.7% and the lowest rate was 0.57%. It is interesting, but not surprising that the highest rate was arrived at using a cohort calculation and the lowest rate was calculated using the event method.

Figure 1 shows the special education dropout rates for all of the states. Note that states are grouped by the method used to calculate their special education dropout rate. Additionally, the states for which a rate is not graphed had not provided OSEP with data for the 2005-06 school year at the time of this report.

2005-06 Special Education Dropout Rates

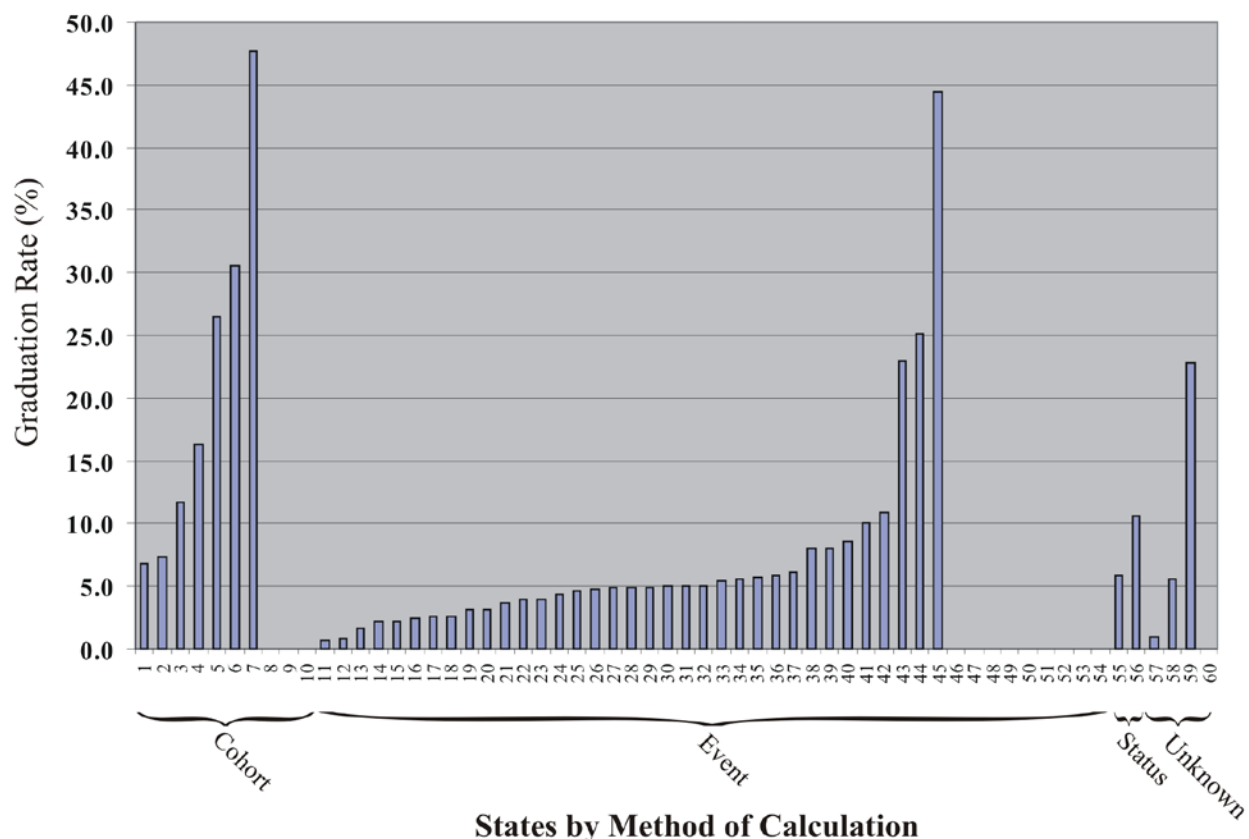


Figure 1

The states were sorted based on the method employed in calculating their special education dropout rates. The sorted data were then plotted as Figures 2– 5. Figure 2 shows the all-student and special-education dropout rates for states that used an event method; Figure 3 shows the data for states that calculated a status rate; Figure 4 shows the data for states that used the cohort method of calculation; and Figure 5 shows the data for states that did not specify their method of calculation. Note that the scales of the four graphs differ.

2005-06 Dropout Rates (Event Method States)

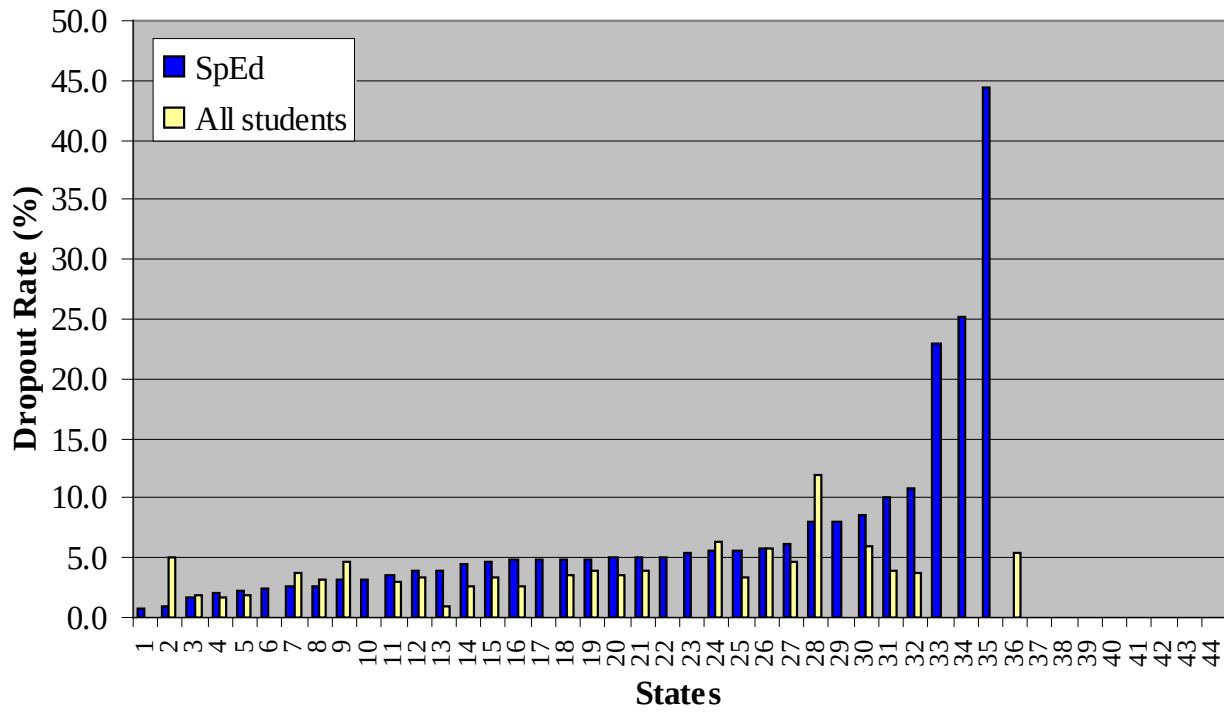


Figure 2

**2005-06 Dropout Rates
(Cohort Method States)**

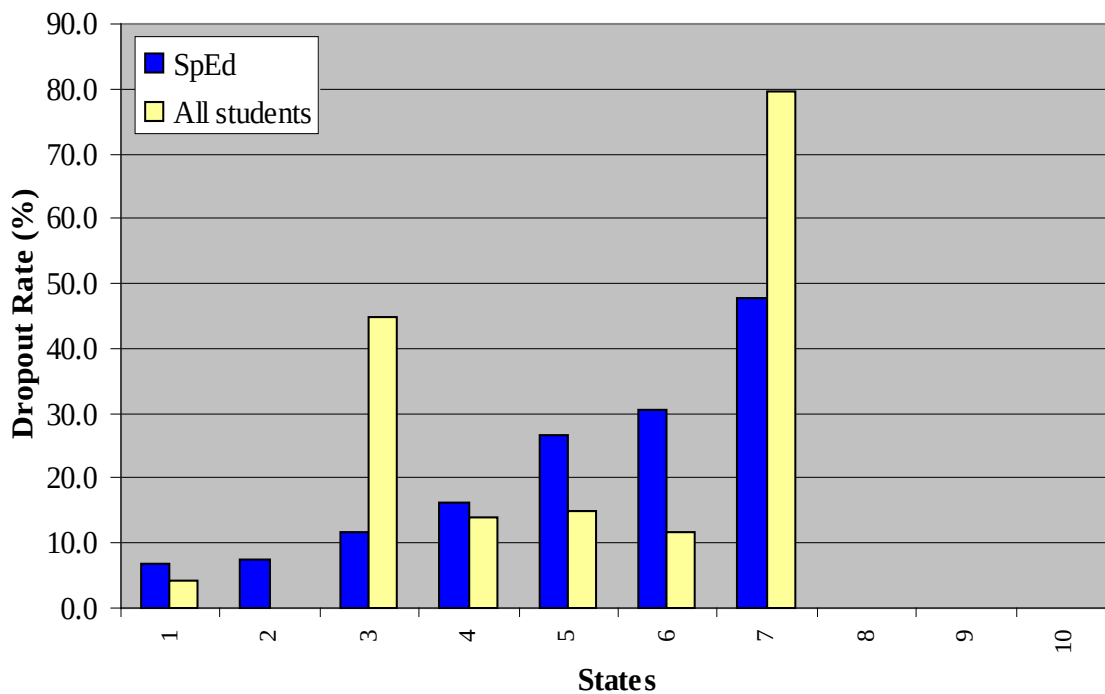


Figure 3

**2005-06 Dropout Rates
(Status Method States)**

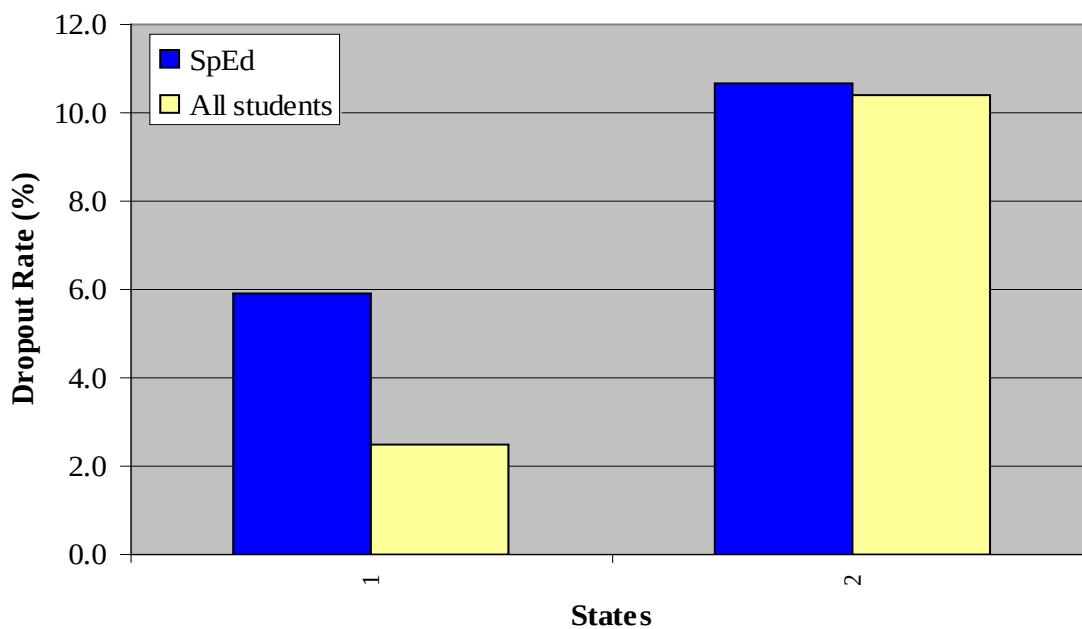


Figure 4

2005-06 Dropout Rates
(States That Did Not Specify a Calculation)

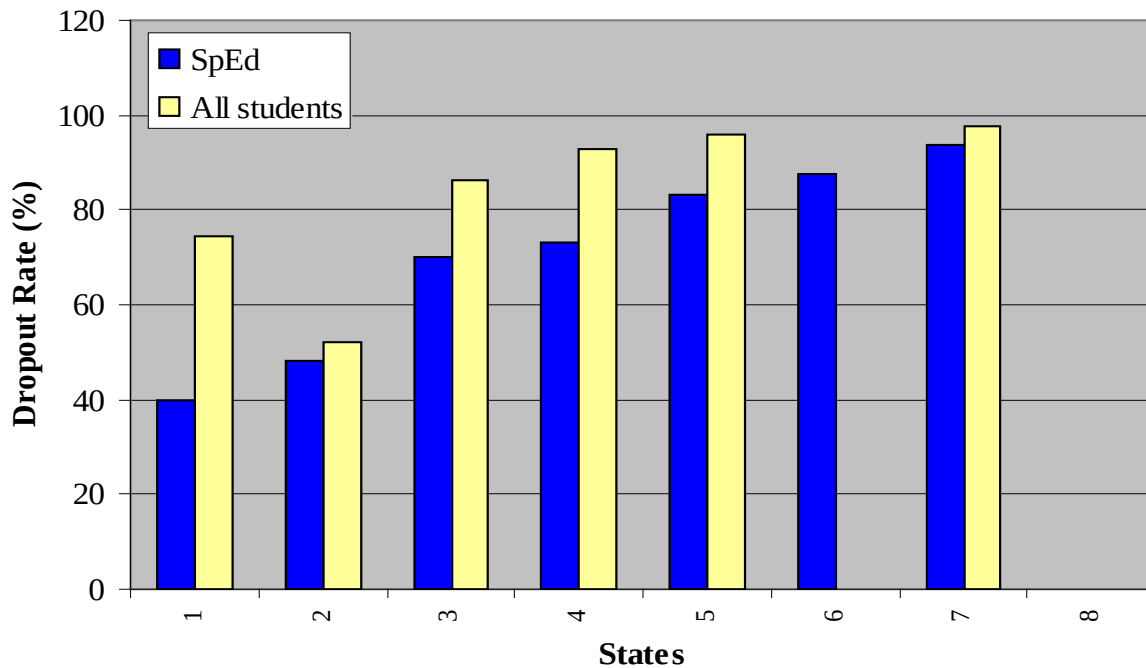


Figure 5

DROPOUT GAP

States were instructed to identify and remedy any gap existing between the all-student dropout rate and the rate for special education students. To calculate that gap, the all-student rate is subtracted from the special education student rate. If a gap exists and has a positive value, this indicates that the special education dropout rate is higher than the rate for all students. Conversely, a negative gap value indicates that special education students dropout at a lower rate than the entire population of students in the state.

Forty-three states (72%) of the states calculated dropout rates for all students and special education using the same basic equation. Fifteen states (25%) did not specify the method used for one or both of the rates. The remaining two states (3%) derived their special-education and all-student dropout rates using different methods of calculation, making comparisons of the two rates ill-advised. One of those states lacked one rate or another, so a gap was not calculated. The other state showed a gap of 3.4%.

Of the 60 states, nine (15%) showed a negative gap, 28 states (47%) showed a positive gap, and 23 states (38%) were missing data, making it impossible to calculate a gap.

Figure 6 shows the dropout-rate gap for the states. Those states for which a gap value is missing on the chart did not report one of the two dropout rates required to calculate the gap value.

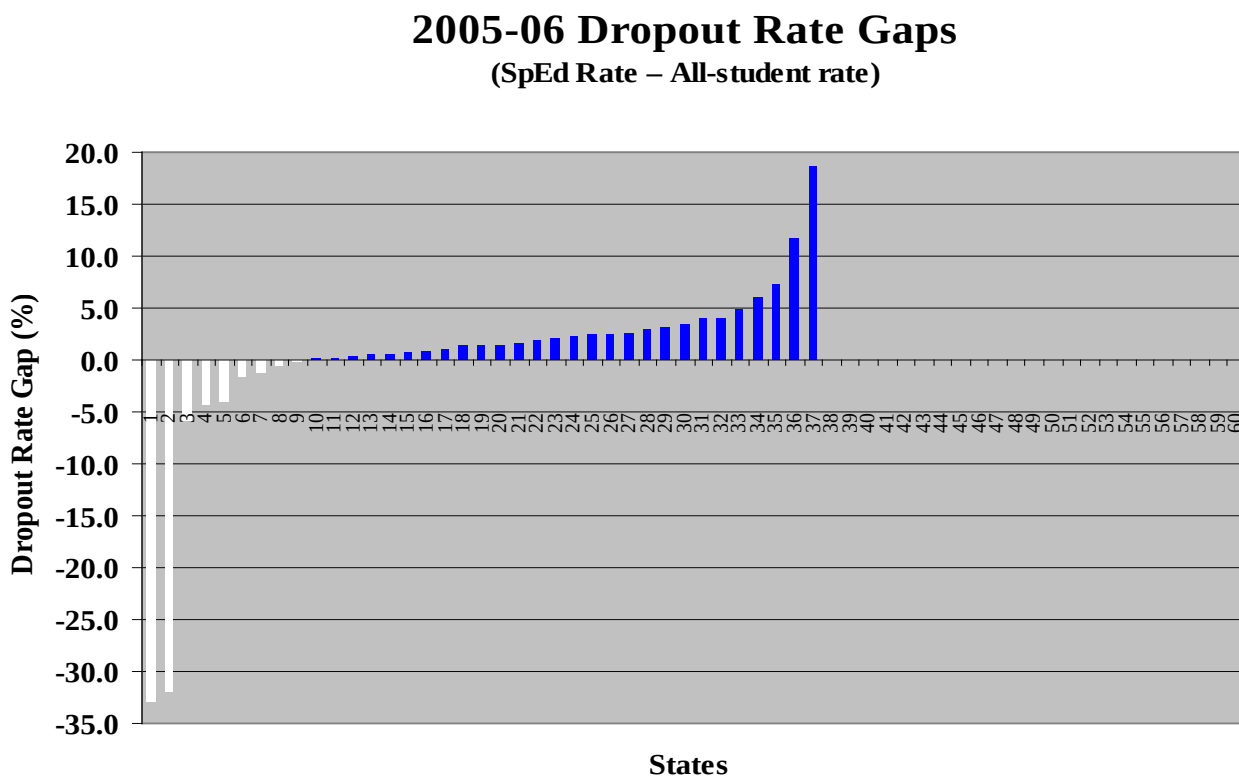


Figure 6

DROPOUT RATE TARGETS

Twenty-two states (37%) met their targeted dropout rate for students with disabilities. Twenty-seven states (45%) did not meet their target and the remaining 11 states (18%) were missing data and it was not possible to determine whether they had met their targets.

While OSEP instructed states to set measurable and rigorous targets for their special-education dropout rates, most states set extremely modest targets. This year, the proposed amounts of improvement over the life of the SPP ranged from a 1.1% increase in the dropout rate in one state to a reduction of 15% in another. In the 2005 SPPs, the range of targeted improvement by the end of the 2010-11 school year was -0.19% to 35%. In general, revisions made to the targets resulted in more conservative estimates of proposed improvements. Table 2 shows the breakdown of targeted improvement across the years of the SPPs, as reported in the 2005 SPP and in this submission of the APR.

Table 2

Proposed amounts of improvement in special education dropout rates by the end of the 2010-11 school year

Range of improvement (percent decrease in dropout rate)	2005 SPP Number of states	2005-06 APR Number of states
Dropout rate will increase by <1%	1	2
0 – 1.0%	21	19
1.1% – 2.0%	8	9
2.1% – 3.0%	6	7
3.1% - 5.0%	6	7
5.1% - 10.0%	2	3
10.1% - 15.0%	1	1
>15%	2	0
Couldn't calculate improvement because of manner in which targets were stated	13	12

CONNECTIONS AMONG INDICATORS

Twenty-nine states (48%) identified a strong connection between Indicators 1 and 2, saying that the two indicators are so tightly intertwined that combining the efforts made sense. This is an increase from the 2005 SPP reports, which listed only 13 states using common activities for Indicators 1 and 2. Several states made a connection among Indicators 1, 2, 3, 13, and 14, citing the same reason.

NDPC-SD INTERACTIONS WITH STATES

Twenty-one states (35%) indicated that they had either used materials from NDPC-SD, received some form of technical assistance from NDPC-SD, or planned to request assistance from the Center in the future. During the year, NDPC-SD had some form of interaction with all 60 states. Table 3 shows a breakdown of these interactions using the categories specified in the OSEP template for this report.

Table 3

NDPC-SD Interactions with States during the 2005-06 school year

Nature of interaction	Number of states
A. Information – NDPC-SD provided information by mail, telephone, teleseminar, listserv, or Communities of Practice to State	60
B. Conference – State attended a conference sponsored by NDPC-SD	21
C. Regional or State Group Assistance – NDPC-SD provided small group assistance to the State	48
D. Consultation – NDPC-SD provided on-going consultation in the State	8

IMPROVEMENT STRATEGIES AND ACTIVITIES

States were instructed to report the strategies, activities, timelines, and resources they plan to employ in order to improve the special education dropout rate over the years of the SPP. The range of proposed activities was considerable. Forty-one states (68%) listed one or more evidence-based improvement activities in their APR, while the remaining 19 states (32%) did not propose any evidence-based improvement activities. This is an improvement over last year's reports in which only 32 states listed evidence-based activities.

Using the 10 categories provided by OSEP, NDPC-SD coded each state's improvement activities. Center staff then calculated the percentage of effort directed toward each of these categories. Figure 7 shows the overall distribution of activities, by category, across all states. A list of the categories and subcategories appears in Appendix 2-A with examples of activities for each.

Figure 7 shows that data and monitoring activities (A & B) as well as professional development (C) and technical assistance (D) activities were relatively abundant, each accounting for between 12 and 13% of all state activities. Policy (E) and program evaluation (H) activities were much less common (at 4% and 6%, respectively), as was states' increasing the number of FTEs at the state level (I), which accounted for only 1% of all activities. Many states described one or more improvement activities that were unique to their specific needs and programs (J). These activities constitute 18% of the total states' activities.

2005-06 Improvement Activities for Indicator 2

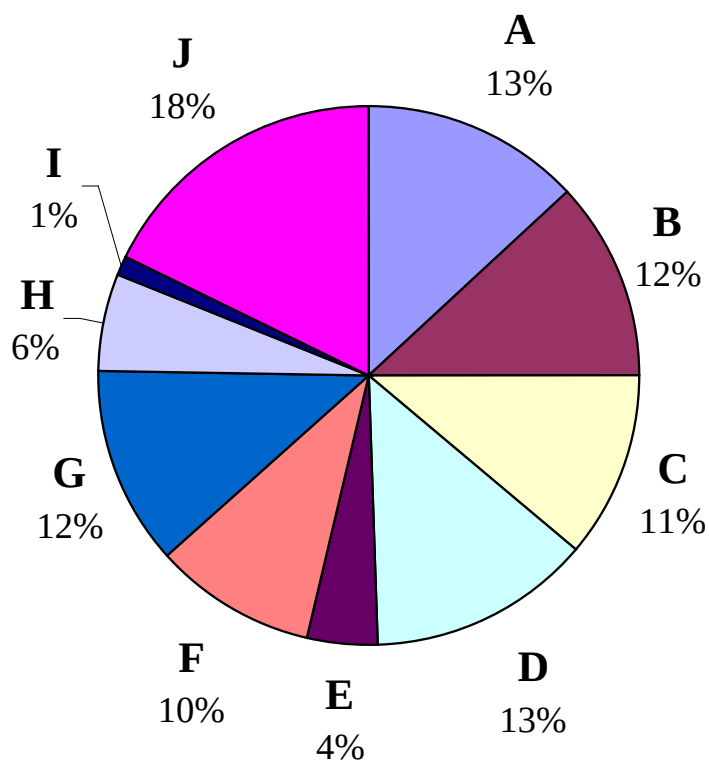


Figure 7

Legend

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

RECOMMENDATIONS

Many of the recommendations made in NDPC-SD's reports on the 2005 SPPs still hold true for the current APR submissions. Additionally, several additional recommendations have arisen while working with the current submissions. The recommendations are listed below.

- There needs to be a better correspondence between what states report in the APR and what is actually being done in terms of improvement activities as well as the calculation of actual dropout rates and the meeting of improvement targets.
- Instruct states to number their improvement activities clearly, rather than embedding numerous activities in long sections of text.
- States should, as much as possible, obtain their all-student and special education data using comparable methods at comparable times of the year. This may be difficult, as the December 1 Child Count generally serves as the source for the special-education data and states' total enrollment is usually collected earlier in the fall. Until the timing of these counts can be reconciled, the data cannot be compared accurately.
- Comparisons of dropout rates would also be facilitated if it were possible to standardize what constitutes dropping out (i.e., whether obtaining a GED or a certificate is considered dropping out).
- In the next round of APRs, it would be helpful for states to report the exact calculation(s) used in arriving at their dropout rates as well as the exact source of the data used in both the all-student and special-education rate calculations.

APPENDIX 2-A – OSEP IMPROVEMENT ACTIVITY CATEGORIES

A) *Improve data collection/reporting or systems – 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.*

- State color-coded maps, by district, representing 2003-04 school year dropout rates for students with disabilities were disseminated to districts as well as posted on the Department web site. Dropout rates were used as a data probe in the 2004-05 school year focused monitoring activities.
- Modification of the statewide calculation of graduation rates for students with/without disabilities using a cohort approach.
- Implement new data warehouse system that requires graduation pathway reporting at the 40th day, 80th day, 120th day, and end of year. Data will be reviewed regularly to identify patterns.
- Worked on updating and revising student data collection systems. As part of the new systems that will be operational later this year, we will have error checks similar to those used by WESTAT to assist in identifying anomalies in LEA level data.
- Worked with LEAs to not report any students with this exit category unless they have verified that the family no longer lives in the district. They do this by sending a certified letter to the last known address. This provides documentation in the file of all students reported as moved, not known to be continuing, that indicates that the student, in fact, no longer lives in the district.

B) *Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration.*

- Ensure monitoring focus on student graduation/dropout rates and other transition indicators for accountability at the building level through LEA required reporting in LEA Plans.
- Require schools with high dropout rates to engage in analysis of cause and develop specific improvement/corrective action plans to address deficiencies.

- State Transition Council will review disaggregated graduation and dropout data and make recommendations to the state DOE for focused monitoring for LEAs falling well below state average for graduation and dropout rates
- Analyze data across indicators related to graduation (dropout, transition, parental involvement, suspensions and expulsions) to establish corollary relationships for focused monitoring.

C) *Provide training/professional development – provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders.*

- Annual Summer Transition Institute, an interagency professional development opportunity, focuses on dropout prevention for struggling students including students in special education..
- The DoE provided data collection and reporting workshops in each region of the state to assist LEAs in the requirements of reporting dropout rates and to offer strategies for the timeliness and accuracy of data submissions. These workshops included step-by-step demonstrations of the web-based reporting system, and guided participants through each variable collected (i.e., definitions, computations, aggregations, and use of the data at the state and federal levels).
- The DoE provided training on selecting the highest, most appropriate diploma option and the requirements for each option during the Annual Transition Conference.
- A training module on high quality transition planning and ways to engage students in the transition planning process to ensure students are involved in meaningful activities related to their transition to postsecondary life was developed by the Education Department (ED) and Consultants. The draft of the module was completed in December of 2006. A final form of the module will be posted to the Effective Practices Section of the ED web site. Consultants will be trained to deliver the module to districts.

D) *Provide technical assistance – provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs.*

- In response to the 2005 focused monitoring findings, the DoE provided training and technical assistance to approximately 45 LEAs regarding parent and student participation in the educational planning process. Components

from the Empowerment Training Initiative were integrated into the training conducted at the March 2005 Annual Transition Conference.

- Provide technical assistance to promote early student and family involvement by training parents and students on self-determination and self-advocacy skills.
- Utilize the Statewide Technical Assistance Center to increase consistent use and effect of research-based strategies among all school staff at school-wide, classroom and individual student levels.
- Utilize technical assistance projects such as IDEA Model Outreach (TOTAL) to: promote programs that achieve a balance between academic achievement (graduation/school completion) and the skills necessary to participate in employment and community living; develop a broad-range of performance measures to assess student transition outcomes; increase collaboration among stakeholder agencies for long-term postsecondary success including continuing education, employment, independent living, and community participation; promote early student and family involvement in transition planning with an emphasis on self-determination; support and disseminate model programs of evidenced-based success in meeting the needs of transition-aged students and their families.
- State will sponsor a Dropout Intervention Forum, which will provide an overview of dropout issues including: predictors, prevention strategies, and dropout prevention programs.
- The DoE continued to provide technical assistance and resources to LEAs on methods of decreasing dropout rates (e.g., offering incentives to students who stay in school and have perfect attendance, developing smaller learning communities, implementing self-directed IEPs, self-determination and self-advocacy, and/or increasing involvement in extracurricular activities), secondary transition, co-teaching, team teaching, and inclusion. This included the State Transition Institute (in which 40 teams from across the state discussed secondary transition for students with disabilities, heard from experts, and developed plans for the future), several breakout sessions at the State Superintendent's Special Education Conference, the State Superintendent's Leadership Conference, the "For Counselors Only" Conference, and many other personnel development activities held statewide. The ED also provided this information to LEAs through mail, e-mail, telephone technical assistance, and continual postings on the ED web site.

E) *Clarify/examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator.*

- The Individualized Education Program (IEP) was revised to include a student's projected graduation date to inform students, their families and staff.
- Developed a Certificate of Employability for high school graduates in an effort to encourage students to remain in school and receive appropriate training in their field of interest. This will decrease the dropout rate and increase greater post-school outcomes for all students.
- A new state regulation has been put in place that allows students to come back to school (until legal school age) if they get a certificate of attendance, or complete the required coursework but have not received a diploma.
- Passage of the State Textbook Accessibility statute and development of regulatory requirements.
- Align Pathway to Diploma graduation rules to IDEA 2004 and revise alternative graduation options in state rules.

F) *Program development – develop/fund new regional/statewide initiatives.*

- Develop two pilots with school districts and a Community College to provide innovative programs to high school students receiving special education services.
- In May 2006, special education and prevention and support staff attended the annual Dropout Prevention Conference in Clemson, South Carolina.
- Information gathered from the conference will be used in the future to develop a collaborative, statewide, Dropout Prevention Plan.
- High Schools that Work piloted in 10 LEAs includes students w/IEPs.
- Six participated districts implemented activities such as: creating a formal mentoring program to improve student academic achievement and student retention; working on a school improvement plan that focuses on research-based methods for improving student achievement and successful transitioning from middle to high school, utilizing cohorts in self-contained sixth, seventh, and eighth-grade classrooms; providing a teacher and coordinator for the district credit recovery program; developing a parent resource center; and developing the Wilderness Adventure Program, which is designed to keep at-risk middle school students actively engaged in their

education over the summer months and to build self-esteem and leadership skills. This program also implements adult and peer mentoring.

G) *Collaboration/coordination – Collaborate/coordinate with families/agencies/initiatives.*

- Department and SERRC personnel have been working with the National Dropout Prevention Center for Students with Disabilities (NDPC-SD) to develop a partnership for establishing a statewide dropout prevention initiative.
- Established collaboration with other divisions within Department of Public Instruction addressing dropout prevention.
- Established collaboration with the National Dropout Prevention Center and the National Dropout Prevention Center for Students with Disabilities (e.g., conference attendance, participation in regional conference calls, etc.).
- Collaborate with CDE Program Improvement and Interventions Office to infuse special education indicators into the Academic Performance Survey (APS) and District Assistance Survey (DAS)
- Collaboration with the National Vocational Training Institute for career education and training; and the Private Industry Council for work-study opportunities.

H) *Evaluation – conduct internal/external evaluation of improvement processes and outcomes.*

- State will continue to report on whether or not creation and implementation of programs and services will have a positive effect on dropout rates for all students. We will include questions regarding participation in these programs in the Post-School Outcome Survey for Indicator 14 in an effort to report the total number of students who participated in these programs and those who do not and if participation in these programs resulted in the students remaining in school.

I) *Increase/Adjust FTE – Add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff.*

- A consultant from the Department has been assigned the responsibility of dropout prevention and graduation for students with disabilities.

- Educational Services migrated State's Assistive Technology initiative from a contracted provider to an in-house unit during FFY 2005. The unit is scheduled for 6 full-time AT specialists located throughout the State.
- Assignment of three additional special education teachers to serve as transition teachers.

J) *Other – TA Center should indicate any additional types of improvement activities specific to their topic/area.*

- Provide five Webcasts that cover the concept of Response to Intervention (RTI) and stream this content for on-demand viewing.
- Organize an interagency task force including school personnel and parents to review literature, analyze school data, and identify factors that encourage students to stay in school, and make recommendations on how to build local school capacity for improving dropout rates.
- Public awareness and information dissemination via Web pages and listservs on variety of topics including promotion, retention guidelines, & CAPA materials.
- Develop a best practices manual on effective practices/strategies based from schools that have made progress in improving graduation rates, including decreasing dropouts.

INDICATOR 3: ASSESSMENT

Prepared by NCEO

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 2005-06 state assessments. States submitted their data in February 2007 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 percent of (a) districts meeting AYP, (b) state assessment participation, and (c) state assessment performance. It also presents information on Improvement Activities and how they related to state data.

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, (b) challenges in analyzing the data, and (c) examples of well-presented data. We conclude by addressing Improvement Activities and their relationship to progress.

METHODOLOGY

APRs used for this report were obtained from the RRFC Web site in March, April, and May 2007. 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. 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 for 2005-06 assessments in their APRs. We did not obtain information from the Table 6 that they attached, nor have we yet looked at the consistency between the data in the APR and Table 6.

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 (AYP)
- 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 ALTERNATE achievement standards

State AYP, participation, and performance data were entered into a Microsoft Excel spreadsheet and verified. Data were organized in a variety of ways, but 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 (2005-06) as well as projected changes for upcoming years. The analysis of 2005-06 Improvement Activities used the OSEP coding scheme consisting of letters A–J, with J being “other” activities. The Improvement Activities coder identified 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 additional categories). As analysis continued and in consultation with two NCEO staff, these categories were adjusted and modified. One person completed all coding, then a second person independently coded five states to determine interrater agreement. “Other” category headings were adjusted and an additional 10 states were coded by each rater. After determining 80% interrater agreement and adjusting category headings further, all states’ Improvement Activities were recoded.

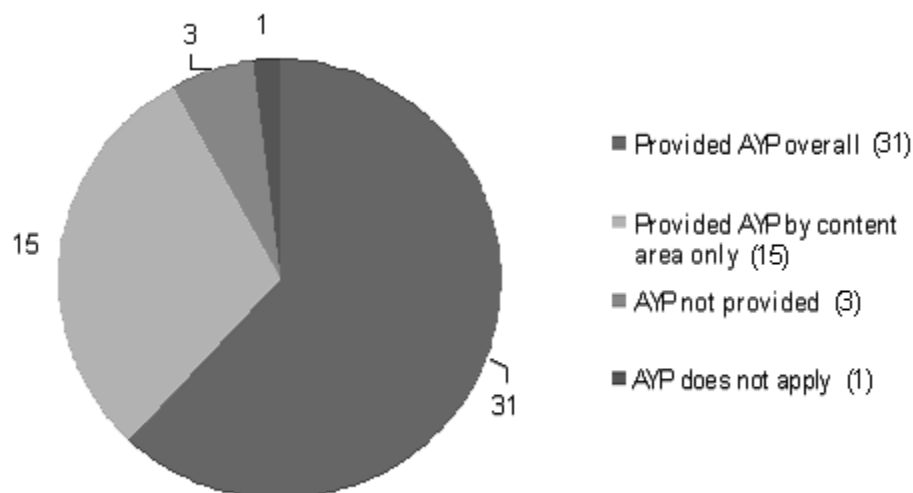
PERCENT OF DISTRICTS MEETING STATE’S ADEQUATE YEARLY PROGRESS OBJECTIVE – (COMPONENT 3A)

The measurement of Component 3A (AYP) is defined for states as:

Percent = [(# of districts meeting the State’s AYP objectives for progress for the disability subgroup (children with IEPs)) divided by the (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. Although all regular states had data available (except the one state that has just one district and thus is not required to provide data for this component), only 31 states reported AYP data in their APR in such a way that the data could be summarized nationally. Eighteen states either provided data broken down by content area, or did not provide data.

Figure 1. AYP Provision Techniques (by numbers of states)



None of the ten unique states provided 2005-06 AYP data on their APRs. Although it is somewhat unclear how many of the unique states are required to set and meet the AYP objectives of NCLB (either because they are single district states or because they are not under the requirements of NCLB), it still was expected that some of the unique states would have information for Component 3A.

AYP FINDINGS

Table 1 shows information about states' AYP baseline and target data reported in their SPPs and actual AYP data obtained in 2005-06. Four of the 31 regular states that had usable 2005-06 AYP data lacked either baseline or target data. Table 1 shows data for the remaining 27 states that had complete data. No unique states had complete data for reporting in Table 1.

The 27 states with sufficient data had an average baseline of 45% of districts making AYP and their average target for 2005-06 was 54%. Actual AYP data for 2005-06 showed an average of 53% of districts in these 27 states making AYP. Thus, across those states for which data were available, the average percentage of districts making AYP was slightly less than the average target. Thirteen of these 27 states met their AYP targets and 14 states did not.

Table 1. Percentage of Districts Making AYP Within States that Provided Data Across Baseline, Target, and Actual Data from 2004-06

	N	Baseline	Target	Actual Data
Regular States	27	45%	54%	53%
Unique States	0	---	---	---
TARGET (Regular)				
Met	13	51%	51%	65%
Not Met	14	39%	56%	42%
TARGET (Unique)				
Met	0	---	---	---
Not Met	0	---	---	---

Comparing data for states that met their targets with those that did not reveals a striking finding. The 13 states that met their targets showed an average target of 51%, identical to their average baseline of 51%. Their actual 2005-06 data showed an average of 65% of districts making AYP which was well over this baseline and target percentage. In contrast, the 14 states that did not meet their targets had an average baseline of 39%, target of 56% and actual data of 42%. When compared to states that did meet their target, this was a lower baseline but a higher target with lower actual data. It is notable that the states that did not meet the targets for districts meeting AYP had a lower baseline, on average, but set a higher average target. Further examination of these data is warranted.

Data are also presented by RRC Region in Table 1. These data show the variation in baseline data as well as the variation in change from the baseline in 2004-05 to 2005-06 data (with some regions showing a decrease over the one-year span and others showing an increase). Overall, five of the six regions saw average actual data that equaled or exceeded the baseline data.

CHALLENGES IN ANALYZING AYP DATA

The data submitted by states for the AYP component were significantly improved over those submitted for the SPP (2004-05 data). States generally used the minimum “n” instruction in the correct manner this year; and most did not incorrectly calculate the AYP information from data broken down by content area, or by summing, adding, or choosing the highest number. Also, no states provided only the percent of districts for which AYP was NOT met. Generally states provided the AYP data in a table, rather than embedding the data in text.

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 summative across grade levels and content areas, and an overall number for the district CANNOT be derived from numbers provided by grade or content. Approximately 30% of

states provided data by grade or content rather than overall. This means that state confusion about what data to report for AYP remains a major challenge for technical assistance.

EXAMPLE OF WELL-PRESENTED AYP DATA

Examples of well-presented AYP data are those that were presented in a table or list format in a way that clarified (a) the number of districts in the state overall, (b) the number of districts meeting the state designated minimum “n” for the disability subgroup, and (c) the number of those districts meeting the minimum “n” that met the state’s NCLB AYP objectives. States that provided reading and math AYP information, or AYP information by grade, could be included in the desired analyses only if they provided the overall data requested by the data template.

Table 2 is a mock-up of an AYP table. A number of states gave very effective presentations of AYP data that had all the desired information. Important to note in the table below: The school year is clearly designated; there is a clear designation of the number of districts overall, and the number of districts with the minimum “n” designated by the state; and then the number of districts meeting AYP. This clear presentation indicates whether actual target data met the target for the year in question. It is also important to note that without a section of the table showing AYP data overall (districts meeting AYP on both reading/English Language Arts and math), it is not possible to calculate those data from raw numbers provided for content area information.

Table 2. Example of Potential AYP Table Listing All Important Elements

FFY	Measurable and Rigorous Target
2005 (2005-06)	This state consists of 243 LEAs of which 176 meet minimum “n” size requirements. Of these LEAs meeting minimum “n”, 80 met AYP overall. • Target: 53 out of 176 (31%) • Actual Data: 80 out of 176 (45.5%)

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

The participation rate for children with IEPs included those children participated in the regular assessment with no accommodations, in the regular assessment with accommodations, in the alternate assessment based on grade-level achievement standards, and in the alternate assessment based on alternate achievement standards. The measurement of participation rates were calculated by obtaining several numbers and then computing percentages:

Participation rate =

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

Additionally, states were 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-seven regular states reported 2005-06 assessment participation data in some way. Forty-three of these states provided data by content area or adequate raw data to provide for content area calculations; four states provided data broken down by content area and grade level but did not provide raw numbers. Three states did not provide participation data of any kind. Nine of the ten unique states reported 2005-06 assessment participation data.

PARTICIPATION FINDINGS

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

A total of 40 regular states and 8 unique states provided adequate participation data for baseline, target and actual target data (shown in table as actual data) for 2005-06. These states provided overall data for math and reading, or data that allowed NCEO to

derive an overall number for actual data. For participation (but not for performance), NCEO accepted one target number for both math and reading content areas. For both math and reading, average targets for participation for all states were the same (96%) and average baseline data for all states were the same (97%). Actual data reported by these states was 97% for each content area, or identical to baseline and above the average target.

The eight unique states that provided all necessary data points saw slippage from an average baseline of 83% to a 2005-06 average rate of 75% for math, and 74% for reading. In doing so, this rate fell below the average target participation rate of 84% for both content areas.

Table 3. Average Participation Percentages

	N	Math			Reading		
		Baseline	Target	Actual Data	Baseline	Target	Actual Data
Regular States	40	97%	96%	97%	97%	96%	97%
Unique States	8	83%	84%	75%	83%	84%	74%
TARGET (Regular)							
Met	30	96%	95%	98%	97%	95%	98%
Not Met	10	97%	99%	95%	98%	99%	95%
TARGET (Unique)							
Met	2	81%	84%	87%	81%	84%	87%
Not Met	6	83%	84%	71%	84%	84%	70%

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 regular states and two unique states met their targets in math and reading for participation in 2005-06; 10 regular states and six unique states did not meet their targets for participation in both content areas. Other states either did not provide appropriate target data, or did not provide actual target data in an overall format for both math and reading.

Across regular states that met their targets in both content areas, an average of 98% of students participated in math and reading assessments. In states that did not meet their targets, 95% of students with disabilities participated in both content area tests. States that did not meet their target had higher targets (99% for math and reading), on average, than states that did meet their target (95% for math and reading). For both content areas, states that met their targets had a lower average value for baseline data.

Eight unique states provided adequate participation information to determine whether they met targets. An average of 87% of students with disabilities participated in the state math and reading assessments for the two unique states that met their target in

participation. In the six states that did not meet their target, 71% of students with disabilities participated on the math assessment, and 70% in reading. The targets set by both groups of unique states were identical (84%). States that met their target had a lower average baseline value from 2004-05.

Data presented by RRC region in Table 3 show that for both math and reading, the average 2005-06 participation rates (outside of region 6) vary little, ranging from 96% to 98%. Region 6 (containing a high concentration of unique states) showed participation rates in the low 80s; this region's average did not meet its average target because its participation rate fell below baseline levels. The average participation rates in four regions met or surpassed their average targets in math and reading. The average participation rates increased from baseline values for three regions in math and reading.

CHALLENGES IN ANALYZING PARTICIPATION DATA

The data submitted by states for the Participation component were improved over those submitted for SPPs (2004-05 data). States generally 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.

One challenge that remains is to encourage states to report by content area. States should report targets by content area in order to remove from the reader the responsibility to assume that participation targets reported in an overall form are meant for both content areas. Another challenge is to ensure that states report raw numbers as well as percentages derived from calculations. Only in this way are the numbers clear and understandable to others who read the report. Providing information this way also allows others to average across grades or content areas, if desired, by going back to the raw numbers.

EXAMPLE OF WELL-PRESENTED PARTICIPATION DATA

Participation data that were presented in tables, with both numbers and percentages, and that accounted for students who did not participate, formed the basis for examples of well-presented data. In this format and with this information, it was easy to determine that the data had been cross-checked, so that rows and columns added up appropriately, and it was easy to determine what the denominator was and what the numerator should be in various calculations. Several states presented their participation data in this manner.

An example of a simple table showing the desired information is presented in Table 4. Numbers are presented for the math content area for each of the subcomponents (a-e) in each of the grade levels 3-11, with totals for overall near the bottom and on the right. This table also presents in a clear and usable manner information regarding those

students who were not tested on the state assessment in math, and the reasons for non-participation.

Table 4. One State's Presentation of Participation Data for the Math Content Area

Statewide Assessment – 2005-2006		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	Total	
									#	%
a	Children with IEPs	2056	2207	2268	2316	2340	2414	1730	15331	
b	IEPs in regular assessment with no accommodations	830 (40.4%)	779 (35.3%)	723 (31.9%)	718 (31%)	846 (36.2%)	970 (40.2%)	933 (54.6%)	5799	37.8%
c	IEPs in regular assessment with accommodations	1118 (54.4%)	1346 (60.9%)	1520 (67.0%)	1575 (68.0%)	1389 (59.4%)	1317 (54.6%)	671 (39.6%)	8936	58.3%
d	IEPs in alternate assessment against grade-level standards	State does not have an alternate assessment that tests children against grade level standards.								
e	IEPs in alternate assessment against alternate standards	79 (3.7%)	63 (2.7%)	Not Assessed	Not Assessed	66 (2.7%)	81 (3.3%)	48 (3.4%)	337	2.2%
f	Overall (b+c+d+e) Baseline	2027 (98.6%)	2188 (99.1%)	2243 (98.9%)	2293 (99%)	2301 (98.3%)	2368 (98.1%)	1652 (95.5%)	15072	98.3%
Children included in a but not included in the other counts above										
State Approved Exemptions		29	19	25	23	39	46	52	233	
Absent								26	26	

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

The performance of children with IEPs is based on the proficiency rates of those children in the regular assessment with no accommodations, in the regular assessment with accommodations, in the alternate assessment based on grade-level achievement standards, and in the alternate assessment based on alternate achievement standards. The measurement of Proficiency was calculated by obtaining several numbers and then computing percentages:

Proficiency Rate =

- # of children with IEPs in assessed grades;

- # 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);
- # 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); and
- e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = [(e) divided by (a)] times 100).

Additionally, states were 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 2005-06 assessment proficiency data in some way. Forty-four of these states provided data by content area or provided raw numbers which made content area calculations possible; four states provided data broken down by content area and grade level but did not provide raw numbers. Two states did not provide performance data of any kind. Seven of the ten unique states also reported performance data.

PROFICIENCY FINDINGS

Table 5 shows proficiency data for math and reading for the 32 states that provided usable baseline, target, and actual 2005-06 proficiency data. Data are disaggregated for those states that met and those states that did not meet their participation targets, and by RRC regions.

Average targets for these 32 regular states for math and reading were 37% and 41%, respectively, across all states that provided analyzable data points for baseline, target, and actual data. The actual data that states reported were, on average, 36% for math and 38% for reading. Both of these indicated that – on average – states did not meet their performance objectives. However, state performance varied considerably.

Average targets for math and reading were 23% across the five unique states that provided analyzable data points for baseline, target, and actual data. The proficiency data these five unique states reported were, on average, 23% for math and 22% for reading. On average, these five unique states met their performance targets in math but not in reading.

Table 5. Average Proficiency Percentages

	N	Math			Reading		
		Baseline	Target	Actual Data	Baseline	Target	Actual Data
Regular States	32	34%	37%	36%	36%	41%	38%
Unique States	5	11%	23%	23%	11%	23%	22%
TARGET (Regular)							
Met	16	33%	32%	37%	36%	37%	39%
Not Met	16	35%	41%	34%	36%	45%	38%
TARGET (Unique)							
Met	2	13%	19%	51%	13%	19%	50%
Not Met	3	9%	27%	4%	9%	27%	4%
RRC REGION							
1	3	27%	23%	22%	24%	28%	29%
2	6	39%	43%	48%	44%	46%	53%
3	7	36%	39%	38%	37%	41%	39%
4	6	29%	36%	36%	30%	41%	34%
5	7	35%	37%	37%	38%	42%	42%
6	8	21%	28%	20%	21%	30%	20%

An analysis of state data by target status (either met or not met) also 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. Sixteen regular states and two unique states met their targets in math and reading for proficiency in 2005-06; 16 regular states and 3 unique states did not meet their targets for proficiency in both content areas. Other states either did not provide appropriate target data, or did not provide actual target data in an overall format for both math and reading.

Across regular states that met their targets in both content areas, an average of 37% of students scored as proficient on math assessments and 39% of students scored proficient on reading assessments. In states that did not meet their targets, 34% of students were proficient in math, and 38% were proficient in reading. States that did not meet their target had higher targets (41% for math, 45% for reading), on average, than states that did meet their targets (32% for math, 37% for reading). For math, states that met their targets had a higher average value for baseline data; for reading, states that met their targets had a lower average baseline.

Just five of the ten unique states provided adequate information to determine whether they met or did not meet their target, and thus average data gleaned from this dataset should be viewed with caution. An average of more than 50% proficiency was achieved by the two unique states that met their targets in both content areas. Conversely in the

three states that did not meet their targets, 4% of students with disabilities were proficient on statewide assessments. Targets were set higher for both content areas by the unique states that did not meet their targets on 2005-06.

Data presented by RRC region for math and reading show considerable variability in the average baselines and in the targets that were set for both content areas. The average performance target was met by the average RRC region in three of the six regions for math and for reading. Analysis indicated that four regions saw an increase in proficiency rates from baseline to actual data for math, and five for reading.

CHALLENGES IN ANALYZING ASSESSMENT PERFORMANCE DATA

The data submitted by states for the performance component were significantly improved over those submitted for the SPP (2004-05 data). States generally used the correct denominator in calculating proficiency rates (i.e., number of children with IEPs who are *enrolled* in the assessed grades). In addition, more states were able to provide data on the subcomponents (e.g., proficiency for those in the regular assessment with accommodations).

One challenge that remains for proficiency data (as for participation data) is to encourage states to report overall targets and actual proficiency rates by content area as well as by grade. These data are needed to ensure that the numbers are clear and understandable to others, and so that numbers can be added and averaged appropriately.

EXAMPLE OF WELL-PRESENTED PROFICIENCY DATA

Well-presented proficiency data are those that appeared in tables, with both numbers and percentages, and that account for students participated in all assessments. An example of good overall information by content area (provided in two separate tables) is shown in Table 6. In this table, raw numbers and percentages for all performance indicators are presented by grade level, with totals on the right. Overall proficiency is clearly indicated in the bottom row. With very little searching one can ascertain the across grades proficiency overall by looking in the right and bottom-most cell.

Table 6. One State's Presentation of Performance Data for the Math Content Area

Statewide Assessment 2005-2006	Math Assessment								
	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	Total	
								#	%
Children with IEPs	2056	2207	2268	2316	2340	2414	1730	15331	
IEPs in regular assessment with no accommodations	344 (16.7%)	286 (12.9%)	264 (11.6%)	189 (8.2%)	165 (7.1%)	198 (8.2%)	150 (8.7%)	1596	10.4%
IEPs in regular assessment with accommodations	214 (10.4%)	244 (11.1%)	288 (12.7%)	213 (9.2%)	131 (5.6%)	115 (4.8%)	71 (4.1%)	1276	8.2%
IEPs in alternate assessment against grade- level standards*	State does not have an alternate assessment that tests children against grade level standards.								
IEPs in alternate assessment against alternate standards	69 (3.4%)	51 (2.3%)	Not Assessed	Not Assessed	54 (2.3%)	69 (2.9%)	40 (2.3%)	283	1.8%
Overall (b+c+d+e) Baseline Proficient	627 (30.5%)	581 (26.3%)	552 (24.3%)	402 (17.4%)	350 (14.9%)	382 (15.8%)	261 (15.1%)	3155	20.6%

IMPROVEMENT ACTIVITIES

States identified Improvement Activities for Part B, Indicator 3, revising them if needed from those that were listed in their SPPs. 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	
	Reg. States	Unq. States
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)	5	2
Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration. (B)	15	0
Provide training/professional development – provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders. (C)	41	7
Provide technical assistance – provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs. (D)	25	6
Clarify/examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator. (E)	8	1
Program development – develop/fund new regional/statewide initiatives. (F)	20	1
Collaboration/coordination – Collaborate/coordinate with families/agencies/initiatives. (G)	16	3
Evaluation – conduct internal/external evaluation of improvement processes and outcomes. (H)	10	2
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	44	10
Data analysis for decision making (J1)	11	0
Scientifically-based or research-base practices (J2)	7	0
Implementation/development of new/revised test (Performance or diagnostic) (J3)	13	3
Pilot project (J4)	10	1
Grants, state to local (J5)	10	0
Document, video, or web-based development/dissemination/framework (J6)	24	0
Standards development/revision/dissemination (J7)	3	1
Curriculum/instructional activities development/dissemination (e.g., promulgation of RTI, Reading First, UDL, etc.) (J8)	24	1
Data or best practices sharing, highlighting successful districts, conferences of practitioners (J9)	18	1
Participation in national/regional organizations, looking at other states' approaches (J10)	7	3
State working with low-performing districts (J11)	9	0
Implement required elements of NCLB accountability (J12)	9	4

The activities reported most often for regular states were training/professional development (C), technical assistance (D), curriculum/instructional activities (J8),

document/video/web-based development or dissemination (J6), regional/statewide program development (F), data or best practices sharing (J9) and collaboration/coordination with families/agencies/initiatives (G).

The activities reported most often for unique states were training/professional development (C), technical assistance (D), implementation/development of new/revised test (performance or diagnostic) (J3), participation in national/regional organizations, looking at other states' approaches (J10), implement required elements of NCLB accountability (J12), and collaboration/coordination with families/agencies/initiatives (G).

State-reported Improvement Activities that were coded as curriculum, instructional activities development/dissemination (J8) revealed that many states were identifying and promulgating specific curricula and instructional approaches in an effort to improve student performance and meet AYP. In several instances, these were explicitly identified as scientifically-based practices. Among the reported curricula and instructional approaches were: Response to Intervention, Positive Behavioral Supports, Focus on Reading, Reading First, Every Student Counts, Every Child Reads, Instructional Decision Making, Universal Design for Learning, Strategic Instructional Modeling, and various state-developed interventions.

An analysis of the relationship of State Improvement Activities to meeting AYP objectives was conducted using data from the 29 states that provided information on whether their targets were met. This analysis failed to find any significant relationship using Fisher's exact test (p-values). However, the odds ratio was also calculated to measure the direction and magnitude of association between activities and meeting AYP goals, and this analysis identified the following categories of activities as most strongly associated with States' success in meeting their AYP goals.

- Training/professional development (C)
- Regional/statewide program development (F)
- Increase/Adjust FTE (I)

Although a causal claim cannot be made, this analysis suggests that states engaging in these activities generally were more effective than other states in their efforts to establish and meet targets.

CHALLENGES IN ANALYZING IMPROVEMENT ACTIVITIES

Many states' descriptions of Improvement Activities were vague, so summarizing them required a "best guess" about what the activity actually entailed. Sometimes activities were just too vague to categorize. In addition, in some cases it was difficult to determine whether an activity actually occurred in 2005-06, or was in a planning phase for the future.

Several activities fell in two or more categories of analysis, and were coded and counted more than once (e.g., a statewide program to provide professional

development on RTI would be coded as professional development, program development, and curriculum). When there was doubt, data coders gave the state credit for having accomplished an activity. As in previous examination of Improvement Activities, counting states as having activities did not differentiate among those that had more or fewer activities in a category.

CONCLUSION

States are improving in their understanding of the reporting requirements for Part B, Indicator 3. Still, there remain challenges in clearly communicating how to complete some of the reporting requirements for the Annual Performance Report. It is critical that states recognize the importance of the information and the need for provision to NCEO of a consistent data set across states. A lack of clarity surrounding the relationship of the information in the APR to other information that is submitted (specifically, Table 6 of 618) may exist, and should be addressed during technical assistance. It is also possible that some states have difficulty obtaining the required information because it is collected and stored by many different divisions in their education agency. At this point there is uncertainty regarding the data reported in the APRs and its concordance with data reported in Table 6. We plan to review this in detail in subsequent years. In addition, NCEO's technical assistance efforts will continue to explore all data provision concerns and pursue approaches to addressing these.

When considered without regard to specific states, and with a general view, there is a sense that states are not always meeting their targets in most of the areas, though many are meeting or nearly meeting their participation targets. For each component, there are states that have met their targets and states that have not met their targets. Exploration of factors that contribute to the differences are complex, but two points can be made.

First, there was a general finding that seemed counterintuitive. States that met their targets often had higher baselines, and lower targets, yet exceeded them by a considerable amount, generally beyond that for those states that did not meet their targets (which generally had set higher targets). Further exploration of this finding is being undertaken.

Second, in considering the relationships between Improvement Activities and whether targets are met, the procedures that were used in this report (Fisher's exact test and use of the odds ratio) show that there is promise in using statistical techniques to explore which activities might be worthy of further attention. Those identified in this report (training/professional development; regional/statewide program development; and increase/adjust FTE) are Improvement Activities that should be observed for their effects in the future.

One point is worthy of mention regarding upcoming reports. There is a lack of clarity about what constitutes meeting targets. A few states reported that they met their targets when missing them by a fraction of a percentage point, while others reported missing

their targets by narrow margins of a point or less. It would be helpful going forward to have an understanding of how states should interpret near-misses.

The data provided in 2005-06 for the Annual Performance Reports were much more consistent than those provided for 2004-05 State Performance Plans. These data provide NCEO with the opportunity to better summarize the data for a national representation of 2005-2006 AYP, participation, and performance indicators as well as states' improvement activities. We look forward to providing technical assistance in the coming months as we prepare for the 2006-07 submission of the Annual Performance Report.

APPENDIX 3-A – EXAMPLES OF J CATEGORIES

J1 – Using Assessment Data, LEAs have been identified that are achieving good results. Practices noted to be effective in those LEAs include one or more activities: Positive-Behavior Support, Response to Intervention, State Improvement Project research based reading and math programs and Instructional Consult Teams. This will continue during the 2006-2007 school year. (Also coded as J8)

J2 – The (state DOE) continues to work...to ensure that schools use only programs and practices that are grounded in “scientifically-based reading research.” All LEAs being monitored during the reporting period are required to complete a Coordinator’s Questionnaire. One of the questions for discussion is the implementation of scientifically research-based reading programs...In addition the (state DOE) through the SIG has provided training on reading programs and interventions to 2,134 teachers, administrators, institutes of higher education personnel, parents, and other DOE staff.

J3 – Convene interdepartmental and stakeholder workgroups to align the Alternate Assessment with NCLB requirements and new state standards.

J4 – The (agency) is implementing a pilot study on the feasibility of establishing an alternate assessment to be known as the “CRT-Modified.”

J5 – (State) utilized its State Improvement Grant (SIG) and additional Part B discretionary funds to integrate both academic and behavioral components as part of a cohesive system of support for improving the performance of learners most at-risk, through development of (state’s) Integrated Systems Model. Implementation at the LEA level expanded from a building focus to a district focus. During the 2005-06 school year, 29 LEAs received funding to implement [the Integrated Systems Model].

J6 – Maintain and expand early literacy web site for parents... Web site is continuously updated and resources are added. From July 1, 2005 to June 30, 2006 there were 51,153 hits.

J7 – Alternate Achievement Standards (AASs) and Alternate Performance Indicators (APIs) were developed for the 2005-06 school year by the (state) Alternate Standards Committee.

J8 – The (State DOE) funded the Effective Behavioral and Instruction Support (EBIS) initiative using State Improvement Grant funds to assist local school systems.

J9 – Identified exemplary LEAs with the “lowest” assessment gap as presenters at our Directors’ Conference.

J10 – Participate in the national NCLB/IDEA Partnership to facilitate development of Title I and Special Education initiatives to accelerate student subgroup performance, including those with disabilities and FARMs. ...This partnership is a federal initiative that

(state DOE) has committed to with a focus currently on development of state standards for Response to Intervention (RTI).

J11 – The (state DOE)... collaborated with Focus on Reading to provide reading labs to all schools identified as in need of improvement on AYP due to the subgroup of students with disabilities. (Also coded as G, Collaboration)

J12 – Continue to report assessment results to (state DOE) staff and LEAs as part of the district data profiles and continuous improvement process, including alternate assessment data.

INDICATOR 4: DISCIPLINE

Prepared by Westat

This document summarizes analysis of suspension/expulsion data from Indicator 4 of the Part B SPPs.

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

- A. Percent of districts identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and
- B. Percent of districts identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

Indicator 4B was new; therefore, states did not have to provide baseline data and targets until the FFY 2005 APR that was due February 1, 2007. For Indicator 4, states were asked to describe the results of their examination of data, including data disaggregated by race and ethnicity, to determine if significant discrepancies were occurring in the rates of long-term suspensions and expulsions of children with disabilities.

Measurement of these indicators was defined in the requirements as:

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

States were also required to include their definition of “significant discrepancy.”

ANALYSIS

Westat compiled all of the SPPs/APRs for the 50 states, DC, and nine territories. (For purposes of this discussion, we will refer to all as states, unless otherwise noted.) We then reviewed each state’s SPP/APR based on some elements that states should have included for Indicator 4:

- Type of Comparison;
- Definition of Significant Discrepancy;
- Baseline Data;

- Targets for 2006-07 through 2009-10
- Reported Progress or Slippage or Target Not Met;
- Minimum Requirement for Discrepancies;
- Review of Policies, Procedures, and Practices; and
- Results of the Review of Policies, Procedures, and Practices.

Type of Comparison

States were required to provide an overview of their system and processes for suspension/ expulsion data collection. States were also required to present baseline data on the percentage of districts identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year and the methods used to obtain this percentage. The state's examination must have included one of the following two types of comparisons:

- Comparison of the rates for children with disabilities to rates for children without disabilities within a district, or
- Comparison among LEAs (or districts) for children with disabilities within a state.

The following table summarizes how each type of comparison was implemented by states and the number of states that used that type of comparison.

Type of Comparison	Implementation of Type of Comparison	Number of States
Type 1: Comparing rates for students with disabilities to rates for students without disabilities within a district	For each district/school, the state compared the percentage of students with disabilities suspended/expelled to the percentage of students without disabilities suspended/expelled	13
	Compared the relative difference between students with disabilities and students without disabilities	2
	Compared, by district, the rate of students with disabilities suspended/expelled to the rate of students without disabilities suspended/expelled	4
	Used multiple methods to compare students with disabilities to students without disabilities	3
Total		22
Type 2: Comparing among LEAs (or districts) for children with disabilities within a state	States compared the suspension/expulsion rates for students with disabilities across districts or agencies	16
	States compared the suspension/expulsion rates for each district to a statewide average for students with disabilities	16
Total		32
Other type of comparison/no comparison	The state did not describe the type of comparison used, did not compare districts, or used a court-ordered method	6
Total		6

Definition of Significant Discrepancy

States used a variety of methods to determine significant discrepancy. The table below presents how the states that used each type of comparison determined discrepancy. Using a percentage was the most common method for both Type 1 and Type 2 comparisons. However, for the Type 2 comparisons, a wide range of percentages was used to compare districts (percentages ranged from 1 percent to 25 percent). Also, for the Type 2 comparison, there was a fairly large disparity among states that compared districts by using a set number of times above the state average (2 times versus 5 times the state average.)

Type of Comparison	Definition for Indicator 4A
Type 1: Comparing rates for students with disabilities to rates for students without disabilities	7 states used a percentage or rate that exceeded the state rate for the general population. A range from 1% to 4% was stated
	4 states used a risk ratio. A range from 1.5 to 3.0 was used
	2 states used a relative difference. One state uses a relative difference of 1.54, and the other used 2 times the state relative difference
	2 states used a cut score
	2 states used a set standard deviation above the mean (either 1 SD or 2 SD)
	3 states used other methods (z-score, disaggregated by group size and then ranked, unspecified method that is statistically significant at 0.05)
	2 states did not use a method, as no students were suspended/expelled
Total	22 states
Type 2: Comparing among LEAs (or districts) for students with disabilities within a state	10 states used a range of rates from 1% to 25% above the state rate for students with disabilities
	6 states used a 1, 1.75, or 2 standard deviations above the mean of districts
	7 states used from 2 to 5 times the state average rate for students with disabilities
	3 states used a cut-off of either 3 percent or 5 percent of the total number of students with disabilities suspended/expelled in a district
	5 states used other methods
	1 state used no method, as no students were suspended/expelled, or there was not enough information
Total	32 states
Other type of comparison/no comparison	4 states used a cut-off ranging from 1 percent to 3 percent of the total number of students with disabilities suspended/ expelled in a district
	2 territories did not suspend or expel any special education students
Total	6 states

Determining significant discrepancy by race/ethnicity was a new indicator. The majority of states (36 states) used the method for 4A and applied it to race/ethnicity for 4B. Of the remaining states, some used a very different methodology for 4B than they did for 4A (e.g., a weighted risk ratio), and a few states did not provide enough information to be able to determine the methodology used for 4B. Six states did not report a method,

and 6 of the territories stated that there was only one race/ethnicity in their territory and therefore 4B did not apply to them.

Baseline Data and Targets

States presented measurable and rigorous targets to monitor progress through 2010-11. Most states chose to decrease the percentage or number of districts that were discrepant by a certain percentage each year. For example:

2006-07: Decrease the percentage of districts by 4A: 7.3%	4B: 5.1%
2007-08: Decrease the percentage of districts by 4A: 6.3%	4B: 5.1%
2008-09: Decrease the percentage of districts by 4A: 5.3%	4B: 4.9%
2009-10: Decrease the percentage of districts by 4A: 4.3%	4B: 4.7%

A few states had separate baselines for suspensions and for expulsions. Therefore, when determining their targets, separate targets for suspensions and expulsions were used.

Based on the type of comparison and the definition of significant discrepancy, several states had a 0% discrepancy. These states aimed to maintain this level of discrepancy.

Not all states provided baseline data for Indicator 4B. Some of these states gave a target of 0% discrepancy, while other states wrote “to be determined.”

Reported Progress or Slippage or Target Not Met

States were asked to report whether they met their target goal for FFY 2005. Slightly over half (31 states) reported meeting their target; while 24 states reported either slippage or reported that they did not meet their target. Five states did not report this information.

The numbers presented above, however, tell only part of the story. The data point to at least two possible explanations for meeting the target. First, in many cases, real progress on the indicator has been made. The states appeared to be implementing either corrective action plans or had policies in place that allowed them to meet their target. However, in a few cases, some states' definition of significant discrepancy appeared to have a very high threshold. Therefore, in order to be considered significantly discrepant, a large number of students with disabilities needed to be suspended or expelled.

States described a variety of reasons for slippage or not meeting the target. Some states reported changes in data collection methods or using better reporting methods in the past year. Other states saw a decrease in the percentage of students being suspended or expelled, but it was not at a high enough level to meet the goal that the state set. Finally, in some cases, the state described issues that are still present and are causing slippage.

Minimum Requirements for Discrepancy

Some states reported on whether they used a minimum cell size to determine whether districts with small numbers of students with disabilities would be included in their analyses to determine whether a significant discrepancy existed. There was a fairly even split between states that reported a minimum requirement and those that did not.

Approximately half of the states reported a minimum cell size requirement. The range was 2 students to 75 students, with the majority of states using a requirement of 5, 10, or 15 students. Three states had no minimum requirement for 4A but did have a requirement for 4B. A few states excluded charter schools.

The remaining states either reported no minimum requirement, or no minimum requirement was found in either their APR or SPP. The territories are included in this group, as many of them stated that Indicator 4 was not applicable since they did not suspend or expel students and/or they were unitary systems, meaning they had no school districts.

Review of Policies, Procedures, and Practices and Results of the Review

Almost all of the states included a description of how they would review policies, procedures, and practices. In most cases, they also provided the results or follow-up actions that were implemented because of the review. However, most states did not describe in great detail their review of policies, procedures, and practices or the results of those reviews for addressing significant discrepancies. Their descriptions included a range of approaches, including:

- States stated that they will review the policies of districts with significant discrepancies;
- States specifically mentioned their monitoring and improvement system as a vehicle for reviewing plans and decreasing discrepancies;
- States specifically mentioned using Positive Behavioral Support Coaches in districts with discrepancies;
- States described multi-step processes for reducing discrepancies.

INDICATOR 4: SUSPENSION/EXPULSION

Prepared by PBIS

Part B Indicator #4: Rates of Suspension and Expulsion:

- Percent of districts identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and
- Percent of districts identified by the state as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

INTRODUCTION

This report will focus on the Improvement Activities reported by the states in their Annual Performance Reports and State Performance Plans for Indicator 4, as Westat has prepared a report on other aspects of the states' reports for this indicator. Since last year, the states have made progress in the quality of the Improvement Activities for Indicator 4A but few specific strategies for Indicator 4B were identified. In fact, most states reported that they planned to use the same improvement activities for 4B that they had listed for 4A. Time will tell if the same activities that reduce expulsions for students with disabilities in general also reduce disproportionate expulsions of these students by race or ethnicity. Probably next years' APRs, which will include outcomes for the first year for Indicator 4B, will indicate that the states that also included strategies more specific to disproportionality will be more successful in addressing that concern, particularly if an attempt is made to identify and respond to both adult and child factors.

IMPROVEMENT ACTIVITIES

Evidence-based improvement strategies for reducing expulsions for students with disabilities in general often were described in Improvement Activities. Many of the activities related to making sure that school wide Positive Behavior Support (PBS) was well implemented and well understood, such as: (a) providing training in PBS, often specified, according to local needs, as "for all school staff," "for administrators," "for new staff," "for PBS coaches and building facilitators," or "for district Leadership Team;" (b) studies of pilot and demonstration PBS schools, and (c) use of PBIS evaluation tools (e.g., SET, Team Implementation Checklist, PBS Surveys). A related group of activities based on evidence-based strategies pertain to support for individual students. In this group were efforts to provide training, support, guidelines, systems, and processes that would increase and improve the use of Functional Behavioral Assessment (FBA) and Behavior Intervention Plans (BIP). Most states expect that identified districts will self-assess and prepare their own improvement plans. However, a number of state departments planned to provide technical assistance to district and school officials for doing this. For example, checklists of specific questions about (a) school level systems and (b) how to prepare to intervene with an individual child were offered as a guide to local action planning. Other examples of evidence-based improvement activities

included: (a) increased emphasis on gathering and using valid and reliable data, (b) improving behavior by improving academic learning, (c) supporting and improving early intervention efforts, (d) coordination of mental health services in community and school, (e) relating Safe and Drug Free Schools efforts and information to local efforts to reduce disproportionate suspension and expulsion of students with disabilities, and (f) improving dissemination of information about school discipline policies, behavioral expectations and interventions, and school wide PBS to families and parents.

Examples of improvement activities that were considered useful by states that met and exceeded their targets are listed below:

- “District PBS Coaches were trained in the spring of 2006 on better data collection techniques and this will continue for the 2006-07 school year. Staff from DOE data management have assisted in training schools as needed.”
- “The State has decided to continue to require the functional behavior assessment and behavior intervention plan for students even when the behavior is not a manifestation of the disability in order to help improve student behavior and reduce suspensions.”
- “LEAs identified as significantly discrepant in rates of suspensions/expulsions [were invited] to receive training on discipline placement alternatives for students with disabilities.”
- “Training for administrators and others on the improvement of special education suspensions/expulsions.”
- “Training and technical assistance in the development and implementation of functional behavioral assessments and behavior intervention plans.”
- “Train all new hires using the Awareness Training module, Makes Sense Strategies module, and the PBS module. In addition to the requirement that every teacher complete the module, every school has the modules as a continued resource for instructional interventions and behavioral strategies.”
- “Professional development for staff on implementation of discipline procedures was provided. During 2005-2006, compliance indicators related to discipline procedures, including functional behavior assessments, behavior intervention plans and manifestation determinations, continued to be part of the District Self-Assessment.”
- “Monthly monitoring of significant suspension rates in all schools.”

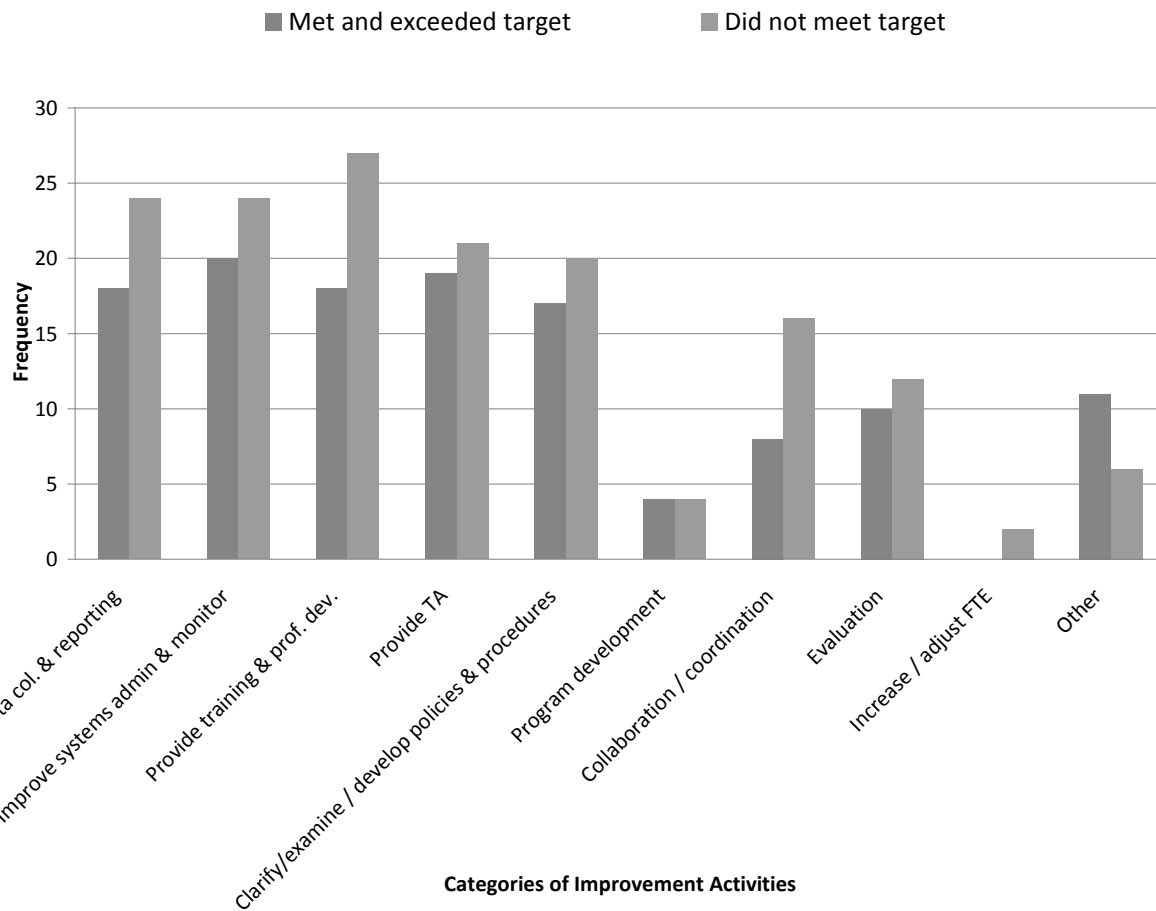
A few states indicated that improvement activities listed for one or more of the following indicators would also be improvement activities for Indicator 4:

- Indicator 1, Graduation
- Indicator 2, Dropout
- Indicator 9, Disproportionate Representation in Special Education
- Indicator 10, Disproportionate Representation in Specific Disability
- Indicator 15, General Supervision
- Indicator 20, Timely and Accurate reporting.

IMPLICATIONS

For OSEP, the findings indicate that it is important to continue to bring to the attention of state departments of education the need to ensure that children with disabilities are receiving a free, appropriate, public education. About half of the states failed to meet their goal and actually increased the percentage of districts identified as significantly discrepant in terms of suspensions and expulsions. Clearly there is more work to be done. For the states, these findings indicate that improvement is possible and, in many places, sorely needed. Many children with disabilities may not be receiving a free, appropriate, public education, and they may not be making educational progress when suspended or expelled for long periods of time. When the frequency of improvement activities, by type or category of activity, for states that improved is compared to the frequency for states that did not improve, the resulting chart (see Figure 1) suggests that states that did not improve were trying hard to improve. Their frequency of use of almost all types of strategies is higher than that of the states that improved.

Figure 1: Frequency of Types of Improvement Activities by Category and First Year Outcome



This indicates that it is not for lack of effort that they did not meet with success. Perhaps they simply need more time. This is the first year of a six year plan. Initial levels of difficulties and challenges may account for the differences. Increased funding may be needed in order to increase use of the category “Increase/adjust FTE.” Within each category of activity, variations are possible. For example, one category that was quite popular was “Provide Technical Assistance (TA).” However, TA topics and styles of presentation varied considerably. The only category where states that improved have a higher frequency than states that did not improve is the “other” category, which may suggest creativity and innovation are factors in improvement. Examples of the “other” activities are listed below:

- Ensure LRE [Least Restrictive Environment] and most appropriate placement of students to avoid student frustration resulting in acting out/inappropriate behaviors.
- Provide instruction to students and parents on self-advocacy.
- Incentives for PBIS [Positive Behavior Interventions and Supports].
- Participated in a state level teams to increase school-based mental health services and to improve transition between schools and out-of-home placements.
- Developed, provided training, and implemented statewide guidelines for identification and services for students with emotional disturbance.
- Identify evidence-based practices/strategies & PBS demonstration sites.
- Provide additional financial support to provide training for parents/families in FBA & BIP.
- Emphasis on PBS; also on FBA & on reporting bullying, harassment, and intimidation.

For the Center on Positive Behavior Interventions and Supports (PBIS), the state reports indicate that much is expected of the Center, and that it has much to offer. Of the states meeting and exceeding their goals, 72% mentioned PBIS (or materials and strategies developed by PBIS) in their improvement activities or resources. In contrast, of the states that did not meet their targets, only 24% mentioned PBIS. PBIS has assisted states in reducing suspensions and expulsions. Strategies to date have focused primarily on systems level interventions for school wide PBS and enhancing school and district capacity to provide function-based support to individual students, using a 3-tiered approach to prevention. Challenges ahead include (a) identifying specific strategies to ensure success with Indicator 4B, when disproportionality due to race or ethnicity is an issue; (b) maintaining the level of effort that has been so successful; and (c) increasing efforts to assist even more individuals, schools, districts, and states.

INDICATOR 5: SCHOOL-AGE PLACEMENTS

Prepared by NIUSI

The National Institute for Urban School Improvement (NIUSI) was assigned the task of analyzing and summarizing the data for Indicator 5: FAPE in the LRE from the 2005-2006 State Performance Plans which were submitted to OSEP in February 2007.

Indicator 5:

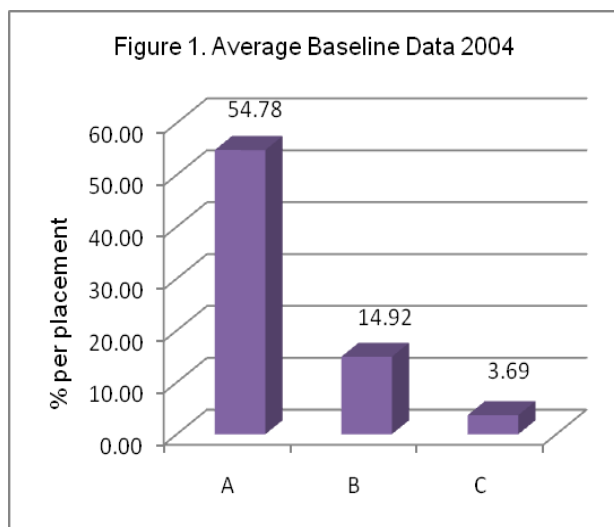
Percent of children with IEPs aged 6 through 21:

- 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.

(20 U.S.C. 1416(a)(3)(A))

This narrative report presents data, in aggregated form, from the State Performance Plans of the fifty states, District of Columbia, eight territories, and Bureau of Indian Education (BIE), which will be referred to as “states” henceforth.

BASELINE DATA



Of the 60 states and territories, 60 (100%) reported baseline data from FFY 2004. For category A, the percentage of students with IEPs removed from the regular classroom less than 21% of the day, data ranged from 9.5% to 98.7%, with a mean 54.78% and a median of 53.45%. Six states (10%) reported that less than 40% of students were removed from the regular class less than 21% of the day. The majority of states ($n=42$, 70%) report that between 40-60% of their students are removed from the regular class less than 21% of the day. Eleven (18%) indicated that more than 61% of their students fall

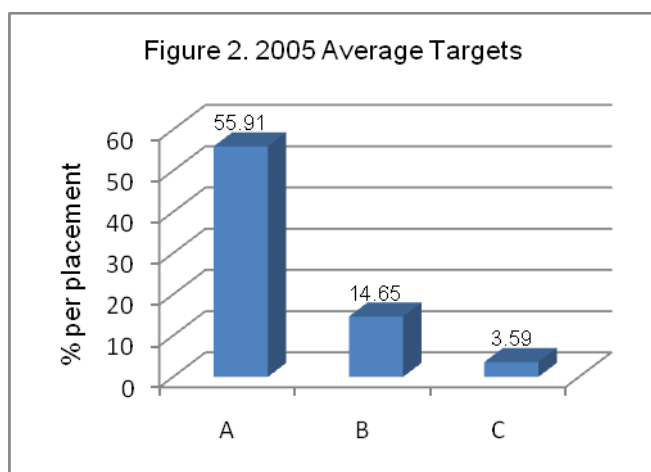
into category A.

For category B, removal from the regular classroom greater than 60% of the day, data ranged from 0 to 32%, with a mean of 14.92% and median of 15%. Thirteen states (22%) indicated that less than 10% of students were removed from the regular class more than 60% of the day. Thirty-five (58%) of all states report that between 10-20% of

their students are classified under category B. Eleven (18%) indicated that more than 21% of their students fell in category B.

For category C, service in public or private separate schools, residential placements, or homebound or hospital placements, data ranged from 0 to 31%, with a mean of 3.69%, and a median of 2.2%. Seventeen states (28%) report that less than 2% of their students were served in public or private separate schools, residential placements, or homebound or hospital placements. Thirty-two (53%) indicated that 2 to 5% of students are served under this category. Nine (15%) indicated that more than 5% of their students with IEPs were served under this category.

TARGET DATA



All states reported targets for category A, while 59 states (98%) reported targets for categories B and C. One state neglected to report targets for B and C, presumably because they reported a baseline of 98% for category A.

For category A, rigorous targets ranged from 0 to 5 percentage points above baseline values. Fifteen states (25%) set maintenance targets, that is, the targets were identical to the baseline

data. For seventeen states (28%), targets were set within 1% of the baseline data. Twenty-seven (45%) set targets exceeding a 1% increase in the percentage of students who were removed from the regular class less than 21% of the day. The mean target was 55.91%, with a median 54.85%, minimum of 10.5% and maximum of 98%.

For category B, rigorous targets ranged from 3 percentage points below baseline to 3 percentage points above baseline values. Twenty states (34%) set maintenance targets. For twenty-five of states (42%), targets were set within 1% of the baseline data. Fourteen (24%) set targets exceeding a 1% change in the percentage of students who were removed from the regular class less than 21% of the day.

For category C, rigorous targets ranged from 0 to 3 percentage points above baseline values. Twenty-seven states (46%) set maintenance targets, that is, the targets were identical to the baseline data. For twenty-eight (47%) states, targets were set within 1% of the baseline data. Two (3%) set targets exceeding a 1% change in the percentage of students served in public or private separate schools, residential placements, or homebound or hospital placements.

Forty-six states (77%) met the target for category A, while 41 (69%) met the target for category B, and 32 (54%) met the target for category C.

COMMENTARY

The notion of rigorous is interesting given the targets set. From a research perspective, the notion of rigorous might mean high degree of certainty, careful, consistent attention to methodology, or a high level of fidelity. From a lay person's perspective, the notion of rigorous is most frequently associated with descriptors such as tough, hard to meet, a high standard of performance. Yet, the targets set by most states seem modest rather than ambitious.

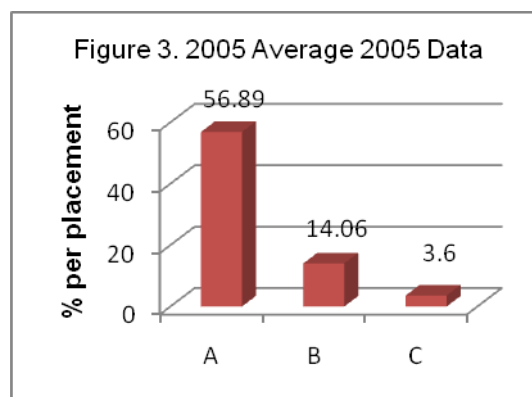
We recognize that a state such as California with more than 600,000 students with disabilities has a different scale for change than say Wyoming with little more than 11,000 students with disabilities. Therefore, rigorous targets might mean different percentages of movement of students with disabilities.

If California moved 1 student with disabilities for every one of its 8,334 schools and Wyoming moved 1 student for every one of its 849 schools, there would be comparability in terms of percentages. To determine the number of students who must be moved, proportion must be taken into account.

An additional consideration might be the impact of context on making the change. For instance, there may be some states in which services for students with disabilities have been provided in alternate settings over such long time periods, that change is more difficult. In that case, should more external technical assistance and effort be expended there in terms of the TA & D network? Or, should consideration be given to increasing TA & D services to states willing to set ambitious targets?

ACTUAL 2005-2006 DATA

Of the 60 states and territories, all reported actual data for FFY 2005. For category A, removal from the regular classroom less than 21% of the day, data ranged from 18% to 95%, with a mean of 56.89% and a median of 55.77%. Only four states (7%) report that less than 40% of students fell in category A. Thirty-seven (62%) states report that between 40-60% of students are removed from the regular class less than 21% of the day. Nineteen (32%) indicated that more than 61% of their students were removed from the regular class less than 21% of the day.

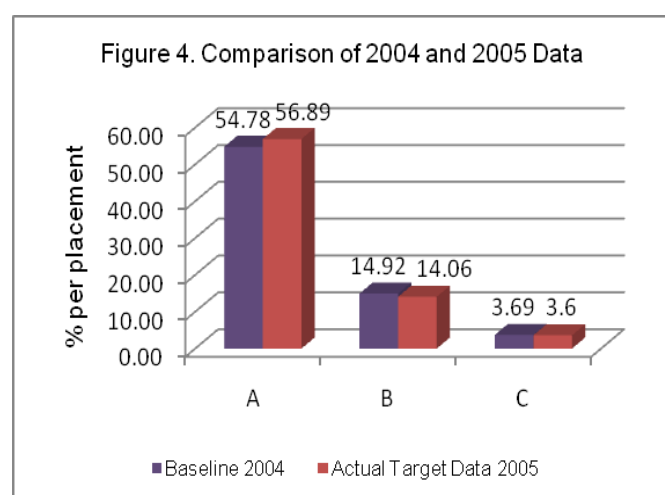


For category B, removal from the regular classroom greater than 60% of the day, data ranged from 0 to 34%, with a mean and median of 14%. Nineteen states (32%) states indicate that less than 10% of students were served under this category. Thirty-two states (53%) report that between 10-20% of their students are removed from the regular

class greater than 60% of the day. Nine (15%) indicated that more than 21% of their students were removed from the regular class greater than 60% of the day.

For category C, service in public or private separate schools, residential placements, or homebound or hospital placements, data ranged from 0 to 27%, with a mean of 3.6%, and a median of 2.68%. Twenty states (33%) report that less than 2% of their students with IEPs are served in this placement category. Thirty states (50%) report that between 2 and 5% of students were served in public or private separate schools, residential placements, or homebound or hospital placements. Nine states (15%) indicated that more than 5% of their students were served under this placement category.

COMMENTARY



Comparing the baseline data from FFY 2004 and the target data from FFY 2005, it appears that, overall, there has been progress in each of the placement categories. The question remains, though, as to what is an appropriate level of inclusion to expect. Currently, just over half of the nation's students with disabilities receive education under the least restrictive of the three placement categories.

IMPROVEMENT ACTIVITIES

Of the 60 states and territories, 58 states (97%) included improvement activities for this indicator. Table 2 provides a summary of the improvement activities listed in the SPP reports.

Table 1. Summary of Improvement Activities by State (N=58)

Improvement Activity	n	%
A. Improve data collection and reporting	16	28
B. Improve systems administration and monitoring	20	35
C. Provide training/professional development	43	74
D. Provide technical assistance	24	41
E. Clarify/examine/develop policies and procedures	9	16
F. Program development	12	21
G. Collaboration/coordination	7	12
H. Evaluation	10	17
I. Increase/Adjust FTE	1	2
J. Other	48	83

SPP REVISIONS

In the SPPs, state made revisions as deemed necessary by the state or by OSEP. The types of revisions reported are presented in Table 2. Forty-six states (60%) reported making revisions to the SPP. Eight states (13%) were required to make two or more revisions.

Table 2. SPP Revisions Reported

Improvement Activity	number (%)
None	24 (40%)
Baseline data	6 (10%)
Target data	9 (15%)
Improvement Activities	24 (40%)

TA CENTERS CONSULTED

Of the 60 states and territories, thirty (50%) consulted with at least one TA Center. Twenty-four (40%) consulted with multiple TA centers. There were 129 centers, projects, and institutions of higher education mentioned. Of these, only 8 were mentioned more than once. No center/organization was mentioned more than three times. PTIs were mentioned twice, and two regional resource centers were mentioned twice.

COMMENTARY

Of interest in this analysis is that state initiatives and projects mentioned outnumbered national and regional centers by approximately 12 to 1. We are exploring the relationship between state LRE outcomes and the number and type of initiatives used. Some questions that seem important to discuss with states are, if multiple projects are used to improve LRE outcomes, to what extent are the project goals, language, progress monitoring, and skills development aligned? Is there benefit within a state to having projects with different approaches to achieving LRE? To what extent do projects address LRE for all students with disabilities? To what extent are differences in approaches to LRE improvements organized by student disability, district size, scale of the change being targeted, the credentialing system for teachers, and school improvement efforts?

Further, given the number of indicators that states must report, to what extent are some superordinate? Are there some that taken as a cluster might improve LRE, without states prioritizing specific LRE activities?

EXPLANATIONS OF PROGRESS OR SLIPPAGE

For states showing progress, that is, meeting their rigorous targets, improvement was attributed to the following:

- Impact of improvement activities (13)
- State wide emphasis on LRE and/or inclusion (4)
- Trend toward “resource rooms” over self-contained placements (1)
- Co-teaching in general education classrooms reduced the availability of teachers for separate and private placements (1)

States demonstrating slippage attributed the change to the following:

- Increase in students with severe disabilities (4)
- Changes in reporting and/or previous inaccurate reporting of data and misclassification (4)
- Funding formulas create incentives for more restrictive placements (2)
- Lack of time for improvement activities to show effects (2)
- Increase in parentally-placed students in restrictive settings (2)
- Population changes due to the Hurricanes Katrina and Rita (2)
- Court-ordered residential placements (2)
- Targets set too high (1)

Many states did not offer explanations of progress or slippage and instead merely restated the data. One state did not offer justification for slippage, instead arguing that the data showed that they were above national averages and that it would be their goal to maintain that.

SUMMARY

Of the 60 states and territories, all reported baseline data from FFY 2004. An average of 54.78% of students received services under placement category A, 14.92% under category B, and 3.69% under category C. States set annual targets within five percentage points of the baseline data. Forty-six states (77%) met the target for category A, while 41 (69%) met the target for category B, and 32 (54%) met the target for category C. For FFY 2005 an average of 56.89% of students received services under placement category A, 14.06% under category B, and 3.6% under category C. Of the 60 states and territories, fifty-eight (97%) states included improvement activities for this indicator, with most (96%) listing multiple activities. Half of all states consulted with at least one TA center. States attributed progress and slippage to a variety of contributors, but many failed to offer any insight into the trends in their state.

RECOMMENDATIONS

- In order to allow for comparisons among states on placement category C, the most restrictive placements, define which students with IEPs should be included in the count. For instance, some states exclude from the count placements made by outside agencies or departments, while others do not.
- Improve format of reporting for improvement activities. Consider having states list applicable activities under each category.
- Improve correspondence between reported improvement activities and actual activities taking place in the states. Some states are doing things that fall under the various IA categories but are not listing them as IAs.
- It would be helpful if there were more specific guidelines for explanations of slippage or progress. While some states provided an insightful analysis, others merely provided narrative of the target data.
- Comparisons of placement rates would also be facilitated if it were possible to standardize a definition of each placement category (i.e., what constitutes “the regular class.” States may alter their definitions to produce more favorable data. This confounds accurate comparisons across states. At the very least, it would be helpful if they would provide an explanation of how the state determines a student’s placement category.
- It may be time to explore LRE data by category of LRE cross-tabulated with disability groups to understand how LRE plays out for students with various kinds of disabilities.

APPENDIX 5-A: IMPROVEMENT ACTIVITIES REPORTED BY STATES

A. 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.

- The State's Education and Early Development's (EED's) Special Education data manager provides technical assistance to all districts to improve data collection. EED has also provided guidance to the districts on the new environment codes. EED provides a data handbook for this data collection including a federal descriptions and definitions.
- Revise State DoE census reporting to reflect differences between voucher placements unrelated to a free, appropriate public education (FAPE) and those necessary for FAPE.
- Pursue the development of an integrated database to pro-actively identify upcoming corrective actions across all components of the monitoring system.
- Examine data definitions used for reporting to determine how to best report data to accurately reflect state and district activities that address LRE indicators.
- Implement new electronic comprehensive student support system (eCSSS) training for IEPs to support schools in documenting LRE.
- Implement new data warehousing capabilities so ISBE Department of Special Education staff have the ability to compile, analyze and report data and align student data collection.
- Develop an evaluation method to identify systemic issues and single instances of noncompliance in the area of LRE.

B. Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration.

- Student Service Reviews will include expanded probes to examine LRE decision-making procedures as part of the focused monitoring process.
- Through the statewide implementation of a web-based student information management system, the DOE will have accessible real time monitoring data that will include student progress and participation in the general curriculum, etc.
- Identify agencies with excessive numbers of restrictive placements and require analysis of causes and improvement planning.
- Incorporate assistive technology (AT) into the appropriate root cause analyses for monitoring.
- Revise the monitoring system to require agencies with high numbers of restrictive placements to investigate placement procedures and additional options.
- Based on analysis of placement data, focus monitor targeted schools and require development of specific improvement plans.

- Add monthly progress reporting to corrective actions for systemic noncompliance findings related to LRE.
- In 2005-06, BSE will implement new, multi-layered monitoring based on an “LRE index” score developed pursuant to the September 19, 2005 Settlement Agreement in *Gaskin v. Commonwealth of Pennsylvania*. The 20 districts with the lowest LRE index scores will be subject to “Tier One LRE Monitoring,” which would feature on-site visits by a State DoE-appointed monitoring team and the preparation of a corrective action plan with interim reporting and monitoring obligations. During the first year of the Gaskin Settlement Agreement, PDE will conduct a needs assessment of school district and intermediate unit personnel related to research-based inclusive practices. Areas of needs assessment will include: effective instruction/access to general curriculum, partnerships with families, supplementary aids and services in regular classrooms, IEP practices, and educational placement, as well as others identified by the Gaskin Advisory Panel
- Modify the CIMP system to require agencies with high numbers of restrictive placements to investigate placement procedures and additional options.
- Design self-assessment process to assist LEAs, SOPs, and Head Start programs in analyzing LRE data and planning improvements.
- Conduct statewide focused monitoring on LRE as a key performance indicator focusing on percentage of regular class placement; percentage of separate class placement; percentage of out-of-district placement; mean percentage of time with nondisabled peers (TWNDP) in-district (K-12); and mean percentage of TWNDP (PK). Review to include low performing districts chosen from four population groups
- Continue to conduct general supervision and monitoring of 43 targeted districts in the area of LRE/ID (intellectual disabilities) through examination of district quarterly data; district self-analysis of decision-making process and justification for removal of students regressing in time with nondisabled peers; on-site focused interviews with selected districts of students regressing in time with nondisabled peers; and district self-analysis of progress in home school placement.
- Use National Center for Special Education Accountability Monitoring (NCSEAM) to assist in informing best practice in monitoring.
- Data at the LEA level will be examined and a recommendation to do focus monitoring will be given for districts whose data is significantly below the averages for the state in regards to sub-indicator A.
- Review continuous improvement plans for districts whose target indicator was least restrictive environment. Review IEPs as part of the monitoring process for identified districts.
- To further work toward meeting the target of the students placed in private separate schools, residential placements, or homebound or hospital placements, students will be tracked for progress monitoring for indication that students maybe more efficiently incorporated back into the public school setting.
- Continue to consider districts for participation in Focused Monitoring based upon their LRE performance data. Review the CIMS LEA Service Provider Self Review

(SPSR) data to analyze the LRE Key Performance Indicator (KPI) ratings. This LEA data will be factored into the identification of districts targeted for technical assistance. Develop a rubric for ISDs to use with LEAs that have been identified for technical assistance as a result of their SPSR data. The rubric will help districts identify root causes for their LRE percentages and move their LRE percentages closer to the state targets.

- Conduct focused monitoring reviews using a “Least Restrictive Environment” (LRE) protocol, designed to evaluate a school district’s performance regarding placement of students with disabilities in the LRE, including a review of the districts’ LRE data and policies and practices and determination of root causes for high rates of placements in the most restrictive settings. Provide Quality Assurance Review grants to large city school districts to offset the costs that these school districts may incur to participate in the focused monitoring reviews. Provide Quality Assurance Improvement grants to school districts to implement improvement activities identified through the focused review monitoring process.

C. Provide training/professional development – provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders.

- Ongoing training will focus on dissemination of information regarding current inclusionary practices and collaborative and co-teaching models.
- Administrators, general education teachers and special education teachers will be trained on the statewide curriculum standards for each grade level and methods for accessing the general curriculum for students with disabilities. The new mandated IEP form and components will be discussed. IEP Teams will gain knowledge on writing appropriate LRE justifications.
- The SEA has many professional development conferences that happen throughout the year: State Special Education Director’s Conference, No Child Left Behind Conference and the ____ State Special Education Conference.
- Positive Behavioral Supports training is happening at the local level throughout our state.
- Improve Assessment Program by establishing trainings for assessment officers to better provide quality and appropriate assessments. The result of this process will provide quality information to assist the determination of appropriate placements for IEP students.
- Increase training and supervision of least restrictive environment (LRE) reporting
- Train ESS specialists in overseeing and providing assistance to agencies in the area of data reporting.
- Participate in national charter school study.
- Provide regionalized training and technical assistance related to using the KPI data for program improvement.
- Regional trainings for trainers on serving students with disabilities in the least restrictive environment.
- Provide facilitated IEP training, a trainer of trainer module.

- Provide BEST positive behavioral management program training and technical assistance.
- Provide five Web casts that cover the concept of Response to Intervention (RTI) and stream this content for on-demand viewing. Develop and distribute training module in DVD format that incorporates RTI concepts and specific skills. RTI Trainings focused on general education environment.
- Conduct training for both special education and regular education teachers, and private schools on how to make proper modifications and accommodations that assist children with disabilities in the regular classroom.
- Support training and information sharing sessions conducted by other public or private agencies on LRE for families and school/agency personnel.
- Provide professional development activities statewide on co-teaching, differentiated instruction and assessment, principal training, nursing services and the IEP, curriculum topics, learning strategies, collaborative teaching, speech pathologists as co-teachers, positive behavior supports.
- Provide training and technical assistance to all P.J. et al. v. State of Connecticut, Board of Education, et al. settlement agreement targeted districts through the State Education Resource Center (SERC) in the areas of LRE/Inclusion.
- Support implementation of academy to train coaches to provide in-district support to teachers educating students with disabilities in the general education classroom.
- Provide “Families as Partners” training to parents and LEAs participated in STARS and Coaches Academy.
- Refine and provide training to statewide cadre of trainers in the Inclusive Schools Initiative cluster modules to increase capacity of all teachers to support children with disabilities to ensure access and progress in the general education curriculum within the least restrictive environment, first considering the general education.
- Use existing ISI checklists to identify supports needed in the general education classroom that ensure children with disabilities gain access and make progress in the general education curriculum. Gather and review training needs as identified on district professional development evaluations across participated pilot school districts.
- Training on Universal Design for Learning (UDL) framework at various conferences throughout the state and in schools that have initiated interest will occur. Baseline needs and Post- implementation assessments in schools as to how UDL impacts access to the general curriculum will be completed.
- Implement training for principals to evaluate teachers on the evidence of classroom teaching strategies for students with a disability being taught in the least restrictive environment.
- Staff development with general and special education teachers on collaborative planning and teaching, differentiated instruction, use of instructional materials and supplies including supplemental materials and intervention programs.
- Training for the new standards has been provided simultaneously to general education and special education teachers. That training includes information on differentiating the instruction to meet the needs of all learners. This will enable

more general and special education teachers to educate an increased percentage of students with disabilities in general education settings. A key component of the training that is provided to school teams focuses on implementing instructional practices (e.g., co-teaching) that will increase the percentage of time students with disabilities are educated in general education settings.

- Train district personnel about child count definitions and procedures to ensure that educational environment data are accurate.
- Prepare a statewide training module on research-based effective co-teaching and collaborative models that will help districts meet the NCLB requirement for content endorsed teachers to deliver the primary instruction but also give students with disabilities the support they need to be successful in courses with typical peers.
- Utilize professional development and technical assistance resources such as the Standards-Aligned Classroom Initiative to deliver training and technical assistance on standards-aligned instruction and assessment, thereby enhancing the ability of educators to meet the needs of students in the general education classroom and provide access to the general education curriculum.
- Train administrators on appropriate Functional Behavior Assessment (FBA) and alternative schools use.
- Provide practicum mentorship on integrated settings during Summer Institutes for graduate students seeking functional licensure.
- Continue staff development efforts in differentiated instruction techniques, inclusion strategies, tolerance, and other supportive approaches in the classroom
- Provide training and technical assistance to LEAs on the appropriate use of levels of service in sites and classification codes.
- Host statewide conference on legal standards and promising practices in assistive technology and universal design for learning.
- Continue BEST team training on functional behavioral assessments, positive behavioral supports, Crisis Prevention and Intervention, Life Space Intervention and other strategies for students with emotional and behavioral challenges.

D. Provide technical assistance – provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs.

- Technical assistance and training will be provided to LEAs that are below the state average for students being served in general education classrooms.
- The ____ will continue to use LRE indicators as part of the focused monitoring system, providing technical assistance and oversight to districts that trigger. Districts that trigger are required to include an action plan in their ____ Consolidated School Improvement Plan (CSIP). In addition, the Monitoring Program Effectiveness (M/PE) Section will review each CSIP and work with districts to ensure they are calculating the percentage of time accurately.

- Provide a series of technical assistance and professional development sessions to a variety of audiences on the following topics: accountability, identification and placement, access to the LRE, effective classroom instruction and reform efforts.
- Provide technical assistance on reinventing high school. Provide technical assistance to schools focused on the implementation of reform programs to high poverty and NCLB school wide schools
- Support implementation of a statewide technical assistance team to respond to districts and parents in need of immediate technical assistance to assist in helping a specific student to remain/return appropriately in/to the student's home school and/or general education classroom.
- Identify successful resources, projects, and successful inclusion models, and share with districts via paperless communication, Technical Assistance Papers/Notes, presentations and professional development/training to be disseminated to schools and education professionals and parents as appropriate.
- Provide technical assistance to ensure districts across the state are categorizing similarly situated students in the same ways in our individual student data system.
- Provide technical assistance on including students with severe disabilities in general education settings with their typical peers.
- Districts identified as non-compliant for issues related to placement of students with disabilities in the least restrictive environment and/or high rates of placement in separate special education settings will be targeted for technical assistance regarding the development and implementation of improvement strategies including the development of a plan to transition students from separate special education settings to education settings with nondisabled peers.
- Utilize technical assistance projects including, but not limited to, Project CHOICES, Positive Behavior Intervention and Supports (PBIS), Special Education Leadership Academy (SELA) and Autism Training and Technical Assistance Project (ATTAP) to:
 - o Enhance the capacity of general and special educators to provide differentiated instruction across all age, academic, and functional levels of students
 - o Identify and implement characteristics of successful interventions, including reading initiatives
 - o Optimize student's access to the general education curriculum across all ages and disabilities
 - o Provide professional development with follow-up and assessment on use of promising practices to
 - Increase access to general education curriculum at grade level through, e.g., Differentiated instruction, Universal Design, Multiple Intelligences, Cooperative Group Work, Co-teaching
 - Ensure development of adaptations and modifications in IEPs for use on assessments
- Utilize the State Personnel Development Grant Project's Regional Professional Development Centers to:

- o Disseminate evidence-based models of early intervening programs, including programs based on “Response to Intervention,” to enhance the ability of educators to meet the needs of students in the general education classroom
- o Identify and disseminate characteristics of successful interventions to optimize students’ access to the general education curriculum across all ages and disabilities
- o Provide training and technical assistance on student progress monitoring to enhance the ability of general and special education programs to collect, analyze, and report student progress data for continuous, data-based decision-making
- o Partner with higher education personnel preparation programs for general and special education personnel to incorporate the principles and practices of school-based problem solving and early intervening services into the curricula
- Provide technical assistance to districts to assist them with issues such as: understanding how to report LRE time accurately. Helping data entry staff in LEAs and ISDs to improve the accuracy and consistency of student data reporting.

E. Clarify/examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator.

- SEA and local districts will develop local strategies for addressing placement decisions within the context of overall school improvement, provider qualifications, and academic performance. These strategies will include recommendations for:
 - o Pre-service training for all teachers that emphasizes educating students with disabilities in general education settings
 - o Ongoing professional development that ensures general classroom teachers have the skills and knowledge to work with students with a range of disabilities
 - o Focus on high quality curriculum instruction for all students
 - o Policies and procedures emphasizing collaboration between general and special education teachers
 - o Use of up to 15 percent of Title VI-B funds for Early Intervening Services tied to addressing school district excessive restrictive placements
- Develop ways to improve positive IEP Team collaboration and participation so IEP members can successfully discuss and make better decisions for placement of students in the most appropriate LRE Environment. This action will follow through with continuum IEP training that evolves around IEP and Service Plan process to encourage positive participation in the whole process.
- The facilitated grant procedures utilize LRE data to develop program improvement strategies.
- Develop charter school guidance primers to address the needs of students with disabilities attending charter schools.

- Establish mechanisms, policies, resources and professional development to create collaborative school cultures that enhance the performance and placement of students with disabilities in the least restrictive environment. Establish a coherent professional development plan to create collaborative school cultures. This will be planned and implemented by a cross-department team representing multiple divisions. The following components will be addressed: participants, framework, and content.
- Implement regional space planning requirements to ensure regional planning that results in students with disabilities educated in age appropriate settings and to the maximum extent appropriate with students who are not disabled.
- Revise State policy relating to the continuum of special education programs and services to provide more instructional delivery designs in general education classes.

F. Program development – develop/fund new regional/statewide initiatives.

- Initiate Autism Training Project.
- Implement and expand the Response to Intervention model.
- Expansion of the Positive Behavioral Supports program.
- Establish effective intervention programs in 35% of the schools in each LEA.
- Annually increase the number of model inclusion programs in schools.
- Special education teachers who provide consultative support in general education settings with a general education teacher do not have to be “highly qualified” in the content area. This will promote the establishment of new general education/special education teacher teams, thereby increasing the percentage of students with disabilities who are educated in general education settings.
- Every local district in ___ is required to have a CIMP plan focused on increasing the percentage of students with disabilities who receive instruction in general education settings. Those plans must be updated annually.
- Develop a statewide infrastructure to support the effective use of assistive technology to provide LRE access especially for students considered to have “high incidence, low tech needs.”
- The state will develop cooperative grant agreements that will be offered to local school districts, with the highest placement of students with disabilities in separate special education settings, for the purpose of initiating or continuing the process of planning the transition of students with disabilities from separate special education settings to general education programs.
- The state will develop a targeted, competitive Notice of Grant Opportunity for the establishment of an Assistive Technology Technical Assistance Center.
- The state will develop a focused mini-grant RFP to provide funding to school districts that are interested in increasing their capacity to transition students with disabilities from other locations to placements within the home school district.

G. Collaboration/coordination – Collaborate/coordinate with families/agencies/initiatives.

- The state, through its SIG partnership with the Statewide Parent Advocacy Network (SPAN), will continue to conduct Inclusion Institutes on a regional basis that highlight the benefits of inclusion and provide a forum for discussing implementation issues. Additionally, SPAN through the SIG, will organize and implement a statewide teleconference similarly highlighting the benefits of inclusion and examples of effective inclusive practices.
- Special Education Services Personnel will work cooperatively with the ____ State Improvement Grant to provide training to improve LRE decisions and provide support to teachers through the use of Makes Sense Strategies, Positive Behavior Supports, reading intervention procedures, and methods to help students with disabilities access the general curriculum.
- Additionally, in support of LRE, the State Program Development (SPD) Section of the State will coordinate and conduct training for higher education teacher preparation faculty to assist with the support, services, and trainings for universities, public school, and higher education educators, and others for the systemic change for inclusion. To prepare pre-service teachers to meet the needs of developmentally disabled students, the inclusion of specific instructional strategies in teacher preparation curricula training must be provided to higher education teacher preparation faculty in a comprehensive, systemic manner. Research based strategies, Content Enhancement Routines, and Learning Strategies Routines developed by the University of Kansas Center for Research on Learning (KU-CRL) will be utilized as the primary comprehensive intervention model. The intervention model is called the Strategic Instruction Model (SIM). To implement the training, all 18 of the Colleges of Education in collaboration with relevant Colleges of Arts and Sciences will receive an application for participation in an initial four day training, with two days of follow up. There will be eight teams of four faculty members comprised of two general educators and two special educators selected to attend this comprehensive, systemic intervention model training. Fulfilling this goal will dramatically increase the capacity of the State's teacher training institutions to prepare future teachers to use research-based practices for adolescents.
- Improve Partnership with parents and legal guardians of IEP students to encourage positive participation in the process of IEP and Service Plan.
- Collaborate with State Program Improvement and Interventions Office to incorporate special education indicators into the Academic Performance Survey (APS) and District Assistance Survey (DAS).
- Convene Stakeholder Groups including the Least Restrictive Environment, Key Performance Indicator Stakeholder Committee (KPISC), and the IEP Task Force
- Use LRE Part B Community of Practice to assist in informing best practice in monitoring.
- Conduct parent support in LRE through training and material dissemination.
- Establish additional community based programs with support via MOUs with core community service agencies such as Health Services for Children with Special Needs, Dept. of Mental Health, Child & Family Services, Dept. of Youth

Rehabilitation Services Agency, Rehabilitation Services Administration, and the Mental Retardation and Developmental Administration.

- Collaborate in the publication of a technical assistance document for all educators which describes the statewide framework for literacy instruction. Collaborate with Comprehensive Guidance to train educators in behavior management strategies and targeted interventions to ensure LRE for students with disabilities.
- Provide parents with tools to become active members of the school and community through Title 1/Special Education project “Home, School, and Community Partnerships.”
- The State will establish a collaboration cadre that will consist of teams of teachers in general and special education that will go through extensive professional development on all aspects of collaboration in order to become State Collaboration Trainers. The Cadre will meet regularly with the State to continue to receive professional development and network with their fellow trainers (2007-2008). The State will identify model schools/teams of special and general educators throughout the state that are effectively using the collaborative teaching model to ensure students with disabilities are receiving access and making progress within the general education curriculum. These schools/teams will be used as collaboration model sites.
- The State will create a web site for collaboration that can be linked to the KDE Division of Exceptional Children web page that will provide districts with access to articles, collaboration strategies for teacher teams and students, conflict resolution strategies, and implementation of effective collaboration strategies (2009-2010).
- Create partnerships and frameworks amongst IHEs, LDE, LEAs, and community members to provide high quality education professionals that will create inclusive schools that enhance the performance and placement of students with disabilities in the least restrictive environment.
- Improve and increase sharing among school systems to broaden the use of best practices and build more equity among LEAs.
- Build collaborative structures, incentives and supports between the Department of Health and Human Services and the Department of Education to reduce the number of State Agency Clients, State Wards, and other students at risk who are placed in separate facilities rather than typical classroom settings.

H. Evaluation – conduct internal/external evaluation of improvement processes and outcomes.

- Continue to examine data on expansion of out-of-district placement and causal factors, and the quality of programming at separate and out-of-district placements to determine next steps.
- Use LRE stakeholder group to provide in-depth examination of data to uncover underlying issues in order to generate activities that address specific issues affecting the data (examine specific disability groups such as emotional

disturbance and other health impaired, 18 to 21-year-olds placement, placement locations such as private separate and public separate).

- Continuous reviews of school district self-assessments in accordance with NDE's Improving Learning for Children with Disabilities (ILCD) to ensure proper placement procedures.
- Analysis of data, to include disaggregating of data by disability categories, concerning student placement outside of regular classrooms to provide information on districts/schools to target for in-depth technical assistance on inclusion.
- Analysis of data, to include disaggregating of data by disability categories, concerning student placement outside of regular classrooms to provide information on districts/schools to target for in-depth technical assistance on inclusion, e.g., lowest 10% of districts.
- Identify district/school specific barriers to students with disabilities being placed in the least restrictive environment.
- Organize a stakeholder group to review and evaluate policies, procedures, and practices that facilitate or create barriers to continuous improvement regarding placement and performance (see Indicator 3) of students with disabilities (across both high and low incidence disability areas).
- Organize a stakeholder group to review and evaluate policies, procedures, and practices that facilitate or create barriers to continuous improvement regarding placement (and performance, see Indicator 3) of students with disabilities (across both high and low incidence disability areas). The review will include but not be limited to school improvement, accountability, assessment, administrators, special education, higher education, teacher quality/certification and professional development.
- The State will develop a schedule for review and analysis of data for each SPP/APR indicator. Based on the schedule of data analysis, stakeholder meetings will be planned and implemented to review data, targets and improvement activities.
- Participate in state review of Annual Master Plan Updates to review objectives and activities designed to educate students with disabilities in the general curriculum in learning environments that are conducive to learning through the provision of supplementary aids, services, supports, strategies, and accommodations.
- Gather, verify, and analyze district LRE data by disability category, ethnicity, and community size (urban, suburban, and rural). Where discrepancies exist, implement activities including use of a rubric to be developed. Districts will be required to review and rate their policies and procedures related to their LRE data and develop improvement plans.
- Analyze data trends at the student level:
 - o Determine if students are moving from one placement to another;
 - o If so, where are they going;
 - o Based on these findings, determine the need for technical assistance in the disability categories most affected.

- I. Increase/Adjust FTE** – Add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff.
- In order to “scale-up” the use of school-wide behavior supports, as a means of building district capacity to educate students with disabilities in general education programs, NJOSEP is expanding the NJSIG staff at the Boggs Center, UMDNJ to provide training and technical assistance to targeted districts. Among the targeted districts are those placing a high percentage of students with disabilities and/or a disproportionate number of minority students, in separate special educational settings because of behavioral challenges.

Other – TA Center should indicate any additional types of improvement activities specific to their topic/area.

- Information from OSEP regarding state rankings will be shared with LEA representatives to foster statewide awareness of the ranking system used on the national level.
- Strengthen supports in the classroom environment for IEP students.
- Create access to research-based practices and resource materials through various technologies (i.e., DVDs, web casts, web sites, etc.), state conferences and print materials.
- Participate in national charter school study.
- Develop web site to support the rollout of RTI including forms, procedures, intervention measures and provide a facility for supporting the field through an internet based message-board.
- Develop and disseminate Pocketbook of Special Education Statistics
- Disseminate state color-coded map, by district, representing LRE data and goals of the P.J. et al. v. State of Connecticut, Board of Education, et al. settlement agreement.
- Support statewide celebration of National Inclusive Schools Week with National Institute for Urban School Improvement (NIUSI).
- Investigate alternative strategies to separate programming for students with ED and autism to educate in-district and increase their time with nondisabled peers.
- Create a continuum of pre-K-12 model schools that use best practices with ALL students, including students with disabilities.
- Establish a long-term “Think Tank” committee to support the effort to identify, develop, implement and evaluate recruitment and retention models that blend state, local and IHE resources. Identify funding sources to recruit, retain, and support skilled personnel.
- Engage in a systemic process for creating and sustaining change at the state, district and building levels that includes frameworks and supports to enhance the performance and placement of students with disabilities in the least restrictive environment.
- Include LRE data for students ages 6-21 in local school system report cards.
- Explore the impact of the State funding mechanism for students for whom nonpublic placement is sought. Review other arrangements made with public and private institutions to implement LRE placement options for students with

disabilities such as memorandums of agreement or special implementation procedures for those arrangements. (34 CFR 300.118)

- Identify and disseminate evidence-based practices/strategies for improving performance for this indicator.
- Meet with targeted workgroups focused on this indicator. Items will include:
 - o Consider appropriate method of publicly reporting local performance in relation to this indicator.
 - o Review of eligibility determination process and related placement discussion with an eye toward the importance of clinically sound identification, diagnostic, and instructional practices.
 - o Ongoing review of educational environment data by disability, race, gender, income as a means to identify critical next step for this area.
 - o Continuing review of educational environment data by performance as a means to identify critical next step for this area.
 - o Open discussions on the role of the approved private schools in the state
 - o The research of ways in which incentives can be used to promote increased use of less restrictive placements.
 - o Determining if the Circuit Breaker reimbursement program can be used to promote the use of less restrictive placements.
 - o Exploring options for additional technical assistance and training related to LRE.

INDICATOR 6: PRESCHOOL LRE

Prepared by NECTAC

Part B Indicator #6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g. early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

INTRODUCTION

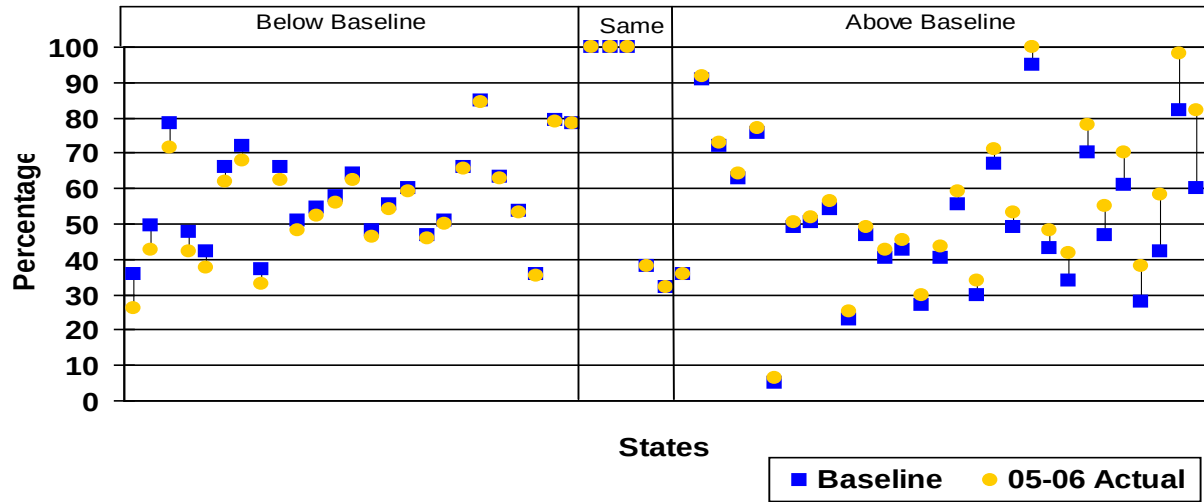
Indicator #6 is intended to show the state's performance regarding the extent to which special education and related services for eligible preschool children (ages 3 through 5) are being provided in settings with typically developing peers. The data source that each state must use for calculating performance for Indicator #6 is *Table 2-1: Children ages 3 through 5 served under IDEA, Part B, by educational environment*, which they are required to submit to OSEP annually under Section 618 of the IDEA. Table 2-1 includes eight settings for preschool services, including the three examples in Indicator #6 of settings with typically developing peers. For the Annual Performance Report (APR), not all states used these three settings to define early childhood settings. All states used FFY 2005 data. This review and analysis of Part B Indicator #6 is based on APRs for 59 states and jurisdictions. (In this report, the term "state" is used for both states and territories.)

COMPARISON OF STATES' BASELINE, ACTUAL PERFORMANCE AND TARGETS

When comparing state baseline data to actual performance, 29 states made gains, 5 remained the same and 25 performed below their baseline. Of the 29 states that reported progress, 1 state reported an increase of more than 20%, 2 states reported an increase from 10% to 20%, and the rest (26) were below 10%. This information is depicted in Figure 1 below.

A total of 29 states reported actual performance that met or exceeded their target for FFY 2005. States showing the most progress attributed this to ongoing LRE training and the use of National TA centers as resources, mentioned below under Improvement Activities. States with the most slippage attributed this to changes in demographics and improved data collection. Further explanation of reasons for regression and improvement are discussed in the section, Explanation of Progress and Slippage.

Figure 1: Change from Baseline to Actual Performance
in Order from Least to Most Improved



Four state Part B Preschool programs reported performance of 100%. Three of these programs are territories in the Pacific Basin; the fourth is a territory in the Atlantic Basin. Two states reported a performance of 90% to 99%. There were 30 states with performance between 50% and 90%, and 23 states with performance below 50%, 3 of those states performing below 30%. This information is depicted in Table 1 below.

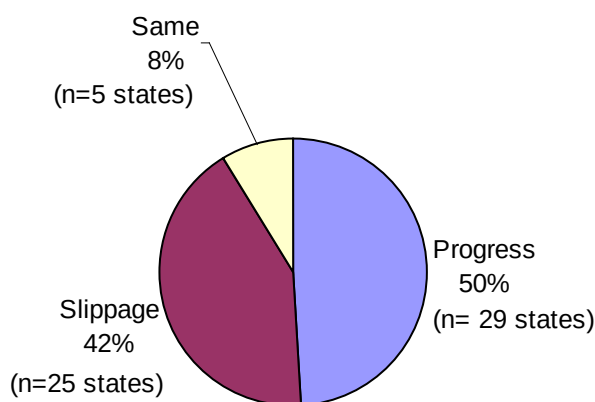
Table 1: Distribution of State Actual Performance

Children who received services in settings with typically developing peers, by percentage in state	Number of states in each percentile distribution
100%	4
90% to 99%	2
80% to 89%	2
70% to 79%	8
60% to 69%	7
50% to 59%	13
40% to 49%	11
30% to 39%	9
0% to 29%	3

EXPLANATION OF PROGRESS AND SLIPPAGE

The graph below represents the progress and slippage of the 59 states reporting on actual performance for FFY 2005 in relation to baseline. The distribution is practically equal with 29 states (50%) reporting progress, 25 states (42%) reporting slippage and 5 states reporting actual performance at the same level as baseline (3 of which were 100%).

Figure 2: Progress/Slippage



States reported progress resulting from multi-year systematic initiatives targeted on inclusion, increased training to local programs on effective practices, increased monitoring efforts targeted towards low performing districts, and development of guidance materials and revision of policies and procedures. Also mentioned as explanations for progress were increases in the availability of Universal Pre-K services and increased collaboration with Head Start and Child Care.

Eighteen states identified challenges that led to slippage on this indicator. Sixteen states reported inadequate data due to confusion at the local level in interpreting data definitions or in reporting quality data consistently. Ten states discussed as challenges the lack of community-based options, no publicly funded Pre-K services and lack of space in elementary buildings. Three states reported the need for more consistent policies and procedures. Challenges around personnel shortages, lack of buy-in and inadequate monitoring also were mentioned. The list of challenges reported by states is depicted in Table 2 below.

States anticipate challenges in interpreting the results from the first use of the revised OSEP 618 Table 2-1 in developing the FFY 2006 APR. Challenges include establishing a new baseline performance for the state and considering whether or not there will be a need to revise targets for the remaining years of the State Performance Plan (SPP).

Table 2: Challenges/Issues Reported by States

Issue	Number of States
Inadequate data	16
Capacity of inclusive opportunities	10
Inconsistent policies/procedures	3
Personnel shortages	1
Lack of coordination/collaboration	1
Inadequate training/acceptance or buy-in	1
Inadequate monitoring	1
Other	7

IMPROVEMENT ACTIVITIES

States reported a wide range of improvement activities, with the greatest emphasis on professional development, data collection/reporting, monitoring and collaboration. Professional development activities included training and TA to LEA staff, as well as staff in community-based programs. Improvement of data collection included making significant changes in data collection systems and increasing training and TA on data related issues. Monitoring efforts mostly focused on low performing schools. States reported a wide range of efforts to improve collaboration with other early childhood programs. The types of improvement activities and a description are shown in Tables 3 and 4 below.

Table 3: Types of Improvement Activities Reported by States

Types of Improvement Activities	Number of States
Provide training/professional development	42
Improve data collection	31
Improve systems administration and monitoring	30
Improve collaboration/coordination	27
Program development	20
Clarify/examine/develop policies and procedures	17
Provide technical assistance	16
Increase/adjust FTE	3
Evaluation	1

Table 4: Description of Improvement Activities

Improvement Activity	Description
Training/professional development and technical assistance	Training and TA activities typically targeted LEA school administrators and preschool administrators, early childhood general and special education teachers, childcare providers, and parents. Training typically focused on requirements regarding least restrictive environments, data reporting requirements, and various approaches to providing special education and related services in settings with typically developing peers. Technical assistance focused on poor performing districts.
Improve data collection	Provided training to LEAs on accurate use of setting codes/definitions to enhance the state's capacity to publish reports that compare LEA placement data with state target. Monitored local data collection activities. Developed a system for collecting child count data from community programs. Began refinements to Funding And Child Tracking System (FACTS) to include new codes. Modified data collection system to improve accuracy of data. Convened stakeholder groups to examine data issues. Developed specific subsets around placement setting codes.
Improve monitoring	Developed or refined the monitoring for preschool LRE, using 618 data to rank LEAs for focused monitoring; required LEAs with poor performance to develop improvement plans. Developed a Web-based training program and a self assessment for LEAs.
Improve collaboration with other early childhood programs	Developed or revised interagency agreements and MOUs between preschool special education programs and other community-based early childhood programs, especially Head Start. Developed materials and provided training.
Program improvement	Promoted the use of best practices, such as development and dissemination of LRE effective practice materials, spotlighting high performing LEAs as demonstration sites and mentors, and promoting specific best practice models. Increased the use of public awareness by developing materials for parents, using Web sites and distributing data results. Provided planning grants to LEAs to develop programs and increase collaboration with community providers. Advocated for additional funds in order to offer local incentive grants, to support NAEYC certification and to

	create set-aside funds for children who are enrolled after the school year begins. Improved local infrastructure.
Clarification of policies and procedures	Identified state and federal policy barriers to LRE, developed new state policies and guidelines, disseminated to LEAS, HS and Child Care and state run pre-k programs.
Increase/adjust FTE	New SEA staff and regional TA staff were added.

Use of OSEP TA Centers

NECTAC provided various forms of TA to states regarding Preschool Settings/LRE. Fifty-nine states received information, 58 states attended national conferences such as the National OSEP Early Childhood Conference and the National Early Childhood Inclusion Institute. Eleven states attended regional or state group technical assistance efforts and 10 states received extensive onsite consultation. A total of 4 OSEP TA centers were mentioned in state improvement activities: NECTAC (16 states), MPRRC (5 states), ECO (1 state) and the Access Center (1 state).

STATE PERFORMANCE PLAN REVISIONS

An analysis of the APRs revealed that almost half of the states made revisions to their SPPs mostly in the area of improvement activities. A breakdown of the revisions made to the SPPs is shown in the Table 6 below.

Table 5: Revisions Made to State Performance Plans

Type of Revision Made	Number of States
Baseline Data	1
Targets	11
Improvement Activities	26
None	26

Revisions to Baseline and Targets

One state made a downward revision to their baseline due to incorrect data being used last year in the FFY 2004 submission. Eleven states revised their targets. Examples of justifications for lowering targets included stakeholders seeing a need to set more realistic goals, anticipation of changes using the new OSEP reporting categories for this indicator, unreliable data from last year, analyzing other states performance in this area and a complete reorganization of the program within state office. Many states

mentioned the need to revise their targets in the FFY 2006 APR to conform to the change in the OSEP 618 settings tables.

Revisions to Improvement Activities

Twenty-six states made revisions to their improvement activities. Revisions included provision of training to prepare for the changes related to OSEP 618 data collection, enhancements of activities due to an increased understanding of challenges facing LEAs, extension of timelines and modification of activities due to major reform, policy changes or reorganization affecting the SEA.

INDICATOR 7: PRESCHOOL OUTCOMES

Prepared by ECO

Part B Indicator #7. Percent of preschool children with IEPs who demonstrate improved:

- Positive social-emotional skills (including social relationships);
- Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- Use of appropriate behaviors to meet their needs.

INTRODUCTION

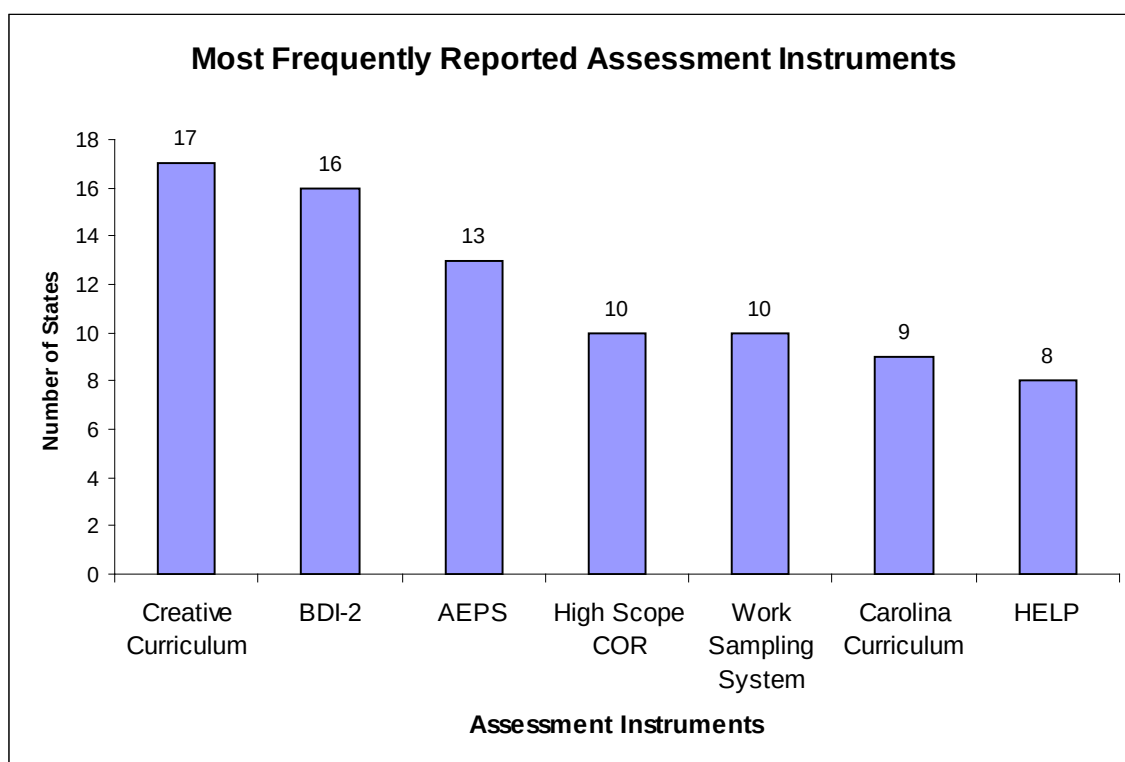
The following data are based on information reported by 57 states and jurisdictions in their February, 2007, Annual Performance Reports (APRs) or revised State Performance Plans (SPPs). States and jurisdictions will be called “states” for the remainder of the report. Only information specifically reported in the APRs/SPPs was included in the analysis. Therefore, it is possible that a state may be conducting an activity or using a data source or assessment that is not included in this summary.

MEASUREMENT APPROACHES

Of the 57 states included in the analysis, about half (28) said that they are using the ECO Child Outcomes Summary Form (COSF). In addition, two states said that they are using the COSF in addition to another approach. Four other states said that they will switch to the COSF, in order to report five progress categories, after starting with a different approach that would not yield sufficient progress data. Eleven states said that they are using one assessment tool for outcomes measurement, statewide. Of this group of states, four were using the BDI-2 and four were using their own state-developed tool. Other statewide tools cited, by one state each, were the AEPS, Brigance, and Work Sampling System. Five states used a combination of on-line assessment systems, including the Creative Curriculum, High Scope, Ounce, Work Sampling, and AEPs. These systems, created and maintained by the publishers of the assessment tools, produce reports based on assessment data entered on line. Seven states described other measurement approaches. These included a state-developed conceptual model that aligns assessment information with early learning standards (1), extrapolation of raw assessment data from the state data system (2), a survey (1), record review (1) and a state-developed summary tool (2).

Type of Approach	# of States
COSF	30
Switching to COSF	4
One statewide tool	11
Publishers' on-line system	5
Other	7

States also described the assessment tools and other data sources on which outcomes measurement would be based. The number of tools listed per state ranged from one to more than 40. Many states (20) provided a general list of multiple tools currently in use, while 14 named one tool in use across the state, either as the single instrument required for all programs or as the primary tool used as part of the COSF process. In addition, 14 states provided lists of tools that were “approved,” from which providers must select for outcomes measurement. Two states gave lists of “recommended” tools. Across states, the most frequently cited assessment tools to be used for outcomes measurement included the Creative Curriculum Developmental Continuum (17), BDI-2 (16), AEPS (13), Brigance (13), High Scope Child Observation Record (10), Work Sampling System (10), Carolina Curriculum (9), and the Hawaii Early Learning Profile (HELP) (8).

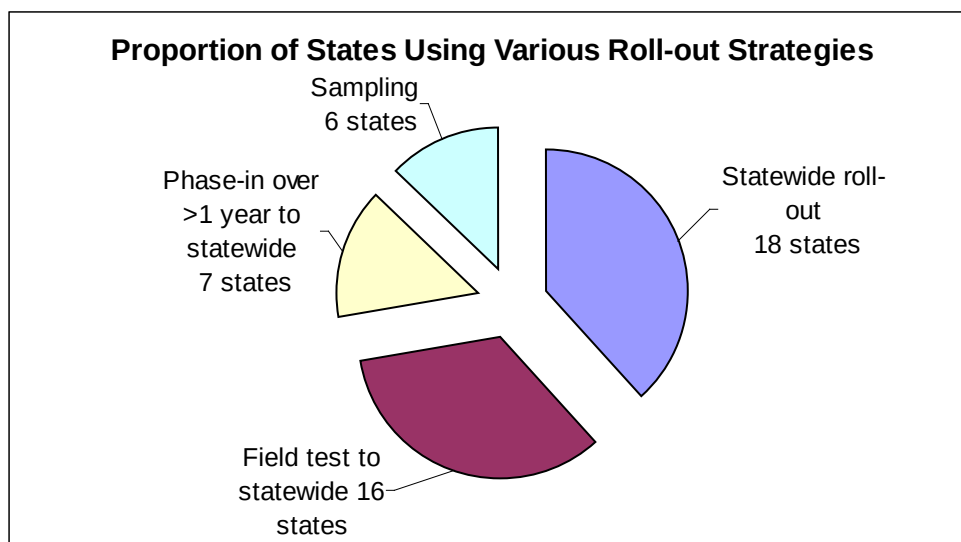


Other tools listed by three or more states were: DAYC, LAP-3, ASQ, ELAP, Ounce, and the Vineland. Those that did not name the tools either made a general statement about the type to be used, such as curriculum-based assessment (10), or did not include a description of assessment tools in their report.

Less than half of the states described other assessment sources, such as family and provider observations and reports. Nineteen states included both family and provider observations in their descriptions of assessment data sources. Five states included provider observations, but not family report.

POPULATION INCLUDED

States described the children targeted for outcomes measurement, to include those who would be part of the system once it is fully implemented, and those who participated as part of the outcomes measurement “roll out.” In general, states said that outcomes would be measured and progress reported for all children with IEPs. Two states also plan to include in the outcomes measurement system children enrolled in state-funded preschool programs not designed for children with special needs. Most states (47) gave some description of who was included in the “roll out” of outcomes data procedures. The chart below illustrates various strategies, and the percent of states using them.



The number of children included in entry data collection, as reported in the 2007 APRs and SPPs, ranged from 10-9366 across states. For states using the COSF, the range was 38-6252 children; states using publishers’ on-line systems reported a range of 43-324; and for those using one tool statewide the range was 94-2951. In addition to the measurement approach, these figures varied somewhat according to the approach and the time frame in which outcomes measurement was “rolled out.” States that piloted, phased in, or sampled included just those children who entered services in the pilot, Phase 1, or sampled sites. For these sites, as well as for data collection statewide, the number of children included in the 2007 report also varied by the start date or time range in which data were collected. According to the reports in which these were described, dates for starting data collection ranged from early January 2006 to early November, 2006. Other states reported the time range in which entry data were collected, varying from the full reporting period of July 1, 2005-June 30, 2006 to 2 months worth of data, such as November through December 2006.

DEFINITIONS OF NEAR ENTRY AND NEAR EXIT

About half (30) of states addressed the definition of “near entry” in their SPPs or APRs. Most (25) defined “near entry” in terms of days, months, or weeks. These ranged from

1 month to 3 months, including 10 states whose definitions were within 1 month from entry, 7 who said within 45 days or 6 weeks, 5 who said 2 months, and 2 who said 3 months. The point on which the timeline was based, however, varied. States that specified the timeline around near entry referred to “within x number of days/weeks/months” of IEP development, eligibility determination, initial evaluation, enrollment, or initially receiving services. Other states addressed entry without specifying timelines but rather used more general language, such as “at the beginning of the school year.”

Fewer states (20) addressed the definition of “near exit.” About half of these definitions were given in terms of days, months, or weeks, ranging from 1 month to 6 months. Four states said they would collect exit data within 30 days of exit, 1 said 6 weeks, 2 said 3 months, 2 said 2 months, and 1 said 6 months. Others noted more generally that “near exit” would be considered as the end of the school year. In addition, about five states reported that they would collect outcomes data annually and use the most recent assessment information for exit data reporting.

CRITERIA FOR SAME AGE PEERS

More than half (38) of states provided criteria for determining that preschoolers entered services at age level. The determination criteria varied by outcomes 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.

States using specific tools, either a single tool statewide or publishers’ on-line systems, applied the developer or publisher-determined standard scores, developmental quotients, or age-based benchmarks and cut-off scores. A few states (4) gave standard deviations, ranging from 1 to 1.5, within which a child must score on a norm-referenced instrument to be considered at age level.

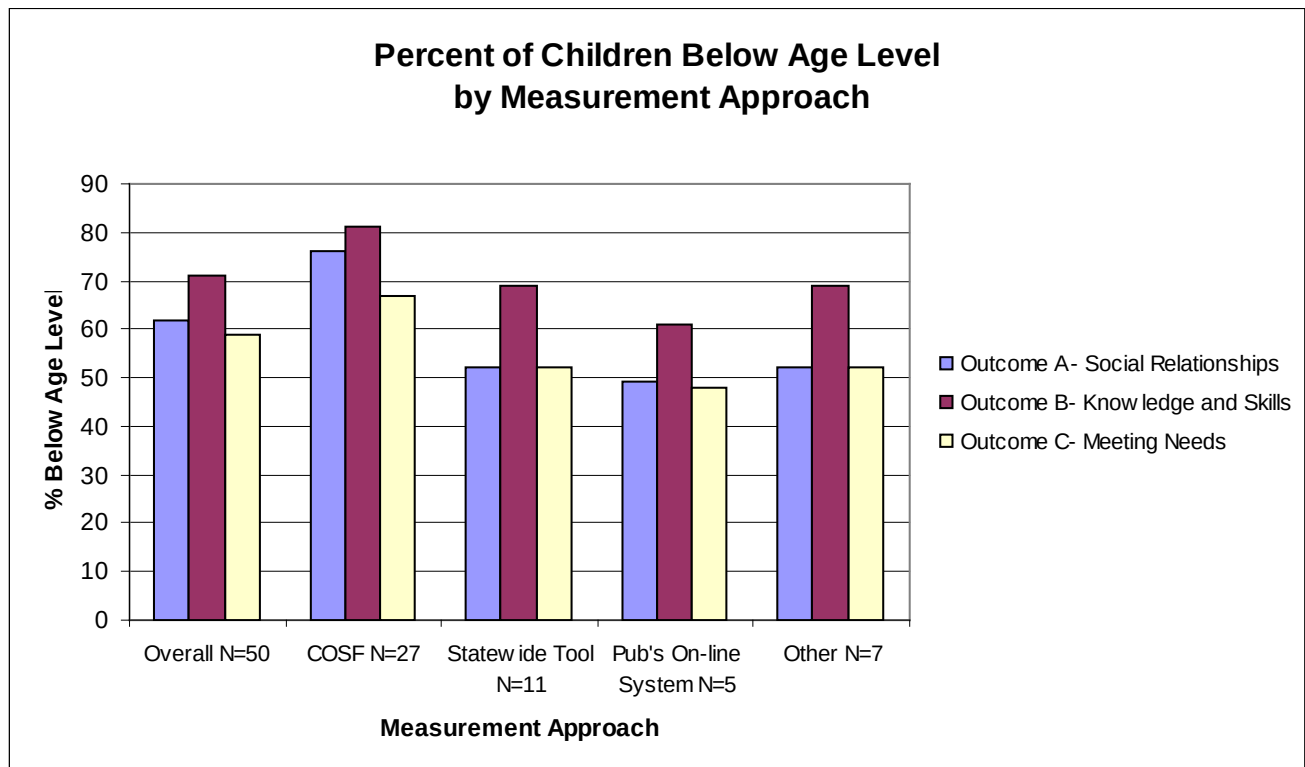
Other criteria for determining age level were described by individual states. They described criteria based on: state early learning guidelines, same-age peer groups for comparison, and consensus among team members.

ENTRY DATA 2005-2006

Fifty states reported the percentages of children who entered services functioning below age level in each of the three outcome areas. The table and bar chart below summarize the mean and range of percentages reported 1) across states 2) by states using the COSF, 3) by states using publishers’ on-line assessment systems, and 4) by those using one tool statewide. The table below summarizes entry data reported by states, per measurement approach.

	Percent Children Entering 619 “Below Age Expectations”							
	Mean				Range			
	All	COSF	Statewide tool	Pub	All	COSF	Statewide tool	Pub
A. Social-Emotional	62	76	36	49	5-97	47-97	9-81	32-80
B. Acquisition and use of knowledge and skills	71	81	49	61	8-100	58-100	6-65	46-87
C. Use of appropriate behaviors to meet needs	59	67	44	48	3-97	37-97	11-80	32-82
Number of states that reported data	50	27	11	5	50	27	11	5

The bar chart below illustrates data similarities and differences across outcomes and measurement approaches.



Looking across approaches, the average percentage of children reported to have entered services below age expectations was higher for Outcome B than for Outcomes A and C. The average percentage of children below age level at entry for Outcome B was 9-12 percentage points higher than for Outcomes A or C respectively. The means for Outcomes A and C were more comparable -- within 3 percentages points of one another, as illustrated in the graph and chart above.

Across outcome areas, data from COSF users showed well over half of preschoolers, on average, entering service systems functioning below age expectations. States using other measurement approaches reported lower percentages of children entering services below age level. Percentages reported by states using approaches other than the COSF showed that half or fewer of preschoolers enter services functioning below age expectations in Outcomes A and B. On average, data reported by states using publishers' on-line data systems or one tool statewide were fairly comparable to one another, as the table and graph above illustrate.

ECO TA SUPPORT

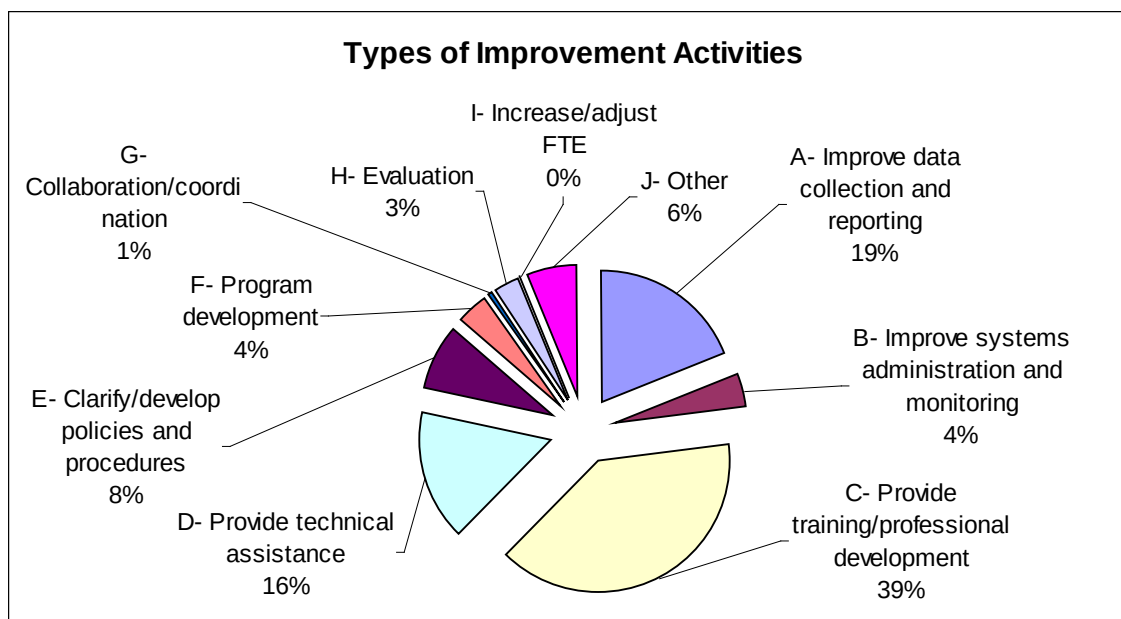
All 57 states included in this analysis received cross-state TA via mechanisms such as the 619 listserv and national conference calls. Almost all (56) attended the national outcomes conference co-sponsored by NECTAC and the Early Childhood Outcomes (ECO) Center. Five jurisdictions received regional TA from NECTAC and the ECO Center as a pre-conference meeting in Albuquerque, New Mexico, in April 2006. Almost half (25) participated in intensive, individualized TA from ECO on site or through a series of telephone and email communications.

IMPROVEMENT ACTIVITIES

The following analysis focuses on current and future improvement activities, rather than those that had already occurred. Forty-two states described current and future improvement activities for this indicator. Of the 161 activities reported across states, most fell into three categories: training and professional development (39%), improved data collection and reporting (19%), and technical assistance (16%). The table below shows the number of activities reported per category, and the number of states that listed that activity for improvement.

Improvement Activity Category	# IAs	# States
A. Improve data collection and reporting	31	22
B. Improve systems administration and monitoring	6	6
C. Provide training/professional development	63	32
D. Provide technical assistance	26	19
E. Clarify/develop policies and procedures	13	9
F. Program development	6	5
G. Collaboration/coordination	1	1
H. Evaluation	5	5
I. Increase/adjust FTE	0	0
J. Other	10	6

The pie chart that follows illustrates the percentage of activities reported, per category.



Key areas of **training and professional development** targeted:

- the outcomes measurement system in general,
- how to use assessment tools,
- how to use the COSF, and
- how to use outcomes data.

For **data collection and reporting** activities, key areas of improvement were:

- training on data collection and reporting,
- modifying the current data system for reporting,
- improving data management systems,
- error checks, and
- increasing the validity and reliability of data.

Key **technical assistance** activities were to be provided on:

- the outcomes measurement system in general,
- assessment,
- curriculum and instruction, and
- data collection and reporting.

TA Centers in Improvement Activities

Further review of states' improvement activities showed that some states made reference to TA from specific centers. These included ECO, named by 8 states; NECTAC, named by 6 states; and Regional Resource Centers (RRCs), named by 2 states.

INDICATOR 8: PARENT INVOLVEMENT

Prepared by the IDEA Partnership

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 cover information from SPP revisions submitted in February 2007 and from new SPP revisions submitted by a number of States since that time. Information is included from new SPP revisions through May 10, 2007.

An addendum to the template, prepared by NCSEAM, reviews instruments and data analysis methods used by specific States (including criteria for a positive response). This addendum does not include data analysis information for two States whose SPP revisions were posted at the RRFC web site after May 1, 2007. Information from the addendum is summarized in this narrative.

SURVEY INSTRUMENT

Developed/adapted by the State:	18
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Six of these used some items from NCSEAM surveys

ECO Family Outcomes Survey as the only instrument	1
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NCSEAM school-age survey	21
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NCSEAM school-age survey and preschool survey	9
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Slight modification/ customization of a NCSEAM survey	11
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The 18 State-developed instruments account for 30% of the surveys used, and 41 States used NCSEAM surveys or slight modifications thereof (approximately 69%). The ECO survey as the only instrument used accounts for approximately 1%. Three States used an ECO survey or a modification thereof in addition to an instrument named above (duplicate count). Therefore, the total number of States that used the ECO survey = 4 (approximately 7%).

Three States describe plans to change to a NCSEAM instrument in 2006-2007. One State describes plans to work with NCSEAM and stakeholders to add appropriate NCSEAM School-Age survey items for use in 2006-07 or 2007-08.

One State (with a DOE-developed survey instrument) describes plans to make the NCSEAM survey available to LEAs for voluntary use or to consider mandatory use if

LEA data are below targets. This raises the question of how to measure target results from two different instruments.

TRANSLATIONS AND ADAPTATIONS OF THE SURVEY INSTRUMENT

State does not translate into another language: 30

State translates instrument into other language(s): 30

- Arabic 1
- Bengali 1
- Cambodian 1
- Cape Verdean 1
- Haitian Creole 1
- Hmong 1
- Marshallese 1
- Portuguese 2
- Russian 1
- Samoan 1
- Simplified Chinese 1
- Spanish 27
- Urdu 1
- Vietnamese 1
- Unnamed language 1

One State also provides the survey in Braille and audio, and another State provides it in large print.

Half of the States provide a language translation and half do not. Three States in the latter group are planning or considering language translation.

In comparison with the original 2005 SPPs, five more States now provide a language translation.

SAMPLING AND CENSUS

Fourteen States conduct statewide census surveys. Thirteen will do this annually, and one State will apparently do this biennially. Two additional States moved to a census survey in 2006-07. Three States do a census survey in rotating district cohorts. Over the SPP period, all parents will have the opportunity to participate.

Thirty-two States sample in annual cyclical rotations of district cohorts, usually based on the monitoring cycle (and annually include large districts that meet the ADA requirements for this participation). These States often survey all parents in the

smallest districts. Three of these States conducted a statewide census survey for the baseline year, and then will use sampling in district rotations.

Four of these States sample at the school-age level but include all parents of preschool children each year.

In one case, the State will sample at the State and Area Education Agency level in years 1 and 2, and then the sample will be drawn from the district level in years 3-5.

Another State that plans annual cyclical rotations of districts used different procedures for the baseline year. For 2005-2006, this State distributed approximately 2,000 surveys to 232 schools in 100 districts.

Still another State in this group piloted the survey in one district in 2005-06.

One State in this group plans to work with a contractor to redesign the data collection system.

There are other variations across these States in the procedures that are used.

One State uses this method for data collection. Sampling is done for surveying at the school-age level, but all parents of preschool children are included each year.

The information provided in the SPPs of eight States is not adequate to summarize their sampling procedures with certainty in this report.

DISTRIBUTION

Seven States use a web site as the major way to provide access to the survey. In each case, other options are available, such as paper-pencil mail-ins and phone interviews.

Seven additional States (which currently use one of the distribution methods described below) are considering, will pilot, or plan to move to electronic distribution (usually in combination with other methods).

Twenty-four States distribute surveys to area education agencies, cooperatives, districts, or schools which, in turn, distribute them to the sample or census population. Two Outlying Areas in this group use highly personalized methods, e.g., teams of State staff or State Special Education Advisory Committee members travel to schools all over the islands to distribute, explain, and assist, sometimes working with parents in the evening. The baseline satisfaction rate for these two Outlying Areas is very high, and it is possible that the personalized approach contributes to this.

Three States fall into this category. Distributors include the DD Planning Council; Family Centers and Child Development Centers; and the PTI.

Twenty-three States use this method, and several augment it with internet availability. Toll-free numbers for assistance are generally described.

As an alternative in the baseline year, one State in this group conducted all surveys at the school-age and preschool level by phone.

Several others in this group added phone calls subsequent to mailers because of a low baseline response rate.

One State provided incomplete information, and two States provided no information about distribution.

PERCENTAGES

The largest group of States distributes surveys via area education agencies, co-ops, districts, or schools (40%), followed closely by States that use mass mailers (approximately 39%). States using a web site as a primary distribution strategy account for approximately 11%. In three States, centers or organizations administer the survey (approximately 5%). Distribution methods are unclear in three States (5%).

TRACKING RESPONSES TO THE SURVEY INSTRUMENT

The coding of survey instruments would help the State to target TA and other activities to districts or schools with lower parental satisfaction, and to identify practices of high-satisfaction districts. Some States describe coding, and coding/tracking is implied in others by virtue of improvement activities that address low-satisfaction and/or high-satisfaction districts.

Instrument is coded to track to district and/or school:	9
Instrument will be coded for the 2006-2007 survey:	1
Coding is implied in improvement activities:	24
Coding or tracking of responses is neither described in the SPP, nor implied in improvement activities:	26

In 10 States, coding of survey instruments is described or will be added (approximately 16%). In 24 States, coding is implied because improvement activities target low-satisfaction districts and/or identify high-satisfaction districts or otherwise suggest such identification (40%). It is not clear whether the remaining States code instruments or otherwise track survey results to districts or schools (approximately 43%).

Survey Return Rate

Return rate of less than 10 percent:	4
Return rate of 10 to 20 percent:	19
Return rate of 20 to 30 percent:	12
Return rate of 30 to 40 percent:	1
Return rate of 40-50 percent:	4
Oversampled – response rate is more than 100%:	1
Has a minimum response rate of 20%:	1
Return rate is not shown or TBA:	18

There are issues with some of these data. For example, in one State that reports a return rate of 29 percent, difficulties with district scoring of the returned surveys resulted in only 82 usable responses for baseline calculation. In some other cases, the baseline survey was piloted in a limited distribution, which may have influenced baseline return rates.

The greatest number of States reported a response rate of 10-20 percent (approximately 32%), followed by those with a return rate of 20-30 percent (20%). Four States reported a return rate of 40-50 percent (approximately 7%), and four others reported a rate of less than 10% (approximately 7%). One State reported a 30-40 percent return rate (approximately 1%). One oversampled State reported more than 100 percent returns (approximately 1%), and one State requires a 20% minimum response rate unless a district serves fewer than 20 students in special education (1%). In 18 States, return rates were either unreported or TBA after completion of the baseline survey (30%).

Sources for Data Analysis

A few States are currently using more than one source for data analysis. This section displays numbers only, without percentages.

Private Firm	19
Data Enterprises	
MetaMetrics	
Mooney Associates	
RRC or TA provider	6
ORC Macro	
Piedra Data Services	
State Department of Education	27
State Department of Ed with NCSEAM assistance	2

University	3
Unnamed contractor/consultant:	6
Source of data analysis is not shown	2

Baseline: Percent on the Indicator

States are required to report results of the baseline survey and targets for successive years on the 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.

Five States reported baseline data separately for school-age and preschool returns. If these States did not also provide a single average baseline, their school-age baseline data are used in the following.

States with baseline data to be announced:	5
States reporting 20 to 29% on the Indicator:	10
States reporting 30 to 39% on the Indicator:	7
States reporting 40 to 49% on the Indicator:	3
States reporting 60 to 79% on the Indicator:	18
States reporting 80 to 93% on the Indicator:	17

One State in the last group projects a satisfaction rate of 100% for the 2010-11 target year.

PERCENTAGES

States with no baseline data yet = approximately 9%. States reporting 20-49% on the Indicator account for 33% of baseline data. The largest cluster consists of States that report 60-93% on the Indicator = approximately 59%.

CRITERIA FOR POSITIVE RESPONSE

States whose baseline result is pending:	5
States whose baseline data arrived recently, no analysis available:	2
States that followed all NCSEAM guidelines:	17
States that followed all NCSEAM guidelines for	

instrumentation and data analysis but applied a standard other than the NCSEAM recommended standard: 1

States that used some other analysis: 35

PERCENTAGES

Seven States whose analysis is not available = slightly more than 10%. States that followed all NCSEAM guidelines account for 30%. The largest group consists of States that used some other analysis = approximately 59%.

Comparison of Baseline Ranges with Criteria Used

States for which analysis is not available: N = 7

States whose baseline is pending: 5

States whose baseline arrived recently,
no analysis is available: 2

States That Followed All NCSEAM Guidelines: N = 17

Baseline range of 20-29%: 9

Baseline range of 30-39%: 6

Baseline range of 40-49%: 2

States That Followed NCSEAM Guidelines for Instru
and Data Analysis but Applied a Standard Other Than
the NCSEAM-Recommended Standard: N = 1

Baseline range of 60-79%: 1

States That Used Some Other Analysis: N = 35

Baseline range of 30-39%: 1

Baseline range of 40-49%: 1

Baseline range of 60-79%: 16

Baseline range of 80-93%: 17

PERCENTAGES

Among the 18 States that followed some or all NCSEAM guidelines, 50% had a baseline range of 20-29% on the indicator; 33% had a range of 30-39% on the indicator; approximately 11% had a range of 40-49%; and one, which applied a more lenient standard than the NCSEAM-recommended standard (approximately 5%) had a baseline range of 60-79% on the indicator.

Among the 35 States that used some other approach, approximately 94% had a baseline range of 60 to 93% on the indicator. The 33 States in this baseline range account for approximately 62% of the 53 States for which analysis information is available.

ONGOING ACTIVITIES

All States described improvement activities. Thirty-four States described four or more ongoing improvement activities that span the SPP period (approximately 57%). Twenty-three States described three or fewer ongoing activities (approximately 38%). Two States described no ongoing activities, and one State did not include dates or time-frames with improvement activities (5%).

COLLABORATION WITH PARENT ORGANIZATIONS

Virtually all States reported collaboration with OSEP-funded Parent Information and Training Centers and/or other parent organizations, and this is often extensive. In four cases, the State's PTI that is involved with Indicator 8 is also one of the Regional TA Centers of TA Alliance for PTIs at the PACER Center.

PARENT REPRESENTATION ON FOCUSED MONITORING TEAMS

The improvement activities of four States specify that a parent representative will become a member of the focused monitoring team. In another State, this is not mentioned in improvement activities, but is stated elsewhere in the SPP.

COLLABORATION WITH HIGHER EDUCATION

Only one State's improvement activities include working with higher education pre-service preparation programs. (Apart from improvement activities, another State describes plans for university research on the correlation of data between indicators; see Connections Across Indicators, below.)

DIVERSITY

Only two States' improvement activities include a recognizable effort to address cultural diversity. One of these States supports and collaborates with activities of a parent center whose clients are American Indian families of children with special needs. The

other sponsors an annual Latino Family Special Education Forum and includes a presentation with minority representatives on how they have fostered school-family partnerships with African American and American Indian Families.

DISTRICT-TO-DISTRICT MENTORING OR INFORMATION SHARING

A number of States' improvement activities include plans to support high-satisfaction districts in mentoring those with low parent satisfaction. Still others plan to identify and disseminate the practices of high-satisfaction districts.

EVIDENCE-BASED PRACTICES

Six States' improvement activities specify identification and applications of evidence-based practices for improving parental involvement and satisfaction. Two of these States are launching a statewide School, Family, and Community Partnership initiative (Joyce Epstein model, National Network of Partnership Schools at Johns Hopkins University).

Five other States report improvement activities that include "best practices" for parent involvement and related activities.

CONNECTIONS ACROSS INDICATORS

Twenty-two States include activities for Indicator 8 that relate to other indicators. Some of these connections are stronger than others. Two States provide an extensive list that shows the connection of Indicator 8 to improvement activities for other indicators.

Here are a few examples of connections across indicators in improvement activities:

- Develop and provide training to LEAs and families on writing postsecondary goals/objectives.
- PTI will hold at least six parent/educator training sessions per school year on such topics as (a) meaningful parent involvement; (b) LRE; (c) IEP/program development; (d) communication; (e) assessment decisions; (f) transition.
- Contracted with PTI to conduct statewide trainings on Mediation and Dispute resolution families of students with disabilities and school personnel.
- Focus on developing plans in rural districts to coordinate with school improvement and Title I.
- Convene meetings with partner programs/agencies to develop a mechanism to increase awareness and involvement of parents and families -- in collaboration with team responsible for Indicators 1 and 2.
- Partner with stakeholders to determine correlations across Indicators 9, 10, and 14 to define trends, make predictions, uncover root causes, and inform TA activities.

- DOE will coordinate with the XXX Institute at the University of XXX to determine correlation of data from Indicator 14 and Indicator 8 in order to identify the impact of parent involvement on graduation rates, as well as impact on other State Performance Plan Indicators. (Stated apart from the improvement activities)

TA CENTERS CITED

In some cases, States cited more than one TA Center in improvement activities. Several other States did not cite a TA Center in improvement activities but did cite assistance of one or more Centers elsewhere.

States that cited TA Center(s) in improvement activities: 12

- ECO 1
- IDEA Partnership 1
- MPRRC 4
- MSRRC 2
- NCSEAM 4
- NECTAC 2
- SERRC 2

Additional States that cited TA Center(s) elsewhere in the SPP, but not in the improvement activities: 12

- ECO 1
- MPRRC 1
- NCRRC 4
- NCSEAM 2
- NECTAC 1
- NERRC 1
- NPSO 1
- WRRC 2

States that cited no TA Center: 36

PERCENTAGES

Sixty percent of States did not cite a TA Center anywhere in the SPP. Twenty percent of States cited TA Center(s) in their improvement activities, and an additional 20% cited Center(s) elsewhere in the SPP, rather than in improvement activities.

TA CENTER CONSULTED WITH STATE

During the period of the current SPP period, the IDEA Partnership worked with 27 States on multiple activities: A (Information), B (Conference), and C (Regional or State Group Assistance) = approximately 45% of States.

The IDEA Partnership also worked with 10 additional States and 1 outlying area on A only (Information) = approximately 17% of States.

Total served is 38 = approximately 62% of States.

SUGGESTIONS

Levels of Baseline Indicator

The very high baseline indicator rates in at least 17 States suggest the need to compare those data with complaints lodged in those States and with associated information, and to otherwise examine these data. The wide range in baseline and target satisfaction rates suggests that some States are highly successful in parent involvement and satisfaction, while others are unsuccessful or only moderately successful. The degree of variation demonstrated by the range of baselines and targets is suspect. OSEP should look into this.

Coding or Tracking to Districts or Schools

Although most or all States use a mechanism to track survey responses to districts or schools, this is not clear in the SPPs. To target TA and other activities to low-satisfaction entities seems important for determining root causes and for improving parental satisfaction. Moreover, to identify and spread practices of high-satisfaction entities would also appear to be helpful (and some States are doing this).

States should describe how they code or track survey responses. This may be particularly important for those States that do a statewide census, rather than surveying by rotating groups of districts.

Diversity

Only two States clearly focused on racially/ethnically/linguistically diverse families in their activities. Other States may share this focus but did not make this clear in their improvement activities. OSEP should encourage States to develop activities for involvement of diverse families and collaboration with diverse communities and report them in their APRs.

INDICATORS 9 AND 10: DISPROPORTIONALITY

Prepared by Westat

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; and
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Both Indicators 9 and 10 were new; therefore, states did not have to provide baseline data and targets until the FFY 2005 APR that was due February 1, 2007. 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 in the requirements 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.

Westat compiled all of the SPPs/APRs for the 50 states, DC, and nine territories. (For purposes of this discussion, we will refer to all as states, unless otherwise noted.) We then reviewed each state's SPP/APR based on some of the elements that states should have included for Indicators 9 and 10:

- Baseline Data;
- Methods Used To Calculate Disproportionate Representation;
- Definition of Disproportionate Representation;
- Minimum Cell Sizes Used in Calculations of Disproportionate Representation;
- Description of Plan for Reviewing Policies, Procedures, and Practices; and
- Results of Review of Policies, Procedures, and Practices.

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 SPPs/APRs for all 50 states, DC, and the territories, our summary focuses only on the 50 states and DC. All but one of the territories stated that Indicators 9 and 10 did not apply to them because their student populations were very homogenous with regard to race/ethnicity. In

addition, many of the territories are unitary systems, meaning that they have no school districts.

BASELINE DATA

In their SPPs/APRs, states were required to report on the percentage of districts that had disproportionate representation that was a result of inappropriate identification for both Indicators 9 and 10. This year, these percentages served as states' baseline data.

- Only 20 states (39 percent) reported baseline data for both Indicators 9 and 10. An additional 8 states (16 percent) reported baseline data for Indicator 9 but not Indicator 10.
 - For Indicator 9, the percentages of districts that were reported to have disproportionate representation that was the result of inappropriate identification ranged from 0 percent to 71 percent ($M=4.0$ and $Mdn=0.0$). Of the 28 states that reported baseline data for Indicator 9, 18 states (64 percent) reported that 0 percent of their districts had disproportionate representation that was the result of inappropriate identification.
 - For Indicator 10, the percentages of districts that were reported to have disproportionate representation that was the result of inappropriate identification ranged from 0 percent to 37 percent ($M=4.0$ and $Mdn=0.4$). Of the 20 states that reported baseline for Indicator 10, 10 states (50 percent) reported that 0 percent of their districts had disproportionate representation that was the result of inappropriate identification.
- There were 20 states that did not provide baseline data for either Indicator 9 or 10.
 - Almost all of these states reported on the number of districts that had disproportionate representation, but did not specify whether the disproportionate representation was the result of inappropriate identification. Many states indicated that they were in the process of completing their reviews in order to make this determination and would be able to report these data in the next APR if not sooner.
 - A small number of states indicated that they are using 2 or 3 years of data to determine whether a district has disproportionate representation. That is, a district must meet the state's definition of disproportionate representation for 3 consecutive years before being flagged for review to determine if the disproportionate representation was a result of inappropriate identification. Thus, these states will not be able to report baseline data for Indicators 9 and 10 until, at the earliest, the APR due in 2009.

- We were unable to determine baseline data for 3 states (6 percent). For these states, the information reported for Indicators 9 and 10 was unclear and did not allow for conclusions to be drawn.

METHODS USED TO CALCULATE DISPROPORTIONATE REPRESENTATION

The SPP/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 a specific methodology to calculate disproportionate representation. Thus, the SPPs/APRs were examined to determine what method or methods states used to calculate disproportionate representation.

- The majority of states used the risk ratio as the sole method for calculating disproportionate representation (31 states or 61 percent).
- A small number of states used other methods as their sole means of calculating disproportionate representation. These methods included composition, the E-formula, and an analysis of means calculation.
- Eleven states (22 percent) used more than one method to calculate disproportionate representation. The methods states combined consisted of composition, risk, risk ratios, odds ratios, chi-square, standard errors, and the Z-test. Some examples of how states combined these methods include:
 - Composition and the risk ratio;
 - Composition and risk;
 - Composition and the Z-test;
 - Composition, risk, and the risk ratio;
 - Risk ratio, odds ratio, and chi-square;
 - Standard error and the risk ratio; and
 - Risk and the risk ratio.

DEFINITION OF DISPROPORTIONATE REPRESENTATION

States were instructed to include the state's definition of disproportionate representation in their SPPs/APRs. The definitions that states used varied and depended upon the method the state planned to use to calculate disproportionate representation. Below are some of the types of definitions that states provided.

- Most of the states using the risk ratio defined disproportionate representation with a risk ratio cut-point. That is, the risk ratio had to exceed the cut-point for the state to consider it disproportionate representation.
 - The most common risk ratio cut-points were 2.0 (used by 10 states) and 3.0 (used by 8 states). Other cut-points included 1.0, 1.5, 2.5, and 4.0.

- Two states used different risk ratio cut-points for each racial/ethnic group that were calculated using standard deviations from the state-level mean risk ratio for the racial/ethnic group.
 - Some states required that the district exceed the risk ratio cut-point for multiple years (typically 2 or 3 years) before the district was identified as having disproportionate representation.
 - A small number of states chose to use a tiered system of risk ratio cut-points. For example, a risk ratio greater than 3.5 would be considered “tier 1” disproportionality; a risk ratio between 3.25 and 3.5 would be considered “tier 2” disproportionality; and a risk ratio between 3.0 and 3.25 would be considered “tier 3” disproportionality. Often, the various tiers of disproportionality would then trigger a different activity by the state.
 - Only one state included a risk ratio cut-point for underrepresentation.
- States that calculated disproportionality using composition defined disproportionate representation in several ways. The most common were:
 - A percentage point difference in composition, frequently either 10% or 20%; and
 - A relative difference in composition of $\pm 20\%$.
- States that used statistical tests defined disproportionate representation in terms of significance levels (e.g., instances where $p < .05$).
 - A small number of states defined disproportionate representation in combination with performance data, such as assessment data, graduation rates, and dropout rates. In these states, the state’s definition of disproportionate representation was only applied to racial/ethnic groups with poorer than state average performance data.
 - Some states that used multiple methods to calculate disproportionality 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. Other states identified districts as having disproportionate representation if the district met the state’s definition for just one of the methods.

MINIMUM CELL SIZES USED IN CALCULATIONS OF DISPROPORTIONATE REPRESENTATION

Some states chose to specify minimum cell sizes that they would use in their calculations of disproportionate representation. Almost all of the states that specified minimum cell sizes, however, did not describe how disproportionate representation would be calculated or determined when this minimum cell size was not met. Thus, it is assumed these racial/ethnic groups or districts were excluded from the state’s analysis of disproportionate representation.

- About three-quarters of states included a minimum cell size requirement (38 states). Of those states that included a minimum cell size requirement, the type of cell size they chose to use varied.
 - Some states included a minimum cell size that was related to the number of students from a racial/ethnic group who were enrolled in the district. These minimum cell sizes tended to range from 10 to 200 students, with the most common being 10, 20, or 30 students.
 - Other states included a minimum cell size that was related to the number of students with disabilities from the racial/ethnic group. These minimum cell sizes tended to range from 2 to 20 students, with the most common being 10 students.
 - Several states combined these types of minimum cell sizes; for example, there must be at least 20 students from the racial/ethnic group enrolled in the district and at least 5 students in the disability category.
 - Some states specified that small minority populations would be excluded from the analyses. For example, one state excluded small numbers of American Indian/Alaska Native students from the analyses. In another state, because the state's school population was 94 percent White, 5 percent Black, and less than 1 percent in each of the other racial/ethnic categories, the state's analyses excluded these other racial/ethnic groups.
 - Some states indicated that they would use a minimum cell size, but did not specify whether this number was referring to child count data or enrollment data. States that did this said they used minimum cell sizes of 10, 15, 20, 30, or 40 students in their calculation of disproportionate representation.
- About a quarter of the states did not specify whether a minimum cell size was used in their calculations (13 states).

DESCRIPTION OF REVIEW OF POLICIES, PROCEDURES, AND PRACTICES

For both Indicators 9 and 10, states needed to describe how the state determined that disproportionate representation of racial/ethnic groups in special education was the result of inappropriate identification. The amount of information states included about their reviews of policies, procedures, and practices varied. 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.

- Many states indicated that the review was accomplished through their monitoring activities, which often included data verification, on-site visits, additional data collection and analysis, reviews of existing monitoring data,

record reviews, and reviews of eligibility and identification policies and procedures.

- Numerous states required districts to complete a self-assessment or a self-study and then report back to the state, which would verify the findings. Some states indicated that they provided districts with a disproportionality tool or rubric to guide the review process.
- Several states reported that they would conduct desk audits.
- Some states required that districts submit their policies and procedures to the state for review for appropriateness. Often, districts were required to submit their screening, referral, evaluation, and eligibility policies and procedures.
- A small number of states reported that they would use a tiered system of intervention, where the degree of disproportionate representation would trigger different types of reviews.

RESULTS OF REVIEW OF POLICIES, PROCEDURES, AND PRACTICES

In their discussions of their baseline data, states sometimes included a description of the results of their review of policies, procedures, and practices in determining whether disproportionate representation was the result of inappropriate identification. Again, the amount of information and level of detail that states provided varied.

- Many states simply said that as a result of their review process, they either determined that a proportion of districts had disproportionate representation that was a result of inappropriate identification or that there was no evidence of inappropriate identification.
- Only a few states provided more in-depth discussions of their findings. For example, one state indicated that district pre-referral interventions were often inadequate and that standardized tests were often being administered even though they were not intended for the population; furthermore, in a small number of cases, district personnel did not know how to appropriately assess some minority students, and therefore, there was an unwritten policy to reject the referrals of these students.
- As indicated in our discussion of states' baseline data, some states had not yet completed their reviews and therefore were unable to provide this information (15 states for Indicator 9 and 19 states for Indicator 10).
- A small number of states indicated that no districts met the state's definition of disproportionate representation, and therefore no review was conducted.

INDICATORS 9 AND 10: DISPROPORTIONALITY

Prepared by NCCREST

The National Center for Culturally Responsive Educational Systems (NCCREST) was assigned the task of analyzing and summarizing the improvement activity data for Indicators 9 & 10: Disproportionality from the 2005-2006 State Performance Plans. We have combined this analysis since activities reported in 9 were also used in 10.

This narrative report presents data, in aggregated form, from the State Performance Plans of the fifty states, District of Columbia, eight territories, and Bureau of Indian Education (BIE). The discussion presented below represents the data for only the 50 states and the District of Columbia because the territories' responses for this indicator generally indicated that analysis was not applicable because of the ethnic homogeneity of their populations.

IMPROVEMENT ACTIVITIES

Forty-eight states (80%) included improvement activities for this indicator. Table 1 provides a summary of the improvement activities listed in the SPP reports.

Table 1. Summary of Improvement Activities (N=48)

Improvement Activity	N	%
A. Improve data collection and reporting	16	33
B. Improve systems administration and monitoring	14	29
C. Provide training/professional development	27	56
D. Provide technical assistance	26	54
E. Clarify/examine/develop policies and procedures	22	46
F. Program development	15	31
G. Collaboration/coordination	3	6
H. Evaluation	4	8
I. Increase/Adjust FTE	0	0
J. Other	42	88

In the other category, a set of activities appeared across states: (1) investment in studies to explore what factors appear to be leading to disproportionality (n = 4); (2) development of best practices manuals (n = 2); (3) continued professional development of state agency consultants (n = 7); (4) work with stakeholder groups to understand issues more completely (n = 3); (5) reissue identification guidelines for different disabilities (n = 1); design, develop, and disseminate tools for instructional analysis at classroom level (n = 1).

COMMENTARY

Unlike the LRE indicator where a variety of activities and resources were identified in improvement activities but little alignment or coordination described, Indicator 9 improvement activities listed a set of activities that were designed to be interactive and synergistic. Where TA Centers were identified, consulted, and/or involved, the activities requested and used were aligned with state improvement initiatives.

What is missing from reports on improvement activities is information about participant involvement, satisfaction, and practice impact. While this information was not requested, it may be beneficial for a few states that seem to have more advanced initiatives to work with their TA partners to assess progress and impact. While TA Centers by themselves can do part of this work, the State's involvement in progress monitoring, impact, changes in local practices and policies could be invaluable in helping OSEP guide more robust TA activities in the future on this and other indicators.

TA CENTERS CONSULTED

Of the 50 states, twenty-four (48%) consulted with at least one TA Center. Seven (14%) consulted with multiple TA centers. Twenty-two states (44%) indicated that NCCRESt was consulted. This means that 24 states worked on improvement activities without accessing federally funded centers. We explored the data to understand what states did on their own. These states primarily worked on clarifying definitions and numerical analysis of disproportionality.

RECOMMENDATIONS

- Improve format of reporting for improvement activities. Consider having states list applicable activities under each category.
- Improve correspondence between reported improvement activities and actual activities taking place in the states. Some states are doing things that fall under the various improvement activity categories but are not listing them as improvement activities.

APPENDIX 10-A: IMPROVEMENT ACTIVITIES REPORTED BY STATES

A. 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.

- The state will convene a stakeholder group including school districts at higher risk for disproportionate representation, to annually review and revise, if appropriate, the calculation methods and definition for disproportionate representation of racial and ethnic groups in special education and related services in the state. The state will convene a stakeholder group including school districts at higher risk for disproportionate representation, to annually review data on disproportionality and design strategies for improvement.
- At the direction of the state, the Data and Research Office will issue an RFP for the development of the Automated Monitoring Interface (AMI™) Software. This software will interact with the Computer Automation Systems, Inc. program Special Education Automated System, SEAS™, an electronic IEP program used by school districts in the State. The AMI™ software allowed remote electronic compliance monitoring of IEPs.
- The State Education Agency through the State Enforcement & Investigation Division for Special Education Programs will use multiple sources of data to refine, determine and isolate those policies, procedures, and practices that likely contribute to on-going disproportionality in any LEA in the District and to what extent, if any, the disproportionality is the result of inappropriate identification and placement practices. The ENCORE special education data tracking system that replaced the SETS tracking system continues to be the primary source for data collection. Likewise, LEAS use a state-wide student information and tracking system for all students. Both tracking systems are designed to provide more reliable data collection and analysis which, in turn, will enable the State Education Agency staff to conduct more rigorous research and data analysis on disproportionality issues.
- A “Disproportionality Rating Scale” will be used to rank every LEA and DCPS school according to the degree of disproportionality found at that school. LEAs and schools will be grouped by ratings of “acceptable”, “in need of improvement” and “unacceptable”. The goal will be to identify statistically those LEAs that may require more intensive state technical assistance & professional development focused upon reducing disproportionality through adoption and utilization of appropriate identification practices. LEAs fall into this category based upon criteria that will be developed by the State Education Agency with input and collaboration from the Disproportionality Subgroup.
- Provide training and implementation of Comprehensive School Improvement System for data analysis and improvement planning. Continue to develop and implement consolidated monitoring for improvement that includes all Federal programs.

B. Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration.

- The Department monitors each district's administrative policies to ensure they are in compliance. On-site monitoring activities promote inclusive settings. As a regular monitoring activity, the monitoring team looks at the following student monitoring standard in the individual IEPs being monitored: (3.04) The Evaluation Summary and Eligibility Report documents whether or not the student meets each requirement for eligibility under the selected certification category. The state will review the monitoring of Standard 3.04 to conduct a more targeted review of files and documents in school districts that present disproportionate representation of racial and ethnic groups in special education and related services. During the next monitoring cycle, the state will also be reviewing the district's policies and procedures regarding special education identification.
- The state will continue to monitor districts for disproportionate representation using data reviews and analysis including child count and the monitoring priority indicators on the Focused Monitoring Profiles. The state will expand the Focused Monitoring Profiles to include weighted risk ratios for the black, white, and Hispanic racial/ethnic groups. The State M/PE Section will incorporate the protocol for identifying inappropriate policy, procedures, and practices into the Monitoring Procedural Handbook.
- Focus monitor schools that have overall low achievement scores and high SLD/SWD identification.
- Develop an evaluation method to identify systemic issues and single instances of noncompliance in the area of disproportionate representation in the six categories of disability.
- Design self-assessment process to assist LEAs, SOPs, and Head Start programs in analyzing identification and LRE data and planning improvements.
- The State M/PE Section will coordinate with the IDEA Data and Research Office to develop a protocol for identifying inappropriate policy, procedures, and practices.
- Compliance monitors will provide technical assistance to LEAs with a CAP related to nondiscriminatory evaluations for special education identification practices, including a review of LEA policies, procedures, and practices.

C. Provide training/professional development – provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders.

- Provide professional development to district personnel regarding a process for conducting fair and equitable multidisciplinary evaluations by utilizing a variety of assessment instruments and strategies for all students, and in particular, minority students who have been referred for special education. Compliance personnel continue to participate in professional development opportunities focused on improving results for at-risk students to gain an increased awareness and

understanding of effective strategies to address disproportionality in the state and individual districts. Develop professional training modules pertaining to the implementation of discipline procedures for students with disabilities (develop training module to coincide with Policy 2419)

- The State DoE has provided statewide technical assistance and training to all teachers, both general and special education, regarding the issue of disproportionate representation of racial/ethnic groups in special education.
- Provide professional development to address the issues of disproportionate representation through a problem solving model. Provide professional development to address the issues of disproportionate representation through the self-assessment process. Provide professional development to address the issues of disproportionate representation in best practices for instruction through the annual Research to Practice Institute. Provide professional development to assist LEAs, SOPs, and Head Start programs in building capacity in the areas of prevention and intervention.
- Research and Training on response to intervention using SBR curriculum, strategies, methods, and intervention programs that are proven successful as used by other schools.
- Training for the focus monitoring schools in early intervening services and response to intervention.
- Provide training regarding appropriate evaluation and services for English language learners on an on-going basis, using the manual, ELL Companion to Reducing Bias in Special Education Assessment, which is available on the State web site.
- Dissemination of non-biased practices through Teacher Networks, state conferences, workshops, Directors' Forum and IHE Forum
- Design research-based professional development to Area Education Agencies and local school districts that address disproportionate representation and cultural diversity/competency issues in assessment and eligibility determination. For example, review the contents of the NCCRESt Rubric and Planning Guide and the NCRRC Data Toolkit to see if this material would form the basis of SEA technical assistance.
- Provide training on the NCCRESt modeled rubric to district teams.
- Support pre-service and in-service staff development programs to enhance the availability of bilingual related service providers.
- Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs.
- Each August (beginning in 2005 and continuing throughout the course of the SPP), the state conducts a summer institute on addressing disproportionality. The first half of the institute is for a general audience that includes representatives from LEAs, parents, stakeholders and WDPI staff. Beginning in 2006, districts identified with disproportionate representation were required to bring to the institute teams comprised of general and special education staff. Keynote speakers at the institute have included Beth Harry and Janette Klingner,

co-authors of the book “Why Are So Many Minority Students in Special Education?”; Shelley Zion, Project Coordinator for NCCREST; Allen Coulter, Director of the National Center for Special Education Accountability Monitoring (NCSEAM); and Dan Losen, Senior Legal and Policy Research Associate for the Harvard Civil Rights Project. Presentations were given on national and local efforts, initiatives, and issues involved in understanding, identifying, and addressing racial disproportionality. The second half of the institute is for a targeted audience comprised of teams from the identified districts and representatives from each of the twelve cooperative educational service agencies (CESAs). Department liaisons work with the district teams to review policies, procedures, and practices. Technical assistance is also provided on district-level data analysis and hypothesis development. In addition to assistance from department staff, assistance is provided by Dan Losen and representatives from NCCREST, North Central Regional Resource Center, and the Access Center. Following the institute, identified districts must submit an improvement plan. The department liaison provides ongoing technical assistance with implementation of the plan. This may include onsite visits, conference calls, and other support as required. The department liaison also conducts progress monitoring, including both reviewing data and implementation of the plan.

D. Provide technical assistance – provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs.

- Provide technical assistance to targeted districts for examining their policies, practices and procedures utilizing a rubric provided by the national technical assistance center. Provide guidance on the development of strategic improvement plans to address designated areas of need.
- The DOE continues to maintain constant communication with LEAs identified as having disproportionality concerns and provides ongoing technical assistance to the LEAs regarding appropriate identification, placement, and services for all students.
- Provide information related to disproportionality at regional/state meetings.
- Provide TA regarding Corrective Action Plans related to non-biased/non-discriminatory noncompliance and assist LEAs in revising policies, procedures and/or practices.
- The State Enforcement & Investigation Division for Special Education Programs will adopt a multi-tiered remedial model for correcting identified disproportionality that is the result of inappropriate identification and placement. LEAs will be identified for state-level technical assistance and support based upon the magnitude of the disproportionality reflected in the LEA's or school's child find, placement, and monitoring data. The greater the statistical disparity in the number of Black students in particular that are referred to and placed in special education, the greater the likelihood that there is inappropriate identification of Black students to special education, which in turn, will result in a more intensive level of state intervention.

- Establish the components of tiered technical assistance for LEAs with verified disproportionality resulting from inappropriate identification.
- Design Technical assistance to Area Education Agencies to assist local school districts in developing appropriate policies, procedures, and practices to ensure disproportionate representation does not occur. For example, infuse cultural competency concept work into ongoing SEA initiatives such as Positive Behavior Support and General Education Interventions.
- Provide targeted technical assistance to selected LEAs on reevaluation practices that will facilitate the reexamination of eligibility determinations for mild mental retardation and specific learning disabilities using a specially designed monitoring protocol
- The [Metropolitan Center for Urban Education](#) has a contract with the state to develop, implement, and assess the provision of comprehensive technical assistance and professional development to school districts that are addressing issues of disproportionality. The project's work includes building the capacity of regions and districts in understanding the root cause and systemically addressing the disproportionate assignment of various subgroups in special education. This entails providing professional development trainings, coaching, training follow-ups, materials and resources. The resources include a Web-Based Clearinghouse and a Disproportionality Data Repository.
- Development of TA Guidance and Self-Assessment Tools on Early Intervening and Cultural Competence
- Provide technical assistance to districts that have been identified with potential and significant disproportionate representation. Include resources from NCCRESt (National Center for Culturally-Responsive Education Systems) and NIUSI (National Institute for Urban Schools Improvement).

E. Clarify/examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator.

- The DOE, through its focused monitoring process, examines the policies and procedures addressing prereferral intervention, referral, and eligibility processes for students with disabilities to verify that they are being implemented according to the Alabama Administrative Code (AAC) criteria.

F. Program development – develop/fund new regional/statewide initiatives.

- Continue to expand the implementation of Responsible Students through School-wide Positive Behavior Supports (RS-SWPBS) initiative in more districts and schools. Expand the Early Childhood – Positive Behavior Supports (ECPBS) Pilot Project to more districts (preschool, Head Start & private day care programs) in the state. Collect & examine referral and achievement data disaggregated by race/ethnicity of students in programs implementing PBS with fidelity.
- Expansion of the Response to Intervention (RTI) model to an increased number of schools in the state. Encourage participation of those districts' schools with disproportionate representation of minority students in special education.

Disaggregate and examine achievement and referral data by race/ethnicity for students in RTI pilot schools.

- The state will implement early intervening services in districts identified with disproportionate representation of black students.
- Establish a statewide Response to Intervention (RtI) system to facilitate effective pre-referral interventions.
- Build support for addressing disproportionality into the state's application for the continuation of the State Improvement Grant.
- Develop a BIE-wide framework for literacy instruction, interventions, and assessments.
- Coordinate activities with the Positive Behavior Support (PBS) initiative, a systems approach to effective school-wide management that provides a comprehensive continuum of supports. Coordinate activities with early intervention initiatives, including Response to Intervention (RTI) to ensure appropriate identification of students with disabilities.
- Grants for the parent/family education, advocacy services and support programs provide specific outreach activities targeted to families from diverse backgrounds (race, ethnicity and immigrant communities) about special education program planning.
- Expand implementation of OISM to promote culturally responsive practices within the context of systemic academic and behavioral support.
- Promote the development of a Community of Practice as a forum for addressing culturally responsive practices.
- Prepare resource materials and develop training of trainers program based on the research results of effective pre-referral interventions for African American children at risk of being identified with E/BD and American Indian children at risk for being identified with reading/language disabilities.
- Utilize the state's PBIS Initiative to:
 - o Increase the number of schools fully implementing school-wide Positive Behavior Support (SW-PBS), thereby increasing the number of effective specialized interventions for small groups and individual students.
 - o Increase the number of schools analyzing School-Wide Information System (SWIS) data by race and ethnicity and IEP in their implementation of SW-PBS, and increasing specific interventions to effect these data points.
 - o Increase implementation of PBIS in early childhood/preschool sites.
 - o Increase the number of districts who do not meet the target for disproportionality to commit to systematically implementing tertiary systems of supports as part of a fully-implemented SW-PBS PBIS Tertiary demonstration process review.
 - o Increase PBIS demonstration sites systematically implementing tertiary systems of supports as part of a fully-implemented SW-PBS.
- Utilize the State Personnel Development Grant project (ASPIRE) to:
 - o Deliver training and technical assistance on and disseminate effective models of school-based problem solving and designing and providing

scientific research-based and evidence-based early intervening services to at-risk students;

- o Identify and disseminate characteristics of successful interventions to optimize students' access to the general education curriculum,
 - o Deliver training and technical assistance on student progress monitoring, including use of response to intervention, to enhance the ability of general and special education programs to collect, analyze, and report student progress data for continuous, data-based decision-making and
 - o Deliver training on scientifically-based reading instruction, with an emphasis on grades K-3, in alignment and coordination with the Illinois Reading First Initiative.
- Beginning in 2005, the state provided grants to LEAs and CESAs to address disproportionality on the local and regional level. The grants are for one year and are awarded in the fall. Grant projects must offer an unique product, process or tool that can be replicated in other districts or statewide. Products from these minigrants have included a disproportionality tool kit and an exclusionary factors checklist. These products, and other products developed will be shared throughout the state. WDPI is also developing regional training opportunities on eligibility criteria, cultural competency, and other topics for the purpose of providing statewide technical assistance to LEAs.
- Expand current guidelines and develop a "best practices" document for the child find, referral, and assessment of culturally and linguistically diverse learners (CLD), including English Language Learners (ELL), for eligibility in special education to include child find/screening guidelines, unbiased and culturally-fair assessment practices, and guidelines to determine the differentiation of normal second language acquisition and lack of progress due to a disability.

G. Collaboration/coordination – Collaborate/coordinate with families/agencies/initiatives.

- The state will continue collaborating with the Department of Health and Social Services to work on the statewide comprehensive, integrated approach to FAS prevention and systems improvement.
- Consult with NCCREST to enhance the state's existing disproportionality analysis tool.
- Our annual statewide summit, "Closing the Achievement Gaps: Connecticut Summit on Overidentification and Disproportion in Special Education" will continue to bring together policymakers, administrators, families, teachers, university faculty, students and advocates to collaborate and problem-solve.
- Provide outreach to the Somali and other communities via a parent education videotape, English summary of the videotape and translations of due process forms with Arabic translations. Develop culturally appropriate materials to be used by professionals and families and develop and translate outreach materials and strategies.
- Partner with a national technical assistance agency, National Center for Culturally Responsive Education Systems (NCCRESt) to provide assistance to local school systems identified as significantly disproportionate.

- Expand the CoP to include more diverse representation from the field. Meet regularly to design the self-review and improvement plan process and the supportive technical assistance and personnel development outlined in a Tiered Intervention model.
- Consider the potential for an annual Summit on Culturally Responsive Educational Systems, as requested by LEA and ISD Special Education directors.
- Continue grant partnership liaison with NCCRESt for purpose of identifying and implementing appropriate strategies to decrease significant disproportionality.
- Advocate and collaborate with NIUSI in the addition of Memphis to NIUSI's national city partners.

H. Evaluation – conduct internal/external evaluation of improvement processes and outcomes.

- Provide priority technical assistance to LEAs that continue to evidence disproportionality by assisting the LEA in examining the data (Child Count, effectiveness of BBSST, use of nontraditional assessments, etc.) and its implications on reducing any identified disproportionality.
- Conduct ongoing literature reviews to identify the determinants and appropriate interventions for disproportionality. Study districts that in fact exhibit the determinants but do not have disproportionality.
- The state has realigned its self-assessment/monitoring system to be consistent with the SPP indicators. The new system links compliance, data and programming by requiring districts to review compliance in areas related to SPP indicators and their data compared to state targets. Following the review, conducted through self-assessment, districts must identify activities to correct noncompliance and activities for continuous improvement toward state SPP targets.
- Call together a State level taskforce to define disproportionality instate, set targets, and determine the measurement tool to be used. Develop an analysis tool for districts to use to determine if the numerical disproportionality is due to inappropriate identification.

I. Increase/Adjust FTE – Add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff.

Other – TA Center should indicate any additional types of improvement activities specific to their topic/area.

- The IDEA Data and Research Office will conduct a study to determine if school choice, residential treatment facilities, and students who transfer into a district have a direct effect on how the State determines disproportionate representation.
- The IDEA Data and Research Office will conduct a study of the 2005-06 school age referral tracking data using weighted risk ratios to examine racial/ethnic trends in placing students in special education.
- Evaluate effectiveness of early intervening services on disproportionality data

- Develop and disseminate a best practices manual on promising practices in achievement and intervention based on successes in both BIE and non-BIE schools.
- California will participate in national discussions about disproportionality and attend conferences and other meetings related to this issue. The SED will request technical assistance and/or support from the National Center for Culturally Responsive Educational Systems (NCCRESt), the Western Regional Resource Center (WRRRC), and other technical assistance providers when appropriate.
- Work with stakeholder groups and special education directors to assess and add or adjust, as needed, the disproportionality tools for state Administrative Units.
- Reissue updated versions of identification guidelines documents, including those for intellectual disabilities, speech and language, learning disabilities and emotional disturbance. Provide statewide training on appropriate identification of these disability categories.
- A subgroup of the broad stakeholders has been established to assist State Enforcement and Investigation Division (SEID) staff in providing a framework for identifying, monitoring and addressing disproportionality in LEAs within the district. The subgroup, made up of a diverse group of individuals selected from the broad group of stakeholders who have assisted in the development of the State Performance Plan, will provide input on the critical issues that may be unique to the state that impact or otherwise bear upon the reasons for overrepresentation in special education. The subgroup will, in particular, focus specific attention on the issues that relate to why Blacks in general, Black males in particular, are selected, referred, and identified for special education and placement in identified disability categories and more restrictive settings than are students from other racial/ethnic groups as evidenced by the 2003 – 2004 data.
- Adapt/modify the NCCREST rubric to be used by LEAs in reviewing policies, procedures and practices that impact disproportionate representation of racial and ethnic groups in special education. Adapt/modify NCCREST self-assessment to be used by districts in determining culturally responsive practice.
- The state will continue to participate in conferences and meetings where issues related to disproportionality are addressed, especially with the U.S. Department of Education's Office Special Education Programs (OSEP), National Center for Culturally Responsive Educational Systems (NCCRESt) and the Mid-South Regional Resource Center (MSRRC).
- Require districts to form district- and school-wide teams to complete NCRESST developed surveys on culturally responsive practices. Review NCRESST district and school surveys to determine inappropriate practices in order to target professional development activities to assist LEAs in adopting strategies to reduce inappropriate identification.
- Quarterly consultation and training with the National Center for Culturally Responsive Educational Systems (NCRESSt).
- Attend the NCCRESt Training of Trainers Conference to enhance members' knowledge base and skills to assist LEAs with developing and implementing

improvement plans, assessing their systems, and developing shared leadership teams for inclusive, culturally responsive school systems.

- Develop a comprehensive guide on how districts identified as having disproportionality are to respond to section 613(f) for Early Intervening Services
- Analyze disproportionality data further to determine where there are districts with evidence of under-representation of certain groups of students identified for special education and related services.
- Provide an instrument through which LEAs can evaluate instructional materials for their breadth of cultural representation, language experiences, and diverse perspectives.
- Develop and disseminate information on effective practices relating to culturally responsive curriculum and instruction, student engagement, home school connections, assessment and leadership as they relate to disproportionate representation in special education by race/ethnicity.
- Develop and distribute a tool for use by LEAs that examines policies, procedures, and practices related to the provision, under IDEA '04, of nondiscriminatory assessment and the examination of significant disproportionality resulting from inappropriate identification.
- Obtain and disseminate materials on disproportionate representation from the NCCRESt and disseminate to the field.
- Attend National Disproportionality forum in Denver, Colorado.

INDICATOR 11: CHILD FIND

Prepared by NCSEAM

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

The measurement of this indicator requires the State to take data from the State’s monitoring or data system. Additionally, the State is to indicate the established timeline for initial evaluations. The instructions direct States to refer to “initial” eligibility determination.

The 2005-06 year was the first year of required data reporting for this indicator. See the observations and conclusions for some of the challenges and issues States identified in the collection and reporting of data for this indicator.

BASELINE DATA

The 2007 submission of the State Performance Plan (SPP) is the first submission of baseline data for this indicator. Of the 60 States and Territories, 95% of States reported baseline data. There was at least one State that seemed to report baseline data for 2004-05 rather than 2005-06.

The lowest percent reported for this indicator was less than 2 percent; the greatest percent was 100% reported for three states. Three states also stated they would be unable to provide 2006-7 data until the 2008 APR. Thirty-three percent (33%) of states reported a baseline greater than 90%.

ESTABLISHED TIMELINE

The indicator states a timeline of “60 days (or State-established timeline).” States range in timelines for evaluation from 25 school days to 120 days. The State that indicated 120 days, also explained that for measurement and reporting of this indicator it was using the federal guideline of 60 days. There was great variation in the use of the term “days.” Across the States, terms used included “school day,” “working days,” “business days,” as well as “calendar days.” A number of States used the generic term “days” without a qualifier. The generic term “days” was used by 42% of States, while the term “school days” was used by 37% of States.

DATA COLLECTION METHOD

The three major methods of collecting data reported for this indicator were through monitoring activities, electronic databases, and data collection forms. Twenty-eight percent (28%) of States clearly identified data collection via monitoring activities. In 16%

of States, an electronic method was identified; this method may not have captured distinctly those States that used a combination of hard copy and electronic collections.

IMPROVEMENT ACTIVITIES

The most frequently identified category of improvement activity was that of improving “systems administration and monitoring” (63%). The next most frequently identified categories of improvement activities were improving “data collection and reporting” (52%) and the provision of “training or professional development” (33%). States also identified activities that were not easily categorized, such as the following:

- Provide tuition reimbursement for student attending masters’ level psychology programs, or
- Contracting for evaluations, or
- Provide annual bonuses to Nationally Board Certified school psychologists.

TECHNICAL ASSISTANCE CENTERS

Four states (7%) identified regional resource centers as resources. Three states (5%) identified NCSEAM as a resource. NECTAC was also identified.

NCSEAM staff have not recorded specific instances of providing technical assistance for this indicator. There have been instances of assistance based on a general provision of assistance on the SPP.

OBSERVATIONS AND CONCLUSIONS

A number of states identified data collection issues, as required specifically for this indicator. States indicated that these data were not previously captured in a routine manner; also, they reported data on students not determined to be eligible were not captured. Additionally, the difficulty of analyzing aggregated initial data and re-evaluation data (as opposed to separate data collections) was identified as a challenge.

Two challenges noted from State descriptions were 1) extending timelines and 2) the inclusion of preschool children in the calculation. The former was noted most frequently and is a cause for non-comparability. Specifically, some states indicated they allowed a reasonable extension of timelines based on certain circumstances. An example of a reasonable extension would be the circumstance of a child becoming ill. Other states, on the other hand, identified reasons the timelines were extended yet did not count these as “within timelines” in the calculation.

The comparability of how “within timelines” is calculated needs to be considered in the future reporting and analysis. One possible differentiation would be whether these extensions have been codified as in state policy and/or procedure.

INDICATOR 12: EARLY CHILDHOOD TRANSITION

Prepared by NECTAC

Part B INDICATOR #12: 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.

INTRODUCTION

Indicator #12 is a Part B compliance indicator with a performance target of 100%. 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 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)].

This analysis of Part B Indicator #12 is based on a review of Part B Annual Performance Reports (APRs) for 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 performance target data, discuss their completed improvement activities, give an explanation of progress or slippage, and describe any revisions (and their justifications) 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.

COMPARISON OF BASELINE, TARGET AND ACTUAL PERFORMANCE

Baseline Performance

Table 1 below displays the distribution of baseline performance for 49 out of 56 states.

Table 1: Distribution of States' Baseline Performance

Percent of eligible children with an IEP implemented by the child's 3rd birthday	Number of States in each percentile distribution (with revised baselines indicated)
100%	2 (Revised N=1)
80% to 99%	20 (Revised N=2)
60% to 79%	16 (Revised N=3)
40% to 59%	7 (Revised N=2)
20% to 39%	2 (Revised N=1)
1% to 19%	2 (Revised N=1)
Baseline Data Not Provided	7

Only 2 states reported full compliance with Indicator #12 at baseline. One state is a birth mandate state and all children eligible for Part C are also eligible for the state's special education and related services. Therefore, Part C eligible children are already receiving the equivalent of IEP services before their third birthday. Twenty states reported baseline performance between 80% and 99%; 10 states revised their baseline data from what was originally reported in their State Performance Plan (SPP), as shown in parentheses in the distribution totals above. Of the 10 states revising their baseline, 3 states reported using FFY 2005 actual performance data as their baseline. The baseline performance was not reported by 7 states in their APR. This updated status of baseline performance represents a decrease in the number of states (16) that did not report baseline data in their SPP, and it represents progress in states' capacity to collect baseline data. The 7 states not reporting baseline data included 1 state that did not report on this indicator.

Data Measurement of Actual Performance

In the SPP analysis conducted by NECTAC in 2006, 17 states did not provide a source for their baseline data. In this 2007 APR report, more states reported a data source for their actual performance, which indicated an improvement in states' capacity to gather data for the purposes of reporting on Indicator B12. Many states with state data systems reported using more than one data source, due to a need for data system refinements. Quite a few states indicated they are moving toward developing a state

data system, rather than relying solely upon monitoring data sources (e.g., record review).

Table 2: Types of Data Sources Reported for Actual Performance

Types of Data Sources Reported for Actual Performance	Number of States
State Data System	24
Monitoring	16
Part C 618 Data	13
Other	6
Used More Than One Data Source	15
Not Given	8

Range of Days Beyond the Third Birthday

Twenty-five states did not respond to OSEP's request for information on the range of days beyond the third birthday when eligibility was determined and the IEP developed. States report they are unable to provide the information requested because such data is not currently gathered in the state's data system or its monitoring of LEAs. Twenty-five states reported the range of days, which represents an increase in the number of states (15) able to report this data since their SPP submission. The distribution of ranges reported by the 25 states is shown in Table 3.

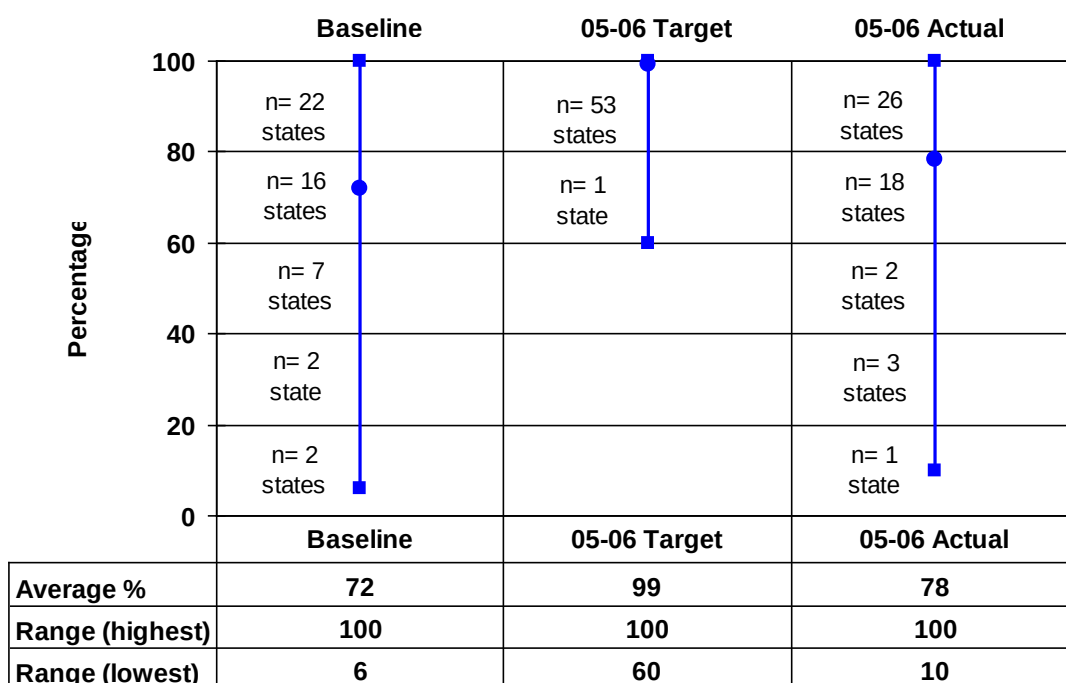
*Table 3: Range in #of Days Beyond 3rd Birthday
Before Eligibility was Determined*

Distribution of Ranges Reported by States	Number of States in Each Range
30 days or less	2
31 to 60 days	7
61 to 90 days	4
91 to 120 days	4
121 to 180 days	4
181 to 240 days	2
241 to 365 days	2
Total	25

Description of Actual Performance and Target (FFY 2005)

Figure 1 shows the baseline, target and actual performance. The total for each category varies because 49 states reported baseline and 50 states reported actual performance. Only six states met the target of 100% compliance on Indicator B12. Twenty states reported performance from 80% to 99% and 18 states reported performance from 60% to 79%. Six states reported performance below 60%. For the states reporting the required data, the average for baseline was 72% and the average for actual performance was 78%. One state reported a target of 60% instead of 100%. The trend toward achieving a target of 100% compliance on this indicator was upward as more states improved their performance in FFY 2005 in relation to their baseline.

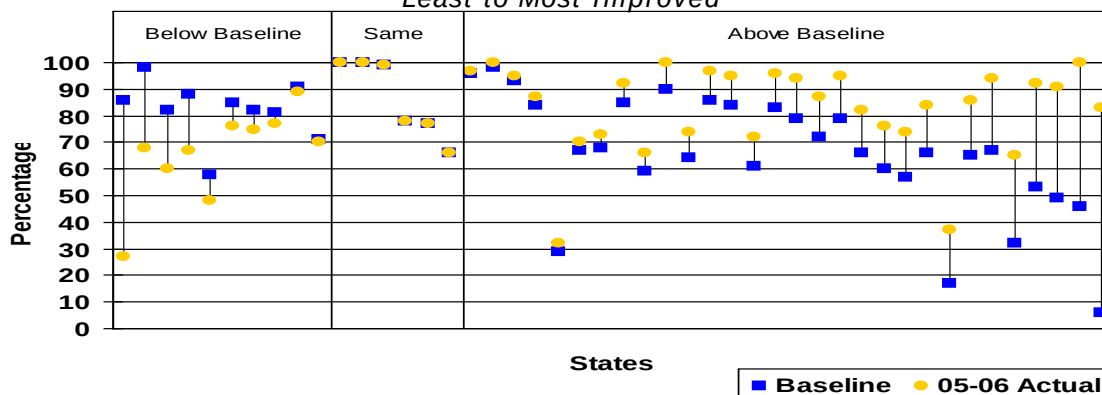
Figure 1: Comparison of State Baseline, Actual Performance and Target



Change in Performance from Baseline to Actual FFY 2005

Figure 2 illustrates the change in states' actual performance from baseline for a total of 46 states. This table indicates an upward trend for performance for over half of the states. While 10 states showed regression from their baseline, 15 states improved more than 15% from their baseline (and ranged up to 77%) for improvement. Six states' reported their actual performance was the same as their baseline, including 2 states that reported 100% compliance with Indicator B12. Change in performance from baseline could not be determined for 10 states that did not report either baseline (4 states), actual performance (3 states), or both (3 states).

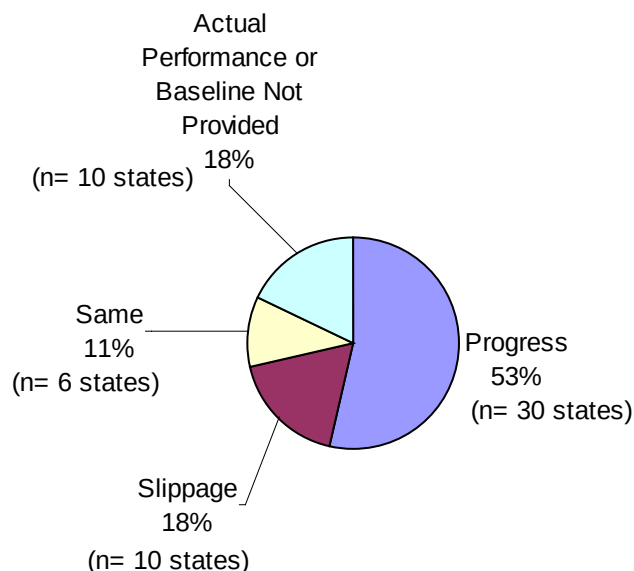
Figure 2: Change in State Performance from Baseline to Actual in Order from Least to Most Improved



Progress/Slippage

The graph below represents the progress and slippage of the 56 states reporting on actual performance for FFY 2005 in relation to baseline. The majority of states (30 or 53%) reported progress, 10 states (18%) reported slippage and 6 states reported actual performance at the same level as baseline (2 of which were 100%, 1 was 99%).

Figure 3: Progress/Slippage



EXPLANATION OF PROGRESS AND SLIPPAGE

Many states did not respond directly to the OSEP request for an explanation of their progress or slippage. While these states did not attribute their progress or slippage to specific factors, they did report issues that are described below. The states that did cite specific factors as explanations for progress and slippage reported the following:

Progress attributed to:

- Clarification of policies, development of guidance and training activities
- Concentrating on referrals for evaluations from Part C that were received less than 60 days before the child's third birthday
- Focused TA on local agreements
- Clarification of policies and enforcing 90 Day Conference procedures
- Provision of focused monitoring and targeted TA to LEAs/districts most in need of improvement
- Improved data verification between Part B and Part C systems to correct practices and improve attendance at transition meetings
- Improved capacity of data system to identify noncompliance
- Coordination and collaboration between Part C and Part B system improvements
- Using a preschool TA system to focus on improving transition practices
- Hiring additional state staff to focus on transition with LEAs/districts.
- Developing and implementing child find notification procedures

Slippage attributed to:

- Schools' failure to implement IEPs
- Downward revision of inflated baseline to obtain accurate baseline data
- Parental delays affecting timelines
- Delayed data system refinements
- Difficulties in sharing data across Part B and Part C data systems
- Impact of Part C lead agency reorganization that affected evaluation capacity and caused delays in timelines
- Need for clarification of policies for submitting Part C notification data from to Part B
- Districts did not have a clear understanding of the expectations for data collection
- Delays in timely evaluations
- Districts not consistently implementing policies

Issues

The majority of states (45) reported issues and challenges, while 10 states did not. Those 10 states included 4 of the states reporting 100% compliance, 1 state that did not provide actual performance, and 5 states reporting actual performance of 87% to 97%. More than half of the states (28) reported more than one issue. Table 4 displays an unduplicated count of the number of issues reported by the states.

Table 4: Number of Issues Reported by States

Number of Issues	States
None Given	10
1	17
2-3	26
4-5	2

Table 5 describes the type and frequency of issues states reported. The most frequently reported issue category (31 states) was Inadequate data. States with data systems reported such issues as an inability to merge and share data systems with Part C for verification of 618 exit data, missing data elements needed to report on the indicator, inability to determine reasons for delays, issues with assignment of student identifiers, inability to determine range of delays and issues with implementing new automated or Web-based systems. States using monitoring approaches to gather the required data reported limited data capacity, inability to comply with data collection requirements, interest in moving to a census approach in order to have more comprehensive data, difficulty computing baseline, inability to determine range of days beyond the third birthday and inability to determine parental delay. As mentioned above, some states reported using monitoring techniques for this reporting period to gather the required data because their current statewide data systems did not include all data elements needed to comply with the reporting requirements. Many states using either data systems or monitoring mechanisms reported difficulty determining Measurement D which describes the number of children for whom parent refusal to provide consent caused delays in evaluation or initial services. Those states reporting this challenge indicated steps were underway to gather those data in the future.

The second most frequently reported issue was Lack of coordination/collaboration with families/agencies/initiatives. Fourteen states reported issues falling under this category. The issues reported included late referrals from Part C that created delays in timelines for determining eligibility, delays in scheduling meetings and conferences, and delays in conducting evaluations. The third most frequently reported issue category was Inconsistent policy/ procedures/contracts. Eleven states reported issues in this category. States reported policy and procedural issues for child find and Part C notification procedures, Part C referral, untimely evaluations, untimely eligibility determination, failure to implement IEPs, and determining eligibility and providing services for children with summer birthdays.

Table 5: Issues Identified by Type

Issues	Number of States
Inadequate Data	31
Lack of Collaboration/Coordination	14
Inconsistent Policies/Procedures/Contracts	11
Other (Funding Barriers, Family Reasons, Rapid Increase in Number of Children Served)	8
Personnel Shortage	8
Inadequate Monitoring	5
Inadequate Training/Acceptance or Buy-in	3
Capacity/Inclusive Opportunities	2
TA Needs Identified but not Provided	2
Failure to Evaluate	1

IMPROVEMENT ACTIVITIES

Table 6 provides a summary of the types of improvement activities reported by states. All states provided improvement activities except for the one state mentioned earlier in this report that did not submit a report for indicator B12. The most frequently reported type of improvement activity (53 states) was related to Improving data collection and reporting the most frequently reported issue (31 states) was Inadequate Data.

The second most frequently reported types of improvement activity were related to Improving collaboration and coordination (34 states) and Providing training and professional development (also 34 states). The least frequently reported types of improvement activity were Increase/Adjust FTE (3 states) and Program development (2 states).

Table 6: Improvement Activity by Type

Improvement Activities	Number of States
Improve Data Collection and Reporting	53
Improve Collaboration/Coordination	34
Provide Training/Professional Development	34
Improve Systems Administration and Monitoring	32
Clarify/Examine/Develop Policies and Procedures	31
Provide Technical Assistance	24
Increase/Adjust FTE	3
Program Development	2

Table 7 provides information on the range of the number of types of improvement activities reported by states. The majority of the states reported more than three types of improvement activities indicating a multi-level approach and an acknowledgement of the complexity of the change efforts needed to improve transition.

Table 7: Range in Number of Improvement Activities Reported by States
(Unduplicated Count)

Number of Activities	Number of States
6–7	6
4–5	28
3	12
1–2	8

Activities for **Improving Data Collection and Reporting** included:

- Adding transition data elements to data systems in order to report on the required measurement components
- Refining notification processes and data sharing with Part C
- Developing new data collection mechanisms and moving towards using electronic or Web-based data collection systems
- Providing training on data coding and expectations
- Verifying data for accuracy and reliability for Part C 618 exit data and LEA practices
- Developing memorandum of understanding to collaborate on data sharing among lead agencies.

- Developing and implementing additional file review forms, workbooks and other mechanisms for collecting required data
- Developing or refining a process for using a unique identifier to track children moving from Part C to Part B

Activities for ***Improving Collaboration and Coordination*** included:

- Collaborating with Part C to develop or update guidance documents and to provide coordinated training and TA
- Collaborating with Part C to clarify and improve the accuracy of local documentation and tracking processes
- Collaborating with Part C to share data and implement interagency agreement provisions
- Collaborating with Part C and Parent Training and Information Centers to develop, refine and disseminate policies, guidance and training activities
- Collaborating with Part C to plan and develop interagency agreements to provide guidance and procedures for notification of eligible children from Part C to LEAs
- Collaborating with Part C to provide assistance to local programs to develop local interagency agreements

Activities for ***Providing Training and Professional Development*** included:

- Designing and implementing training activities for parents on the law, state policies, and recommended practices
- Designing and implementing training activities for LEA personnel to accompany the dissemination of state guidance and policy documents
- Including specific policies identified as implementation issues into training activities, such as differentiated referral, eligibility determination, timelines, and child notification procedures
- Designing and implementing training activities to include administrators
- Designing and implementing training activities to include interagency audiences
- Designing and implementing training activities to include the development of local action plans and follow up activities

Activities for ***Improving Systems Administration and Monitoring*** included:

- Providing TA and corrective actions, including verification activities with LEAs
- Providing mechanisms to improve the accuracy of required documentation in files
- Changing the file review process to include the review of files of children evaluated but not determined to be eligible
- Refining systems of general supervision to identify and correct noncompliance

- Providing a list of LEA personnel to serve as contacts for Part C service coordinators to assist in scheduling conferences and referrals
- Requiring LEAs to include transition strategies as part of state grant application processes
- Improving supervision of LEA progress on corrective action plans

States also reported the examination and Clarification of policies to improve transition practices and local compliance. Most states reported in terms of general transition requirements to be used by LEAs. However, a few states highlighted specific work on the policies of Part C notification and required LEA response, child find, eligibility determination, evaluation processes and timelines. States reported Providing technical assistance most often in the context of follow up activities related to monitoring and data verification activities. Three states reported the need to Hire additional staff to focus on transition activities and two states reported Developing new program initiatives on transition.

Use of OSEP TA Centers

NECTAC provided a variety of TA activities to states regarding early childhood transition practices.

- Fifty-six states received information through mechanisms such as listserv postings, the NECTAC Transition Web-site, dissemination of materials and responsive TA via email and telephone.
- Fifty-five states attended the National OSEP Early Childhood Conference and had the opportunity to participate in concurrent workshops and networking opportunities on early childhood transition.
- One state reported attending sessions at the NECTAC Outcomes Meeting that facilitated information on early childhood transition.
- Seven states received extensive onsite consultation. Of the seven states, three were implementing strategic state work plan activities on early childhood transition with NECTAC and RRC partners.

The majority of states (44) did not mention an OSEP TA Center in their discussion of improvement activities. Within the APR, only 9 states reported using one or more TA Centers. Table 8 provides the reported use of the TA centers by 7 states. Two states reported intensive work with the National Early Childhood Transition Center (NECTC). While NECTC is funded by OSEP, it is not included in Table 8 because it is not part of the OSEP TA & D Network. Some states reported collaborative activities with their state Parent Training and Information Centers in the context of their improvement activities.

Table 8: Use of OSEP TA Centers

OSEP TA Center	Number of States
NECTAC	7
MPRRC	2
MSRRC	1
NCRRC	1
NCSEAM	1
SERRC	1
ECO	1

SPP REVISIONS

Thirty states reported revisions to their SPP. Table 9 displays a duplicated count of types of SPP Revisions, including data from states indicating no SPP revisions. States revised improvement activities (25), baseline (10) and target (2). Twenty-six states reported no revisions to improvement activities, baseline or target.

Table 9: SPP Revisions

Revisions by Type	Number of States
Improvement Activities	25
Baseline	10
Target	2
None	26

INDICATOR 13: SECONDARY TRANSITION

Prepared 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.” Baseline data were reported by February 1, 2007. The sections below summarize states’ data for Indicator 13.

BASELINE DATA

Of the 60 states and territories, 57 (95%) reported baseline data for Indicator 13. Of the 57 that reported data, 54 (94.7%) provided data at the individual student level and 3 (5.2%) provided data at the local education agency (LEA) level. Finally 4 (7.0%) of the 57 reported data on individual checklist items, but did not report an overall percentage.

Individual student baseline data ranged from 0% to 100%, with a median of 60% and 52% of states and territories reporting baseline data between 51% and 100%. LEA baseline data ranged from 78% to 99.8% and the item x item baseline data ranged from 63.5% to 94.3%. As a result, it is impossible to calculate a single baseline percentage across all states and territories.

IMPROVEMENT ACTIVITIES

Of the 60 states and territories, 58 (96.6%) included improvement activities. Table 1 provides a summary of the improvement activities stated in the reports.

Table 1. Summary of Improvement Activities (n = 57)

Improvement Activity	Number (Percent)
(A) Improve data collection and reporting & (E) Clarify/examine/develop policies and procedures	53 (92.9%)
(B) Improve systems administration and monitoring	15 (25.8%)
(C) Provide training/professional development & (D) Provide technical assistance	56 (96.5%)
(F) Program development	19 (33.3%)
(G) Collaboration/coordination	31 (32.6%)

(H) Evaluation	5 (8.8%)
(I) Increase/Adjust FTE	4 (7.0%)

TA CENTER CONSULTED WITH STATE

Of the 60 states and territories, NSTTAC provided various levels of consultation to 53 (88.3%). Table 2 summarizes the types of consultation provided.

*Table 2. Summary of NSTTAC Consultation to States and Territories
(n = 60)*

Type of Consultation	Number (Percent)
(A) Information only	11 (18.3%)
(B) Conference only	1 (1.7%)
(AB) Information and Conference	35 (58.3%)
(ABC) Information, Conference, and Regional or State Group Assistance	4 (6.7%)
(ABD) Information, Conference, and Consultation	1 (1.7%)
(ABCD) Information, Conference, Regional/State Group Assistance, and Consultation	1 (1.7%)
(E) No Contact	7 (11.7%)

TA CENTERS MENTIONED IN IMPROVEMENT ACTIVITY

Of the 60 states and territories, 30 (50%) mentioned one or more TA Centers in their list of improvement activities. Of these 30, 23 (76.6%) mentioned NSTTAC only and 7 (14.3%) mentioned NSTTAC plus another TA center. Other TA Centers included the National Post-school Outcomes Center (n = 5; 16.7%), the National Dropout Prevention Center for Students with Disabilities (n = 3; 10%), and NCSEAM (n = 3; 10%).

NUMBERS USED TO CALCULATE PERCENTAGE

Only 42 (70%) of the states and territories provided the numbers (i.e., numerators and denominators) that they used to calculate their baseline score. The numbers used to calculate baseline scores reported ranged from 8/39 to 22,042/89,970. Based on the 42 sets of numerators and denominators that were provided for individual student IEPs, we calculated an overall baseline percentage of 49.4% ($126,744 \div 256,268$) compliance with Indicator 13.

QUALITY OF INSTRUMENT USED

The 57 states and territories that reported baseline data for Indicator 13 used a variety of instruments to collect their data. The majority ($n = 45$; 78.9%) use a state-developed checklist, 9 (15.8%) used the NSTTAC I-13 Checklist, and 4 (7%) used the Transition Requirements Checklist. The NSTTAC I-13 Checklist has been approved by MSIP and the Transition Requirements Checklist is almost identical to the NSTTAC Checklist, so data from the 13 states and territories that used either of these two checklists would be valid.

Of the 45 that used a state-developed instrument, 15 provided their checklist items in their reports and 30 provided no information on the items they used to collect their baseline data. Of the 15 that included the items on their state-developed I-13 checklists in their report, none met the minimal requirements as listed in the NSTTAC I-13 Checklist. Table 3 summarizes the missing requirements for the 15 states that provided the items in their checklists.

Table 3. Summary of Missing Requirements in State-Developed Indicator 13 Checklists ($n = 15$)

Item Missing	Number (Percent)
(A) Measurable Post-school Goals	4 (28.6%)
(B) Related Annual IEP goals	4 (28.6%)
(C) Related Transition Services	3 (20%)
(D) Parent/Student Consent for Interagency Collaboration	13 (86.6%)
(E) Age-Appropriate Transition Assessment	9 (60%)
(F) Course of Study	6 (40%)

SUMMARY OF INDICATOR 13 BASELINE DATA

- 57 of 60 states and territories provided baseline data
- 50 of 57 states and territories provided baseline data on individual student IEPs; baseline data ranged from 0% to 100% with a median score of 60%
- Based on the 42 sets of numerators and denominators that were provided for individual student IEPs, we calculated a baseline average percentage of 49.4% ($126,744 \div 256,268$) compliance with Indicator 13
- 3 of 56 states and territories provided baseline data for LEAs; baseline data ranged from 78% to 99.8%
- 4 of 56 states and territories provided item x scores, but not an overall score.
- 53 of 60 states and territories have received some level of consultative services from NSTTAC
- 30 of 60 states and territories mentioned a TA Center in their improvement activities.
- 42 of 60 states and territories provided the number of student IEPs used to calculate their baseline data
- 13 of 60 states and territories collected data with a checklist that met the minimal requirements

RECOMMENDATIONS FOR COLLECTING INDICATOR 13 DATA

- Clarify need to provide numbers used to calculate Indicator 13 percentage (numerators and denominators).
- Clarify need to provide Indicator 13 percentages for individual IEPs, not LEAs.
- Require states and territories to include a copy of their checklist in their SPP/APR.
- Require states to provide an item x item summary of checklist, in addition to an overall percentage.
- Provide states and territories with list of possible improvement activity categories.

INDICATOR 14: POST-SCHOOL OUTCOMES

Prepared by NPSO Center

INDICATOR

Indicator 14: *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 U.S.C. 1416(a)(3)(B)).*

OVERVIEW

Indicator 14 is a new reporting requirement in the February 2007 State Performance Plan (SPP) and Annual Performance Report (APR). For this indicator, states were asked to describe how they would collect post-school outcome data for school leavers who had individual education programs (IEPs) within one-year of leaving high school. To address Indicator 14, states were offered the option of either (a) conducting a *census* of all students with IEPs leaving high schools in their state in a particular year or (b) 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.

For the 2007 SPP reporting period (FFY 2005), states were asked to describe (a) the data they would collect; (b) from where that data would be collected (e.g., gathered from an extant data set); (c) the “representativeness” of data collected by gender, disability type, and ethnicity; (d) to provide a time schedule for the data collection, and (e) to define competitive employment and post-secondary education. States choosing to conduct a representative sample of school leavers were to present a sampling plan describing (a) the sampling procedures (e.g., random, stratified, etc.), (b) the methods to be used to test the similarity or difference of the sample from the population of students with IEPs, and (c) how the State Education Agency (SEA) would address problems with response rates, missing data, and selection bias.

In combination, these requirements lead to two primary procedures -- *census/sampling* and *data collection* -- that states were asked to address in their SPP. As Indicator 14 is new for 2007, there is *no requirement* to present baseline data or measurable and rigorous targets relative to this indicator. We should point out that 11 states did choose to report baseline data for employment and 8 states also reported baseline data for post-secondary education.

The National Post-School Outcomes (NPSO) Center analyzed the SPPs from 59 United States, jurisdictions, and territories. One state did not turn in a description for Indicator 14 and so this SPP was not available for review. From this point on we will refer to these 59 states, jurisdictions, and territories as “states.”

To conduct the analyses, we developed a coding protocol in alignment with the requirements of the SPP (*Note: OSEP officials reviewed and approved the coding protocol.*) Project staff analyzed the SPPs by coding the document using the structured review protocol, once they reach an 85% inter-judge agreement, following the initial coding training. A second reviewer was assigned for 17 (28%) of the SPPs in order to check inter-judge agreement. In those instances where coding discrepancies exceeded 15%, the discrepancy was discussed by two coders and consensus reached for the final code. Inter-judge agreement averaged 93% for the entire coding process.

The coding protocol was based on questions related to four primary themes: (a) the existing data collection system, (b) sampling, (c) data collection plans, and (d) technical assistance. These four areas and the corresponding questions on our coding protocol are reported below.

Section I: Existing Data Collection System

- Does the state report baseline data for (a) competitive employment, and/or (b) post-secondary education enrollment?

Section II: Establishing the Sampling Frame

- Does the state include a data collection plan for non-graduating students, including those who age-out or dropout?
- Will states use a census or a sample to define on whom data are collected?
- Does the state include a plan to define a representative sample by disability type, ethnicity, and gender?
- Does the state include a plan to collect data annually from school districts with student enrollment above 50,000?
- Is the state planning to test statistically whether the respondents are representative of all students with IEPs in the state based on disability, gender, and ethnicity?

Section III: Establishing the Data Collection System

- Does the state report a definition for (a) competitive employment, and (b) post-secondary education enrollment?
- What method does the state plan to use to collect their post-school data (e.g., extant data or survey)?
- If a survey is to be conducted, what type of survey method will be used (e.g., mail, web-based, phone, person, or combination)?

Section IV: Provision of Technical Assistance Services

- Has the state accessed technical assistance from the NPSO in the past?
- Does the state report a plan to access technical assistance in the future?

- How has the NPSO Center consulted with the state?

RESULTS

The results are organized by the four areas presented above. Percentages are based on N = 59, the total of all states, jurisdictions, and territories (*Note: One Indicator 14 was not available for review as of April 2, 2007 thus the denominator used in determining percentages for the entire group is based on 59*). Where we could report on only a subset of the 59 states, we have *elected not to present percentages*.

Section I: Documenting an Existing Data Collection System

As stated previously, Indicator 14 was new for this reporting period (FFY 2005). There was *no requirement* to present baseline data or measurable and rigorous targets for this indicator. We should point out that 11 (19%) states did, however, choose to report baseline data for employment and/or post-secondary education enrollment. A total of 11 states did report baseline data, with all 11 including baseline data on employment and 8 including baseline data for both employment and post-secondary education enrollment.

Section II: Establishing the Sampling Frame

This section describes the plans state report for defining their sampling frame of school leavers. To collect post-school outcome data on all exiting school leavers, states can choose to conduct a census (e.g., data collected on the total population of school leavers with disabilities) or develop a sampling plan (e.g., a randomized selection of school leavers with disabilities). The following is a summary of the states that report the method they plan to use to establish a census or representative sample.

- *Thirty* (51%) states reported that they are planning to conduct a *census* of school leavers with disabilities.
- *Twenty-three* (39%) states reported that they are planning to *conduct a sample* of school leavers with disabilities.
- *Six* (10%) states *did not report* whether they planned to conduct a census or develop a sampling plan for the collection of post-school outcomes.

States were to describe the process they would follow to collect data on the post-school outcomes of the school leavers in their state. As we stated above, these data were to be gathered on all school leavers including those who exited with a diploma and on those students who have aged out or have left school (e.g., dropped out) prior to graduation. The following information presents the number of states who define the population from which data will be collected in the following manner:

- Of the 30 states reporting a plan to conduct a census of school leavers, 25 states reported they would *include students other than graduates* (i.e., age-out or dropout) in the census.
- Of the 23 states reporting a plan to sample school leavers, 16 states reported they would *include students other than graduates* (i.e., age-out or dropout) in their sample.
- Of the 6 states not specifying census or sample, 2 states reported they would *include students other than graduates* (i.e., age-out or dropout).

The following information summarizes how states reported that their plan would address the following SPP requirements.

- Of the 23 states reporting a plan to *sample* school leavers, 12 states reported a method to define representativeness of their sample by disability type, ethnicity, and gender.
- Of the 23 states reporting a plan to *sample* school leavers, 18 states reported that all districts with an enrollment over 50,000 would be included in data collection every year.
- A total of 20 states, including 8 states that will complete a *census*, reported they would statistically test whether their respondents after data collection were representative to their state's population of school leavers with IEPs on disability type, ethnicity, and gender.

The sampling plans described in the SPPs were examined to determine if sufficient detail was provided to judge the adequacy of the plan.

- Of the 30 states that reported the use of a census, only 1 state was *judged by NPSO staff as providing sufficient detail to be able to assess the adequacy of the plan for the development of their census*.
- Of the 23 states that reported the use of a sampling plan, 11 states' *sampling plans were judged as providing sufficient detail to assess the adequacy of their sampling plan*. Of these 11 states, 6 states indicated that they have used, or are using, the NPSO sampling calculator to establish a representative sample.
- The 6 states that *did not specify clearly whether a sample or a census* would be completed were *judged not to have an adequate plan* to develop a representative respondent pool.
- In total, 12 (23% of the total of 59) states were judged to have presented *either a census or sampling plan in sufficient detail to judge the adequacy* of those plans

and to believe that their approach would produce a representative picture of school leavers in their respective state.

Section III: Establishing the Data Collection System

This section describes the definitions states report they are planning to use for competitive employment and post-secondary education, and the methods states report they are planning to use to collect data on school leavers with IEPs.

As presented in Table 1, 43 (71%) states reported a definition for competitive employment and 39 (66%) reported a definition for post-secondary education. Of the 43 states reporting a competitive employment definition, 29 report using the definition of competitive employment found in the Vocational Rehabilitation Act (29 U.S.C. 705(11) and 709(c)). Of the 39 states that defined post-secondary education, 21 states reported definitions that included (a) the type of education, (b) whether enrollment was full- or part-time enrollment, and (c) what constitutes full-time enrollment.

Table 1. Summary of states reporting an existing data collection system

Question	No		Yes	
	N	%	N	%
7a. Does the state report a definition for competitive employment?	16	27%	43	73%
7b. Does the state report a definition for post-secondary education?	20	34%	39	66%

Relative to the method of data collection:

- 53 (90%) states reported a plan to use a *survey*.
- 5 (8%) states *did not indicate a specific data collection method*.
- 1 (2%) state reported a plan to use *extant data*.

Of the 53 states who reported a plan to conduct a survey,

- 20 states reported they would use an interview (i.e., *phone or face-to-face contact*).
- 19 reported they would use a combination of survey methods (i.e., phone and mail).
- 11 *did not report* a specific survey method.
- 2 reported they would use a *mail survey*.
- 1 reported they would use a *web-based survey*.

States often reported *who was responsible for the data collection process* (e.g., contractor, the SEA, or LEA). Data collection responsibility was reported as follows:

- 24 *did not report* who would be responsible for data collection.
- 21 reported that data collection would be *completed by the state or local education agency*.
- 14 reported that a contractor would collect the data.

Finally, based on criteria in the coding protocol, NPSO staff judged that 8 (13%) states' data collection plans, as described, were sufficient to ensure the adequacy of collecting post-school outcome data.

Section IV: Identifying Future Technical Assistance

Through the coding process, we identified those states that reported the use of some type of technical assistance (TA) to support the state in the development and implementation of their post-school outcome data collection process. The types of technical assistance included: (a) NPSO, (b) RRCs, and (c) research experts in the field. To address the directions we received from OSEP, we report the number of states to whom we have provided technical assistance.

Twenty-one (35%) states reported in their SPP a plan to access technical assistance in the future. To date, the NPSO Center has provided direct technical assistance to 59 (98%) of the 60 states. Of these 59 states, 46 (78%) states have received multiple contacts within and across the types of TA. The types of TA provided to states, based on OSEP's defined TA categories, include:

- 58 (97%) states have received some type of information about Indicator 14 provided directly by the NPSO. The method to provide such information included: (a) teleconferences, (b) participation in the NPSO Community of Practice, (c) information requests directly from states via e-mail or phone, and (d) attending an informational conference session at a non-NPSO sponsored conference.
- 49 (82%) states have participated in a NPSO sponsored conferences. The NPSO sponsored or co-sponsored two national conferences: (a) NPSO National Forum in March of 2006 and (b) an Indicator 1, 2, 13, & 14 targeted conference co-sponsored by the NPSO, NDPC/N, and NSTTAC in September 2006.
- 8 (13%) states have received direct on-site consultation by NPSO staff.
- 4 (7%) states have participated in regional trainings to support the linkage of Indicators 1, 2, 13, & 14.

INDICATOR 15: GENERAL SUPERVISION

Prepared by NCSEAM

Indicator 15 is to determine whether the State's "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." This indicator is measured as the "the percent of noncompliance corrected within one year of identification." The performance target for this indicator is 100%.

The measurement of this indicator also requires of the State that "for any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken." The Instructions direct that "States must describe the process of selecting LEAs for monitoring." Additionally, States are to describe the results of the calculations and compare to the target, reflect monitoring data collected through the components of the general supervision system, and grouping of areas of noncompliance.

BASELINE (2004-05) COMPARED TO ACTUAL (2005-06) COMPARED TO TARGET

Of the SPPs and APRs reviewed for the 60 States and Territories, the following comparisons are offered:

- Met 100% target for 2005-06: 15
- Met 100% target both years: 7
- Maintained performance: 1 (97%)
- Showed progress in performance: 21
- Appeared to show progress in performance: 7
- Showed slippage in performance: 12
- Appeared to show slippage in performance: 1
- Could not compare: 11

There are several caveats to the above comparisons. First, there were a number of instances in which States did not report numbers. In other instances, numbers were provided for a part of the calculation (i.e., findings), but not another (corrections).

In 60% of the SPPs/APRs reviewed, the number of findings was included, while 72% of States included the number of findings corrected within a year.

Second, there were instances when States did not re-calculate baseline from last year so that clean comparisons to this year's actual data could not be made. In some instances, numbers were not included in the 12/2005 SPP so a re-calculation could not be made.

Third, those States reported as "Appeared to show..." were ones for whom in making comparisons: 1) NCSEAM re-calculated baseline from numbers in the SPP and/or 2) calculated the percent from numbers in the APR and/or 3) there were no numbers or

percents, yet narrative stated something like “all noncompliance corrected” and/or 4) data were reported both years by A, B, and C.

It is important to note the amount of slippage varied greatly. For example, two of the States reported in the “showed slippage in performance” section slipped from 100% to 97% correction of compliance, another from 100% to 93%, and one from 93% to 90%. Most of the slippage was relatively small; however, in some instances there were more than 30 percent point decreases.

Progress also varied greatly. Progress ranged from a few percent point increases (97% to 99.5%) to more than 60 percentage points (22% to 87%).

As noted, NCSEAM was unable to make comparisons for 11 states or 18%. An example of the difficulty of comparison is the State that in the revised SPP did not aggregate to a total percent and did include numbers.

METHODS OF SELECTION

The most common methods for selecting LEAs for an on-site monitoring visit were cyclical selection and focused selection. It is important to note that several States identified both cyclical and focused selection. A few States indicated they select based on a review of LEA self-assessments. Four States did not include information sufficient to determine how LEAs are selected.

Cyclical selection was described by 58% of States. Some States also identified this as traditional monitoring. The selection of a specific LEA is based on the number of years to visit every LEA on site. The range in the cycle of years was three years to six years.

Focused selection was identified by 38% of the States. Terms used included focused selection, focused monitoring, or focused system. In most of the SPPs/APRs, the State identified the selection variables. These usually related to SPP indicators; for example, several States identified graduation rates or assessment performance or gap.

There were instances in which States had multiple selection variables. A State would select an LEA based on a combination of performance on several indicators; for example, the State would review performance of each LEA on graduation and dropout rates, assessment performance, LRE, and previous monitoring results in making the selection.

METHODS OF MONITORING

In conducting the analysis this year, an attempt was made to examine the monitoring activities States use, both on-site and off-site. It is recognized that some methods could be used off-site, as well as on-site. NCSEAM was unsuccessful in differentiating activities as on-site or off-site in most SPPs/APRs.

Most States identify multiple methods of conducting reviews and monitoring activities. Methods included in the analysis checklist included:

- Self-assessment
- Data review
- Surveys (parents, providers, administrators)
- Desk audits
- Child record reviews
- Administrator record review
- Interviews (parents, providers, administrators)
- Focus groups/Group meetings (parents, providers, administrators, students)

The list of methods was not considered exhaustive. Because States do use multiple methods, the percents do not sum to 100. The most frequently identified methods were

- Self-assessment - 58%
- Data review - 58%
- Child record review - 57%
- Dispute resolution - 60%

Methods not included above were recorded on the analysis form. A number of States identified fiscal or financial reporting, as well as dispute resolution. Three States did not describe any methods used during monitoring activities.

ENFORCEMENT

According to the Instructions, States were to describe actions to be taken when noncompliance was not corrected within one year. Enforcement actions or sanctions were listed in 62% of the SPPs/APRs reviewed, albeit minimally. Some listed actions were technical assistance, loss of funds, public reporting of the noncompliance, mandatory training, loss of accreditation, hiring of consultant at district expense, and monthly on-site visits. It is of interest to note that in about 6% of the documents reviewed there was mention of the determination process.

IMPROVEMENT ACTIVITIES

As might be expected, the majority of States noted most of their activities as “improving systems administration and monitoring.” The next most frequent types or categories of activities were data collection and reporting and training.

Table 1: Summary of Improvement Activities Ranked from Most to Least Frequent

Improvement Activity Category	Percent of States
Improve systems administration and monitoring	100%
Improve data collection and reporting	73%
Provide training/professional development	65%
Clarify/examine/develop policies and procedures	36%

Provide technical assistance	20%
Increase/Adjust FTE	18%
Evaluation	7%
Collaboration/coordination	4%
Program development	2%

There was great variation in the number and the depth of description of the planned improvement activities. For example, the State with the fewest activities described how the monitoring activities were going to change. On the other hand, there were States that had 19 or more activities across at least five of the categories.

TECHNICAL ASSISTANCE CENTERS IDENTIFIED

An analysis of States' mention of a TA center, in either the Overview or the Description of Progress/Slippage sections or in the Improvement Activities, was included in this review. In 58% of the SPPs/APRs reviewed, no TA centers were identified. The three most frequently identified TA centers for this indicator were NCSEAM - 37%, Regional Resource Centers - 30% and ALLIANCE for Parent Centers - 3%.

TECHNICAL ASSISTANCE PROVIDED TO STATES

Of the 60 States and Territories, NCSEAM provided technical assistance to 50% of these during 2005-06. In rank order below are the types of assistance provided.

Table 2. Summary of Assistance to States and Territories Ranked by Type

Type of Technical Assistance	Percent
Information <u>and</u> Consultation	15%
Information <u>and</u> Regional or State Group Assistance <u>and</u> Consultation	13%
Information <i>only</i>	11%
Regional or State Group Assistance <i>only</i>	2%

While the table above is technically accurate, it fails to capture some of the subtleties of providing technical assistance. In other words, the table shows that 11% of States received information only; however, 48% of States received information, either as the only or in combination with another service. Similarly, 17% of States received technical assistance regionally or for a State group and 28% received consultation on-site in conjunction with another type of TA.

CONCLUSIONS

Comparing the SPPs from December 2005 to APRs February 2007 for this indicator provides a sense that States had a greater understanding of what was required, both descriptively and in calculation. Yet many States continue to struggle to describe a

general supervision system that both identifies and corrects noncompliance. It can be noted in reading the descriptions that States are reviewing, refining, and enhancing their general supervision systems.

There was definitely a sense that enforcement – actions taken when noncompliance exceeds one year - was described by more States in this submission than in previous submissions; based on the 12/2005 analysis, 50% of States addressed enforcement, while 62% included descriptions of enforcement in this submission.

There continues to be difficulty obtaining a complete picture of how States conduct monitoring activities; for example, 58% of the States identified some type of self-assessment or self-review. It was difficult, however, to determine 1) the purpose of the activity; 2) whether the State reviewed, analyzed or used the self-assessment; and 3) whether findings of noncompliance were or could be obtained from the self-assessment. Similarly, States indicated that data reviews, desk audits, and surveys were used as part of the process, yet to what purpose was often not clear.

Improvement activities spanned the spectrum. A few States wrote activities that appeared to be aimed at maintaining and continuing existing activities. Some States described how they were revising or enhancing monitoring activities. It was clear, however, that in a number of States a “deliberative process” was being used to design the activities and critically review the State’s progress in completing the activities, as well as determining their effectiveness.

There continues to be greater emphasis on the on-site monitoring activities than activities conducted off-site. However, as noted above, States are beginning to include descriptions of off-site methods of monitoring such as desk audits and self-assessments. It is considered that continued use of the paper *Developing and Implementing an Effective System of General Supervision*, shared with States during the Regional Regulations Implementation Meetings would be helpful to States.

INDICATORS 16, 17, 18, AND 19: COMPLAINT TIMELINES, DUE PROCESS TIMELINES, HEARING REQUESTS, AND MEDIATION AGREEMENTS

Prepared by CADRE

This document summarizes 2005-06 State Annual Performance Reports for the dispute resolution indicators under Part B. These include:

- APR 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.
- APR 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.
- SPP Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.
- APR Indicator 19: Percent of mediations held that resulted in mediation agreements.

METHODOLOGY:

CADRE compiled from each state report either verbatim or edited text explaining system structure and comments regarding baseline, target achievement and explanations of progress or slippage, as well as discernible improvement strategies. Information was compiled only from the APR for the APR indicators. Thus, improvement strategies referenced in the APR to the SPP without any other explanation may not be reflected in this summary.

Five individuals were involved in compiling the data. As a check on reliability, about 20% of the state reports were reviewed by two raters and their results compared. The criteria for agreement was (1) whether the content as a whole was accurately reflected and (2) whether the improvement strategies for a given indicator resulted in the same strategy coding. Reliability for content and improvement coding of strategies averaged about 90%. Coding for SPP revisions reported, baseline and targets was more than 95%. We believe that this process ensured reasonably reliable coding of each indicator within states. Differences in how states report (e.g., paragraph form without clear reference to individual activities or strategies vs. table-based activity lists and reports) make it difficult to compile comparable summaries across states. Reviewers attempted to ensure that any improvement strategy reported or strongly implied was reflected in the summary.

The numbers recorded for this summary are from the text section of the APR. The numbers states report in the text of the APR and SPP are not necessarily the same as the numbers reported in Table 7. As of this writing, CADRE is still working with states to verify data reported in Table 7.

SUMMARY AND ANALYSIS:

Baseline Data, Targets and Performance

Timeliness of complaint investigations and due process hearings

All states established 100% targets for both of these indicators. Of the 60 states and other entities reporting, 54 states (90%) reported Indicator 16 (complaints) performance data from 2005-06. Only 25 states/entities (42%) reported change data from 2004-05 to 2005-06. For Indicator 17 (due process), of the 60 states reporting, 52 (87%) states reported indicator performance for 2005-06, with only 21 states/entities (37%) providing 2004-05 baseline data. Table 1 displays the ranges of performance on baseline (2004-05) and current year (2005-06).

<i>Table 1: Complaints and Hearings Timeliness</i>				
	Indicator 16		Indicator 17	
Performance:	# States Reporting 04-05 Baseline	# States Reporting Actual 05-06 Data	# States Reporting 04-05 Baseline	# States Reporting Actual 05-06 Data
Blank or N/A	35	5	38	8
≤ 50%	1	3	3	1
>50% & ≤75%	4	0	2	5
>75% & ≤85%	3	4	2	3
>85% & ≤100%	7	12	5	7
100%	10	36	10	36
Total n =	60	60	60	60

The range of performance for 2005-06 for Indicator 16 (complaints timelines) showed 36 states reporting 100% on time performance, with 5 states reporting no activity. Of the 19 states reporting less than 100% on-time performance, all but 2 are larger states. Of the 25 states reporting data for both 2004-05 and 2005-06, 4 showed lower performance in 2005-06, with 8 maintaining 100% for both years, and 13 states showing improved performance. For the 55 states reporting on Indicator 16, the average reported on-time rate was 94%. This is not a national on-time rate but an average of state reported rates.

For Indicator 17 (hearing timelines), 36 states reported 100% on-time performance, with 8 states not reporting or reporting no activity. Of the 16 states reporting less than 100% on-time performance, again, all but 2 are larger states. For the 52 states reporting on

Indicator 17, the average of those state reported numbers was 93%. This is not a national on-time rate but an average of state reported rates. Of the 21 states reporting data for both 2004-05 and 2005-06, 3 showed lower performance in 2005-06, with 8 maintaining 100% for both years, and 10 states showing improved performance.

Resolution Settlement Agreement Rates - Targets and Performance

Table 2 summarizes baseline data (2005-06) on Indicator 18 and targets set through 2010-2011 for Indicator 18. Forty-five entities (75%) reported baseline data, with only one of those states reporting 0%. That is, 44 states that had at least one resolution meeting, also had at least one settlement agreement. Non-reporting states (n = 15, or 25%) indicated that they either had no hearing requests that would trigger a resolution meeting, that the state was only able to track resolution meetings which did end in agreement (e.g., incomplete data collection), or that they were not prepared yet to collect the data on resolution meetings and their outcomes.

The reported rates for Indicator 18 (resolution meetings resulting in a settlement agreement) tend to be lower than reported mediation agreement rates. A resolution settlement agreement is defined as a written, legally binding agreement that is achieved within the 30-day resolution period. reporting on these agreements may be compromised by the narrowness of this definition, although most states explicitly note this limit in the reported numbers. The average of state rates for Indicator 18 was 60%; this may be a high estimate, because some states were unable to report accurately the number of resolution meetings held. Settlements that occur after the 30 days, as well as settlements achieved through mediation are not counted here. A more complete picture of how due process complaints are resolved in a given state will require a combined look at resolution settlement agreements, mediation agreement rates related to due process, and the report of due process complaints “resolved without a hearing.”

<i>Table 2: Indicator 18 Performance reporting</i>						
Performance:	# States reporting 05-06 Baseline	# States reporting 06-07 Target	# States reporting 07-08 Target	# States reporting 08-09 Target	# States reporting 09-10 Target	# States reporting 10-11 Target
Blank or N/A	15	18	18	18	18	19
≤ 50%	17	14	14	13	11	11
>50% & ≤75%	13	16	16	16	18	13
>75% & ≤85%	1	4	4	5	5	8
>85% & ≤100%	5	5	5	5	5	6
100%	9	3	3	3	3	3
Total n =	60	60	60	60	60	60

The most commonly stated reason for not establishing targets was that the state/entity had experienced fewer than 10 resolution meetings and was not required to establish a target until they had more activity. While a few states set 100% targets, some states set

targets based on their experience with mediation (75-85%). Most states, however, set targets in line with their initial experience with resolution meetings. More experience with the relative contribution that resolution meetings make toward settling the issues raised in hearing requests will allow more realistic and meaningful target setting for this indicator.

Mediation Agreements - Target and Performance

Table 3 displays how states reported on baseline (2004-05) and 2005-06 target and actual performance measures for mediation agreements. Only 24 states reported baseline prior to the current year, allowing a comparison of performance across years. Seventy percent of states that set mediation agreement targets (37 out of 53), set target rates of 75% or higher. Only 24 states out of 44 reporting 05-06 data achieved rates of 75% or higher, with no states reporting a 100% agreement rate.

<i>Table 3: Indicator 19 Performance reporting</i>			
Performance:	04-05 Baseline	05-06 Target	Actual 05- 06 Data
Blank or N/A	36	7	16
≤ 50%	1	2	3
>50% & ≤75%	5	14	17
>75% & ≤85%	7	20	17
>85% & ≤100%	7	11	7
100%	4	6	0
Total n =	60	60	60

The mean of state reported mediation agreement rates was 76% for the 05-06 target and 72% for the actual 05-06 actual performance. This is not a national rate but an average of state reported rates. Forty-three (43) states reported both a target and performance for Indicator 19 in 2005-06. Of these, 22 states met or exceeded their target; 21 states fell short of their target.

Involvement of OSEP Funded TA Agencies Reported by States:

CADRE and Other TA Project Involvement Reported by States:

CADRE identified 45 instances where states named TA centers in their APRs. These mentions of TA agencies were in 25 of the 60 APRs reviewed. For these 4 indicators, only CADRE and RRCs (NERRC, MSRRRC, SERRC, MPRRC, WRRRC) were referenced clearly (participation or reference to a specific sponsored activity) or explicitly named. CADRE was named a total of 36 times by 19 states. Most states did not acknowledge or reference participation in activities for which CADRE has recorded their participation.

The kinds of CADRE assistance referenced included:

- Use of the CADRE web site and the “Continuum of Dispute Resolution” in planning for expanded dispute resolution options in the state
- Participation in CADRE symposia
- Participation in the SERRC/7PAK regional conference on dispute resolution systems improvement
- Use of the CADRE systems planning tools in reviewing state dispute resolution system operations
- Involvement of CADRE in conducting in-state training or technical assistance
- Use of CADRE state data summaries in examining state dispute resolution system performance
- Distribution of CADRE materials (e.g., *Special Education Mediation – A Guide for Parents*)

State Participation in CADRE Activities as Registered by CADRE:

Table 4 summarizes the number of states by indicator for which CADRE has records that they have participated in CADRE TA.

CADRE cataloged participation by states in the various types of CADRE provided TA. CADRE operates ListSerts on which most states have representatives. There are ListSerts addressing mediation/dispute resolution in general, state written complaints, and due process hearings. CADRE’s widest ranging delivery vehicles are information oriented. All states/entities have at least one representative on the “dispute resolution

<i>Table 4: CADRE Records of State Participation in TA</i>				
	Indicator 16	Indicator 17	Indicator 18	Indicator 19
A. <u>Information</u> – via mail, telephone, listserv, communities of practice	49	45	60	60
B. <u>Conference</u> – the State attended a CADRE conference/symposium	45	44	36	44
C. <u>Regional or State Group Assistance</u> – small group assistance to the State	16	16	8	16
D. <u>Consultation</u> – on-going consultation on-site in the State	6	6	4	6

coordinators/mediation” ListServ. The CADRE web-site averages over 1,300 unique visitors per day from throughout the country. In addition, CADRE has provided SPP/APR data summaries and CADRE publications to every entity. The assignment of a state to other types of TA receipt was based on symposia registration figures, contact

form tracking of information requests and records of direct consultation with the state over the course of the current CADRE funding period (since October 1, 2003). Symposia participation (TA type B) is based on participation of individuals from a state agency or contracted program in three CADRE Symposia (2004, 2005, and 2006).

Improvement and Maintenance Practices Reported

States approached the reporting of improvement achievements and future activities very differently. In some cases, states combined their SPP and APR, so that referencing back and forth was a simple matter of turning a few pages. This format seemed easier to read and more informative than separate reports. Most states submitted separate SPP and APR documents. In some cases, the APR referenced the SPP (e.g., “continue to implement SPP improvement strategies”) with no specific indication of what had been implemented in the past year. Based on clarifying direction from OSEP, CADRE did not attempt to follow every reference in a state’s APR back to text in the SPP. That is, we read the APR as if it was a stand-alone document. Other differences are apparent in how states report, with some using tables to clearly separate improvement activities carried out, planned, etc., and others providing paragraphs of text in which activities have been more or less explicitly described. The summaries we provide are based on trying to bring these differing styles into a common summary format.

Reports of Upstream and Early Resolution Activities

From its initial funding, CADRE has stressed the importance of agreement reaching and collaborative problem solving by parents and schools. The “CADRE Continuum” (<http://www.directionservice.org/cadre/continuum>) represents the range of dispute resolution activity we observe across states, from formal, required processes, to informal, collaboratively oriented activities. For this analysis, CADRE distinguished between “early resolution” activities (those that are conditioned upon a formal dispute filing – a written complaint, or a due process complaint) and “upstream” activities (aimed at providing parents and schools improved capability to resolve differences without resorting to formal processes). In this APR/SPP summary, CADRE identified 25 states that reported some form of these activities: 16 states reported upstream activities (e.g., parent and school training on communications skills and interest based negotiation, IEP facilitation on demand) and 13 states reported “early resolution” processes (e.g., IEP facilitation available only after a due process or complaint filing, early complaint resolution consultation after a written complaint filing). Ten states reported both upstream and early resolution activities.

This level of alternate dispute resolution reporting constitutes a substantial change from previous years. Prior to this APR/SPP cycle, states tended not to report activities other than those strictly required. CADRE knows, however, of a number of states that did not report such activities in the APR that have very active early resolution and upstream programs.

Frequency of Improvement Strategy Types Reported by States

Table 5 displays the number of states that CADRE coded as having reported a type of improvement strategy under a given indicator. CADRE coding of state activity averaged 5 or 6 “improvement strategy” codes per state per indicator.

<i>Table 5: # States reporting Improvement Strategies by Strategy Type and Indicator</i>				
Improvement Strategies Reported:	Ind. 16	Ind. 17	Ind. 18	Ind. 19
A. Improve data collection and reporting	22	24	34	17
B. Improve systems administration and monitoring	29	31	25	18
C. Provide training/professional development	38	41	37	43
D. Provide technical assistance	10	8	14	11
E. Clarify/examine/develop policies & procedures	23	21	27	20
F. Program development	6	3	3	8
G. Collaboration/coordination	7	7	8	6
H. Evaluation	15	14	13	19
I. Public Awareness	14	9	20	22
J. Increase/Adjust FTE	21	14	7	11
Grand Total (# states/entities reporting at least one strategy for the indicator)	53	52	54	55

As might be expected in an educational system, training was a predominant theme of improvement strategies. Data collection, improving system administration and monitoring, and clarifying/developing policies and procedures were also common across indicators and states.

Table 6 displays the same information as in Table 5 but by percent of states that CADRE coded as having reported a type of improvement strategy under a given indicator. Increases or adjustments in FTE were most common under Indicator 16. On-time performance appears to be better for Indicator 16 (complaint reports completed within timelines) than for Indicator 17 (hearings completed within timelines). The more frequent use of FTE adjustment for Indicator 16 may reflect the more direct control that

Special Education divisions have over the process of written complaints investigation and reporting.

<i>Table 6: % States reporting Improvement Strategies by Strategy Type and Indicator</i>				
Improvement Strategies Reported:	Ind. 16	Ind. 17	Ind. 18	Ind. 19
A. Improve data collection and reporting	42%	46%	63%	31%
B. Improve systems administration and monitoring	55%	60%	46%	33%
C. Provide training/professional development	72%	79%	69%	78%
D. Provide technical assistance	19%	15%	26%	20%
E. Clarify/examine/develop policies & procedures	43%	40%	50%	36%
F. Program development	11%	6%	6%	15%
G. Collaboration/coordination	13%	13%	15%	11%
H. Evaluation	28%	27%	24%	35%
I. Public Awareness	26%	17%	37%	40%
J. Increase/Adjust FTE	40%	27%	13%	20%

It is hard to imagine that some activity wouldn't be occurring under each of these types of improvement strategies, although what is reported may reflect only what some states consider "changes" or "improvements" in ongoing activities. For example, "Public Awareness" is an activity to some extent in all states – at a minimum, states must make available information on procedural safeguards. The relatively low reporting of public awareness activities, per se, suggests that these reflect states with more activity, or states with more complete reporting.

Examples of Specific Activities by Improvement Strategy Code:

After compiling and coding all identified improvement strategies, two CADRE reviewers examined the compilation for examples of specific activities typical of each improvement strategy type. CADRE used the "improvement strategy types" provided by OSEP for a framework, then identified where several states had reported an approach that represented activity under that strategy.

- A. 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 (DR) systems. Developing or connecting data systems. Example activities:
- Set up tracking for timelines and process specific to an indicator
 - Integrate timelines, process and outcomes tracking across data reporting options
 - Add specific elements to data collection (e.g., resolution process data)
 - Implement new or conduct major overhaul of existing data systems
 - Combine/align data systems with monitoring (e.g., to ensure Corrective Action Plan [CAP] implementation)
 - Analyze issues within or across dispute resolution options (e.g., common issue taxonomy)
- B. Improve systems administration and monitoring: Refine/revise monitoring systems, including continuous improvement and focused monitoring. Example activities:
- Use tracking system to manage work flow (e.g., planning assignment of complaints staff or hearing officer)
 - Use tracking system to monitor corrective actions, hearing decisions, or (rarely) mediation/resolution agreement implementation
 - Use tracking system to provide timeline/process reminders to dispute resolution practitioners
 - Conduct overall system reviews (typically quarterly or annually)
 - Use data on DR practitioner performance (e.g., timeliness, mediation agreement rates, participant satisfaction) in personnel evaluation and contract renewal
 - Integrate information on DR outcomes (e.g., HO decisions, CAP implementation) with SEA monitoring system
 - Design resolution process systems (e.g., responsibility for oversight [LEA, HOs, other]; data elements to be collected [timeliness, issues, agreements, process]; reports [to LEAs, HOs, parents])
- C. Provide training/professional development to State, LEA and/or service agency staff, families and/or other stakeholders. Example activities:
- Provide training on IDEA law and regulations to internal staff, DR practitioners, parents, school personnel, etc.
 - Provide training/awareness on procedural safeguards/DR options to parents and schools
 - Train individuals (e.g., mediators, district personnel, others) to facilitate IEP meetings
 - Provide process-specific skills training to DR practitioners (e.g., interview techniques for complaints investigators, decision writing for HOs, impasse management techniques for mediators)

- Train stakeholders (parents, school personnel) in skills (e.g., communication skills, interest-based negotiation) that make for more successful participation in resolution meetings, IEP meetings, or mediation processes.
- D. Provide technical assistance to LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs. Example activities:
- Provide TA to family members and parent organizations regarding DR options and collaborative problem solving
 - Encourage schools to develop early dispute resolution processes
 - Encourage families and schools to use early dispute resolution options
 - Support schools and DR practitioners to provide capable IEP facilitation
 - Make information on new legal requirements and processes easily accessible through web sites, hot-lines, etc.
- E. Clarify, examine, and or develop policies or procedures related to the indicator. Example activities:
- Align state regulations with IDEA
 - Revise procedure manuals, guidelines, handbooks, forms and materials
 - Develop guidelines, forms, and reporting requirements related to the extension of timelines (primarily re: due process and resolution meetings)
 - Develop policies and procedures related to implementing the resolution meeting, especially the role of LEAs and reporting requirements to SEAs
- F. Program development: Develop/fund new regional/statewide initiatives. Example activities:
- Implement IEP Facilitation services (e.g., on request of a school or a parent, or contingent upon a complaint filing)
 - Establish informal complaints intake, tracking and response systems to get earlier resolution to issues prior to formal filings
 - Expand DR other options (usually unspecified, e.g., systemic changes in DP system, “expanded dispute resolution options”)
- G. Collaborate/coordinate with families/agencies/ initiatives. Example activities:
- Coordinate with PTIs and other parent groups/organizations
 - Convene stakeholder/advisory committees or councils
 - Use stakeholder/advisory groups to assess system operations
 - Collaborate with parents groups and stakeholders to provide information, technical assistance, and otherwise promote ADR processes and resources
 - Improve communication between Special Education and the agency providing due process hearings

H. Conduct internal/external evaluation of improvement processes and outcomes. Example activities:

- Conduct broader system evaluation, integrating information from all dispute resolution options in review and improvement planning
- Engage stakeholder/advisory/work groups in evaluation and review of dispute resolution options and improvement planning
- Collect participant feedback and evaluation information (most often, but not exclusively, on mediation)
- Collect data from schools and DR practitioners on the effectiveness of dispute resolution options
- Contract with external evaluator to examine specific dispute resolution process (e.g., state written complaints and investigation process, or due process hearings system)

I. Develop/implement public awareness materials/campaign. Example activities:

- Deliver information on dispute options and procedural safeguards through statewide conferences, training programs, teleconferences, state and regional workshops, etc.
- Communicate revisions in state law, regulation, and agency procedures through SEA web sites
- Promote awareness through multi-media campaigns (e.g., radio, television, webinars, videos, internet, newspapers, other printed materials)
- Translate, print and disseminate materials in alternate languages
- Collaborate with parent training and information centers to develop and disseminate awareness materials on dispute resolution options
- Produce and share materials with stakeholders on the efficacy of resolution meetings and mediation.

J. Increase/Adjust FTE: Add or re-assign FTE at State level; assist with the recruitment and retention of LEA and service agency staff. Example activities:

- Add staff to investigate complaints
- Add hearings officers or increase hours contracted to conduct more hearings
- Increase the number of mediators available
- Realign administrative staff to support complaints investigations, track hearings timelines, etc.
- Improve contracting procedures for hearing officers and complaints investigators
- Make resolution facilitators available (resolution meetings, IEP facilitation)

INDICATOR 20: STATE REPORTED DATA

Prepared by Westat

BACKGROUND

Indicator #20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

Measurement of this indicator was defined in the SPP and 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 November 1 for exiting, discipline, personnel, and February 1 for the annual performance report); and (b) Accurate (describe mechanisms for ensuring accuracy).

Westat reviewed all of the FFY 2005 APRs for the 50 states, DC and 9 outlying areas. (For purposes of this discussion we will refer to all as states, unless otherwise noted.) First, our analysis focused on whether states met the OSEP due dates for the Section 618 data. Where possible, this was done for each individual data collection. (Note that this could not be done for some states because they only indicated that their data were submitted on time.) Second, we compared state reports of timeliness with Westat's receipt logs for the 618 data.

RESULTS

Forty states reported that their Section 618 data were submitted on time; 17 states reported they did not submit their data on time. Three states did not provide information on the timeliness of their 618 data. Twenty-three states reported their data were timely, but Westat's records indicated that one or more of their submissions were not timely.

Although our analysis shows that more than half of all states reported their Section 618 data on time, Westat's receipt log shows that all states (60 of 60) revised at least one of their 618 data submissions after the due date. From this we should not infer that states intentionally submit preliminary or placeholder data and we would not want to suggest that states stop correcting errors in their data. However, it calls into question whether data can be considered timely if they are not also accurate on the due date.