

TABLE OF CONTENTS

INDICATOR 1: GRADUATION RATE	1
<i>Prepared by the National Dropout Prevention Center for Students with Disabilities</i>	
INDICATOR 2: DROPOUT RATE.....	15
<i>Prepared by the National Dropout Prevention Center for Students with Disabilities</i>	
INDICATOR 3: ASSESSMENT	27
<i>Prepared by the National Center on Educational Outcomes</i>	
INDICATOR 4: RATES OF SUSPENSION AND EXPULSION	54
<i>Prepared by the Data Accountability Center</i>	
INDICATOR 5: LEAST RESTRICTIVE ENVIRONMENT (LRE).....	68
<i>Prepared by the National Institute for Urban School Improvement-Leadscape</i>	
INDICATOR 7: PRESCHOOL OUTCOMES.....	83
<i>Prepared by the Early Childhood Outcomes Center</i>	
INDICATOR 8: PARENT INVOLVEMENT.....	102
<i>Prepared by the National Parent Technical Assistance Center (NPTAC) at PACER Center, Region 1 PTAC at Statewide Parent Advocacy Network, Regional 2 PTAC at Exceptional Children's Assistance Center, Region 3 PTAC at Partners Resource Network, Region 4 PTAC at Wisconsin FACETS, Region 5 PTAC at PEAC Parent Center, and Regional 6 PTAC at Matrix Parent Network and Resource Center</i>	
INDICATORS 9, 10: DISPROPORTIONATE REPRESENTATION DUE TO INAPPROPRIATE IDENTIFICATION	115
<i>Prepared by the Data Accountability Center and the National Center on Response to Intervention</i>	
INDICATOR 11: TIMELY INITIAL EVALUATIONS.....	132
<i>Prepared by the Data Accountability Center</i>	
INDICATOR 12: EARLY CHILDHOOD TRANSITION.....	144
<i>Prepared by the National Early Childhood Technical Assistance Center</i>	
INDICATOR 13: SECONDARY TRANSITION	154
<i>Prepared by the National Secondary Transition Technical Assistance Center</i>	
INDICATOR 14: POST-SCHOOL OUTCOMES	161
<i>Prepared by the National Post-School Outcomes Center</i>	

INDICATOR 15: TIMELY CORRECTION OF NONCOMPLIANCE 181

Prepared by the Data Accountability Center

INDICATORS 16, 17, 18 AND 19: DISPUTE RESOLUTION UNDER PART B 191

*Prepared by the Center for Appropriate Dispute Resolution in Special Education
(CADRE)*

INDICATOR 20: TIMELY AND ACCURATE DATA 218

Prepared by the Data Accountability Center

INDICATOR 1: GRADUATION RATE

Prepared by NDPC-SD

INTRODUCTION

The National Dropout Prevention Center for Students with Disabilities (NDPC-SD) was assigned the task of compiling, analyzing, and summarizing the data for Indicator 1— Graduation—from the FFY 2010 Annual Performance Reports (APRs) and amended State Performance Plans (SPPs), which were submitted by states to the Office of Special Education Programs (OSEP) on February 1st of 2012. The text of the indicator is as follows:

Percent of youth with IEPs graduating from high school with a regular diploma.

This report summarizes 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 territories, and the BIE.

MEASUREMENT

The Part B Measurement Table indicates that states are to use the, “Same data as used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA).” These data are reported in the Consolidated State Performance Report exiting data.

Sampling is not permitted for this indicator, so states must report graduation information for all of their students with disabilities. States were instructed to, “Report using the graduation rate calculation and timeline established by the Department under the ESEA” and to, “Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2010 APR, use data from the 2009-2010 school year), and compare the results to the target for the 2009-10 school year. Provide the actual numbers used in the calculation.” Additional instructions were to, “Provide a narrative that describes the conditions youth must meet in order to graduate with a regular diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular diploma. If there is a difference, explain why.” Finally, states’ performance targets were to be the same as their annual graduation rate targets under Title I of the ESEA.

IMPLICATIONS OF THE GRADUATION RATE MEASUREMENT

The four-year adjusted cohort graduation rate defines a “graduate” as someone who receives a regular high school diploma in the standard number of years—specifically, four. Students who do not meet the criteria for graduating with a regular diploma cannot be included in the numerator of the calculation, but must be included in the denominator. The new calculation also excludes students who receive a modified or special diploma, a certificate, or a General Education Development (GED) from being counted as graduates. It is adjusted to reflect transfers into and out of the cohort (i.e., out of the school), as well as loss of students to death.

The equation below shows an example of the four-year graduation rate calculation for the cohort entering ninth grade for the first time in the fall of the 2006-07 school year and graduating by the end of the 2009-10 school year.

of cohort members receiving a regular HS diploma by end of the 2009-10 school year

of first-time 9th graders in fall 2006 (starting cohort) + transfers in – transfers out – emigrated out – deceased during school years 2006-07 through 2009-10

States may obtain permission from the U.S. Department of Education to report one or more additional cohorts that span a different number of years (for example, a five-year cohort or a five-year plus a six-year cohort, etc.). Because students with disabilities and students with limited English proficiency face additional obstacles to completing their coursework and examinations within the standard four-year timeframe, the use of such extended cohort rates can help ensure that these students are ultimately counted as graduates, despite their longer stay in school than the traditional four years. It should be noted that states are prohibited from using this provision exclusively for youth with disabilities and youth with limited English proficiency. Several states have taken advantage of this option, and it is likely that this provision for using extended cohorts will become more important in years to come as many states have increased their academic credit and course requirements for all students to graduate.

The requirement to follow every child in a cohort necessitates the use of longitudinal data systems that employ unique student identifiers. Most states have these in place, or are well on the way to developing such systems. A few states have had difficulty meeting this need and have had to request permission from the Department of Education to report using a different calculation method or data set.

CALCULATION METHODS

States will not be required to implement the new adjusted cohort rate calculation until the 2010-11 school year and many have not yet done so. In FFY 2010, only 20 states (33%) reported using the adjusted cohort calculation. Of the remaining 40 states, 30 (50%) reported a leaver rate, four states (7%) reported a cohort rate, three states (5%) reported an event rate, and three states (5%) reported using other calculations. Figures 1 – 5 show states' graduation rates, based on the type of calculation employed.

Figure 1

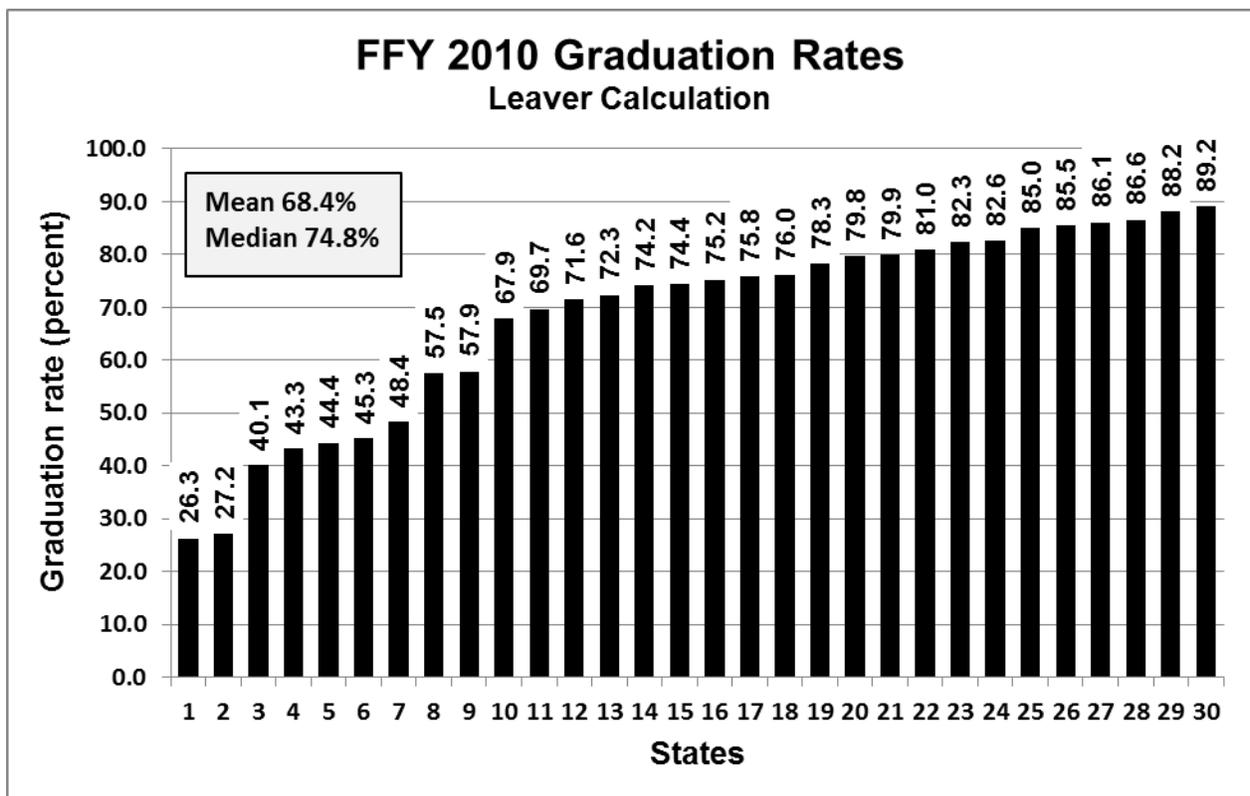


Figure 2

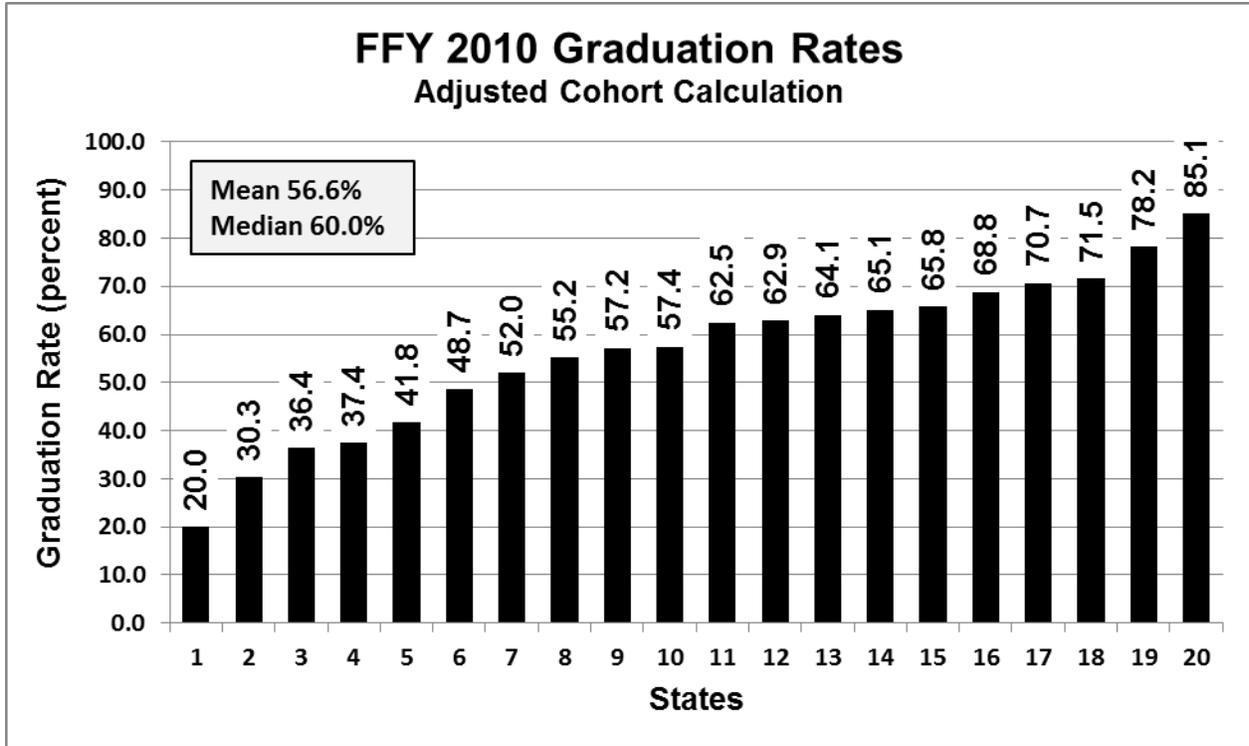


Figure 3

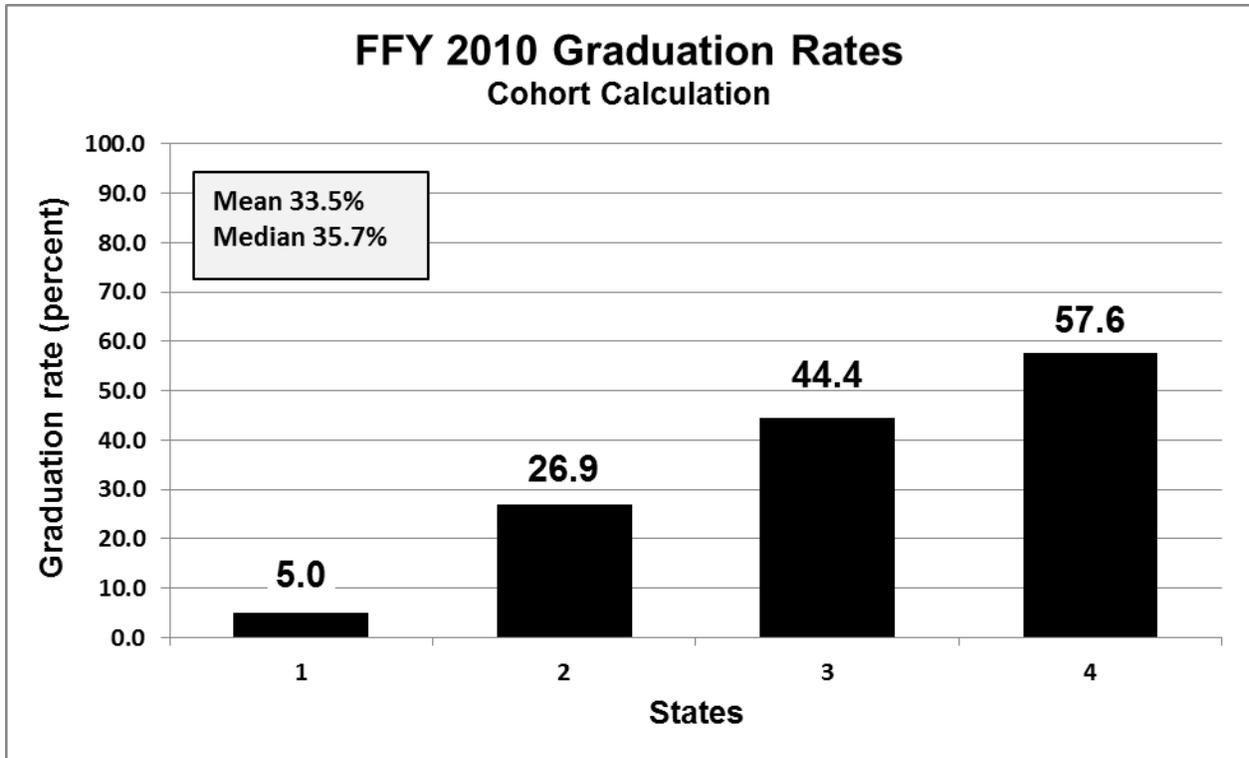


Figure 4

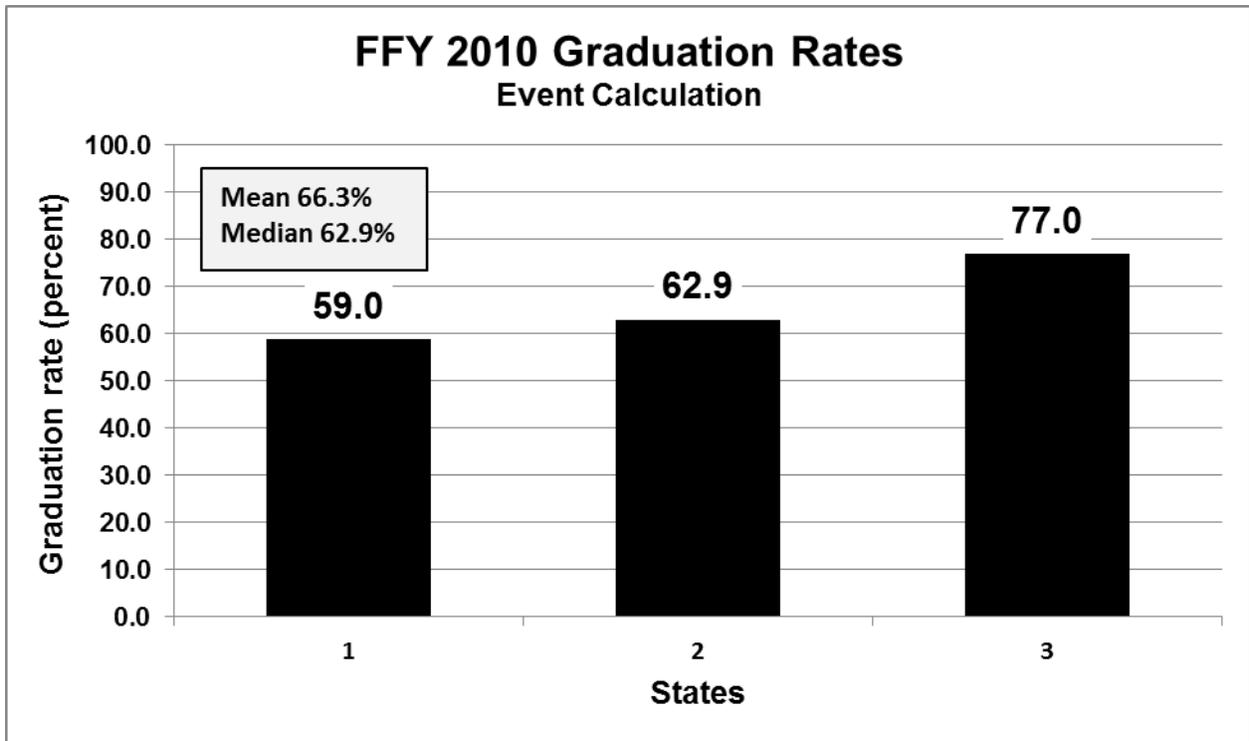
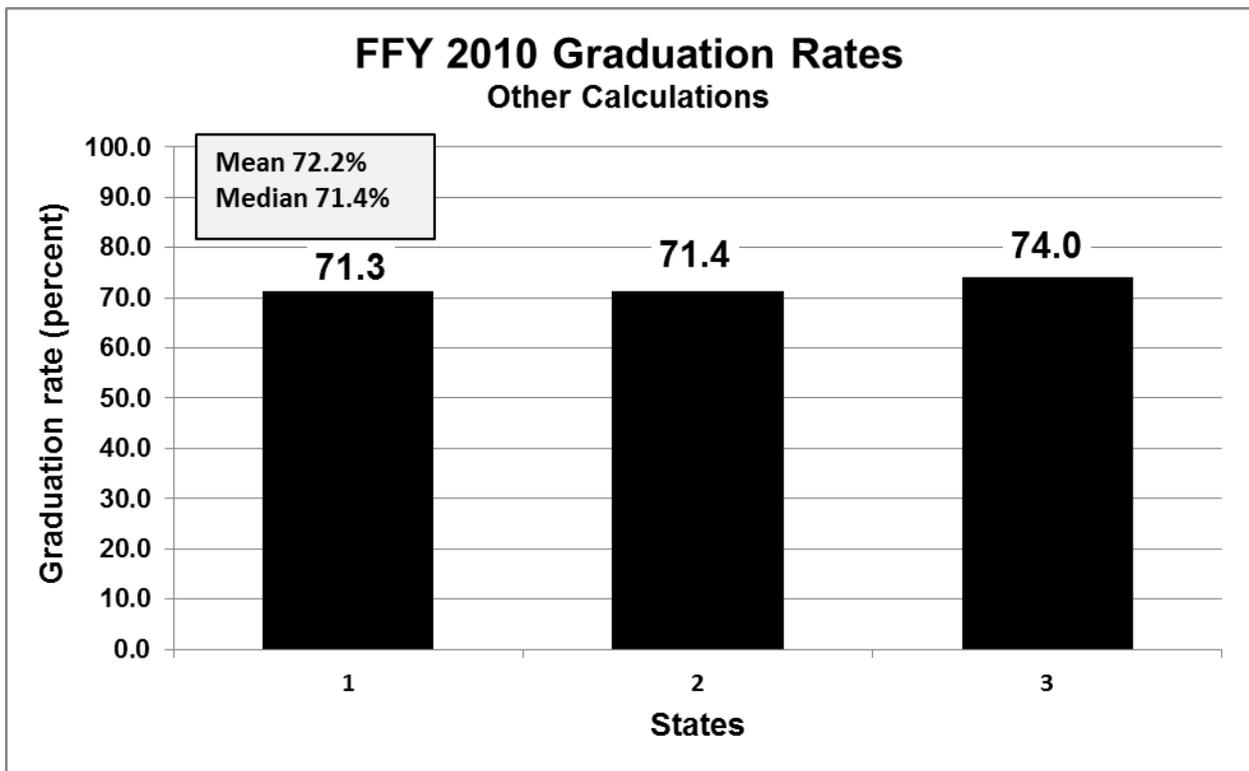


Figure 5



STATES' PERFORMANCE ON THE INDICATOR

As shown in Figure 6, 17 states (28%) met or exceeded their FFY 2010 graduation rate targets and 43 states (72%) did not. These results are down from FFY 2009, during which 25 states (42%) met their graduation rate targets. Of those that met their graduation target, 13 states (22%) also met their dropout rate target in FFY 2010.

A factor that adversely impacted states' performance against their targets was that 35 states (58%) raised their graduation rate targets from last year. As reported in the FFY 2009 APRs, targets ranged from 25.0% to 91.3% with mean of 71.2% and median of 75.3%. In the current APRs, targets ranged from 22.0% to 90.0% with mean of 72.8% and median of 80.0%.

Figure 7 shows that more than half the states (33 states or 55%) made progress and improved their rates, whereas 24 states (40%) reported a decrease (slippage) in their graduation rates from FFY 2009. One state's rate remained at the FFY 2009 level and two states were unable to make the comparison because they lacked comparable data.

Despite this progress, across each of the four common methods of calculation (leaver, adjusted cohort, cohort, and event formulas), average graduation rates for students with disabilities appeared to decline during FFY 2010. Several factors contributed to this. Some of them resulted in an actual decrease in the rate, whereas others are artifacts of changes in targets or measurement between FFY 2009 and FFY 2010.

One relatively minor factor in reducing the rates involves states that have very low numbers of students with disabilities. In these states, small fluctuations in the number of graduates from year to year can yield drastic swings in the graduation rate, thereby raising or lowering averages. Another fairly minor factor is the slight increase in the number of states that calculated an adjusted cohort rate (as opposed to an event or leaver rate). As indicated in Figures 1, 2, and 4, the adjusted cohort rates were generally lower than event or leaver rates. This year saw an increase in the number of adjusted cohort rates and a decline in the number of leaver rates, and as a likely consequence, a depression of the average graduation rates. Finally, at least one state reported that their FFY 2009 data was suspect, resulting in what appeared to be a substantial decrease in their rate from FFY 2009 to FFY 2010.

In examining Figure 7, it is apparent that the amount of slippage in those states whose graduation rate declined from FFY 2009 was generally greater than the amount of progress made by states that improved their graduation rate. The mean gain in states that made progress was 3.4% with a median of 2.3% (N=24), whereas the mean amount of slippage in states that slipped was -12.0% with a median of -5.3% (N=33).

Figure 6

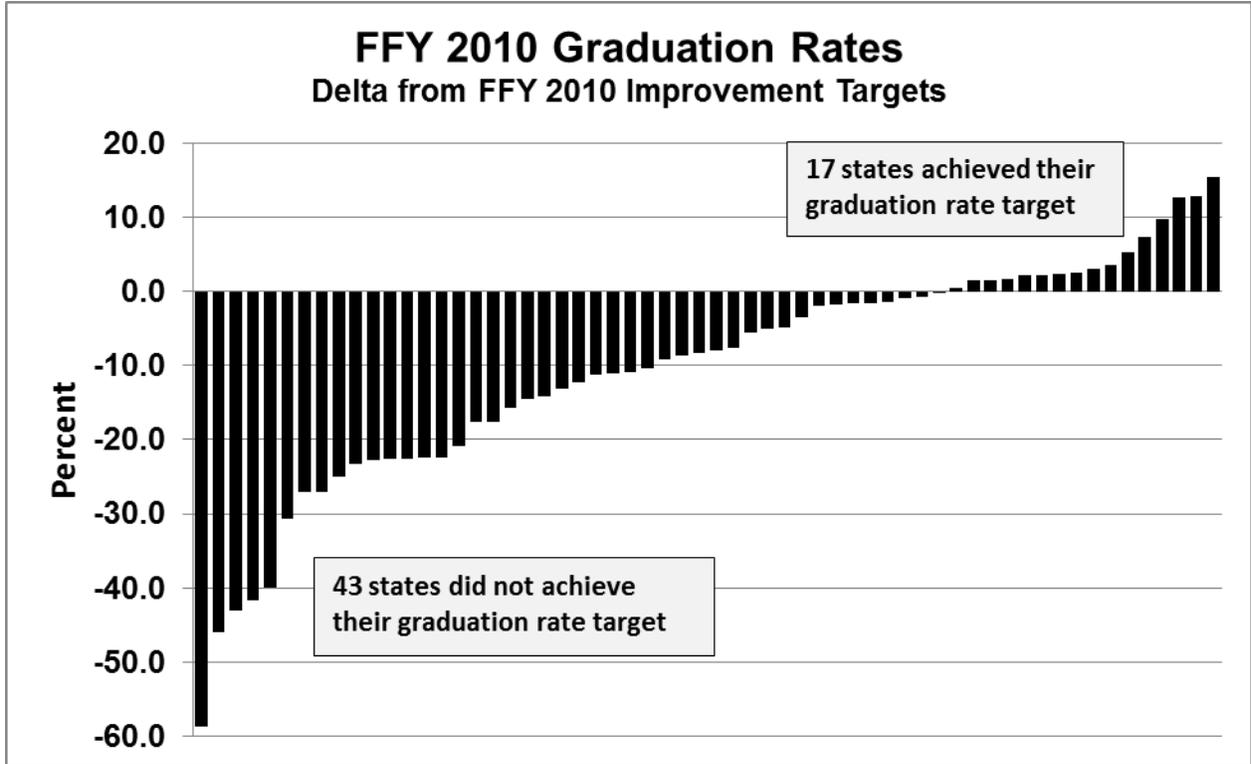
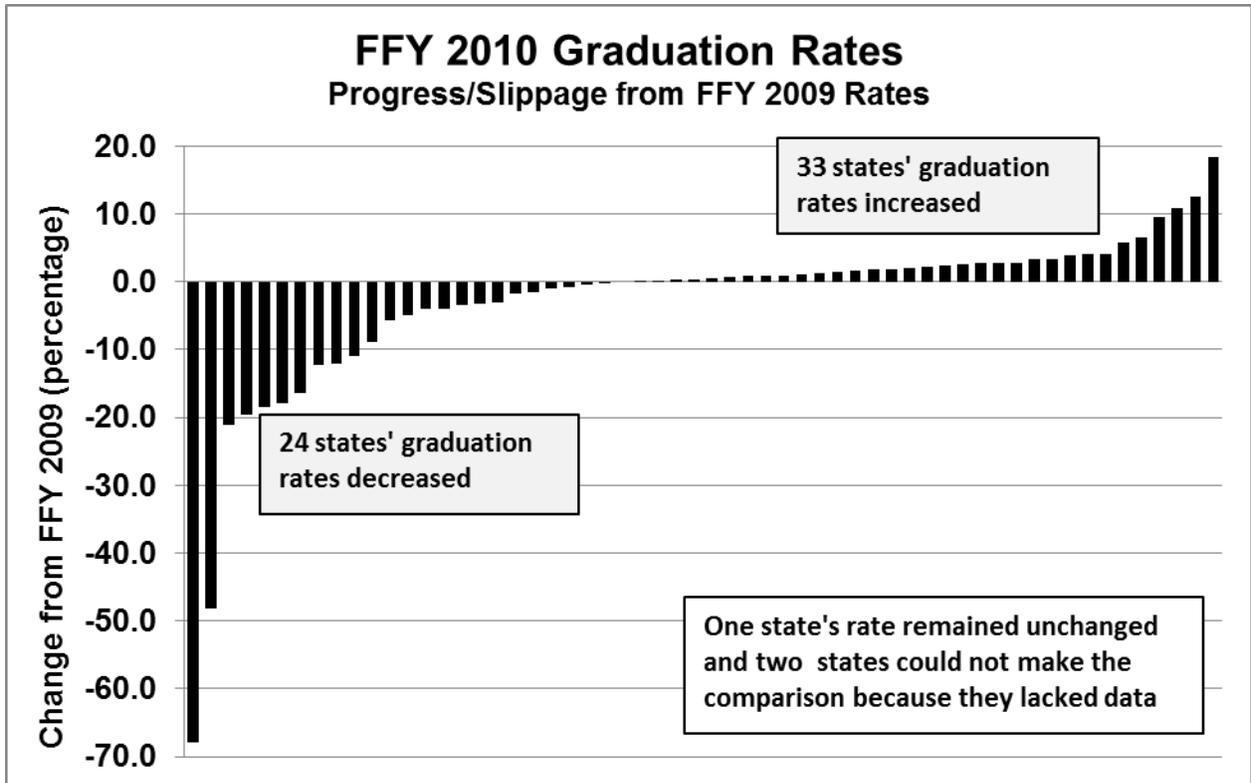


Figure 7



IMPROVEMENT STRATEGIES AND ACTIVITIES

States were instructed to report the strategies, activities, timelines, and resources they employed in order to improve the special education graduation rate. The range of proposed activities was considerable, though many states described the use of data-based decision making to guide improvement activities and to identify at-risk youth.

Most states acknowledged the connections between their activities for at least Indicators 1 and 2. Thirty-eight states (63%) reported the same set of activities for both indicators. Another nine states (15%) described activities common to both indicators. Many states clustered at least some, if not all, of their activities for Indicators 1, 2, 4, 13, and 14, indicators intimately tied to secondary transition. In these states, there was a concerted focus to promote successful secondary transition practices as a means to keep youth engaged in and participating in school-related activities. Additionally, 28 states (47%) also reported activities aimed at engaging parents and families in becoming partners in educating their children.

The use of research-based/evidence-based strategies and interventions as well as “promising practices” around school completion continued among states. Twelve states (20%) mentioned statewide efforts to identify (and subsequently disseminate) effective practices in their LEAs that focused on school completion. A handful of states described various efforts to develop a toolkit or suite of resources that LEAs could use to develop and support local school completion initiatives.

There are a number of evidence-based school-completion programs that have demonstrated efficacy for students with disabilities. The *IES Practice Guide on Dropout Prevention* (Dynarski, et al., 2008) describes several of these approaches to keeping youth in school and discusses the degrees of evidence supporting each. For example, it recommends the diagnostic use of data systems to support a realistic estimate of the number of students who drop out and to help identify individual students at high risk of dropping out. The practice guide also recommends assigning adult advocates to students at risk of dropping out as well as providing academic support and enrichment to improve academic performance. Additional research is under way to evaluate the efficacy of many of the other promising practices that address school completion, so additional evidence-based practices are on the horizon.

Table 1 lists several commonly described interventions and the number of states reporting their use in the APR.

Table 1

Evidence-based and promising practices reported in the FFY 2010 APRs

Nature of intervention	Number of states
Used research/evidence-based practices	48
Response to Intervention	44
Positive Behavior Supports	32
Parental/family engagement efforts	28
Academic initiatives	27
Vocational education / CTE	17
Credit recovery programs	11
Mentoring programs	9
Recovery/reentry programs	6

Statewide initiatives

Thirty-seven states (62%) reported that school completion was a state priority, though only 24 (40%) reported that they were developing or implementing any sort of statewide initiative that would impact their graduation, dropout, and/or reentry/recovery rates.

Georgia

One statewide initiative continues in the State of Georgia, which has implemented its GraduateFIRST initiative since 2007. The program currently has three cohorts of schools, for a total of 131 schools, all of which have developed and are implementing local school completion initiatives for students with disabilities. One reason for the success of this program is the ongoing support and follow-up provided to each participating school via Georgia’s network of collaboration coaches. The coaches, who were trained by NDPC-SD and State personnel under Georgia’s State Personnel Development Grant (SPDG), are each assigned several schools in which they support the local work, serving as trainers, mentors, content resources, and cheerleaders for the ongoing work. Additionally, the program is briefly described in a brief developed by the Regional Resource Center Program’s Student Performance and Achievement Priority Team. This brief may be found online at http://www.ndpc-sd.org/documents/12.Spotlight_GraduateFirst.pdf.

Kentucky

Kentucky is also implementing a statewide initiative focused on school completion. The State's continuous improvement monitoring process requires every district in which one or more students with disabilities drops out to conduct a root-cause analysis of their data at the district, school, and student level to identify the cause(s) of the dropout.

While this effort is focused only on youth with disabilities, the Kentucky Department of Education also developed the Kentucky College and Career Readiness (CCR) delivery plan to address school completion for all students. The plan focuses accountability at the school/district level to increase the rate of its students who leave high school ready for college, career, or both. One of the strategies of the CCR delivery plan is the collection and use of data. This has resulted in the development of the Persistence to Graduation Tool, an early warning tool that identifies students who are at risk of dropping out. Accompanying the data tool is a suite of evidence-based practices to address any needs identified in the school.

Alabama

Alabama's First Choice Initiative is a program designed to increase the graduation rate and to improve the post-school outcomes of Alabama youth with and without disabilities. It provides multiple pathways to graduation and provides a variety of safeguards and supports to assist struggling learners. The components of the program are: credit recovery, credit advancement (earning credit in non-traditional ways), graduation coaches for at-risk students, and multiple diploma options.

NDPC-SD intensive states

In collaboration with NDPC-SD, ten states (AR, BIE, LA, MI, MO, NE, NC, UT, WA, and WV) are currently working on statewide initiatives to improve their school completion rates. State Education Agency (SEA) and Local Education Agency (LEA) staff in these states are receiving training and technical assistance from NDPC-SD to help them develop model sites for dropout prevention initiatives or address other state/local data-related or other needs around school completion. Additionally, the State of Georgia and Miami-Dade County Public School District in Florida are continuing the work they initiated with NDPC-SD under its first round of OSEP funding.

Nebraska

Several states chose topics related to school completion for the Results portion of their OSEP continuous improvement visits in 2011. Among those states was Nebraska, which was already working intensively with the National Dropout Prevention Center for Students with Disabilities to develop, pilot, and disseminate a toolkit of resources and materials for schools to use in designing and developing local school completion initiatives. Nebraska wanted to leverage their work with NDPC-SD and reengage youth with disabilities who had dropped out of high school. Getting these youth back into

educational programs can be an effective strategy for improving the post-secondary outcomes for these youth.

In September 2011, Nebraska held its first stakeholder meeting, at which information about dropout, graduation, reentry/recovery, and other related topics was presented to and discussed with a broad stakeholder group. A product of that meeting was a 4-year strategic plan, which has the goal of developing, piloting, and disseminating (statewide) a reentry program for youth with disabilities in Nebraska.

Among the strategies Nebraska has chosen to support this goal are:

- 1) Increasing awareness at state and local level regarding dropout reentry strategies;
- 2) Increasing capacity of current programs focused on dropout prevention to target students with disabilities who have left school but remain eligible for special education;
- 3) Developing partnerships with other entities that can have statewide impact on providing reentry services to students with disabilities; and
- 4) Partnering with general education initiatives to increase graduation rates.

The State has posted information about their efforts and progress on this work at the following link: <http://www.education.ne.gov/sped/reentry.html>.

Examples of other improvement activities

Data-based decision making

Data-based decision making was a nearly ubiquitous activity, reported by 54 states (90%) in this APR in one form or another. States are examining their school completion data and considering that information when targeting technical assistance to LEAs, awarding LEA improvement grants, looking for effective practices, and identifying topics for professional development.

Eleven states (18%) described work on an early warning system using their longitudinal data to identify youth who are at risk of dropping out of school. The data being employed include information about students' attendance, behavior, grade retention, and academic performance on state assessments. In general, states that reviewed this sort of information about their students have experienced success in using it to inform their work. Examples of states that examined such risk and protective factors related to school completion include Alabama, Arkansas, Massachusetts, Michigan, Nebraska, and West Virginia.

While data-based decision making has a low level of supporting evidence in the educational literature, as discussed in the 2008 *IES Practice Guide on Dropout Prevention*, the practice is logical and essential for examining the factors within the school environment that contribute to dropout rates and for diagnosing the extent to

which schools will need to implement strategies to address dropping out. In addition, the implementation of any improvement strategy must involve continually returning to the individual student data to monitor the success of the strategy and to adjust approaches as needed. It should also be noted that the dearth of supporting evidence is more a result of the lack of studies that directly evaluate the effect this practice has on keeping youth in school than to its lack of validity.

As discussed above, while the use of data analysis is critical in identifying areas of need, it is not a strategy or intervention, *per se*, for keeping youth in school, but rather a tool to support the greater effort. Once the students' needs have been identified, it is necessary to provide rigorous instruction in academics, career skills, and self-advocacy in order to keep at-risk youth engaged in school and to foster their success.

Identification of effective practices

Kansas, Missouri, North Carolina, South Dakota, Tennessee, and Wisconsin were among the ten states that reported efforts to identify and examine the programs being implemented in their LEAs that had graduation rates above the state average. They are working to share these promising practices among the other districts in the state through various means, including websites, communities of practice, newsletters, and conference presentations.

Eleven states (18%) indicated in their APRs that they are actively engaging in evaluation of their improvement activities to identify those which yield measurable improvements in the desired impact area. The states incorporating evaluation into their improvement activities are Georgia, Hawaii, Iowa, Illinois, Indiana, Kansas, Kentucky, Nebraska, Pennsylvania, South Dakota, and Vermont.

Reentry programs

Including Nebraska, six states (17%) described reentry/recovery programs in their APRs. While there are many such programs around the country, most operate on a local level, rather than statewide, as Nebraska intends for their initiative. This makes it difficult to locate and identify them. Reentry programs may be operating in many states, but because of their local nature, they simply do not get reported in states' APRs.

Reentry programs generally involve a school system and a combination of one or more community agencies, businesses or business organizations, colleges or community colleges, or faith-based organizations. Their focus varies, depending on their genesis and the population they serve. One commonality is that reentry programs frequently offer options for credit-recovery—a necessity if the goal is to obtain a high school diploma, as the majority of returning students are credit deficient. Another common characteristic of reentry programs is their flexibility. The needs of the populations they serve are often quite diverse, so flexibility in scheduling, venue for instruction, mode of

instructional delivery, and entry/exit from the program are all beneficial elements that help them address their audiences effectively.

COMMONALITIES AMONG STATES THAT MADE PROGRESS OR MET TARGETS

Table 2 shows some of the school completion activities states engaged in and indicates whether they made progress from FFY 2009 or achieved their FFY 2010 targets for Indicator 1.

Table 2
States' performance and some of their activities

Improvement activity	Number of states that made progress	Number of states that met graduation target
Transition-related activities	31	17
Data-based decision making	30	15
Indicated graduation & dropout were a priority	22	11
Using one or more evidence-based practices	28	16
Statewide initiative related to school completion	16	8

Filtering the data to select states that made progress and engaged in all of the above activities leaves ten states (17%). Only five states (8%) met their graduation target and engaged all of the activities in the table above. The same five states met their target, made progress, and engaged in the above improvement activities.

CONCLUSIONS AND RECOMMENDATIONS

The overall quality of states' APRs for FFY 2010 was the best since the SPP/APR came into existence. States generally provided the required information about their definitions, calculations, and data in a clear form. The descriptions of improvement activities were generally more concise than in years past as well. As more states switch over to using the adjusted cohort rate calculation, it will continue to become easier to quantify states' improvements and compare progress for the nation overall.

While Indicators B1 and B2 are performance indicators (as opposed to compliance indicators), in these lean fiscal times there is increasing importance being placed on the identification of activities that will improve states' graduation and dropout rates for students with disabilities. The difficulty of judging what activities were most beneficial

based solely on the brief amount of information contained in the APR is a difficult task at best. Without knowing the particulars about each activity or intervention, its implementation within a state, and having some impact data for the activity, there is basically no way to determine what worked well and what did not.

To advance “the work” of improving school completion rates in the nation, more states need to engage in meaningful evaluation of their SPP improvement activities and to report on what worked in particular contexts for their students with disabilities.

Information of this nature can benefit other states struggling with similar issues. The Regional Resource Center Program has posted resources to support states in their evaluation of improvement activities at the following URL:

<http://www.rrcprogram.org/content/view/191/288/>.

INDICATOR 2: DROPOUT RATE

Prepared by NDPC-SD

INTRODUCTION

The National Dropout Prevention Center for Students with Disabilities (NDPC-SD) was assigned the task of compiling, analyzing, and summarizing the data for Indicator 2—Dropout—from the FFY 2010 Annual Performance Reports (APRs) and the revised State Performance Plans (SPPs), which were submitted to the Office of Special Education Programs (OSEP) in February of 2012. The text of the indicator is as follows:

Percent of youth with IEPs dropping out of high school.

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 territories, as well as the BIE.

MEASUREMENT

The OSEP Part B Measurement Table for this submission indicates that, "Sampling is not allowed." Additionally, it advises that states should provide state-level dropout data and that they should, "Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2010 APR, use data from 2009-2010), and compare the results to the target. Provide the actual numbers used in the calculation." States were also instructed to, "Provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain why."

Additionally, the Measurement Table indicates that states must, "Report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA." The instructions for completing the Consolidated State Performance Report (for ESEA reporting) instruct states to provide the dropout rates calculated using the annual event school dropout rate for students leaving school in a single year determined in accordance with the National Center for Education Statistics' (NCES) Common Core of Data (CCD) for the previous school year.

In the FFY 2010 APRs, most states followed the above guidance. The major exceptions were territories and commonwealths, which are not required to submit data under the ESEA. These states reported using their §618 exiting data.

CALCULATION METHODS

Though it is less of an issue now than in the past, comparisons of dropout rates among states are still confounded by the existence of multiple methods for calculating dropout rates and the fact that different states employ different calculations to fit their circumstances. The dropout rates reported in the FFY 2010 APRs were generally calculated using one of three methods: an event rate calculation, a cohort rate calculation, or an adjusted cohort rate calculation.

The NCES event rate, reported by the vast majority of states (47 states, or 78%), yields a very basic snapshot of a single year's group of dropouts. While the cohort method generally yields a higher dropout rate than the event calculation, it provides a more accurate picture of the attrition from school over the course of four years than do event or adjusted cohort methods. As the name suggests, the cohort method follows a group or cohort of individual students from 9th through 12th grades. Nine states (15%) reported a cohort-based dropout rate. Leaver rates provide an estimate of the dropout rate for a cohort of students. Calculations of this type generally result in higher rates than do event-rate calculations. This year, four states (7%) reported using a leaver rate.

Figures 1 – 3 show states' dropout rates, based on the method employed in calculating their dropout rate for the FFY 2010 APR (using 2009-10 data).

Figure 1

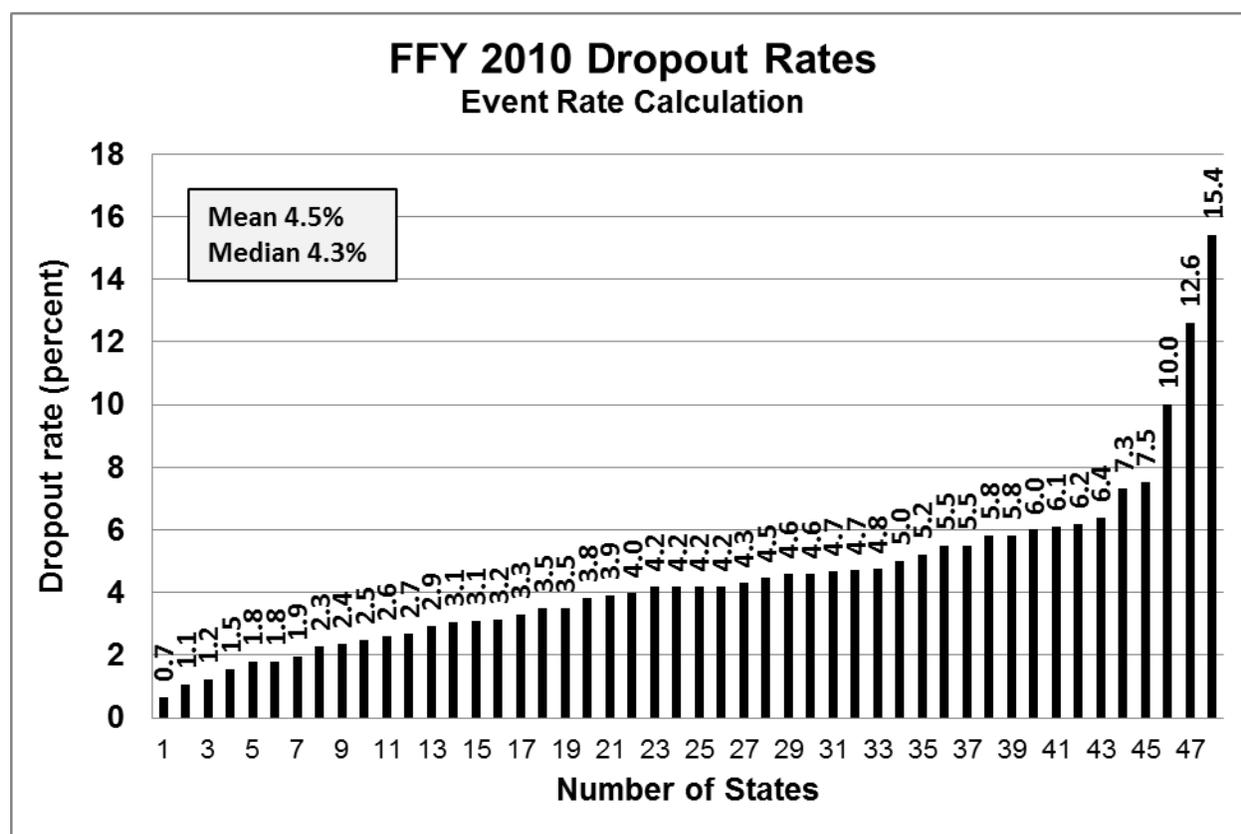


Figure 2

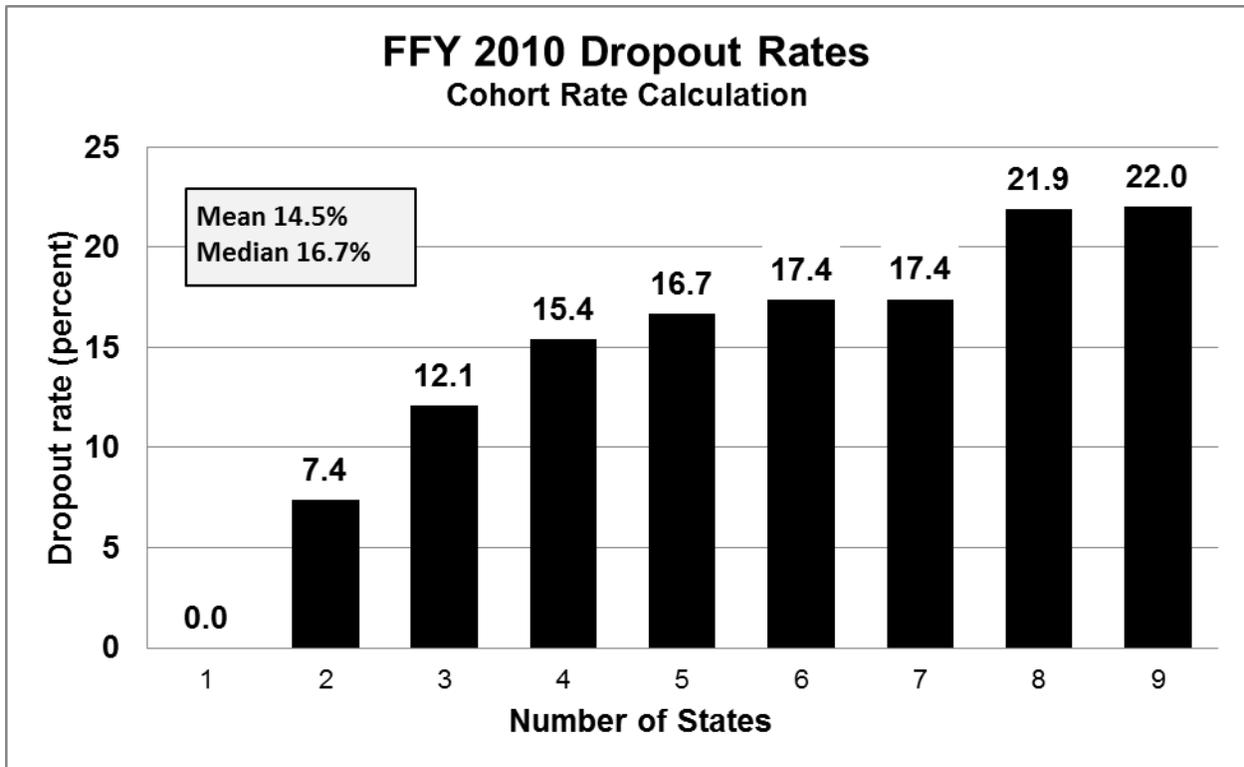
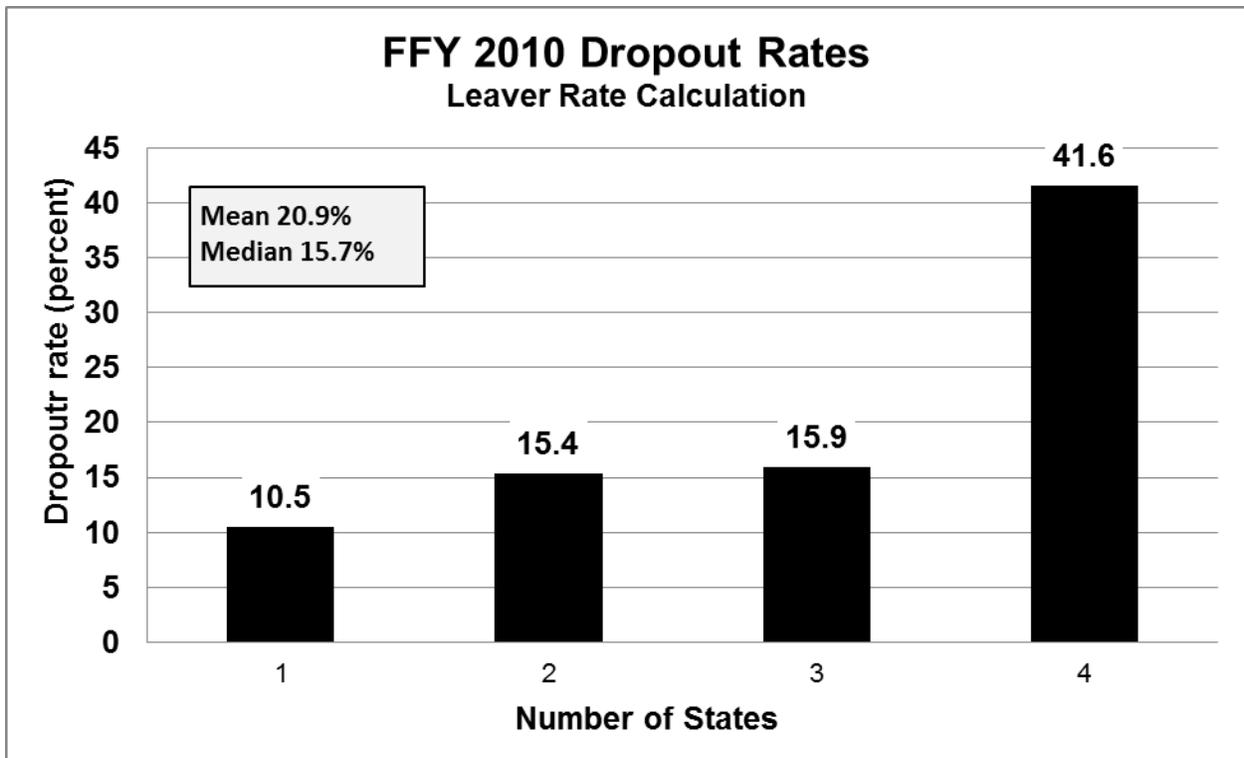


Figure 3



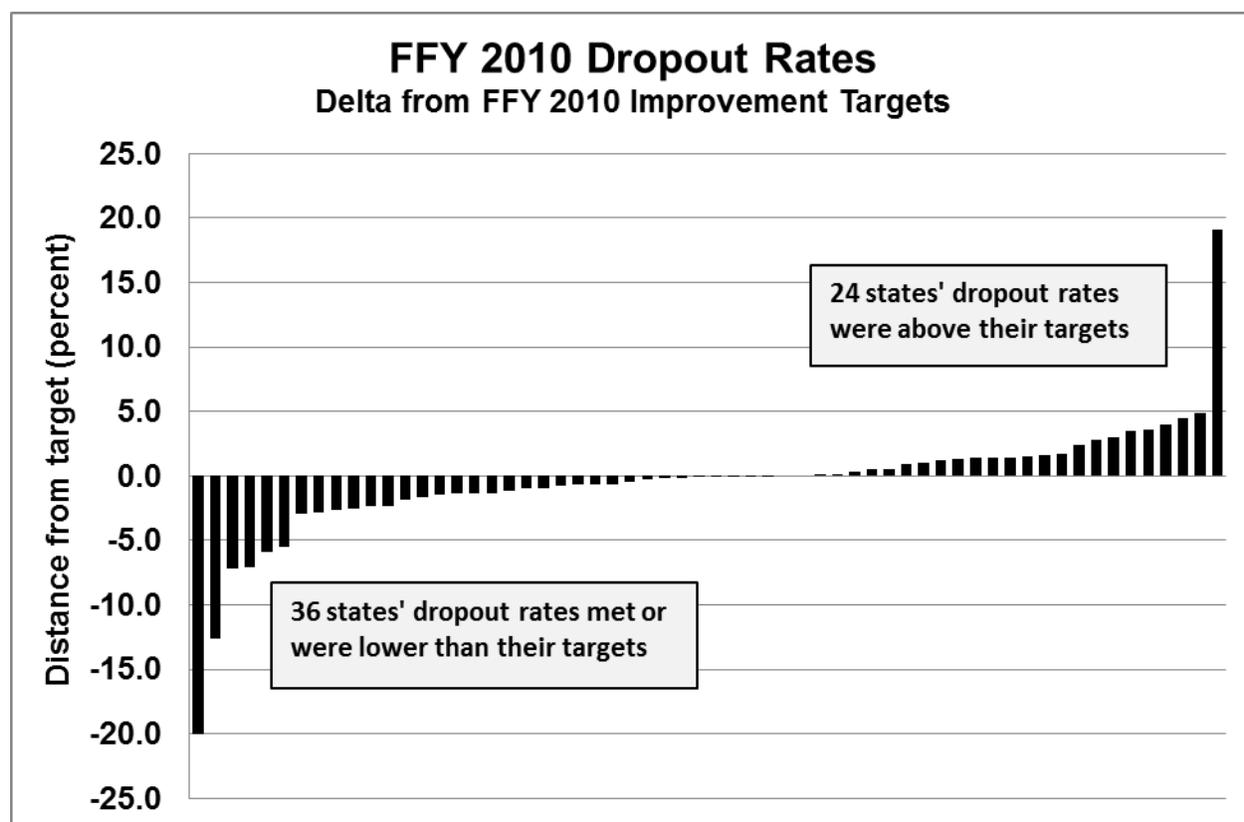
STATES' PERFORMANCE ON THE INDICATOR

Because states are not required to specify dropout-rate targets under ESEA, they have continued using their SPP targets for improvement. In FFY 2010, 36 states (60%) met their SPP performance target for Indicator 2 and 24 states (40%) missed their target. These are nearly the same proportions as in FFY 2009, in which 35 states met their target and 25 states missed the target.

In FFY 2010, 44 states had the same performance against their target as they did in FFY 2009—that is, they either met their target during FFY 2009 and FFY 2010, or missed their target during both federal fiscal years.

Over the years of the SPP, states have generally improved at setting realistic, achievable targets for improvement. Most states' performance was quite close to the target they had set, regardless of whether they met or missed that target. Only seven states (12%) performed more than five percentage points above or below their target. Figure 4 compares each state's dropout rate with its target. Note: to meet the target on this indicator, a state must be at or below the target value they specified in the SPP.

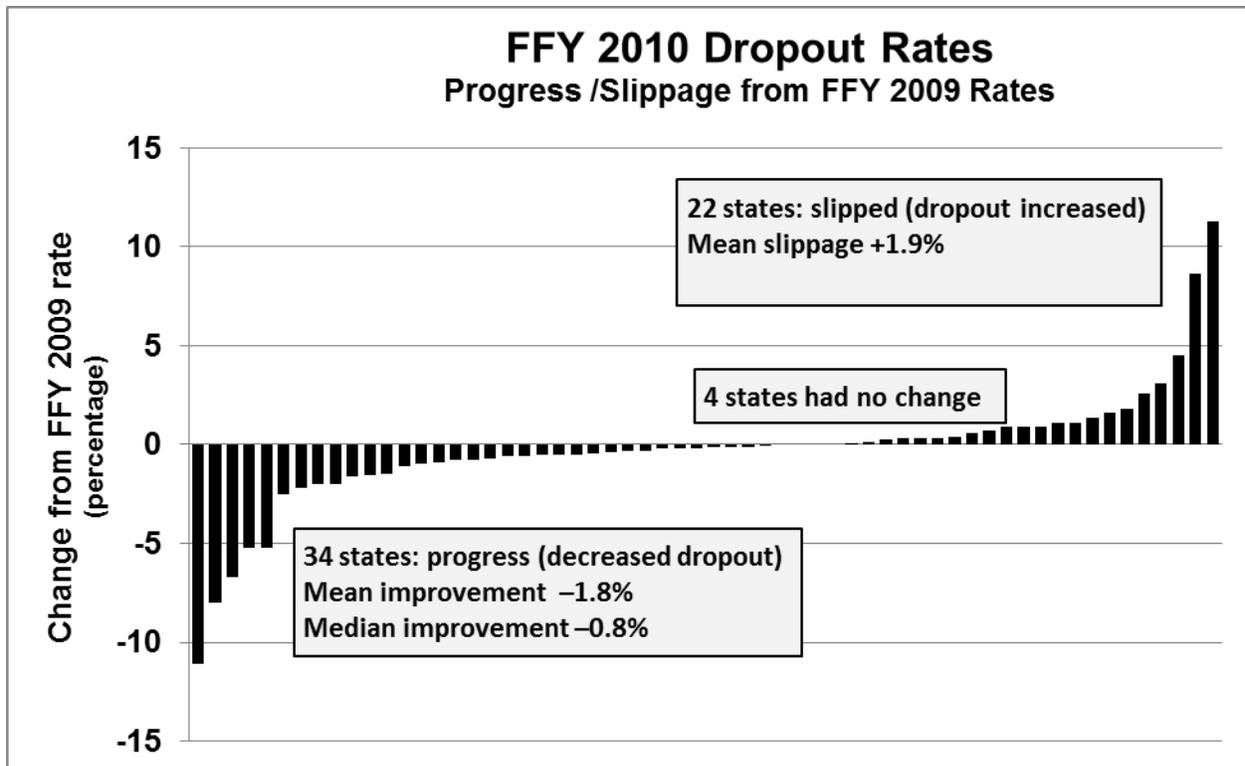
Figure 4



As illustrated in Figure 5, 34 states (57%) made progress, lowering their dropout rate. The mean amount by which these states lowered their dropout rates was -1.8% , with a median value of -0.8% . This was an improvement over FFY 2009, during which only 17 states made progress. The mean amount of improvement in FFY 2009 was -3.4% , with a median value of -1.2% , so while fewer states made progress in FFY 2009, their progress was greater than that of states in FFY 2010.

In FFY 2010, 22 states (37%) experienced slippage and saw dropout rates increase. The mean amount of increase in these states was 1.9% , with a median value of 0.9% . In four states (7%), dropout rates remained unchanged from the previous year. In contrast, in FFY 2009, dropout rates increased in 38 states, with a mean increase of 2.3% and a median value of 0.9% .

Figure 5



IMPROVEMENT STRATEGIES AND ACTIVITIES

States were instructed to report the strategies, activities, timelines, and resources they employed in order to improve the special education graduation rate. The range of proposed activities was considerable, though many states described the use of data-based decision making to guide improvement activities and to identify at-risk youth.

Most states acknowledged the connections between their activities for at least Indicators 1 and 2. Thirty-eight states (63%) reported the same set of activities for both indicators. Another nine states (15%) described activities common to both indicators. Many states clustered at least some, if not all, of their activities for Indicators 1, 2, 4, 13, and 14, indicators intimately tied to secondary transition. In these states, there was a concerted focus to promote successful secondary transition practices as a means to keep youth engaged in and participating in school-related activities. Additionally, 28 states (47%) also reported activities aimed at engaging parents and families in becoming partners in educating their children.

The use of research-based/evidence-based strategies and interventions as well as “promising practices” around school completion continued among states. Twelve states (20%) mentioned statewide efforts to identify (and subsequently disseminate) effective practices in their Local Education Agencies (LEAs) that focused on school completion. A handful of states described various efforts to develop a toolkit or suite of resources that LEAs could use to develop and support local school completion initiatives.

There are a number of evidence-based school-completion programs that have demonstrated efficacy for students with disabilities. The *IES Practice Guide on Dropout Prevention* (Dynarski, et al., 2008) describes several of these approaches to keeping youth in school and discusses the degrees of evidence supporting each. For example, it recommends the diagnostic use of data systems to support a realistic estimate of the number of students who drop out and to help identify individual students at high risk of dropping out. The practice guide also recommends assigning adult advocates to students at risk of dropping out as well as providing academic support and enrichment to improve academic performance. Additional research is under way to evaluate the efficacy of many of the other promising practices that address school completion, so additional evidence-based practices are on the horizon.

Table 1 lists several commonly described interventions and the number of states reporting their use in the Annual Performance Report (APR).

Table 1

Evidence-based and promising practices reported in the FFY 2010 APRs

Nature of intervention	Number of states
Used research/evidence-based practices	48
Response to Intervention	44
Positive Behavior Supports	32
Parental engagement efforts	28

Academic initiatives	27
Vocational education / Career and Technical Education (CTE)	17
Credit recovery programs	11
Mentoring programs	9
Recovery/reentry programs	6

Statewide initiatives

Thirty-seven states (62%) reported that school completion was a state priority, though only 24 (40%) reported that they were developing or implementing any sort of statewide initiative that would impact their graduation, dropout, and/or reentry/recovery rates.

Georgia

One statewide initiative continues in the State of Georgia, which has implemented its GraduateFIRST initiative since 2007. The program currently has three cohorts of schools, for a total of 131 schools, all of which have developed and are implementing local school completion initiatives for students with disabilities. One reason for the success of this program is the ongoing support and follow-up provided to each participating school via Georgia's network of collaboration coaches. The coaches, who were trained by NDPC-SD and State personnel under Georgia's State Personnel Development Grant (SPDG), are each assigned several schools in which they support the local work, serving as trainers, mentors, content resources, and cheerleaders for the ongoing work. Additionally, the program is described in a brief developed by the Regional Resource Center Program's Student Performance and Achievement Priority Team, which may be found at http://www.ndpc-sd.org/documents/12.Spotlight_GraduateFirst.pdf.

Kentucky

Kentucky is also implementing a statewide initiative focused on school completion. The State's continuous improvement monitoring process requires every district in which one or more students with disabilities drops out to conduct a root-cause analysis of their data at the district, school, and student level to identify the cause(s) of the dropout.

While this effort is focused only on youth with disabilities, the Kentucky Department of Education also developed the Kentucky College and Career Readiness (CCR) delivery plan to address school completion for all students. The plan focuses accountability at the school/district level to increase the rate of its students who leave high school ready for college, career or both. One of the strategies of the CCR delivery plan is the collection and use of data. This has resulted in the development of the Persistence to Graduation Tool, an early warning tool that identifies students who are at risk of

dropping out. Accompanying the data tool is a suite of evidence-based practices to address any needs identified in the school.

Alabama

Alabama's First Choice Initiative is a program designed to increase the graduation rate and to improve the post-school outcomes of Alabama youth with and without disabilities. It provides multiple pathways to graduation and provides a variety of safeguards and supports to assist struggling learners. The components of the program are credit recovery, credit advancement (earning credit in non-traditional ways), graduation coaches for at-risk students, and multiple diploma options.

NDPC-SD intensive states

In collaboration with NDPC-SD, ten states (AR, BIE, LA, MI, MO, NE, NC, UT, WA, and WV) are currently working on statewide initiatives to improve their school completion rates. SEA and LEA staff in these states are receiving training and technical assistance from NDPC-SD to help them develop model sites for dropout prevention initiatives or address other state/local data-related or other needs around school completion. Additionally, the State of Georgia and Miami-Dade County Public School District in Florida are continuing the work they initiated with NDPC-SD under its first round of OSEP funding.

Nebraska

Several states chose topics related to school completion for the Results portion of their OSEP continuous improvement visits in 2011. Among those states was Nebraska, which was already working intensively with the National Dropout Prevention Center for Students with Disabilities to develop, pilot, and disseminate a toolkit of resources and materials for schools to use in designing and developing local school completion initiatives. Nebraska wanted to leverage their work with NDPC-SD and reengage youth with disabilities who had dropped out of high school. Getting these youth back into educational programs can be an effective strategy for improving the post-secondary outcomes for these youth.

In September 2011, Nebraska held its first stakeholder meeting, at which information about dropout, graduation, reentry/recovery, and other related topics was presented to and discussed with a broad stakeholder group. A product of that meeting was a 4-year strategic plan, which has the goal of developing, piloting, and disseminating (statewide) a reentry program for youth with disabilities in Nebraska.

Among the strategies Nebraska has chosen to support this goal are:

- 1) Increasing awareness at state and local level regarding dropout reentry strategies;

- 2) Increasing capacity of current programs focused on dropout prevention to target students with disabilities who have left school but remain eligible for special education;
- 3) Developing partnerships with other entities that can have statewide impact on providing reentry services to students with disabilities; and
- 4) Partnering with general education initiatives to increase graduation rates.

The State has posted information about their efforts and progress on this work at the following link: <http://www.education.ne.gov/sped/reentry.html>.

Examples of other improvement activities

Data-based decision making

Data-based decision making was a nearly ubiquitous activity, reported by 54 states (90%) in this APR in one form or another. States are examining their school completion data and considering that information when targeting technical assistance to LEAs, awarding LEA improvement grants, looking for effective practices, and identifying topics for professional development.

Eleven states (18%) described work on an early warning system using their longitudinal data to identify youth who are at risk of dropping out of school. The data being employed include information about students' attendance, behavior, grade retention, and academic performance on state assessments. In general, states that reviewed this sort of information about their students have experienced success in using it to inform their work. Examples of states that examined such risk and protective factors related to school completion include Alabama, Arkansas, Massachusetts, Michigan, Nebraska, and West Virginia.

While data-based decision making has a low level of supporting evidence in the educational literature, as discussed in the 2008 *IES Practice Guide on Dropout Prevention*, the practice is logical and essential for examining the factors within the school environment that contribute to dropout and for diagnosing the extent to which schools will need to implement strategies to address dropping out. In addition, the implementation of any improvement strategy must involve continually returning to the individual student data to monitor the success of the strategy and to adjust approaches as needed. It should also be noted that the dearth of supporting evidence is more a result of the lack of studies that directly evaluate the effect this practice has on keeping youth in school than to its lack of validity.

As discussed above, while the use of data analysis is critical in identifying areas of need, it is not a strategy or intervention, *per se*, for keeping youth in school, but rather a tool to support the greater effort. Once the students' needs have been identified, it is necessary to provide rigorous instruction in academics, career skills, and self-advocacy in order to keep at-risk youth engaged in school and to foster their success.

Identification of effective practices

Kansas, Missouri, North Carolina, South Dakota, Tennessee, and Wisconsin were among the ten states that reported efforts to identify and examine the programs being implemented in their LEAs that had graduation rates above the state average. They are working to share these promising practices among the other districts in the state through various means, including websites, communities of practice, newsletters, and conference presentations.

Eleven states (18%) indicated in their APRs that they are actively engaging in evaluation of their improvement activities to identify those which yield measurable improvements in the desired impact area. The states incorporating evaluation into their improvement activities are Georgia, Hawaii, Iowa, Illinois, Indiana, Kansas, Kentucky, Nebraska, Pennsylvania, South Dakota, and Vermont.

Reentry programs

Including Nebraska, six states (17%) described reentry/recovery programs in their APRs. While there are many such programs around the country, most operate on a local level, rather than statewide, as Nebraska intends for their initiative. This makes it difficult to locate and identify them. Reentry programs may be operating in many states, but because of their local nature, they simply do not get reported in states' APRs.

Reentry programs generally involve a school system and a combination of one or more community agencies, businesses or business organizations, colleges or community colleges, or faith-based organizations. Their focus varies, depending on their genesis and the population they serve. One commonality is that reentry programs frequently offer options for credit-recovery—a necessity if the goal is to obtain a high school diploma, as the majority of returning students are credit deficient. Another common characteristic of reentry programs is their flexibility. The needs of the populations they serve are often quite diverse, so flexibility in scheduling, venue for instruction, mode of instructional delivery, and entry/exit from the program are all beneficial elements that help them address their audiences effectively.

COMMONALITIES AMONG STATES THAT MADE PROGRESS OR MET TARGETS

Table 2 shows some of the school completion activities states engaged in and indicates whether they made progress from FFY 2009 or achieved their FFY 2010 targets for Indicator 2.

Table 2

Performance of states that engaged in certain activities

Improvement activity	Number of states that made progress	Number of states that met dropout target
Transition-related activities	32	34
Data-based decision making	33	33
Indicated graduation & dropout were a priority	22	25
Using one or more evidence-based practices	28	30
Statewide initiative related to school completion	15	16

Filtering the data using the above criteria leaves eight states (13%) that made progress, met their dropout target, and engaged all of the activities in the table above.

CONCLUSIONS AND RECOMMENDATIONS

The overall quality of states' APRs for FFY 2010 was the best since the SPP/APR came into existence. States generally provided the required information about their definitions, calculations, and data in a clear form. The descriptions of improvement activities were generally more concise than in years past as well. As more states switch over to using the adjusted cohort rate calculation, it will continue to become easier to quantify states' improvements and compare progress for the nation overall.

While Indicators B1 and B2 are performance indicators (as opposed to compliance indicators), in these lean fiscal times, there is increasing importance being placed on the identification of activities that will improve states' graduation and dropout rates for students with disabilities. The difficulty of judging what activities were most beneficial based solely on the brief amount of information contained in the APR is a difficult task at best. Without knowing the particulars about each activity or intervention, its implementation within a state, and having some impact data for the activity, there is basically no way to determine what worked well and what did not.

To advance the work of improving school completion rates in the nation, more states need to engage in meaningful evaluation of their SPP improvement activities and to report on what worked in particular contexts for their students with disabilities. Information of this nature can benefit other states struggling with similar issues. The Regional Resource Center Program has posted resources to support states in their

evaluation of improvement activities at the following URL:
<http://www.rrcprogram.org/content/view/191/288/>.

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. This indicator also includes a measure of the extent to which districts in a state are meeting the Elementary and Secondary Education Act (ESEA) reauthorized as 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 2010-2011 state assessments. States submitted their data in February 2012 using baseline information and targets (unless revised) submitted in their State Performance Plans (SPPs) first presented in December 2005.

This report summarizes data and progress toward targets for the Indicator 3 subcomponents of (a) percent of districts meeting AYP, (b) state assessment participation, and (c) state assessment performance. All information contained in this report is an analysis or summary of state data for a given content area (or overall for AYP) across grades three through eight, and one tested grade in high school. Because states disaggregated data to varying degrees, not all states are represented in all data summaries. For example, some states disaggregated by grade band, or provided only information summed across grades. For AYP, some states provided this information only by content area, which could not be aggregated to an overall AYP rate.

This report includes an overview of our methodology, followed by findings for each component of Part B Indicator 3 (AYP, Participation, and Performance). We conclude by addressing data slippage and progress as well as state Improvement Activities.

DATA SOURCES AND MEASUREMENT APPROACHES

We obtained APRs used for this report from the RRCP Web site in February, March, and April 2012. We entered data into working documents from original APR submissions and then, following the April week of clarification, we verified all data using revised APRs submitted in that month. In instances of disagreement, we used new data from revised APRs for analyses. For the analyses in this report, we used only the information that states reported in their APRs for 2010-2011 assessments.

Three components comprise the data in Part B Indicator 3:

- 3A is the percent of districts (based on those with a disability subgroup that meets the state's minimum "n" size) that meet the state's Adequate Yearly Progress (AYP) objectives for progress for the disability subgroup.

- 3B is the participation rate for children with IEPs who participate in the various assessment options (Participation).
- 3C is the proficiency rate (based on grade-level, modified or alternate achievement standards) for children with IEPs (Proficiency).

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

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

States provided data disaggregated to the level of these subcomponents, which included for components 3B and 3C the two content areas of Reading or English Language Arts and Mathematics. Some states disaggregated data by specific grade levels tested only, or by grade bands. Some states provided these content-specific data by both disaggregating by grade and by providing an overall data point. Most states provided only an overall data point.

For Improvement Activities (IAs), states were directed to describe these for the year just completed (2010-2011) as well as projected changes for upcoming years. The analysis of 2010-2011 Improvement Activities used the OSEP coding scheme consisting of letters A–J, with J being “other” activities. The NCEO Improvement Activities coding process used 11 subcategories under J (“other”) to capture specific information about the types of activities undertaken by states (see Appendix A for examples of each of these sub-categories). These 11 sub-categories were the same as those used to code data from school years 2009-2010, 2008-2009, 2007-2008, and 2006-2007 and only slightly modified from those used to code 2005-2006 data. Consistent with the previous report, we omitted the J12 category in the current analysis. Quality was assured by having the primary coder review with a second reviewer those IAs that were difficult to classify into the categories. The review process addressed specific IAs in individual states, as well as the selection of exemplars for each of the IA categories.

Percent of Districts Meeting State’s Adequate Yearly Progress Objective (Component 3A)

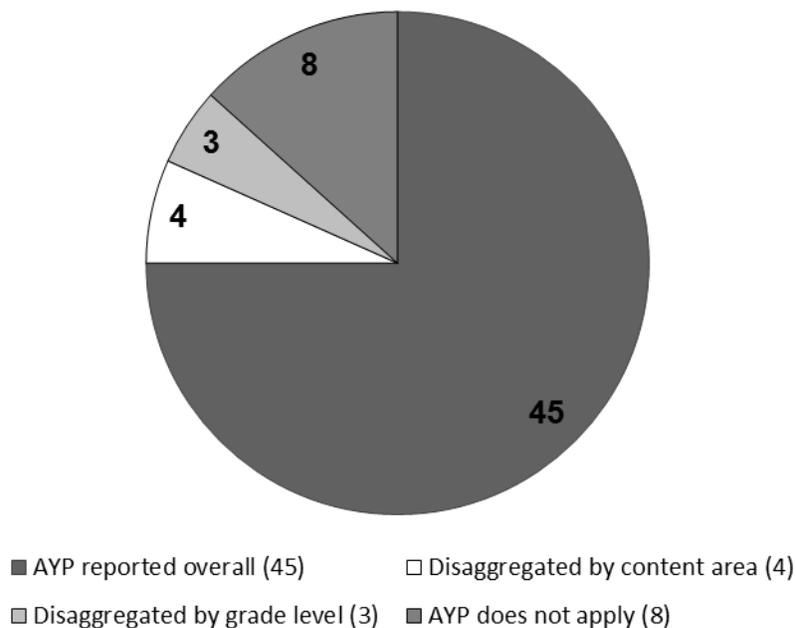
Component 3A (AYP) is defined for states as:

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

Figure 1 shows the ways in which regular and unique states provided AYP data on their APRs. Seven states indicated that AYP requirements of ESEA did not apply to them; one regular state indicated that AYP did not apply because that state is a single district. Forty-two regular states and three unique states reported AYP data in their APRs in a way that the data could be aggregated across states. Seven states either provided data broken down by content area (four states), or grade level (three states), which made them inappropriate for Indicator 3A.

Figure 2

Ways in Which Regular and Unique States Provided AYP Data



Of the 49 states with AYP information, 24 met their 2010-2011 targets for AYP, and seven states did not, as shown in Table 1. The remaining 18 regular states and all 10 unique states were not included in this met/not met analysis because they did not provide an overall value for baseline data, targets, or 2010-2011 actual data. States that met targets were likely to have had lower than average baseline data and set lower than average targets (though average targets were lower than one year ago). Further, targets that were met were set much lower than targets that were not met. Finally, states that met targets reported lower than average actual data, and also reported lower actual data in the 2010-2011 in comparison to the previous year. States that did not meet targets were likely to have higher than average baseline data, set higher than average targets, and reported higher than average actual data.

Table 1

Percentage of Districts Making AYP in 2010-11 within Regular States and State Entities that Provided Baseline, Target, and Actual Data

	<i>N</i>	<i>BASELINE (MEAN %)</i>	<i>TARGET (MEAN %)</i>	<i>ACTUAL DATA (MEAN %)</i>
OVERALL	31	51.8%	37.3%	62.4%
MET	24	48.5%	26.8%	58.7%
NOT MET	7	63.3%	73.4%	75.1%
REGION 1	4	54.3%	48.7%	64.3%
REGION 2	7	37.7%	25.2%	53.0%
REGION 3	4	73.5%	39.6%	68.4%
REGION 4	5	63.4%	63.6%	75.6%
REGION 5	6	51.8%	37.0%	48.0%
REGION 6	5	40.6%	17.7%	46.6%

In five of the RRC regions, 2010-2011 target data were lower than baseline values. On the other hand, the mean actual data values were reported to be higher than targets in all six regions, and higher than average baselines in four regions.

Figure 2 shows the percentage of districts making AYP in 2010-2011 for the 45 regular states and state entities that provided overall data. We sorted data by current values, and grouped by states that reported baseline information and those that did not provide baseline information that we could use in analysis. From a quick glance at the figure, the reader can see a wide range of reported change in values across states with both data points (baselines and targets). Many states (n=19) showed a net increase in the percentage of LEAs making AYP since baseline. Few states (n=9) showed a net

decrease in the percentage of LEAs not making AYP since baseline. The range in values was from 0% to 100%, with most states reporting more than 50% of districts within the state making AYP (28 states); 15 states reported less than 50% of districts making AYP.

Figure 2

Change in the Proportion of Districts Meeting AYP Since Baseline

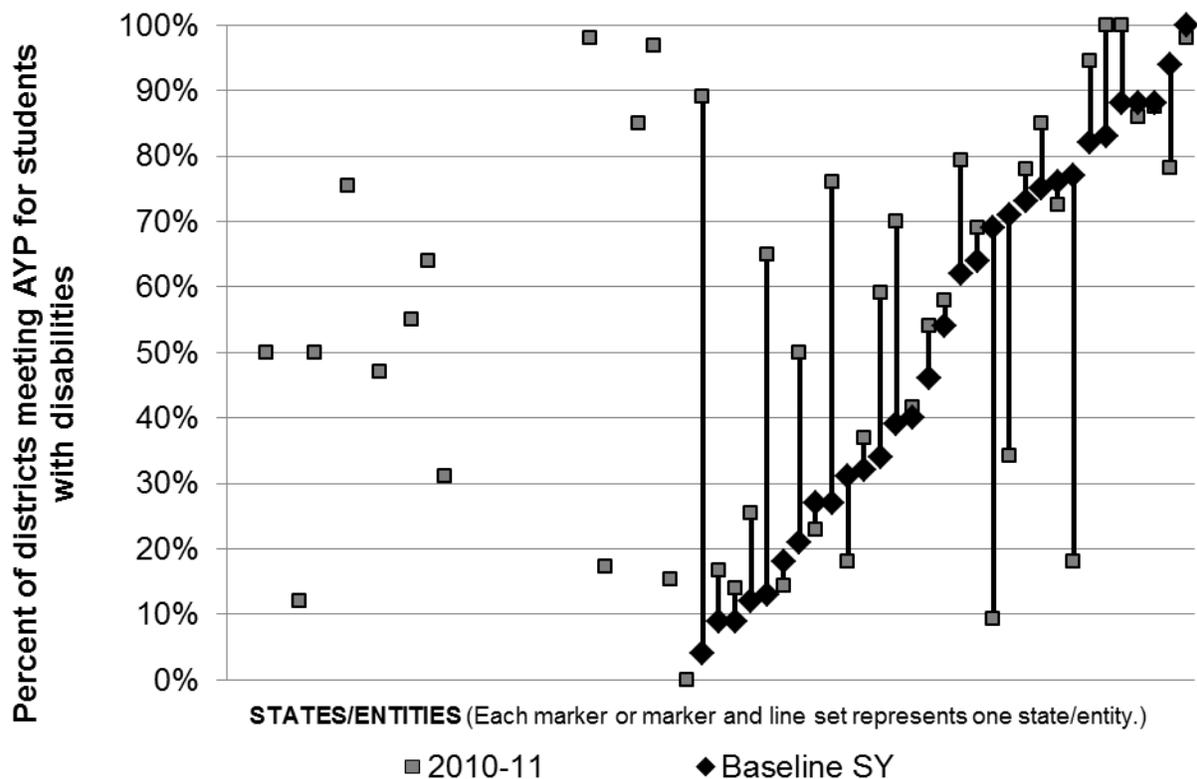


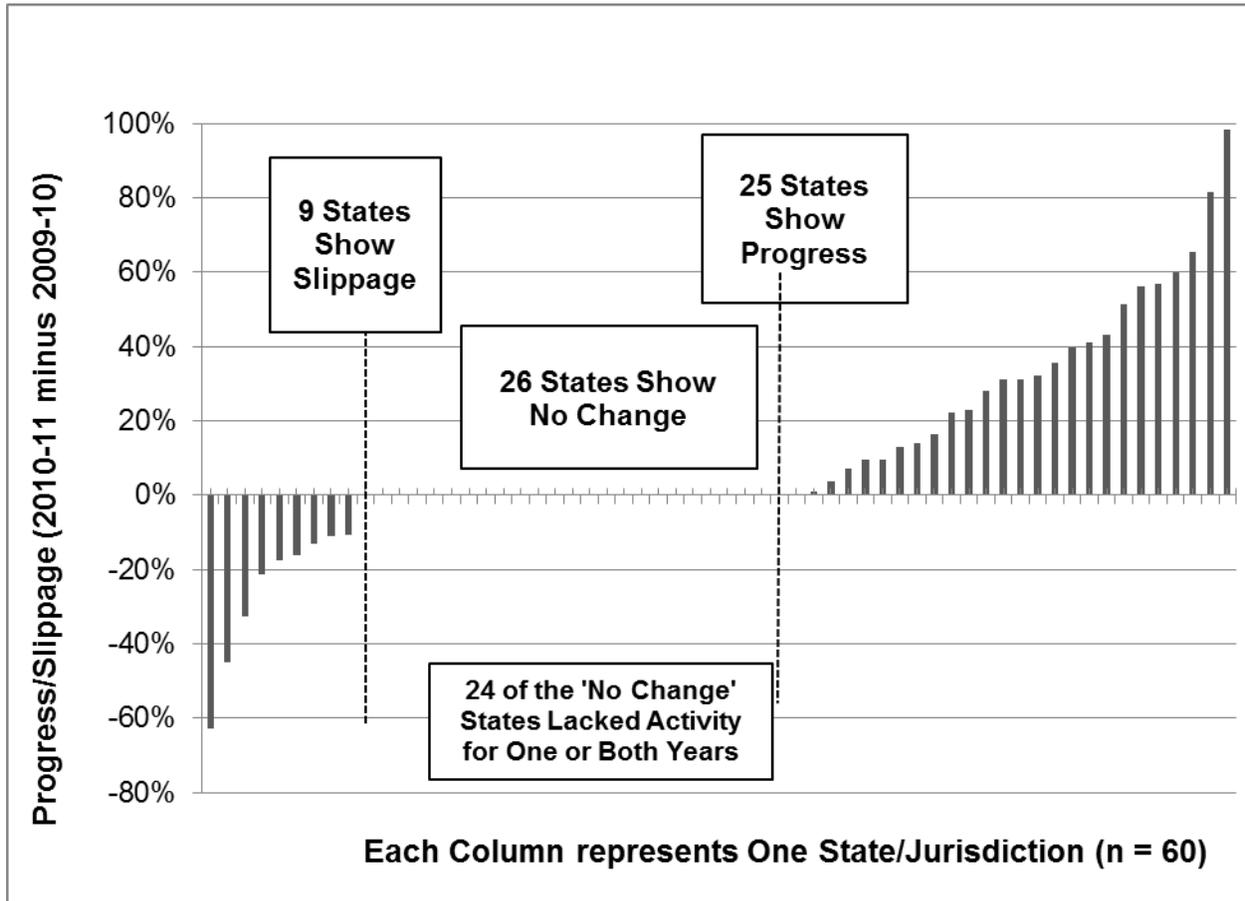
Figure 3 shows progress and slippage data and the wide range in these across states.

Forty-five regular and unique states reported overall information for AYP in 2009-2010 and 2010-2011 used in progress/slippage comparisons. Of these 40 states, 25 showed progress, ranging from 1% to 98.3%, with an average of 34.8% progress, and a median of 31.2%. Most states' progress ranged between 1% and about 66%. Slippage was experienced by nine states, ranging from 10.7% to 62.8%, with an average of 25.6%, and a median of 17.5%. Most states' slippage ranged between about 11% and 45%. Only two states with data for 2010-2011 and 2009-2010 experienced no change in AYP

across the two years. It appears that recent progress from 2009-2010 to 2010-2011 is responsible for much of the change from baseline shown in Figure 2.

Figure 3

Percentage of Progress or Slippage for AYP in Regular and Unique States from 2009-10 to 2010-11



Note: AYP does not apply to eight states; these states are included in the 'No Change' states.

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

The participation rate for children with IEPs includes children who participated in the regular assessment with no accommodations, in the regular assessment with accommodations, in the alternate assessment based on grade-level achievement standards, in the alternate assessment based on modified achievement standards, and in the alternate assessment based on alternate achievement standards. Component 3B

(participation rates) was calculated by obtaining a single number of assessment participants and dividing by the total number of students with IEPs enrolled, or by summing several numbers and then computing percentages as shown below:

Participation rate numbers required for equations are:

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

In addition to providing the above numbers, states also were asked to account for any children included in 'a', but not included in 'b', 'c', 'd' or 'e'.

Thirty-eight regular and nine unique states provided data for student participation on statewide reading assessments for students with disabilities in 2012 APRs. In this section, data and text will focus on participation in reading assessments; data for math assessments were nearly identical. The average participation rate on 2010-2011 assessments across all states (with sufficient data) was 96.86%. One regular state reported a participation rate of 100%. Thirteen additional states reported participation rates of 99.0% or more. Twenty-eight regular states, and five unique states, reported participation rates between 95.0% and 98.9%.

Table 2 shows the percentage of students with IEPs participating in large-scale assessment in reading in 2010-2011 for 47 regular and unique states that provided baseline, target, and actual data. Thirty-six states met the targets they set for participation; 11 states did not meet their targets. States that met their targets for this indicator reported actual data that, on average, met targets and surpassed baseline data. States that did not meet their targets, had actual data that did not meet target values, but did surpass baselines.

Table 2

Percentage of Students With Disabilities Participating in Large-Scale
Assessment Within Regular and Unique States that Provided Baseline, Target,
and Actual Data

	N	BASELINE (MEAN %)	TARGET (MEAN %)	ACTUAL DATA (MEAN %)
OVERALL	47	97.5%	98.0%	96.9%
MET	36	96.9%	95.9%	98.5%
NOT MET	11	82.1%	96.1%	91.5%
REGION 1	4	97.9%	98.8%	98.3%
REGION 2	7	95.6%	95.7%	98.1%
REGION 3	8	97.6%	97.3%	98.9%
REGION 4	6	98.2%	95.6%	98.1%
REGION 5	10	96.7%	96.3%	98.4%
REGION 6	12	91.1%	94.0%	92.4%

In five of the six RRC regions, actual 2010-2011 data for the states included was higher than that of baseline values, and in four of these regions, actual data was higher than targets. This was an identical finding as last year. The states in Region 4, on average, experienced a drop in the percentage of students participating in statewide assessment in comparison to last year. The states in region 5 reported identical actual performance (98.4%) as last year, and the other regions demonstrated increases in actual data values.

For the most part states have made progress toward 100% participation in large-scale assessment for students with disabilities as shown in Figure 4. Since the time states set baseline values, 26 states have made progress toward 100% participation for the students with disabilities 1 has seen no change, and 21 have seen a decrease in participation. Eight states did not report baseline information. Eight states have seen participation increase by more than 5 percentage points since baseline to a maximum of 48.4 percentage points for unique states and 12.6 percentage points for regular states. Six states have seen their increase in participation since baseline push total rates from less than 95% to more than 95%.

Figure 4

Change in the Participation of Students with Disabilities in Large-Scale Assessment Since Baseline Within Regular and Unique States

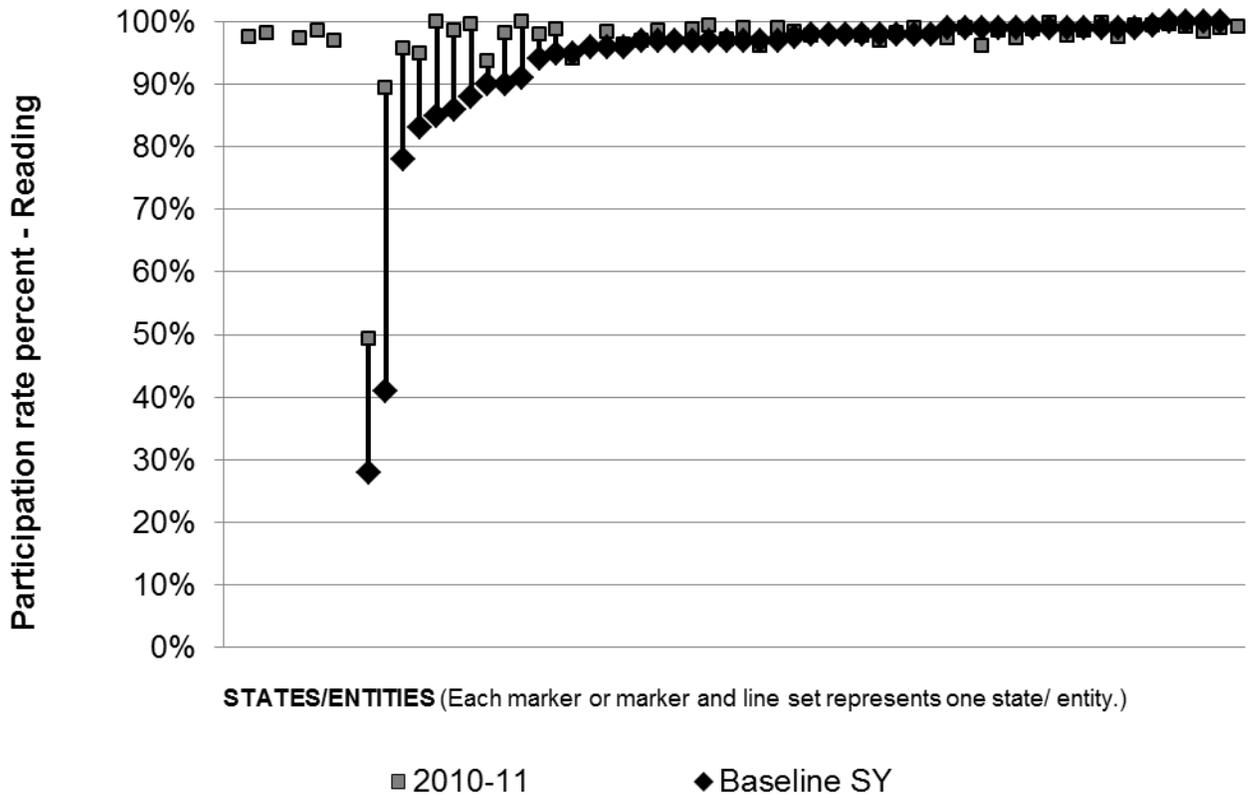
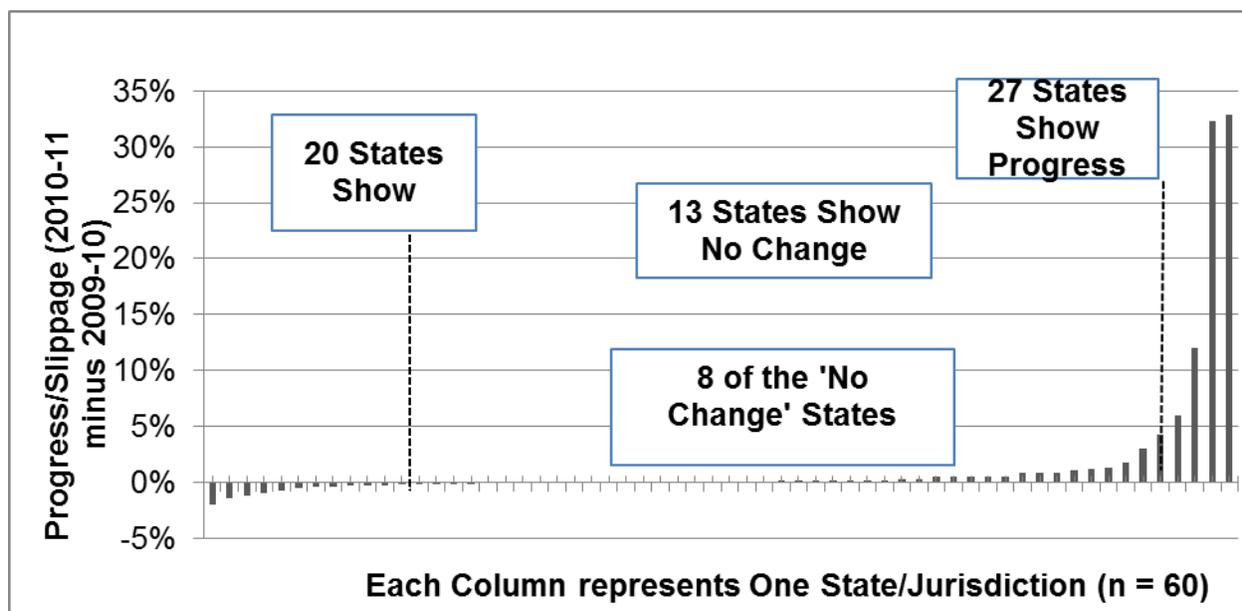


Figure 5 shows progress and slippage in participation rates. Fifty-two regular and unique states reported overall information for student participation in 2009-2010 and 2010-2011 used in progress/slippage comparisons. Of these 52 states, 27 showed progress, ranging from 0.02% to 32.9%, with an average of 3.8% progress, and a median of 0.5%. Most states' progress ranged between 0.1% and 12%. Slippage was experienced by 20 states, ranging from 0.04% to 2%, with an average of 0.5%, and a median of 0.3%. Excluding two apparent low outliers, much of these states' slippage ranged between about 0.1% and 2%. Five states with sufficient data experienced no change in student participation across the last two years; the remaining eight states were missing data for one or both years. There was little change in progress and slippage since 2009-2010 when 26 showed progress last year, and 21 showed slippage.

Figure 5

Percentage of Progress or Slippage for Student Participation in Large-Scale Assessment within Regular and Unique States



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

State assessment performance of students with IEPs comprises the rates of those children achieving proficiency on the regular assessment with no accommodations, the regular assessment with accommodations, the alternate assessment based on grade-level achievement standards, the alternate assessment based on modified achievement standards, and the alternate assessment based on alternate achievement standards. The calculation of the proficiency rate component (3C) of Indicator 3 includes the computation of the following rates:

Proficiency Rate numbers required for equations are (Full academic year students only):

- # 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);*
- # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100);*

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

Thirty-two regular states and unique states reported 2010-2011 assessment proficiency data in some way. Thirty-three states reported data for reading proficiency, and thirty-two reported math proficiency data. Data for the proficiency sub-indicator had differences between content areas, and separate analyses were completed and are presented in this section.

Reading

Forty-six regular and unique states provided data for proficiency on statewide reading assessments for students with disabilities in 2012 APRs. All states ranged from 1.6% to 76.0% in student reading proficiency in 2010-2011. Thirteen states reported proficiency rates of less than 25% for an average 15.5%. The largest group of states reported proficiency rates between 25% and 50% (n=21); their average was 38.0%. Twelve states reported student proficiency rates of more than 50%, for an average of 60.9% per state. The overall average proportion of the states' students with disabilities who reached or exceeded proficiency in 2010-2011 was about 38%.

Table 3 shows the percentage of students with IEPs scoring as proficient in large-scale assessments in reading in 2010-2011 for 33 regular and unique states that provided baseline, target, and actual data. Across these states, the average rate of proficiency for students with disabilities has increased by 4.8% since baseline; however, current performance averages 18.5% below the states' mean target. Six states met or surpassed their targets, and 27 states did not meet their target for this sub indicator in reading. States achieving performance targets in reading had a higher average baseline value, and an higher average in actual data (from 2010-2011 school year) than states that did not meet targets. States that did not meet targets reported more challenging targets than states that did meet targets. This distinction in target-setting is also detectable when viewing the overall target mean and the actual 2010-2011 reading performance average; the target is nearly 20% higher than this year's performance, on average.

In five of the six RRC regions, average actual 2010-2011 proficiency rates for those states with sufficient data in the regions were higher than baseline values, though below average targets in all regions. The states in Region 2 experienced, on average, a drop in the proportion of proficient students from baseline to current year's performance. The relative number of states in each region reporting sufficient data for computation was half of each region's states or even fewer in four of the six regions.

Table 3

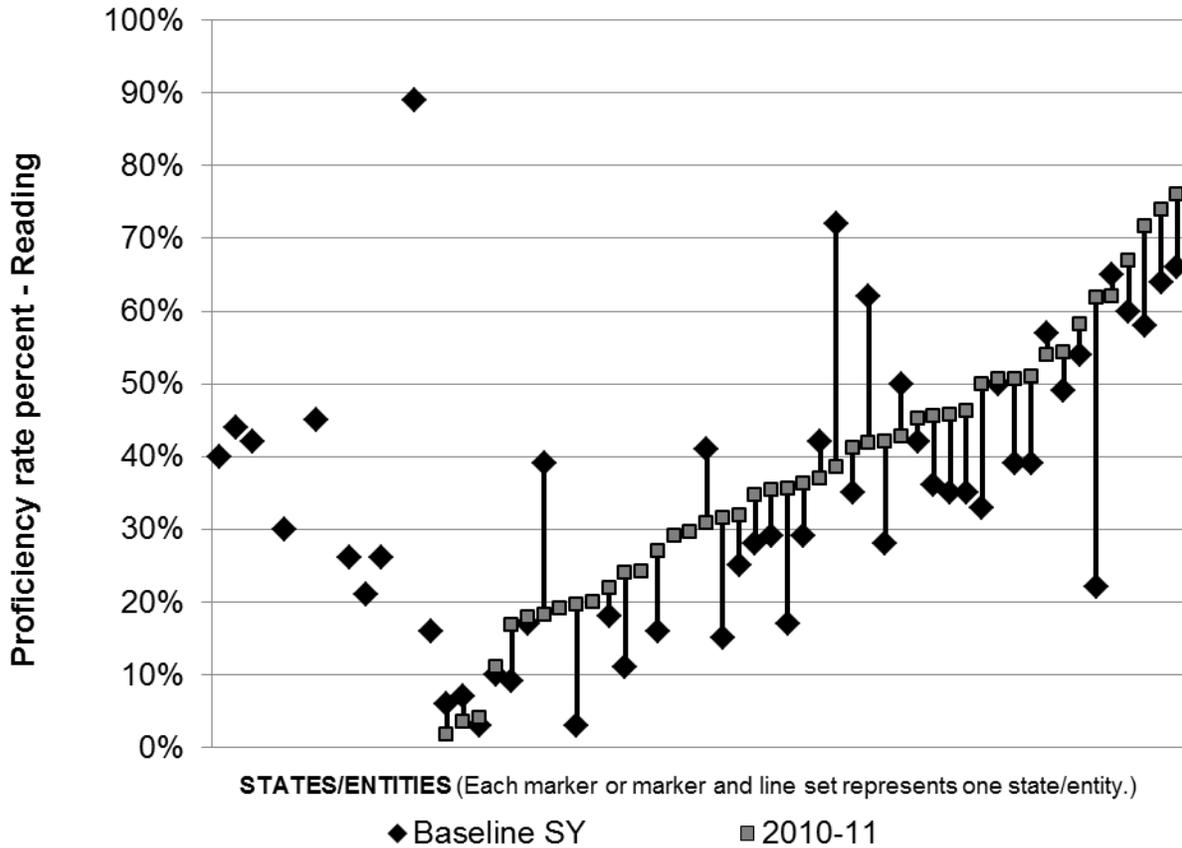
Average Reading Proficiency Percentages in 2010-11 for Regular and Unique States that Provided Baseline, Target, and Actual Data

	N	BASELINE (MEAN %)	TARGET (MEAN %)	ACTUAL DATA (MEAN %)
OVERALL	33	33.1%	56.4%	37.9%
MET	6	36.8%	34.9%	41.6%
NOT MET	27	32.3%	61.2%	37.1%
REGION 1	3	29.3%	56.8%	33.6%
REGION 2	4	53.0%	56.9%	41.1%
REGION 3	6	39.5%	62.4%	49.6%
REGION 4	4	33.3%	59.2%	43.1%
REGION 5	5	45.0%	67.4%	50.4%
REGION 6	11	17.9%	46.9%	23.9%

Forty-one states provided data for both the baseline year and 2010-2011. As shown in Figure 8, of these states, 10 showed slippage from baseline, for an average decrease of 11.0%. Thirty-one states showed progress between baseline and the 2010-2011 school year for an average of 9.8%. Nine states reported progress during the time of at least 10 percentage points. These states reported an average gain in the reading proficiency rate for students with disabilities of 16.5%.

Figure 6

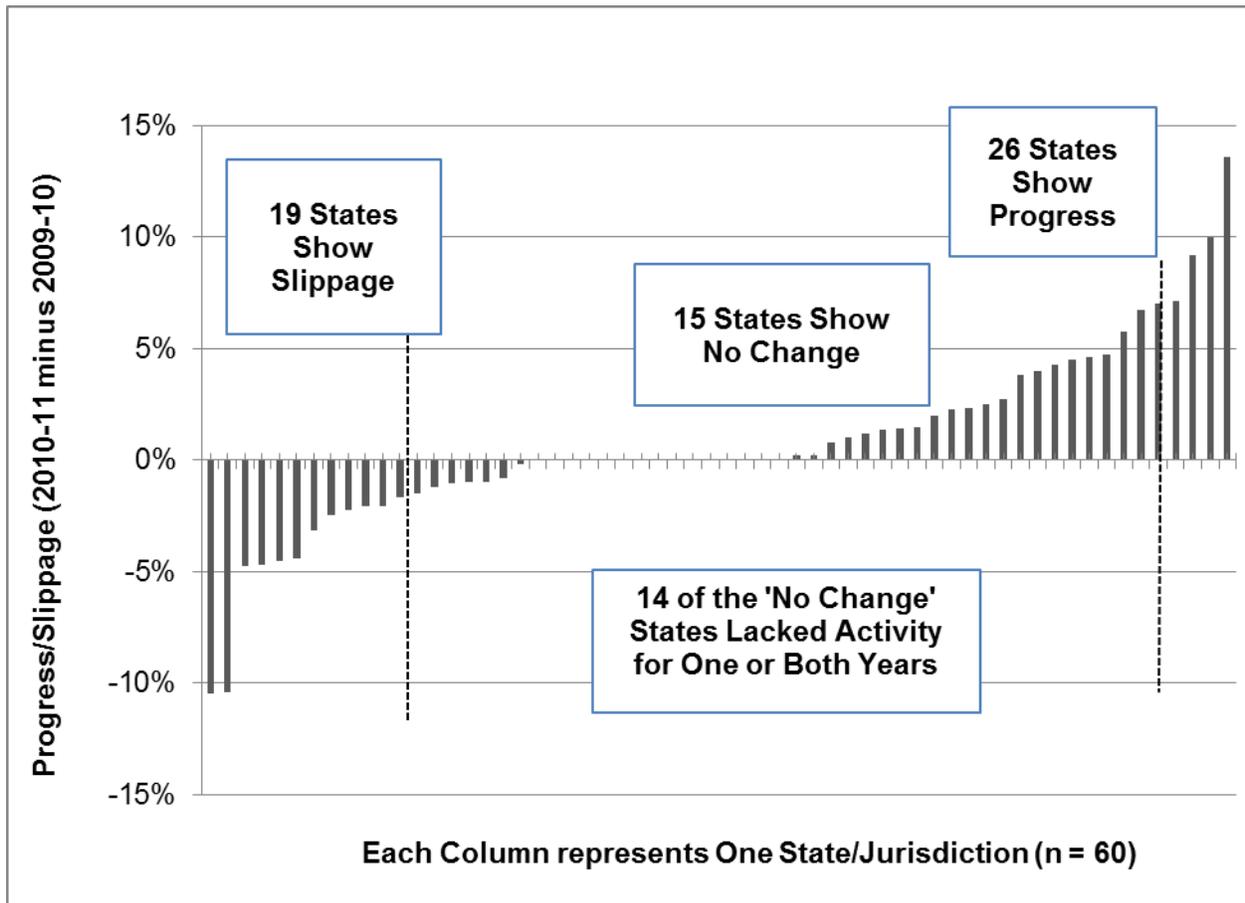
Change in the Proficiency of Students with Disabilities in Large-Scale Reading Assessment Since Baseline within Regular and Unique States



Forty-six of the regular and unique states reported overall information for student reading proficiency in 2009-2010 and 2010-2011 that could be used in progress/slippage comparisons. Figure 9 shows these data and the narrow range of movement seen across states. The highest degree of slippage was about 11%, and the highest degree of progress was 14%. The 19 states with slippage showed an average decrease of 3.2%. One state showed no change in the percentage of students with disabilities scoring as proficient on its statewide reading assessment. The 26 states showing progress reported an average increase of 4.0%.

Figure 7

Percentage of Progress or Slippage for Student Proficiency in Large-Scale Reading Assessment within Regular and Unique States



Math

Forty-six states provided student proficiency data for students with disabilities participating on the statewide mathematics assessment in 2010-2011. All states ranged from 2% to 73% in student math proficiency in 2010-2011. The overall average proportion of the states' students with disabilities who reached or exceeded proficiency in 2010-2011 was about 35.7%. Thirteen states reported proficiency rates of less than 25% for an average 14.4%. The largest group of states reported proficiency rates between 25% and 50% (n=24); their average was 37.7%. Nine states reported student proficiency rates of more than 50%, for an average of 61.3% per state.

Table 4 shows the percentage of students with IEPs scoring as proficient in large-scale assessments in math in 2010-2011 for 32 regular and unique states that provided baseline, target, and actual data. Across these states, the average rate of proficiency for students with disabilities has increased by 4.8% since baseline; however, current performance averages 17.5% below the states' mean target. Four states met or

surpassed their targets, and 28 states did not meet their target for this sub indicator in math. States achieving performance targets in math had a higher average baseline value, and a higher average in actual data (from 2010-2011 school year) than states that did not meet targets. States that did not meet targets reported more challenging targets than states that did meet targets. This distinction in target-setting is also detectable when viewing the overall target mean and the actual 2010-2011 math performance average; the target is more than 20% higher than this year's performance, on average.

In five of the six RRC regions, average actual 2010-2011 proficiency rates for those states with sufficient data in the regions were higher than baseline values, though below average targets in all regions. The states in Region 2 experienced, on average, a drop in the proportion of proficient students from baseline to current year's performance. The relative number of states in each region reporting sufficient data for computation was half of each region's states or even fewer in four of the six regions.

Table 4

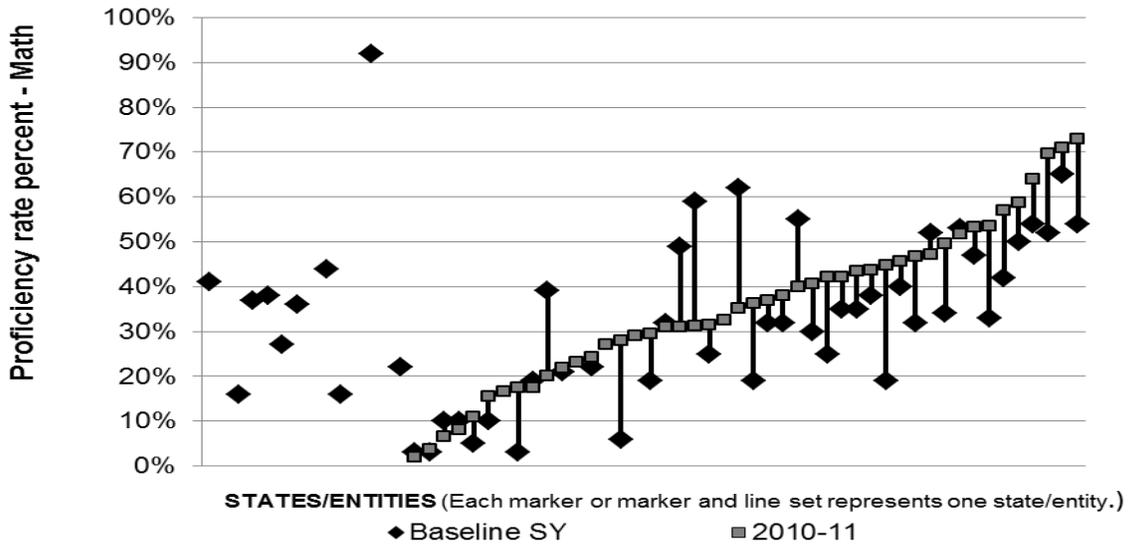
Average Mathematics Proficiency Percentages in 2010-11 for Regular and Unique States that Provided Baseline, Target, and Actual Data

	N	BASELINE (MEAN %)	TARGET (MEAN %)	ACTUAL DATA (MEAN %)
OVERALL	32	31.5%	53.8%	36.3%
MET	4	38.3%	36.8%	45.6%
NOT MET	28	30.5%	56.2%	35.0%
REGION 1	3	27.7%	53.7%	31.7%
REGION 2	4	44.3%	57.4%	41.6%
REGION 3	6	39.0%	62.9%	51.2%
REGION 4	4	37.0%	57.1%	46.4%
REGION 5	5	37.8%	63.9%	44.5%
REGION 6	10	17.6%	40.5%	18.6%

Forty-one states provided data for both the baseline year and 2010-2011. As shown in Figure 11, of these states, 12 showed slippage from baseline, for an average decrease of 10.1%. Twenty-nine states showed progress between baseline and the 2010-2011 school year for an average of 10.7%. Twelve states reported progress during the time of at least 10 percentage points. These states reported an average gain in the proficiency rate for students with disabilities of 16.1%.

Figure 8

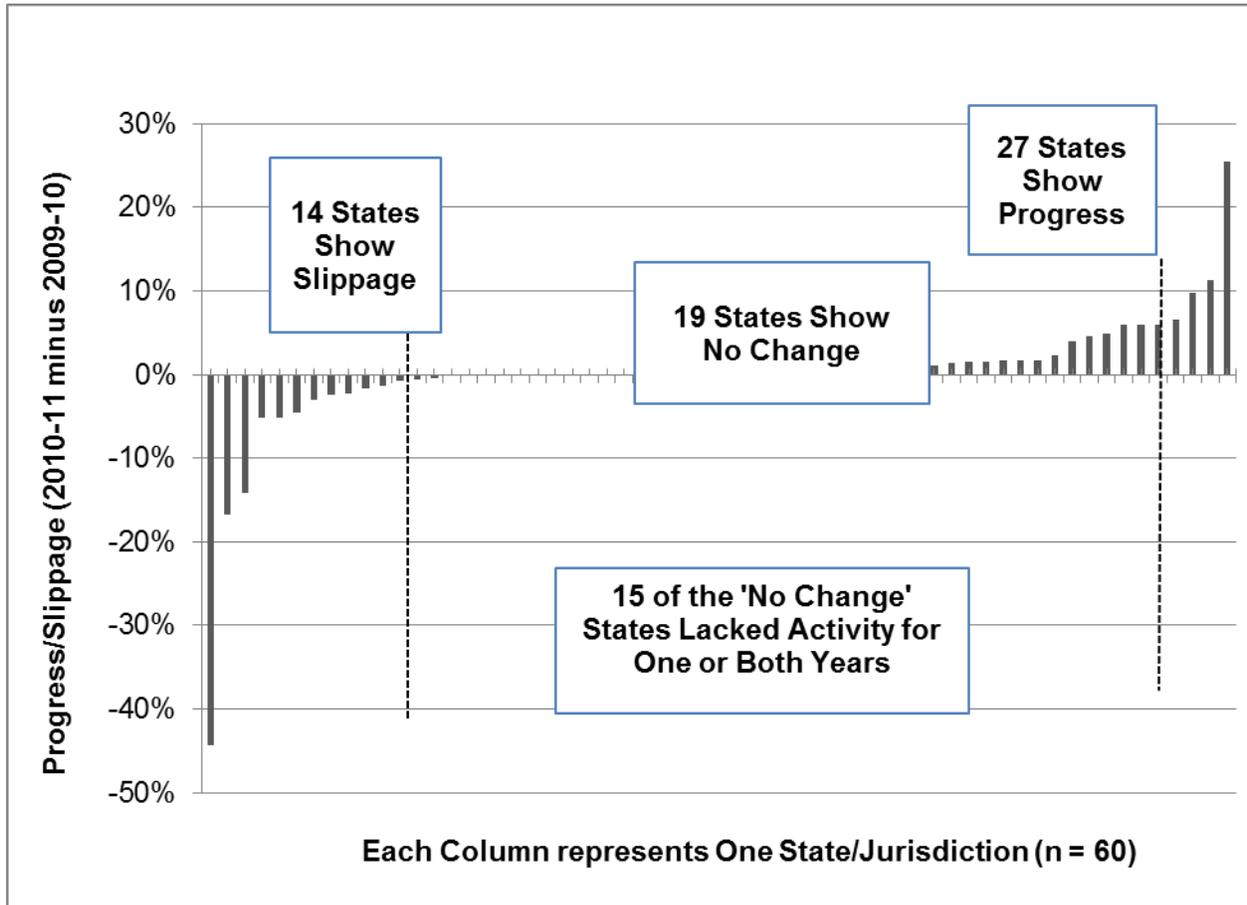
Change in the Proficiency of Students with Disabilities in Large-Scale Mathematics Assessment Since Baseline within Regular and Unique States



Forty-five of the regular and unique states reported student math proficiency data in 2009-2010 and 2010-2011 that could be used in progress/slippage comparisons. Figure 12 shows these data. The 14 states with slippage showed an average decrease of 7.4 percentage points. The 27 states with progress reported an average increase of 3.8 percentage points. Mostly, there was a small degree of difference across states regarding progress and slippage. Two exceptions to the analysis that there has been little change in math proficiency performance include an instance of slippage of 44.4 percentage points and an instance of progress of 25.5 percentage points; without these data, slippage-progress range would be about 28 percentage points.

Figure 9

Percentage of Progress or Slippage for Student Proficiency in Large-Scale Mathematics Assessment within Regular and Unique States



IMPROVEMENT ACTIVITIES

The task for NCEO in presenting the improvement activities (IAs) during 2010-2011 was defined in the same way as it had been for the 2008-2009 and 2009-2010. Rather than reporting on all IAs from all state APRs, using various quantitative methods of analyses – which was an approach used in the past – NCEO reported in a qualitative manner on a subgroup of selected IAs that best fit with the OSEP definition of each IA category. Through the process of identifying IAs from various states, NCEO coders observed some issues or themes throughout the selected IAs. These observations are commented on here.

Analysis Procedures

The review of the APRs for improvement activities (IAs) followed the OSEP categories A through I and J1 through J11. One coder and one assistant coder from NCEO were involved in this process. First, we did a thorough read-through of all of the Indicator 3 Improvement Activities sections in state APRs. We identified IAs that represented the

various types defined by the OSEP categories. On completion of this review, we made decisions about which states' IAs would be identified to represent each category. Some decision rules the NCEO coders followed in selecting IA examples to represent the categories were:

1. Identified IA examples that best fit with the OSEP definition of each category.
2. Sought to identify IA examples from as many states as possible.
3. Attempted to draw out IA examples in APRs from states throughout all six regions of the U.S., as specified by OSEP in the Regional Resource Center Program.
4. Selected no more than one IA category example from any one state, excluding instances where states had individual IAs that fit into multiple categories.

The first decision rule was facilitated by requiring agreement between the two raters' reviews of the IAs identified, and that data demonstrate representation of various aspects of each IA category. The second rule resulted in IAs being drawn from 18 different states and entities, out of the 50 regular states and the 10 unique state entities. The third rule yielded the identification of IAs from fairly similar numbers of states in each region (mean=3.5, median=3, range=2-5 states per region). The fact that two regions each had five IAs identified in their states and state entities may be attributable to: a) one region having unique state entities and the largest overall number of states and state entities, and b) the second-largest overall number of states than the rest of the regions. The final decision rule resulted in exactly 18 states or state entities representing 20 improvement activities. There were 16 instances in which IAs were coded in more than one category (see Appendix A). The findings of the improvement activities review are exhibited in Appendix A.

Themes in APR Improvement Activities

In reviewing the APRs, the coders noticed some aspects of the text of the IAs that may serve as overall themes about how states wrote their IAs. Some of these themes were observed and detailed in previous years' reports from NCEO to OSEP, and some of these themes seemed unique to the APRs covering 2010-2011. These four themes are stated in the following list, and described here.

Technology

States continued to expand their applications of technology. It appears that more use is being made of detailed student data for decision making at the state level. States were also working to align professional development offerings with needs identified in statewide and regional data. School district personnel were increasingly encouraged and trained to make use of local data to pinpoint improvement efforts, including professional development activities. In many cases states were making recommendations to the local level based on state analyses of local data. While not

new, descriptions of these activities seem to be more common across reports each year.

Professional Development

In the area of professional development, communities of practice were a growing trend, with states seeking to encourage sharing of best practices among educators. Using the Internet for training (webinars) and document-sharing has become the norm. Increasingly, states were noting the use of online curriculum for students. Data-driven decision making also was a continuing theme. Although this began as an approach related to interventions for students, several states noted that they are aligning professional development programming with needs identified in analyses of regional or statewide data. Several states noted that they are using surveys to assess issues of policy and practice. This trend seems likely to continue, given the increasing availability of inexpensive online survey tools.

Help for Students

In activities directed at students, growth in assistive technology options may be behind increased reports from several states about improvement activities related to assistive technology banks, assistive technology training, and enhanced services for blind or deaf students. Programs and services specifically addressing transition to postsecondary and career also appeared to be on the increase. Some states noted that they had instituted exam preparation programs, to help students with disabilities prepare for standardized tests.

Assessments and Standards

Trends were also apparent in states' approaches to assessment. Adaptive online testing had been instituted by additional states for 2010-2011 assessments. Several states noted they had developed test item banks. Exam preparation programs, noted above, are also related to this theme.

Fewer states seemed to be going it alone on standards and assessments. More states were participating in national/regional consortia or reported partnering with another state or looking at other states' approaches. In addition, several additional states have adopted or plan to adopt the Common Core State Standards.

CONCLUSIONS AND RECOMMENDATIONS

State reports of AYP assessment data and AYP data showed a wide range of slippage and progress across all states, and state explanations of these changes were similarly variable. It appears that states are focusing on issues that they thought were partially responsible for current rates for AYP, participation, or performance. In general, AYP rates within states appeared to have shifted downward, by significant margins in some

states. Participation rates on the other hand appeared to have leveled off and are quite similar for reading and mathematics. As for performance, it appeared that many states were making gains on an annual or nearly annual basis, and data points for 2010-2011 were typically higher than state baseline values across most states and RRC regions. On average, it appears that there was a difference in student performance between content areas, with states reporting higher proficiency rates in math than in reading. In addition, states appeared to make more progress in mathematics than reading in 2010-2011. As states continue to tackle issues in assessment with prescribed improvement activities and high participation rates, it is quite possible that increases in performance will continue. At the same time, states' abilities to meet increasingly challenging AYP targets was waning during 2010-2011, and targets may need to be re-evaluated.

Appendix A. State Improvement Activities: Examples by Category

Description (Category Code)	State Examples
<p>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)</p>	<p>Improve data collection procedures for 616 and 618 reporting purposes. Collaboration continues with FSAIS and RP&E for assessment data. Activities were conducted during testing week in May 2011 to verify student participation and the administration of selected accommodations. Additionally, GDOE utilizes the Ready Results database to review and analyze assessment data. (GU)</p>
<p>Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration. (B)</p>	<p><i>Self-Assessment/Monitoring:</i></p> <p>The monitoring system in place during 2010-2011 was aligned with the SPP indicators. The system linked compliance, data and programs and services by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets.</p> <p>Each district identified for monitoring had completed a self-assessment reviewing their state assessment performance and participation rates against the state annual SPP targets, completing a protocol to identify needs for continuous improvement in curriculum and instruction and reviewing compliance requirements related to participation in state assessments. The protocol for state assessment was adapted from a document used as part of the Quality Single Accountability System, the general monitoring system for all districts in the state. IDEA requirements related to state assessment participation and IEP development were reviewed through desk audit and onsite visits. Districts that participated in monitoring were required to correct noncompliance, in accordance with the USOSEP 09-02 memo, within one year of identification. (NJ)</p>
<p>Provide training/professional development – provide training/professional development to State, LEA or</p>	<p>In January 2011, the NHDOE provided official test administration training workshops to general and special educators regarding the new version of the NH Alternate Assessment: The New Hampshire Alternate Learning</p>

<p>service agency staff, families or other stakeholders. (C)</p>	<p>Progressions (NH-ALPs) Assessment. These regional trainings provided targeted technical assistance to educators about the concept of defined learning progressions, or clusters of concepts that appear to develop together within mathematics, reading, writing and science. Educators were trained to gather evidence through the use of both video clips and structured written narrative documentation to show us how their students are performing on specified content standards in integrated, authentic ways. The trainings instructed educators about the type of data and process about what data collection would effectively assess how student growth is documented based on evidences of work samples that reflects “highest & best” performance of the school year. (NH) [ALSO CODED AS A]</p>
<p>Provide technical assistance – provide technical assistance to LEAs or service agencies, families or other stakeholders on effective practices and model programs. (D)</p>	<p>In July 2010, American Samoa sent a team, with representatives from the 2 targeted schools to participate in the PACIFIC Project Regional Training “The CIA of Education for All Students: Investigating Possibilities in the Pacific” which focused on the development of appropriate AA-AAS as a component of each entity’s inclusive assessment system and the changes needed in curriculum and instruction to improve AA-AAS performance. Technical support was provided to school teams working directly with students with significant cognitive disabilities requiring an AA-AAS. (AS) [ALSO CODED AS J10]</p>
<p>Clarify/examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator. (E)</p>	<p>Professional development, technical assistance, and state guidelines to facilitate the identification of students with print disabilities, as well as the selection, acquisition, and the use of appropriate specialized formats:</p> <ul style="list-style-type: none"> • Systematic process to track students who are addressed in statutory and regulatory requirements regarding NIMAS • Systematic process for providing accessible instructional materials to students identified as having a print disability (DE) <p>[ALSO CODED AS C, D]</p>
<p>Program development – develop/fund new regional/statewide initiatives. (F)</p>	<p>Multi-Sensory Structured Language Education (MSLE) was implemented during this reporting period to provide an additional intervention for students with reading and other</p>

	<p>learning disorders. The Alabama State Department of Education has contracted with the Shelton School in Dallas, Texas to provide MSLE training to certified teachers. The course offered by Shelton is accredited by the International Multisensory Structured Language Education Council (IMSLEC). The course is called the Shelton Academic Language Approach (SALA). This course addresses the specific written language skills of reading, spelling, and writing and trains participants in the use of a multisensory structured language program for use with students with specific language disabilities, such as dyslexia and related disorders. This course also introduces participants to concepts related to the identification of a student with specific language disabilities. This specialized instruction is an essential resource for students diagnosed with dyslexia and other learning disorders to increase proficiency in reading and be able to meet graduation requirements. Through the SPDG, intensive training in MSLE has been provided to 27 teachers in 11 LEAs to become certified language therapist candidates. (AL)</p> <p>[ALSO CODED AS C AND J8]</p>
<p>Collaboration/coordination – Collaborate/coordinate with families/agencies/ initiatives. (G)</p>	<p>The primary training developed and offered during 2009-10 was Module # 4 of the Next STEPs training developed and conducted by the Connecticut Parent Advocacy Center (CPAC), the state's Parent Training and Information Center (PTI), which is titled "Working on Improving Student Outcomes." Next STEPs training Session # 4 was offered once for 20 parents and 8 professionals during 2010-11. It focused exclusively on school improvement, understanding data including CMT/CAPT scores and IEP alignment with the general education curriculum. (CT)</p> <p>[ALSO CODED AS C]</p>
<p>Evaluation – conduct internal/external evaluation of improvement processes and outcomes. (H)</p>	<p>A caseload ratio project is underway to determine the appropriate caseload or workload of special education and related service providers in school-age programs. ODE awarded competitive grants to 10 LEAs and selected an external evaluator at the University of Akron for this two-year project. Year 1 involves researching a formula to determine caseload/workload and Year 2 will focus on implementation and data collection using the formula.</p>

	(OH) [ALSO CODED AS G]
Increase/Adjust FTE – Add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff. (I)	As a part of its Maryland State Improvement Grant III (Performance Measure 1), Maryland supports an alternative teacher preparation program, Maryland Approved Alternative Preparation Program (MAAPP) through its Coaching and Mentoring Solution Group. The Coaching and Mentoring Solution Network was supported through a series of Special Educator Mentoring Institutes (SEMI), the dissemination and training around the Stages of Professional Development document, through the Professional Development Online Tracker and through a series of online courses for special education teacher preparation programs. The MAAPP program supports non-traditional educators as they complete their education and training to become certified Special Educators. (MD)
Other (J) See J1-J12	
Data analysis for decision making (J1)	Engage in analyses of data and development of strategic plan in an effort to sustain change efforts to support a holistic system of support that ensures the needs of all preK-12 learners in Nevada are met through aligned curriculum, instruction, assessment, and accountability efforts that are well developed and delivered with integrity through evidence based practices. (NV) [ALSO CODED AS E]
Data provision/verification state to local (J2)	Data for 2011 assessments were compiled by district to show the number and percent of students participating and scoring proficient on the FCAT with accommodations, without accommodations, or on the Florida Alternate Assessment. The data were published in the 2011 AMM Databook and posted on the BEESS website at http://www.fldoe.org/ese/datapage.asp . Results for <i>all</i> students on the state assessment can be found at https://app1.fldoe.org/FCATDemographics/ . (FL) [ALSO CODED AS J6]
Implementation/ development of new/revised test (Performance or diagnostic) (J3)	In July 2010, CNMI sent 2 school teams to participate in the PACIFIC Project Regional Training “ <i>The CIA of Education for All Students: Investigating Possibilities in the Pacific</i> ” which focused on the development of appropriate AA-AAS as a component of each entity’s inclusive assessment system and the changes needed in curriculum and instruction to improve AA-AAS performance.

	<p>Technical support was provided to school teams working directly with students with significant cognitive disabilities requiring an AA-AAS. (CNMI)</p> <p>[ALSO CODED AS C AND D]</p>
<p>Pilot project (J4)</p>	<p>The Idaho Building Capacity (IBC) project is a new system of support for Idaho schools and districts that are in “Needs Improvement” status. Based on a needs assessment that indicated a need for increased support and technical assistance to Idaho schools and districts in needs improvement status, additional federal grant funds were obtained to jump start a pilot project to establish a state wide system of support in Idaho. The pilot project (Cohort I) began in January 2008 and is serving 19 sites for a three year period. The project will provide scaffolded support designed to assist Local Education Agencies (LEAs) in building their own internal capacity to sustain their school improvement efforts. A rigorous school and district selection process has been developed, with a goal to select schools and districts that are in needs improvement status and serve a high percentage of at-risk students (combined percentage of economically disadvantaged, migratory, English language learners, and students with disabilities) and have limited local resources.</p> <p>This project has been very successful in turning around failing schools and was featured by the Center on Innovation and Improvement in “<i>Transforming a Statewide System of Support: The Idaho Story</i>”. Because schools often fail to make AYP due to their subgroup of students with disabilities, special education plays a key role in our Statewide System of Support by participating on teams that visit schools and conduct instructional reviews, including instruction delivered during interventions and in resource rooms. Data is left with the school to address in their improvement plans.</p> <p>In 2010-2011, 39 districts and 66 schools were participating in the IBC. A new Cohort will begin in January 2012. (ID)</p> <p>[ALSO CODED AS F AND J11]</p>
<p>Grants, state to local (J5)</p>	<p>The Division continues to provide technical assistance to local school systems regarding the instruction and achievement of the special education subgroup. The Division awards discretionary grants that promotes</p>

	evidence-based practices and support local school systems to improve the achievement of students with disabilities. (MD) [ALSO CODED AS D]
Document, video, or web-based development/ dissemination/framework (J6)	Massachusetts FOCUS Academy (MFA) provides online, graduate level coursework to middle and high school educators across the state. Courses include: <i>Differentiated Instruction, Universal Design for Learning, Positive Behavior Supports, and Collaborative Teaching.</i> The courses help educators gain a better understanding of how a disability affects student learning, and provide educators with improved skills in the areas of curriculum design, instruction, and technology. These skills translate into improved student outcomes. (MA) [ALSO CODED AS C, I , AND J8]
Standards development/revision/ dissemination (J7)	The NDE Special Education Office in collaboration with the Curriculum Office developed Student-language Standards for Reading. (NE)
Curriculum/instructional activities development/ dissemination (e.g., promulgation of RTI, Reading First, UDL, etc.) (J8)	Arkansas Math Intervention Matrix: A Blue Ribbon Panel of mathematics experts across the state began meeting in February, 2010 to develop a web-based mathematics intervention tool to support implementation of the Common Core State Standards with students with disabilities and other struggling learners. The committee met a total of seventeen days between July 1, 2010 and June 30, 2011 to develop K-12 research-based intervention lessons directly linked to the CCSS. The intervention lesson content for the "Math Intervention Matrix" will be completed by fall, 2011. The SPDG will then begin working with a web-developer to design an interactive web-based tool teachers can use to identify and access targeted interventions for students struggling in mathematics. In addition, professional development (PD) will be written to support this tool's implementation. The PD will include a segment on using the tool as a resource for teachers when developing standards-based IEPs. Project completion is anticipated for spring 2012. (AR) [ALSO CODED AS F AND J6]
Data or best practices sharing, highlighting successful districts, conferences of practitioners (J9)	Twenty eight schools with effective instructional practices for students with disabilities were identified by the State. Seventeen selected effective practice schools received

	<p>grants to assist 17 low performing schools to adopt these effective practices. See www.S3TAIRproject.com. (NY)</p> <p>[ALSO CODED AS J5 AND J11]</p>
<p>Participation in national/regional organizations, looking at other states' approaches (J10)</p>	<p>South Dakota is actively participating on the SMARTER Balance and NCSC GSEG grant projects in order to develop and implement statewide assessments that are aligned to the Common Core. A state implementation timeline has been developed. (SD)</p> <p>[ALSO CODED AS J3]</p>
<p>State working with low-performing districts (J11)</p>	<p>Provide software to LEAs for mathematics and reading computer labs for schools identified as in need of improvement. (OK)</p> <p>[ALSO CODED AS J8]</p>
<p>Implement required elements of NCLB accountability (J12)</p>	<p>[Note: This category was not used in the current analysis.]</p>

INDICATOR 4: RATES OF SUSPENSION AND EXPULSION

Prepared by DAC

INTRODUCTION

For B4A, states must report:

- The percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with disabilities.

For B4B, states must report:

- The percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

Both B4A and B4B require states to use data collected for reporting under Section 618 (i.e., data reported in Table 5, in Section A, Column 3B). For FFY 2010 APRs, states were required to analyze discipline data from 2009–10. States are permitted to set targets for B4A; B4B, however, is considered a compliance indicator, and targets must be set at 0%.

To determine whether a significant discrepancy exists within a district, states must use one of two comparison options. States may either:

- 1) Compare the rates of suspensions/expulsions for children with disabilities among districts within the state, or
- 2) Compare the rates of suspensions/expulsions for children with disabilities to the rates for children without disabilities within each district.

The Data Accountability Center (DAC) reviewed FFY 2010 APRs from a total of 60 entities, including the 50 states, the District of Columbia, the outlying areas, and the Bureau of Indian Education (BIE). All 60 entities were required to report on B4A; however, only the 50 states, the District of Columbia, and the Virgin Islands were required to report on B4B, resulting in a total of 52 entities. For the remainder of this summary, we refer to all 60 entities as states.

The remaining sections of the report summarize the information states reported for B4A and B4B and include:

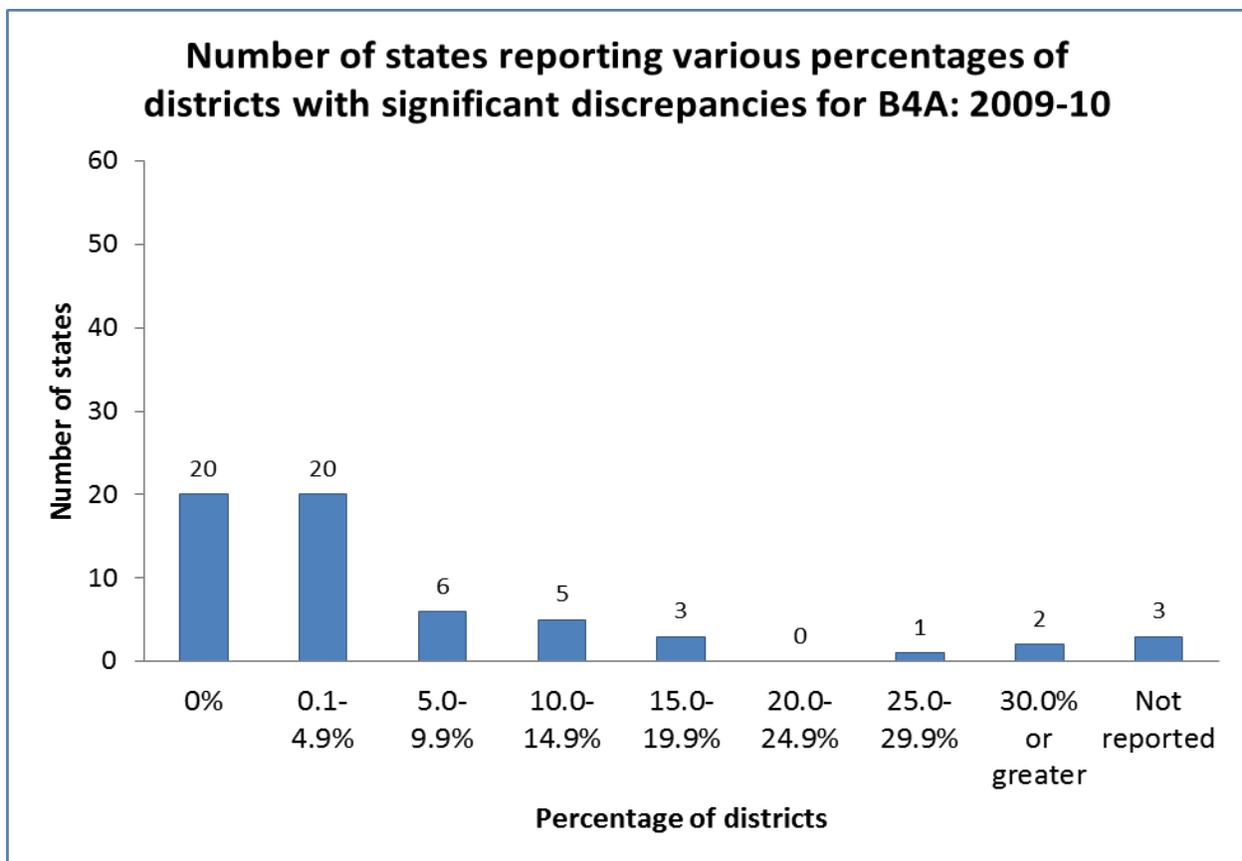
- Percentage of districts with significant discrepancy;
- Comparison option used for determining significant discrepancy;

- Methods used for calculating significant discrepancy;
- Definitions of significant discrepancy;
- Minimum cell size requirements;
- Explanations of progress or slippage;
- Reviews of policies, procedures, and practices;
- Types of improvement activities implemented; and
- Summary.

PERCENTAGE OF DISTRICTS WITH SIGNIFICANT DISCREPANCY

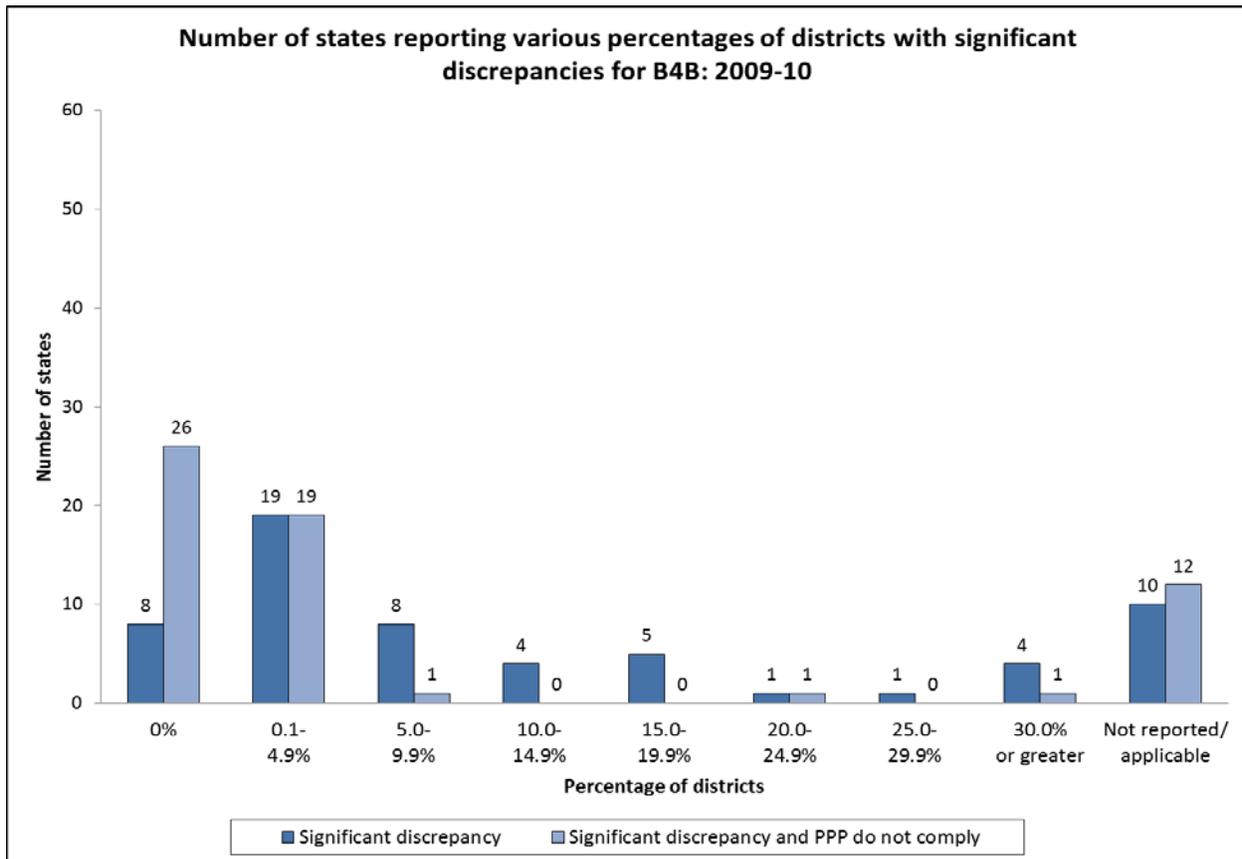
In their APRs, states reported the number and percentage of districts that were identified with significant discrepancies for B4A and B4B. For B4B, states also reported the number and percentage of districts that were identified with significant discrepancies and had policies, practices, and procedures that contributed to the discrepancy and that did not comply with IDEA requirements. This information is summarized in Figure 1 for B4A and in Figure 2 for B4B.

Figure 1



- As shown in Figure 1, 20 states (33%) for B4A reported that they did not identify any districts as having significant discrepancies.
- Just over half of the states (31 states or 52%) reported that they identified some, but less than 15%, of their districts as having significant discrepancies.
- Only six states (10%) identified 15% or more of their districts as having significant discrepancies.

Figure 2

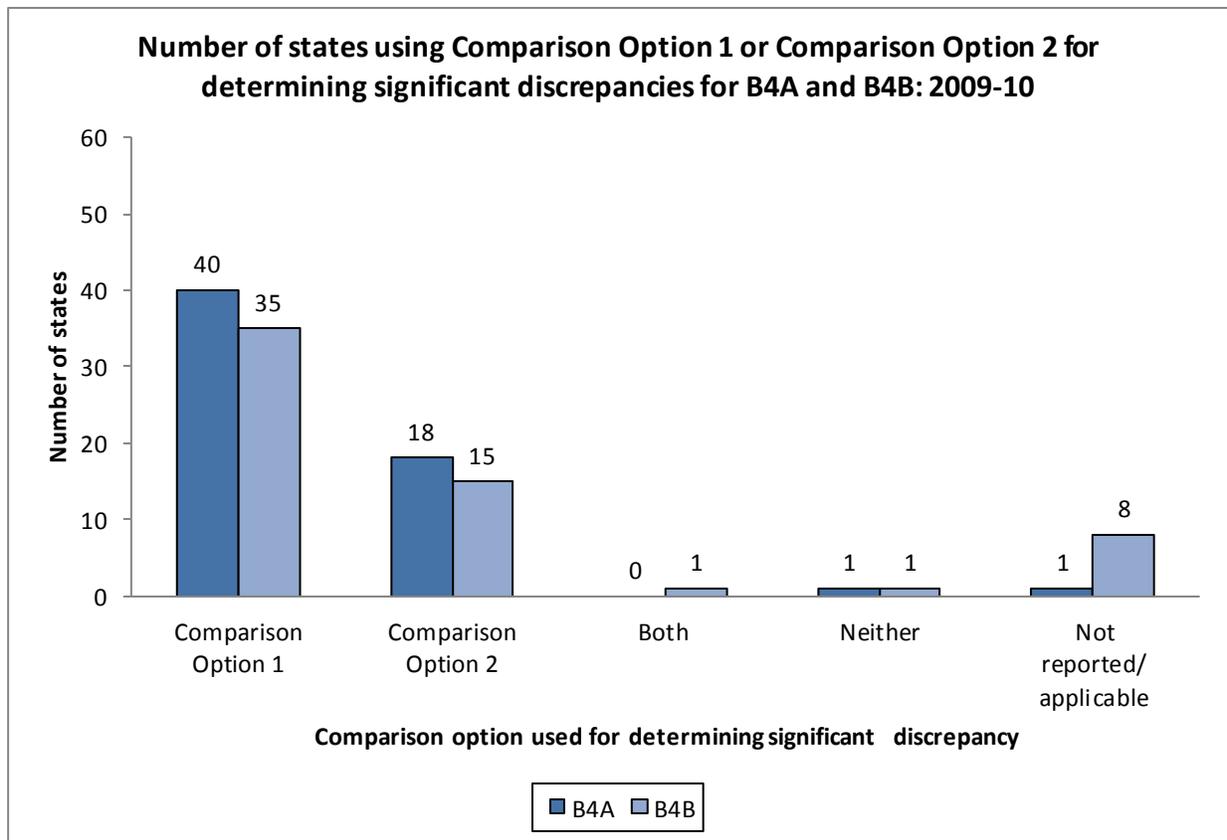


- As shown in Figure 2, for B4B, eight states (15%) reported that they did not identify any districts as having significant discrepancies; 31 states (60%) reported that they identified some but less than 15% of their districts; and 11 states (21%) reported that they identified 15% or more of their districts as having significant discrepancies.
- When looking at both significant discrepancies and policies, procedures, and practices that did not comply with IDEA requirements, however, 26 states (50%) reported that they did not identify any districts; 20 states (38%) reported that they identified some but less than 15% of their districts; and only two states (4%) reported that they identified 15% or more of their districts.

COMPARISON OPTION USED FOR DETERMINING SIGNIFICANT DISCREPANCY

As noted previously, states are required to use one of two comparison options when determining significant discrepancies for B4A and B4B. States can either: (1) compare the rates of suspensions/expulsions for children with disabilities among districts within the state, or (2) compare the rates of suspensions/expulsions for children with disabilities to the rates for children without disabilities within each district. We refer to these as Comparison Option 1 and Comparison Option 2, respectively. Figure 3 summarizes the number of states that used each option for B4A and B4B.

Figure 3



- As noted in Figure 3, the majority of states for both B4A and B4B used Comparison Option 1—comparison of the rates of suspensions/expulsions for children with disabilities among districts within the state—(40 states or 67% and 35 states or 67%, respectively).
- Fewer states used Comparison Option 2—comparison of the rates of suspensions/expulsions for children with disabilities to the rates for children without disabilities within each district. For B4A, 18 states (30%) used Comparison Option 2 and for B4B, 15 states (29%) used Comparison Option 2.

- Of the 52 states that reported this information for both B4A and B4B, all but three states (94%) used the same comparison option for B4A as they did for B4B. That is, those states that used Comparison Option 1 for B4A also used it for B4B, and those that used Comparison Option 2 for B4A also used it for B4B.

METHODS USED FOR CALCULATING SIGNIFICANT DISCREPANCY

Within each of these two comparison options, states can use a variety of methods to calculate significant discrepancy. Figure 4 presents the calculation methods used by states for B4A and B4B, where:

Comparison Option 1:

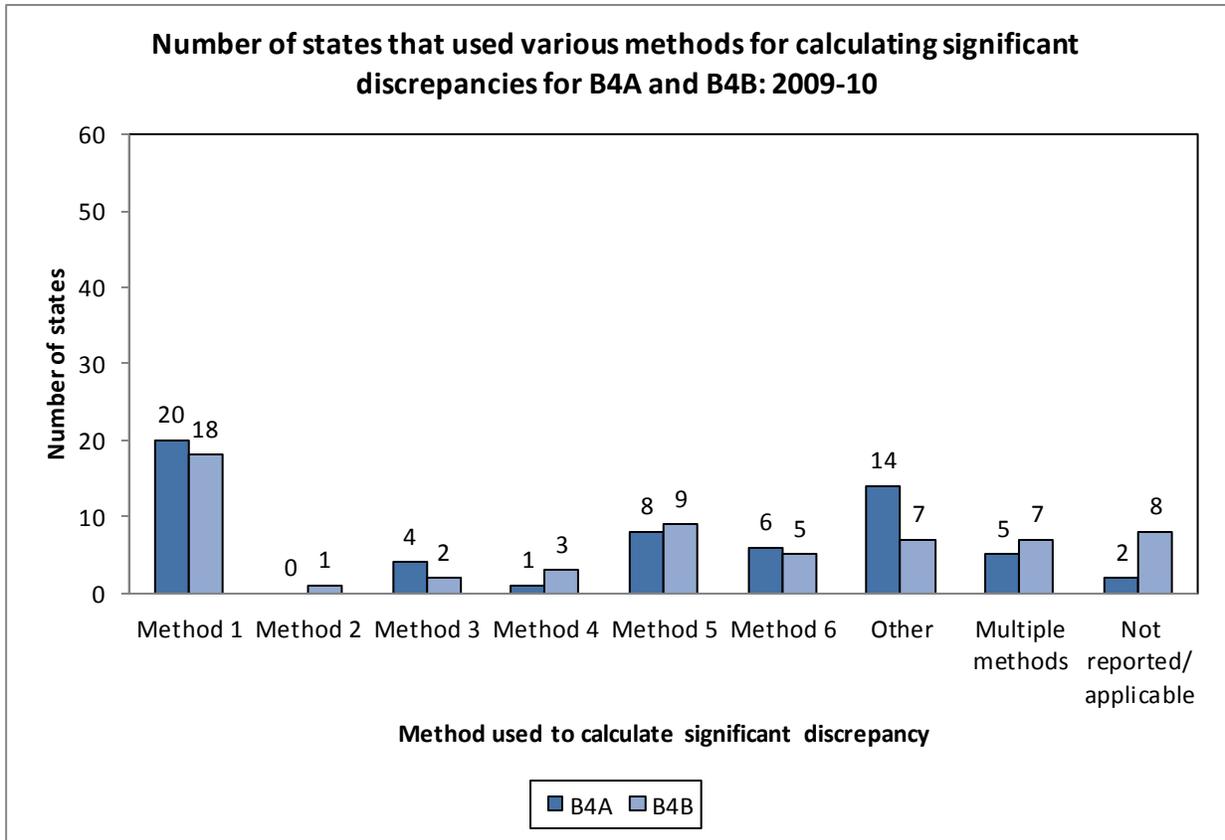
- **Method 1:** The state used the state-level suspension/expulsion rate for children with disabilities to set the bar and then compared the district-level suspension/expulsion rates for children with disabilities (B4A) or for children with disabilities from each racial/ethnic group (B4B) to the bar.
- **Method 2:** The state used percentiles to set the bar and then compared the district-level suspension/expulsion rates for children with disabilities (B4A) or for children with disabilities from each racial/ethnic group (B4B) to the bar.
- **Method 3:** The state used standard deviations to set the bar and then compared the district-level suspension/expulsion rates for children with disabilities (B4A) or for children with disabilities from each racial/ethnic group (B4B) to the bar.
- **Method 4:** The state used a rate ratio to compare the district-level suspension/expulsion rates for children with disabilities (B4A) or for children with disabilities from each racial/ethnic group (B4B) to the state-level suspension/expulsion rate.

Comparison Option 2:

- **Method 5:** The state used a rate ratio to compare the district-level suspension/expulsion rate for children with disabilities (B4A) or children with disabilities from each racial/ethnic group (B4B) to the same district's suspension/expulsion rate for children without disabilities.
- **Method 6:** The state used a rate difference to compare the district-level suspension/expulsion rate for children with disabilities (B4A) or children with disabilities from each racial/ethnic group (B4B) to the same district's suspension/expulsion rate for children without disabilities.

As noted in Figure 4, some states used methods other than the ones listed above or combined more than one method when determining significant discrepancies.

Figure 4



The majority of states used one method to calculate significant discrepancy for B4A (53 states or 88%) and for B4B (45 states or 87%). The remaining states either used multiple methods or did not report their methodology.

- Of those states that used Comparison Option 1 (40 states for B4A and 35 states for B4B), the majority for B4A (20 states or 50%) and B4B (18 states or 51%) used Method 1 (i.e., used the state suspension/expulsion rate to set the bar).
- Of those states that used Comparison Option 2 (18 states for B4A and 15 states for B4B):
 - Eight states (44%) for B4A and nine states (60%) for B4B used rate ratios, and
 - Six states (33%) for B4A and five states (33%) for B4B used rate differences.
- Some states used other methods for calculating significant discrepancy for B4 (14 states or 23%) and B4B (seven states or 13%). These methods included setting a suspension/expulsion rate-bar that was not based on the state suspension/expulsion rate, using criteria related to the number of children with disabilities suspended/expelled in the district, z-scores, the E-formula, and odds ratios.

- A small number of states for B4A (five states or 8%) and B4B (seven states or 13%) used multiple methods. Most commonly, states used Method 1 in combination with criteria related to the number of children with disabilities suspended/expelled in the district.

DEFINITIONS OF SIGNIFICANT DISCREPANCY

States are required to include their definition of significant discrepancy in the APRs. The definitions that states used varied and depended upon the method the state used to calculate significant discrepancy.

Methods for Comparison Option 1:

States using **Method 1** defined significant discrepancy as any district where the suspension/expulsion rate for children with disabilities (B4A) or children with disabilities from one or more racial/ethnic groups (B4B):

- A certain number of percentage points or greater than the state suspension/expulsion rate. The number of percentage points used by states included 1.0, 2.0, and 5.0.
- A certain number of times or greater than the state suspension/expulsion rate. The number of times used by states included 1.5, 2.0, 3.0, and 5.0.

The state using **Method 2** for B4B defined significant discrepancy as any district where the suspension/expulsion rate for children with disabilities from one or more racial/ethnic groups was greater than the 95th percentile.

States using **Method 3** defined significant discrepancy as any district where the suspension/expulsion rate for children with disabilities (B4A) or children with disabilities from one or more racial/ethnic groups (B4B) was equal to or greater than a certain number of standard deviations above the state suspension/expulsion rate. The number of standard deviations used by states included 1.0, 1.75, and 2.0.

States using **Method 4** defined significant discrepancy as any district where the rate ratio comparing the district-level suspension/expulsion rates for children with disabilities (B4A) or for children with disabilities from each racial/ethnic group (B4B) to the state-level suspension/expulsion rate was greater than or equal to the rate ratio bar. Rate ratio bars used by states included 2.0 and 3.0.

Methods for Comparison Option 2:

States using **Method 5** defined significant discrepancy as any district where the rate ratio comparing the suspension/expulsion rate for children with disabilities (B4A) or children with disabilities from each racial/ethnic group (B4B) to the suspension/expulsion rate for children without disabilities was greater than or equal to the rate ratio bar. Rate ratio bars used by states included 2.0 and 3.0.

States using **Method 6** defined significant discrepancy as any district where the rate difference comparing the suspension/expulsion rate for children with disabilities (B4A) or children with disabilities from each racial/ethnic group (B4B) to the suspension/expulsion rate for children without disabilities was greater than or equal to a certain number of percentage points. The number of percentage points used by states included 0.0, 1.36, 2.0, 3.0, 4.0, and 5.0.

Other Methods

For those states that set a suspension/expulsion rate-bar that was not based on the state-level suspension/expulsion rate, the rates that states used included 2.0%, 2.5%, 3.0%, 5.0%, 10.0%. For those states using criteria related to the number of children with disabilities suspended/expelled in the district, the most common numbers used included 1, 2, 6, 10, and 15.

MINIMUM CELL SIZE REQUIREMENTS

Overall, 44 states (73%) for B4A and 49 states (94%) for B4B specified minimum cell size requirements that they used in the calculations of significant discrepancy.

Definitions of “Cell”

States used a variety of minimum cell size requirements, ranging from 1 to 100 children for both B4A and B4B. States also defined “cell” in many different ways.

For B4A, the most common minimum cell size requirements were based on:

- The number of children with disabilities (e.g., the state required that there be at least 15 children with disabilities in the district).
- The number of children with disabilities suspended/expelled (e.g., the state required that there be at least five children with disabilities suspended/expelled in the district).

For B4B, the most common minimum cell size requirements were based on:

- The number of children with disabilities (e.g., the state required that there be at least 15 children with disabilities in the district).
- The number of children with disabilities within each racial/ethnic group (e.g., the state required that there be at least 10 Asian children with disabilities in the district).
- The number of *children with disabilities within each racial/ethnic group suspended/expelled* (e.g., the state required there be at least five Black or African American children with disabilities suspended/expelled in the district).

In some instances, the minimum cell size requirements that states used were unclear. For example, some states simply stated that they used a minimum cell size requirement

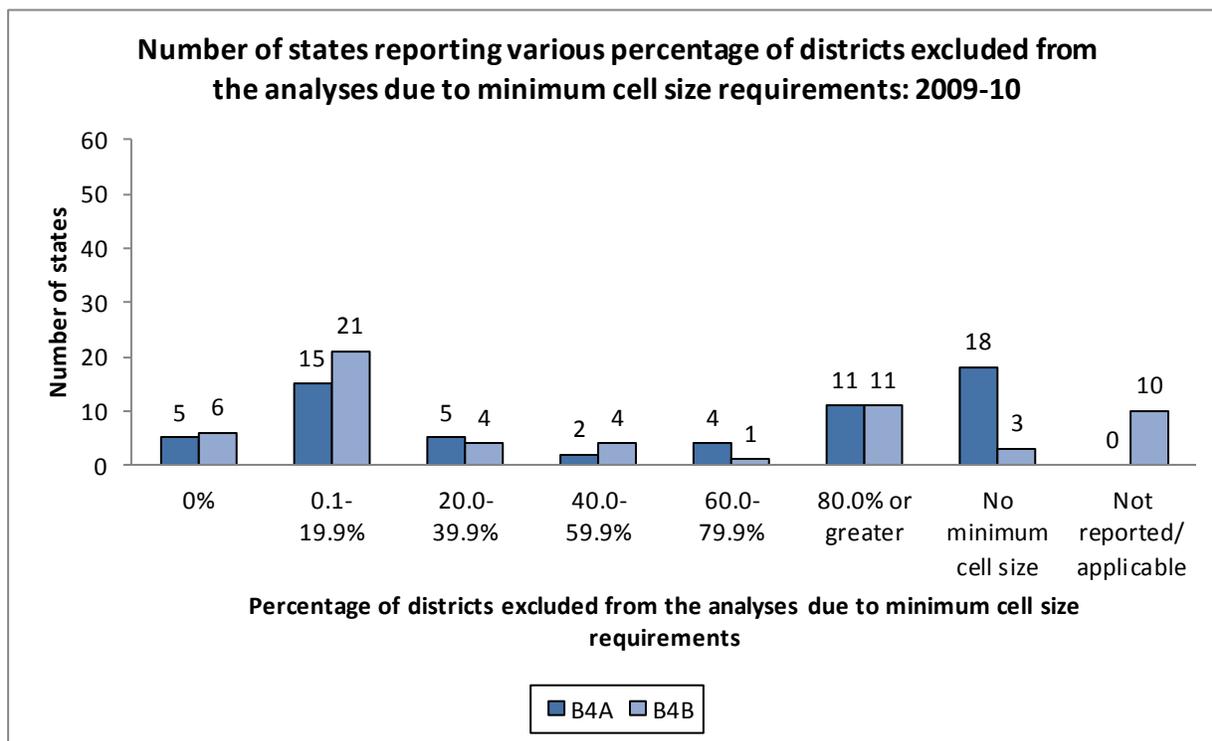
of a certain number (e.g., 10 children), but it was not clear what this number meant (i.e., children with disabilities?, children with disabilities suspended/ expelled?).

Also, a number of states for B4A (six states or 14%) and B4B (10 states or 21%) used multiple minimum cell size requirements. For example, for B4A, one state had requirements related to the number of children with disabilities and the number of children with disabilities suspended/expelled in the district. As another example, for B4B, one state had requirements related to the number of children with disabilities from the racial/ethnic group and the number of children with disabilities from the racial/ethnic group suspended/expelled in the district.

Districts Excluded From Analyses

Of those states using a minimum cell size requirement, all states for B4A (44 states or 100%) and most states for B4B (47 states or 96%) reported on the number of districts excluded from the analyses due to the minimum cell size requirements (see Figure 5).

Figure 5

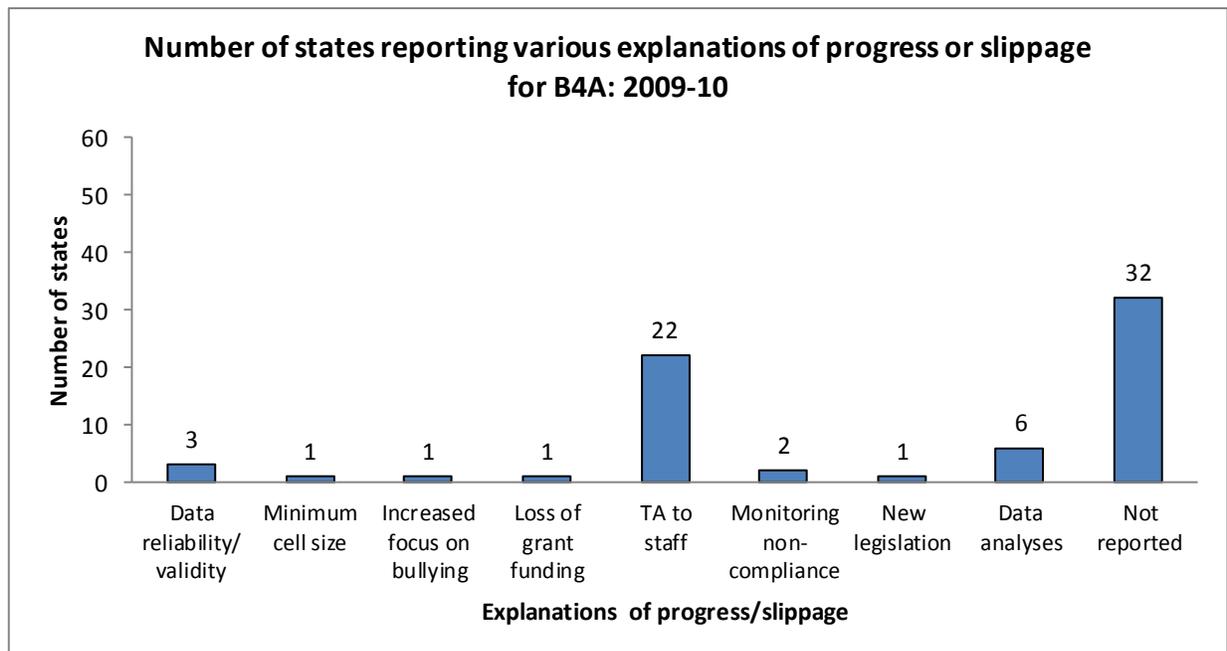


- Of those states using a minimum cell size, almost a third of the states for B4A (15 states or 34%) and about a quarter of the states for B4B (12 states or 24%) reported that they excluded at least 60% of their districts from the analyses, with 11 states for both B4A (25%) and B4B (22%) reporting that they excluded at least 80% of their districts.
- Fifteen states (34%) for B4A and 21 states (43%) for B4B reported that they excluded some, but less than 20% of their districts from the analyses.
- For both B4A and B4B, a small number of states reported that they did not exclude any districts from the analyses (five states or 11% and six states or 12%, respectively).

EXPLANATIONS OF PROGRESS OR SLIPPAGE

States are required to provide explanations for their progress or slippage. For B4A, 32 states (53%) did not provide this information or reported that they changed their methodology and were therefore unable to provide an explanation. For B4B, most states revised their methodology this year, so we did not review this information. Figure 6 reports information for the 28 states that provided explanations of progress or slippage for B4A. Some states reported multiple explanations of progress or slippage; each explanation was counted independently so the total number of explanations and the number of states that did not report will not sum to 32 states.

Figure 6



- States most frequently attributed their progress (22 states or 37%) to a wide variety of technical assistance activities and professional development activities that they implemented at either the state or district level.

- Six states (10%) attributed progress to analyzing data from previous years to determine the reasons for suspension/expulsion.
- Data reliability/data validity was reported by three states (5%) as either a reason for slippage or a reason for progress, depending on the state.
- Minimum cell size, increased focus on bullying, and loss of grant funding were each reported by one state (2%) as the reason for slippage.
- Progress was attributed to monitoring noncompliance by two states (3%) and new state legislation by one state (2%).

REVIEW OF POLICIES, PROCEDURES, AND PRACTICES

States that identify districts with significant discrepancies are required to conduct a review and, if appropriate, revise (or require the affected district to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that such policies, procedures, and practices comply with applicable requirements. Slightly over half of the states (31 states or 52% for B4A and 33 states or 63% for B4B) provided information regarding the types of activities that were used when completing these reviews.

Figure 7 presents the activities that states reported to complete this review for B4A and B4B. Some states completed multiple activities; DAC counted each activity independently so the total number of activities will not sum to either 31 states for B4A or to 33 states for B4B.

Figure 8 presents whether the activities used during the review were led by state agency staff, district staff, or both.

- The most commonly reported activity was district-level self-assessments, with 22 states (37%) citing its use for B4A and 21 states (40%) citing its use for B4B.
- The next most commonly reported activities for B4A were onsite visits (eight states or 13%), data reviews (six states or 10%), and file reviews (six states or 10%). For B4B, the next most commonly reported activities were data reviews (nine states or 17%), file reviews (eight states or 15%), cyclical and/or monitoring reviews (six states or 12%), and onsite visits (six states or 12%).
- The remaining activities reported included desk audits, drill down of data, and telephone or in-person interviews. All were reported by five states or fewer for both B4A and B4B.
- For B4A, state agency staff led all of the activities completed during the review in 18 states (30%), and for B4B, state agency staff took the lead in 27 states (52%).
- District staff in seven states for both B4A (12%) and B4B (13%) took the lead on all of the review activities. The majority of the district-led activities were focused on completing self-assessments.

- The number of states reporting both district-led and state-led activities included 16 states (27%) for B4A and 11 states (21%) for B4B.
- The number of states that provided no information or the information provided did not describe who was leading the activities included 19 states (32%) for B4A and seven (13%) states for B4B.

Figure 7

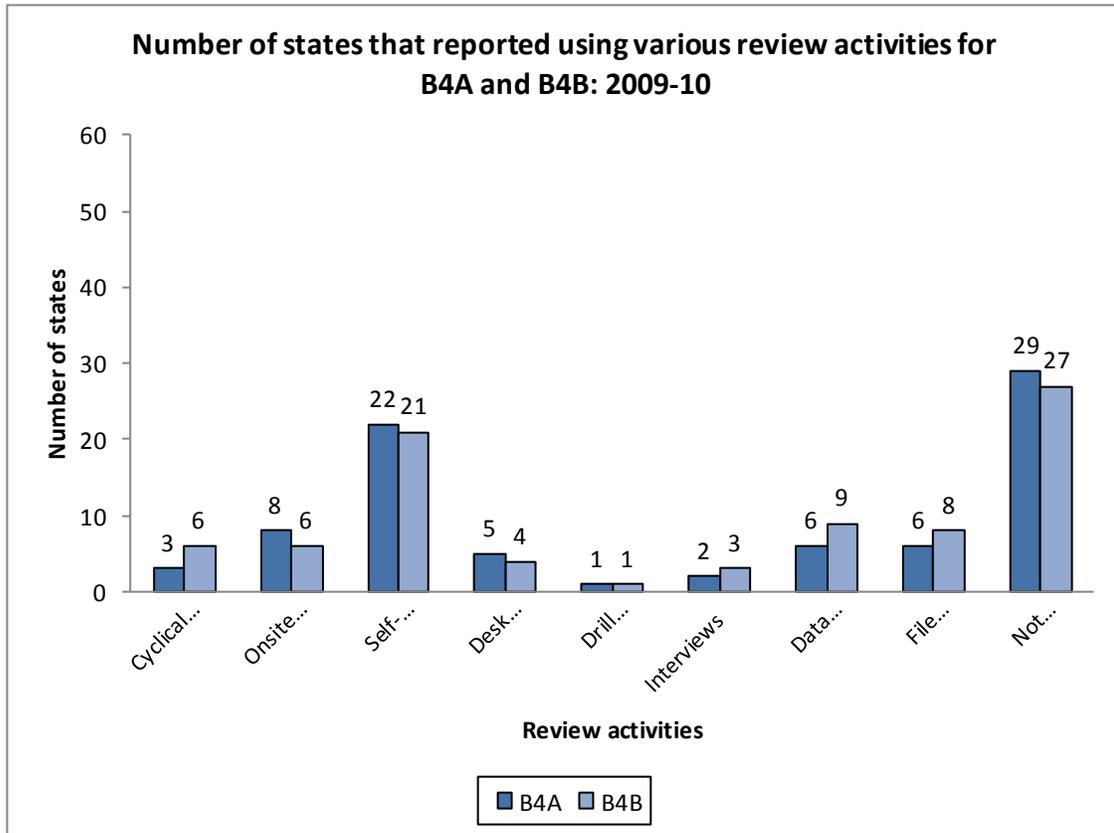
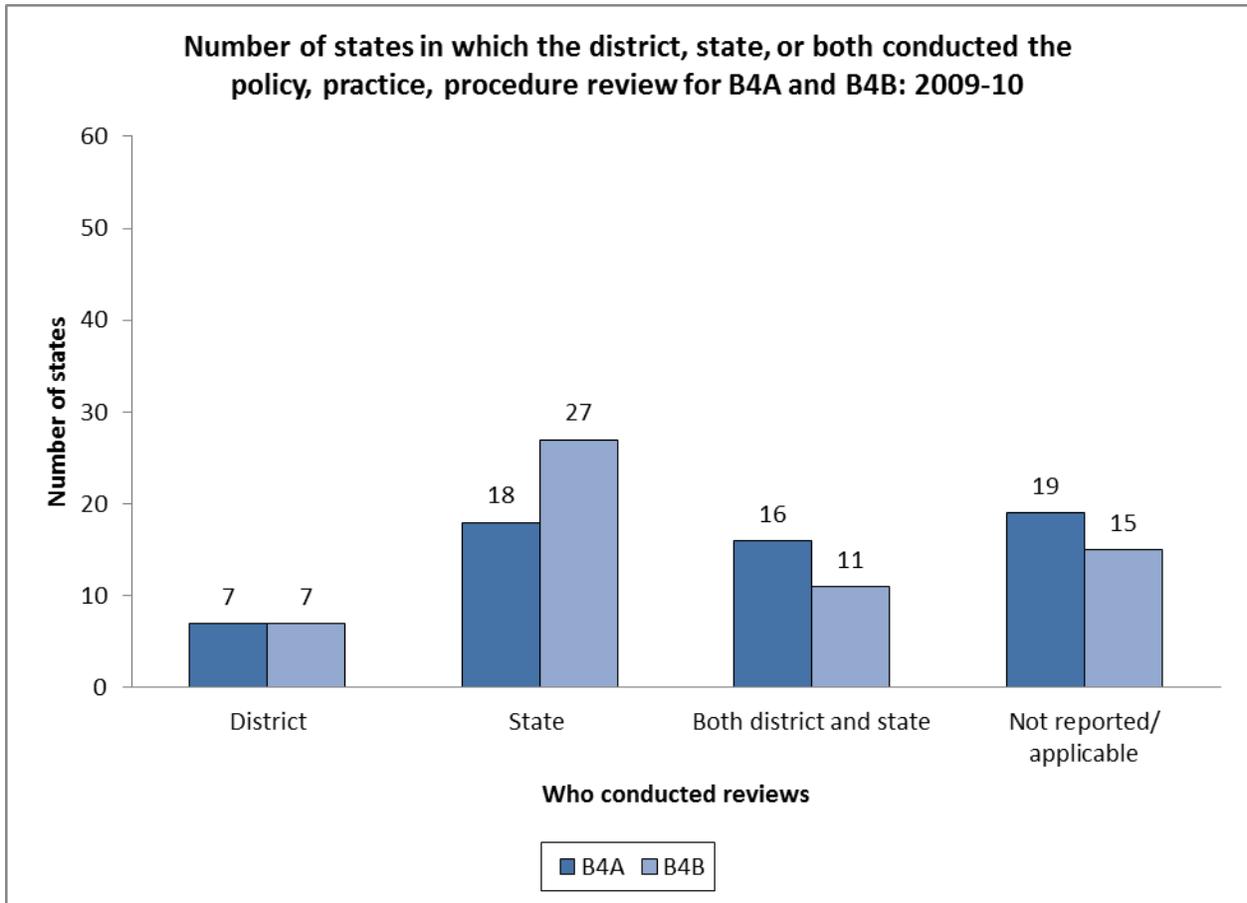


Figure 8



TYPES OF IMPROVEMENT ACTIVITIES IMPLEMENTED

States were required to report on the improvement activities that were in progress for both B4A and B4B. The activities commonly reported by states included:

- Ways to improve the methods used to monitor the review of the policies, practices, and procedures;
- Technical assistance to improve positive behavioral supports at the school and district levels;
- Professional development on topics related to child behavior;
- Data-related activities to determine the causes of the significant discrepancy;
- Technical assistance geared toward improving data collection and reporting procedures;
- Professional development on a variety of topics such as cultural sensitivity/responsiveness, bullying, and poverty; and

- Professional development on working with specific populations such as children with autism, specific learning disabilities, and emotional disorders.

SUMMARY

- A third of the states for B4A reported that they did not identify any districts as having significant discrepancies.
- For B4B, half of the states reported zero districts with significant discrepancies and policies, procedures, and practices that did not comply with IDEA requirements.
- The majority of states used the same comparison option for both B4A and B4B, with most states using Comparison Option 1, meaning they compared suspension/expulsion rates for children with disabilities among districts.
- For both B4A and B4B, Method 1 (i.e., using the state-level suspension/expulsion rate to set the bar) was the most commonly used methodology for determining significant discrepancy.
- States used a variety of minimum cell size requirements, ranging from 1 to 100 children for both B4A and B4B. A third of the states for B4A and a quarter of the states for B4B reported that they excluded at least 60% of their districts from the analyses, with 11 states for both B4A and B4B reporting that they excluded at least 80% of their districts.
- For B4A, providing technical assistance to both state- and district-level staff continues to be the most widely reported explanation for decreasing significant discrepancies. Also, over half the states did not report an explanation for their progress or slippage.
- States reported using a wide variety of activities to review districts' policies, procedures, and practices when districts were identified as having significant discrepancies. The most commonly reported activities were self-assessments, data reviews, files reviews, and onsite visits. However, the level of detail provided about these activities varied greatly across the states.
- States continue to invest energy, thought, and financial resources into developing and continuing to implement improvement activities aimed at reducing the number of suspensions/expulsions for children with disabilities in their states.

INDICATOR 5 A, B, C: LRE PLACEMENT

Prepared by NIUSI-Leadscape

INTRODUCTION

This report presents a review of state improvement activities from the Annual Performance Reports (APR) of 50 states and 10 other administrative units including the District of Columbia, the Bureau of Indian Education, and eight territories. The definition of Indicator 5 is as follows:

- Indicator 5, Part B: Percent of children with IEPs aged 6 through 21:
- A. Inside the regular classroom 80% or more of the day;
 - B. Inside the regular classroom less than 40% of the day;
 - C. Served in separate schools, residential facilities, or homebound/hospital placements.

The analysis begins with an overview of data from all 60 reporting entities, then presents detailed analyses and graphs summarizing findings about Parts A, B, and C of Indicator 5, Part B, and concludes with an analysis of improvement activities and a set of recommendations for continued success on Indicator 5.

OVERVIEW OF ACTUAL PERFORMANCE

Progress since last year on the three aspects of Indicator 5 can be summarized as moderate progress on B5A, some improvement in B5B, while B5C has remained relatively static, continuing the pattern that has held for 6 years. Given the moderate, nearly linear rate of progress since 2005-2006 on Indicator B5A, it has taken about one year per percentage point to reach a given target of students with disabilities (SWD) being served inside the regular classroom 80% or more of the day. For example, if the target were to serve 75% of special education children in the regular classroom for most of the day, it would take approximately 15 years to reach that goal for all states and entities at the current rate of progress. However, the shifts in LRE are more pronounced in some states than others. For instance, in 2005-2006, the baseline year, eight states served 70% or more of their SWDs in general education settings more than 80% of the day. In the 2010-2011 academic year, the number of states serving more than 70% of their SWDs in general education rose to 16 states. In the same year, a total of 55 states/entities served more than 50% of their SWDs in general education settings more than 80% of the day. This contrasts with the baseline year in which only 35 states/entities had met that threshold.

However, Indicator 5 data does not provide the entire picture of least restrictive environment placement (LRE). The categories A, B, and C do not include children who are served in regular classrooms between 41% and 79% percent of the day, resulting in the loss of about 22% of SWDs who are not represented in these data. Caution must be applied in the interpretation of the available data at the aggregate level since there is wide variation among the states and other administrative units. Progress and slippage on Indicator 5A for example, which is measured by the difference from the prior year to the current year, is reported as a range of most gain (23 percentage points) to most

slippage (-6 percentage points), illustrating the variation found across the population of reporting entities (Table 1). Therefore, interpretation of the means must be made with caution.

Almost 60% of the states and administrative units report that they met their targets. Data concerning targets for B5B and B5C, which are more restrictive environments, indicate improvement if the data are less than or equal to the target, while for Indicator B5A, gains are made if the data are equal to or greater than the target. In our analysis, we have represented all gains with positive numbers and percentages and all slippage with negative numbers and percentages, for consistency.

**Overview of Reported Indicator 5B Data
Table 1.**

Indicator	A	B	C
Mean %	63	12	4
Minimum %	31	2	0
Maximum %	95	33	28
Standard Deviation % *	12.3	5.9	3.9
Entities Meeting Target (n/60)	35/60	34/60	35/60

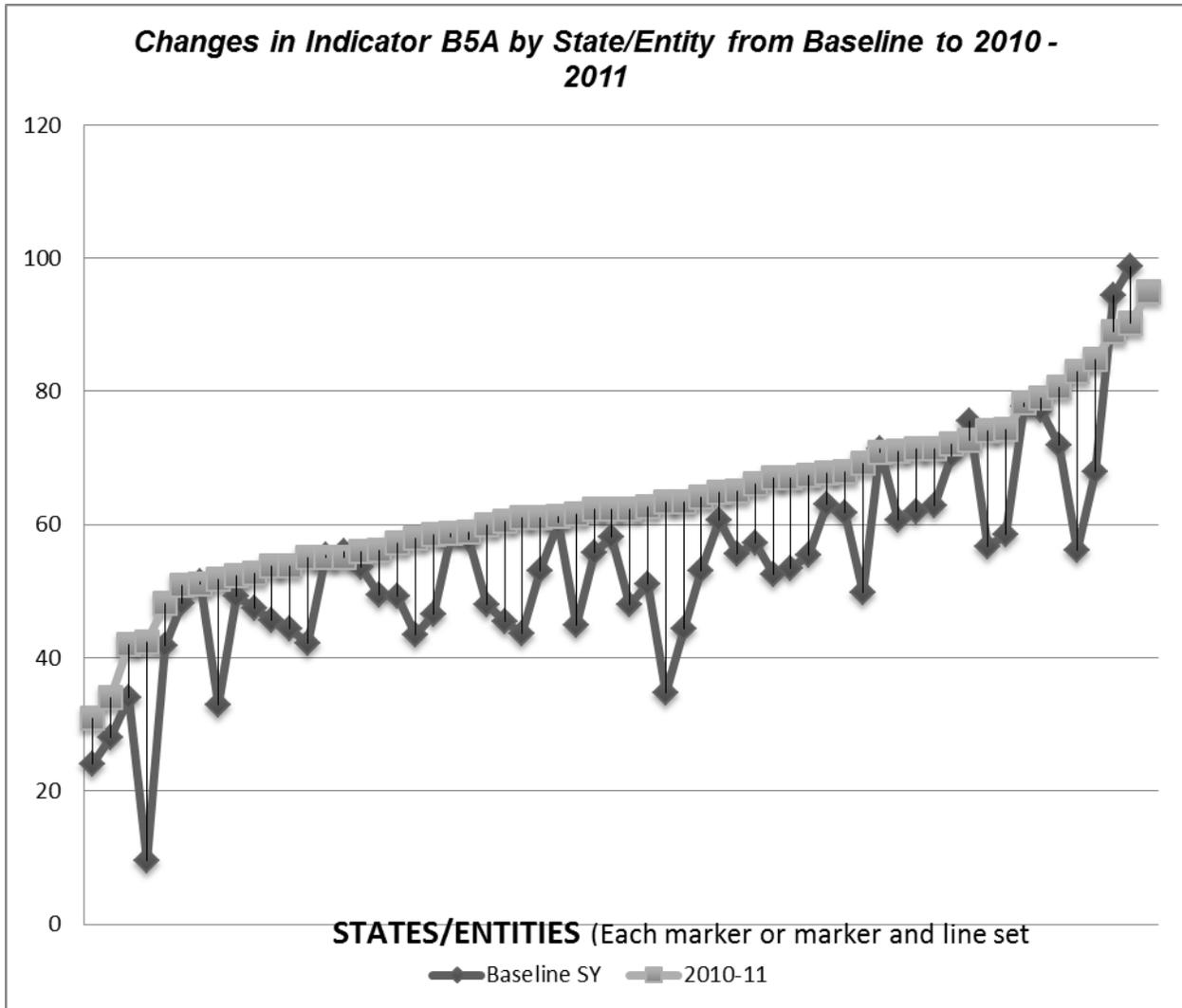
* Standard deviation was computed based on the entire population n=60

Category B5A: Inside the Regular Class 80% or more of the day

Change from Baseline in B5A

The change from baseline to 2010-2011 in the B5A indicator is depicted as a vertical line for each state or territory, with the baseline year at one endpoint and the current year at the other in Figure 1, below. Ninety-three percent (93%) of the reporting entities show positive change from baseline to their current levels, an increase from last year in which 87% of all reporting entities showed an increase from baseline. While there is variation from year to year, only four entities have experienced slippage from the baseline year. In Figure 1 the state data are displayed left to right from lowest to highest percent of SWDs served inside the regular classroom 80% or more of the day. This puts the mean of 63% near the middle of the graph and shows that most of the states fall in the range from 50% to 70% of students being served in the least restrictive environment.

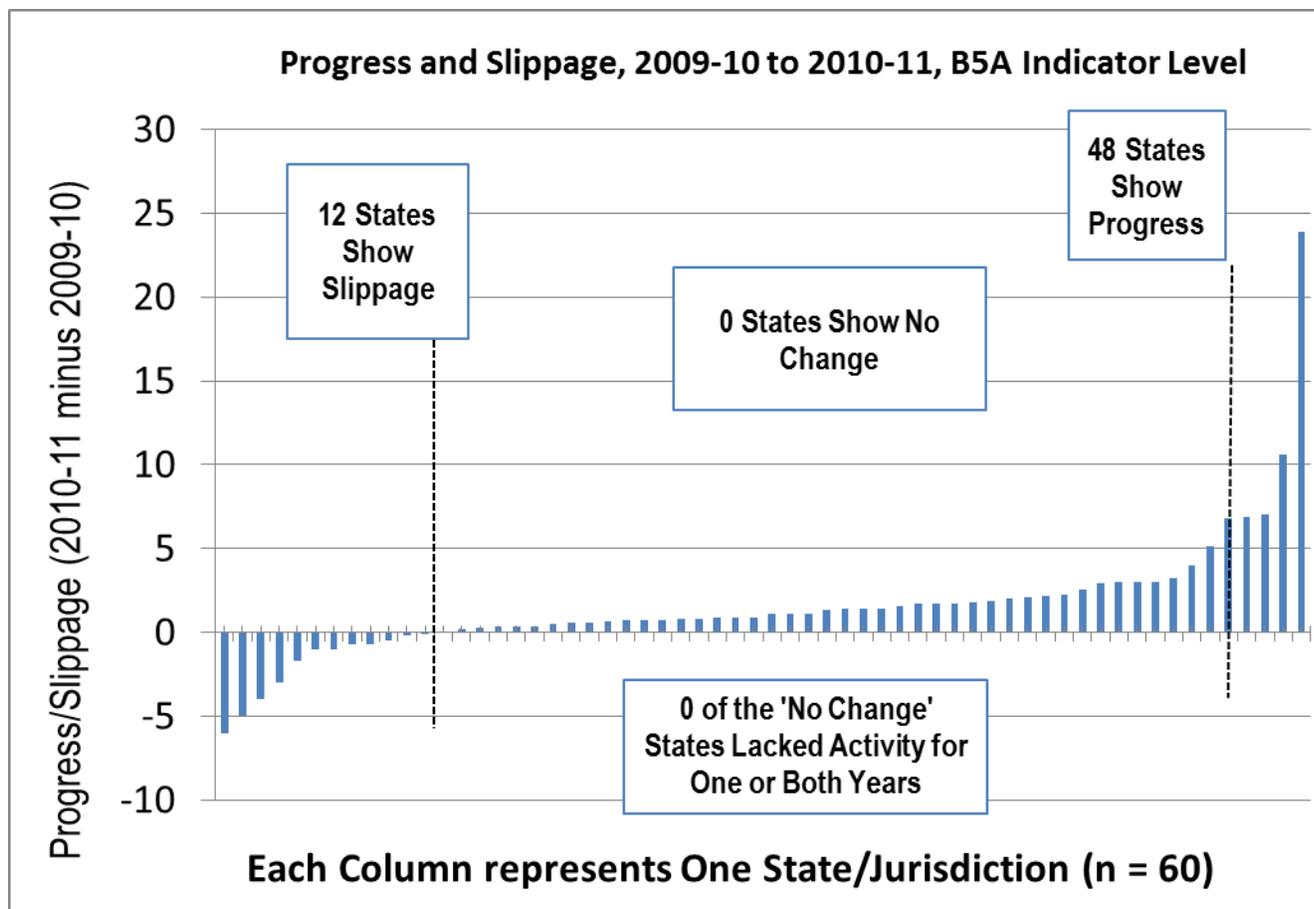
Figure 1



Progress and Slippage on B5A

Progress and slippage on Indicator B5A is measured by the difference between the current reported level (2010-11) and the previous year (2009-10). Slippage is reported primarily as improvements in data entry and collection around Indicator 5B.

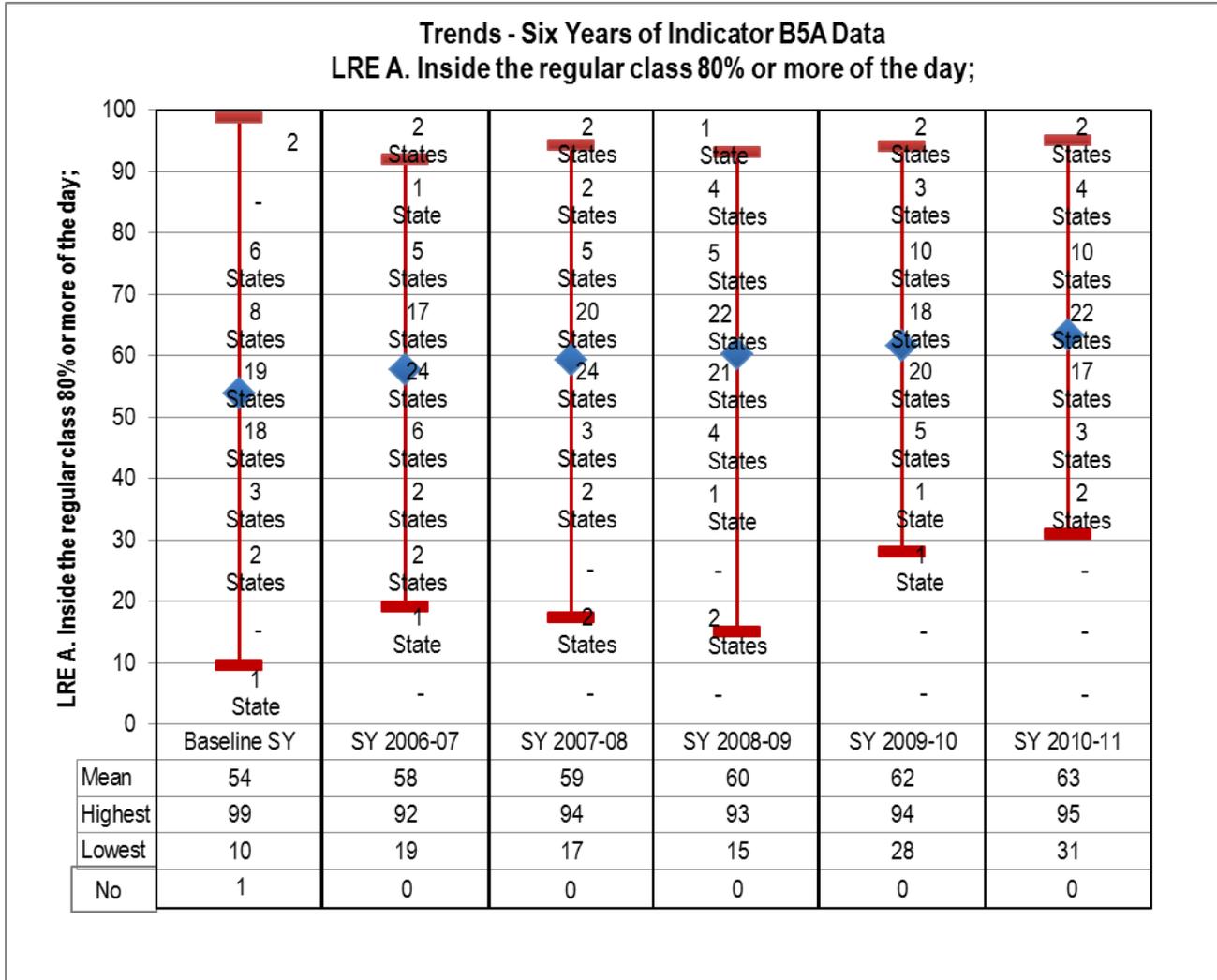
Figure 2



Six Year Trends in B5A

The six year trend for Indicator B5A shows an overall increase in the number of states who are serving greater than 50% of their students in the regular classroom for 80% of the day or more (Figure 3). There are only five entities (including states) serving less than 50% of their SWDs in general education less than 80% of the time. The most gain in this indicator occurred in the number of states serving 70% or more of their students, moving to 16 states/entities. Other positive signs in the six year trends include a gradual increase in the mean from 54% to 63% and an increase in the minimum from 10% to 33% which is evident in Figure 3 by the narrowing of the range, including an absence of states with less than 20% being served in this category. The wide range in Indicator 5BA, from a minimum of 33% of SWDs in general education more than 80% of the time to the maximum of 95%, suggests that states still struggling on this indicator might find value in sharing policies and practices in order to increase the number of SWDs being served in general education settings. In addition, the wide range suggests a need for assisting states and territories in setting challenging targets that focus on making robust improvements in their data, given the success of a number of states on this front. We address this in our recommendations.

Figure 3



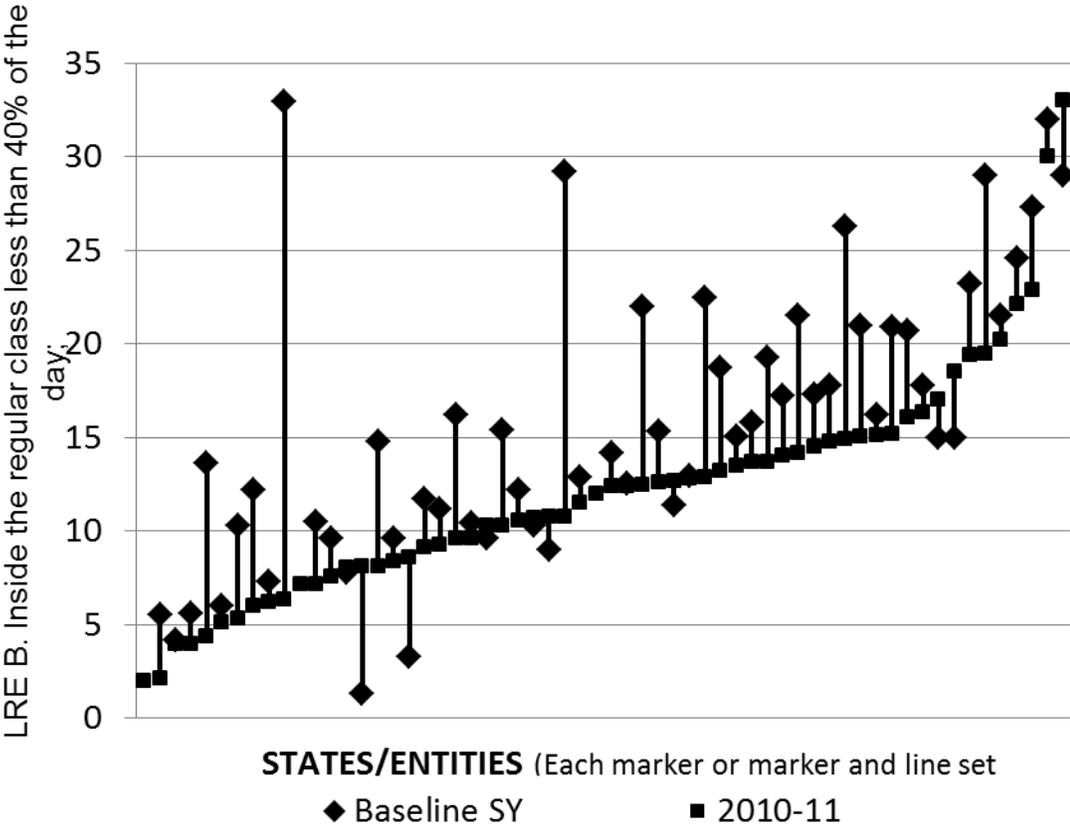
Category B5B: Inside the regular class less than 40% of the day

Change from Baseline in B5B

The change from baseline in the B5B indicator is depicted as a vertical line for each state or territory, with the baseline year at one endpoint and the current year at the other (Figure 4). Gains in this indicator occur when the number of students in this category decreases; that is, when fewer students spend more than 60% of their time outside the regular classroom. Thus, the state lines in which the baseline is above the current level have made gains. The graph is organized from the lowest to highest percentage of students in this category, placing the mean of 12% near the middle.

Figure 4.

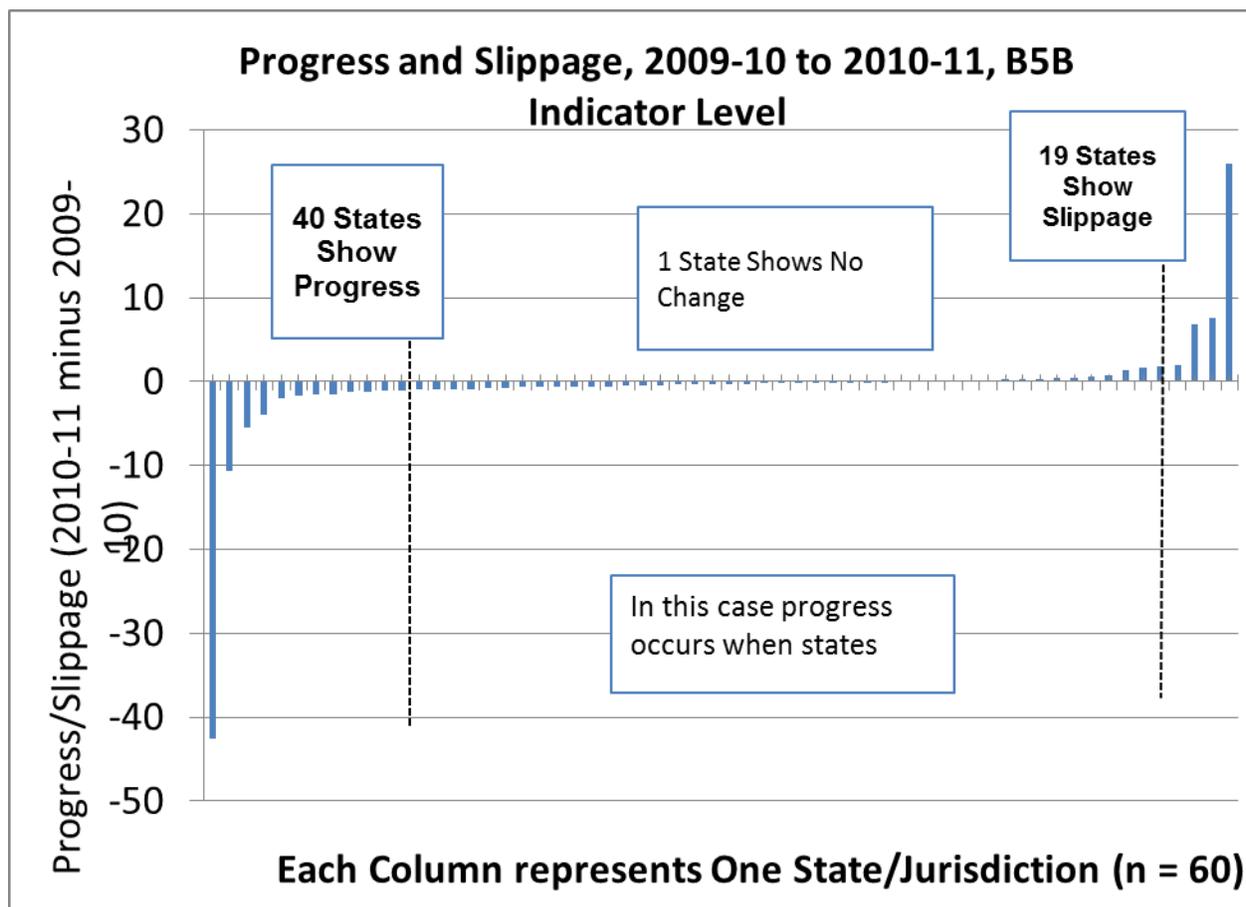
**Change from Baseline to 2010-11 Level for Indicator B5B
(Sorted by current indicator level)**



Progress and Slippage in B5B

Progress and slippage on Indicator B5B is measured by the difference between the current reported level (2010-2011) and the previous year (2009-2010). Slippage occurs when the current year level is higher than the previous year, since decreases in the numbers of students served in environment B increase the number of students served in environment A. Therefore, progress occurs when the number of SWDs decreases in this category.

Figure 5

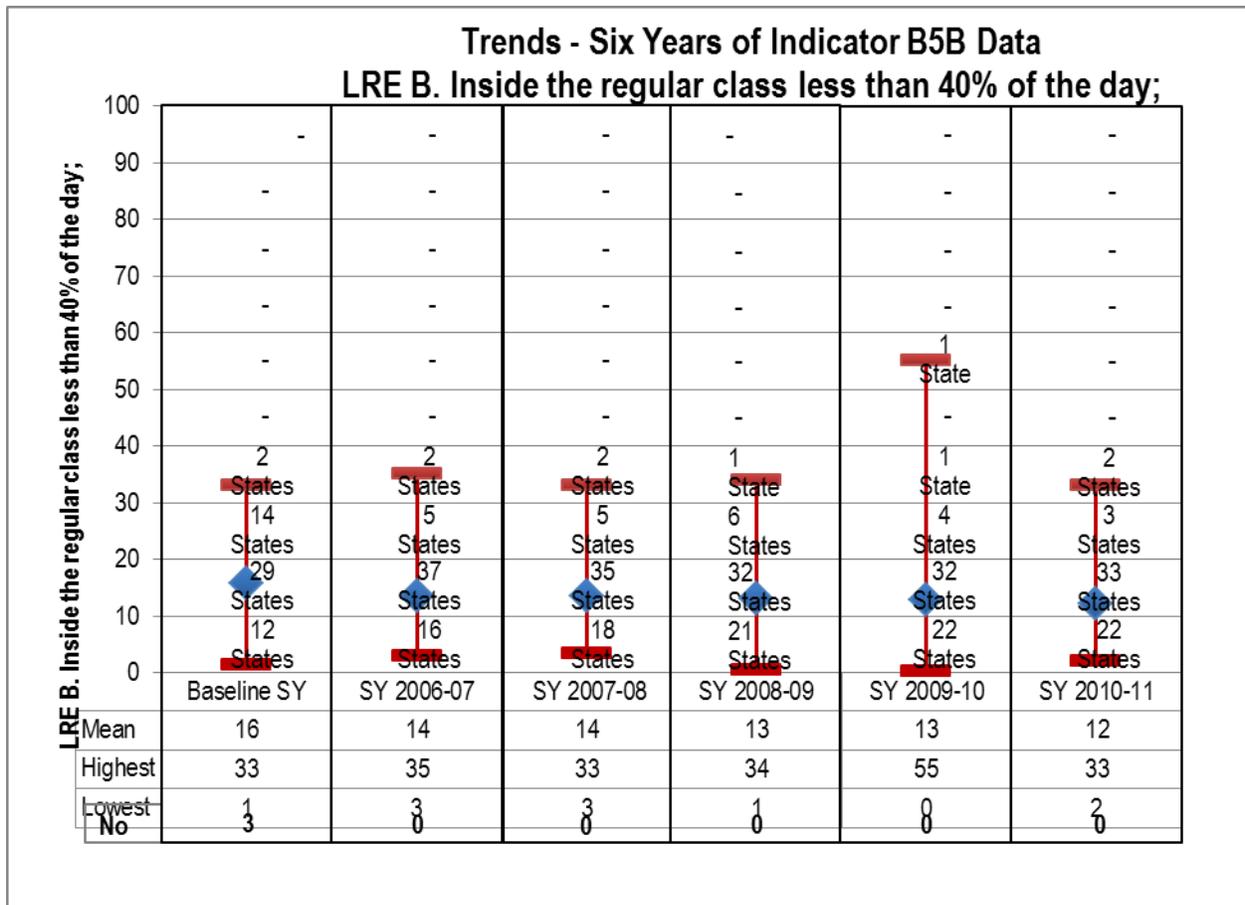


Six Year Trends in B5B

The six year trend graph (Figure 6) for Indicator B5B shows the essentially flat mean percentage of 13 to 14% of students who are served in the regular classroom for less than 40% of the day. Progress would be evident if this percentage was dropping from year to year, unless there is some reason that a percentage of students cannot be served except in more restrictive environments outside of the general education. Since approximately 3% of students need an alternative curriculum and assessment, it raises the question of whether targets for B5B should aim to reduce service delivery in this category to a similar level.

Twenty-two (22) states/entities have fewer than 10% of their students in this category, a number of states that was modestly growing by about one state per year for the last five years but did not change from last year. Another 36 reporting entities could perhaps join them, which might drop the mean to below 10%.

Figure 6



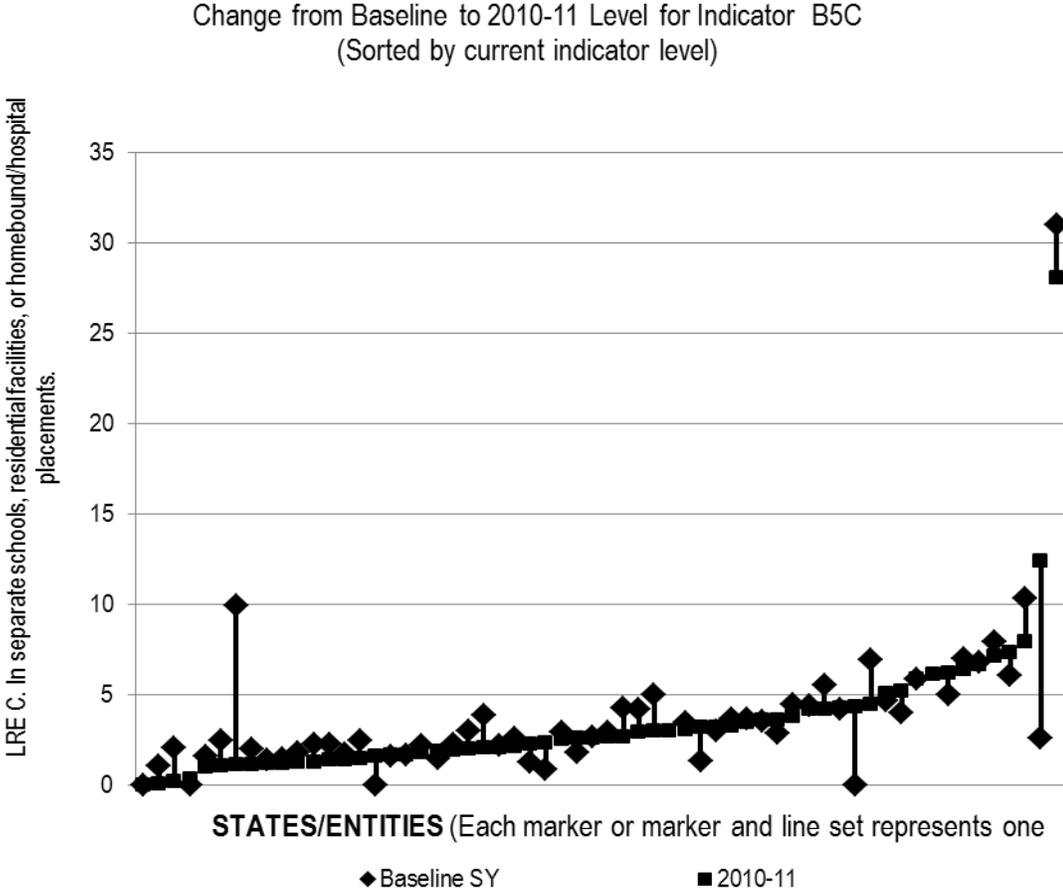
Category B5C: Served in separate schools, residential facilities, or homebound/hospital placements

Change from Baseline in B5C

The change from baseline in the B5C indicator is depicted as a vertical line for each state or territory, with the baseline year at one endpoint and the current year at the other (Figure 7). Gains in this indicator occur when the number of students in this category decreases; that is, when fewer students are served in separate schools, residential facilities, or homebound or hospital placements.

Except for one outlier in this year’s data, the typical range for this indicator is less than 10% of the population.

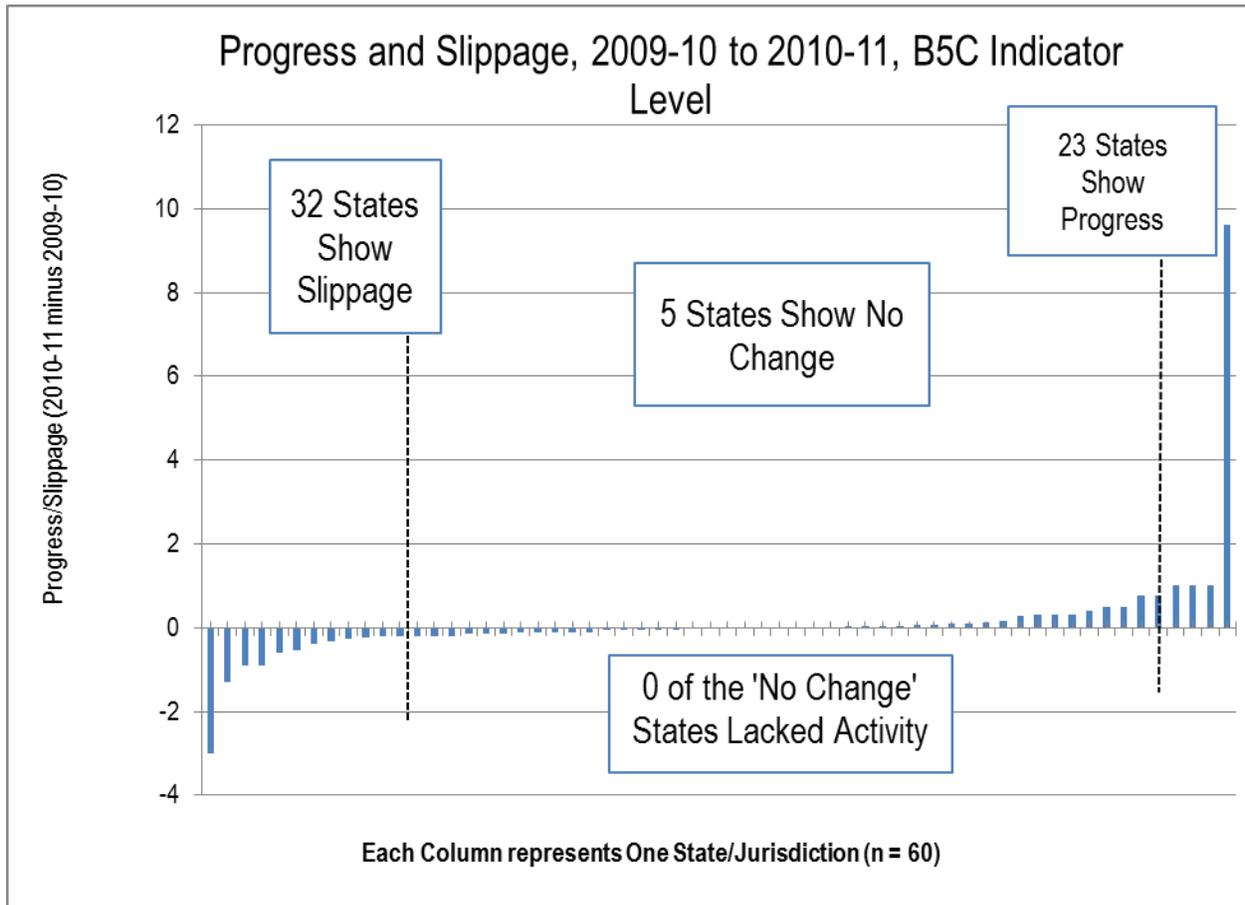
Figure 7



Progress and Slippage in B5C

Progress and slippage on Indicator B5C is measured by the difference between the current reported level (2010-11) and the previous year (2009-2010). Slippage occurs when the current year level reported is higher than the previous year, because the goal is to reduce the number of students in this category (Figure 8). Progress was made in 23 states while 32 states showed slight slippage.

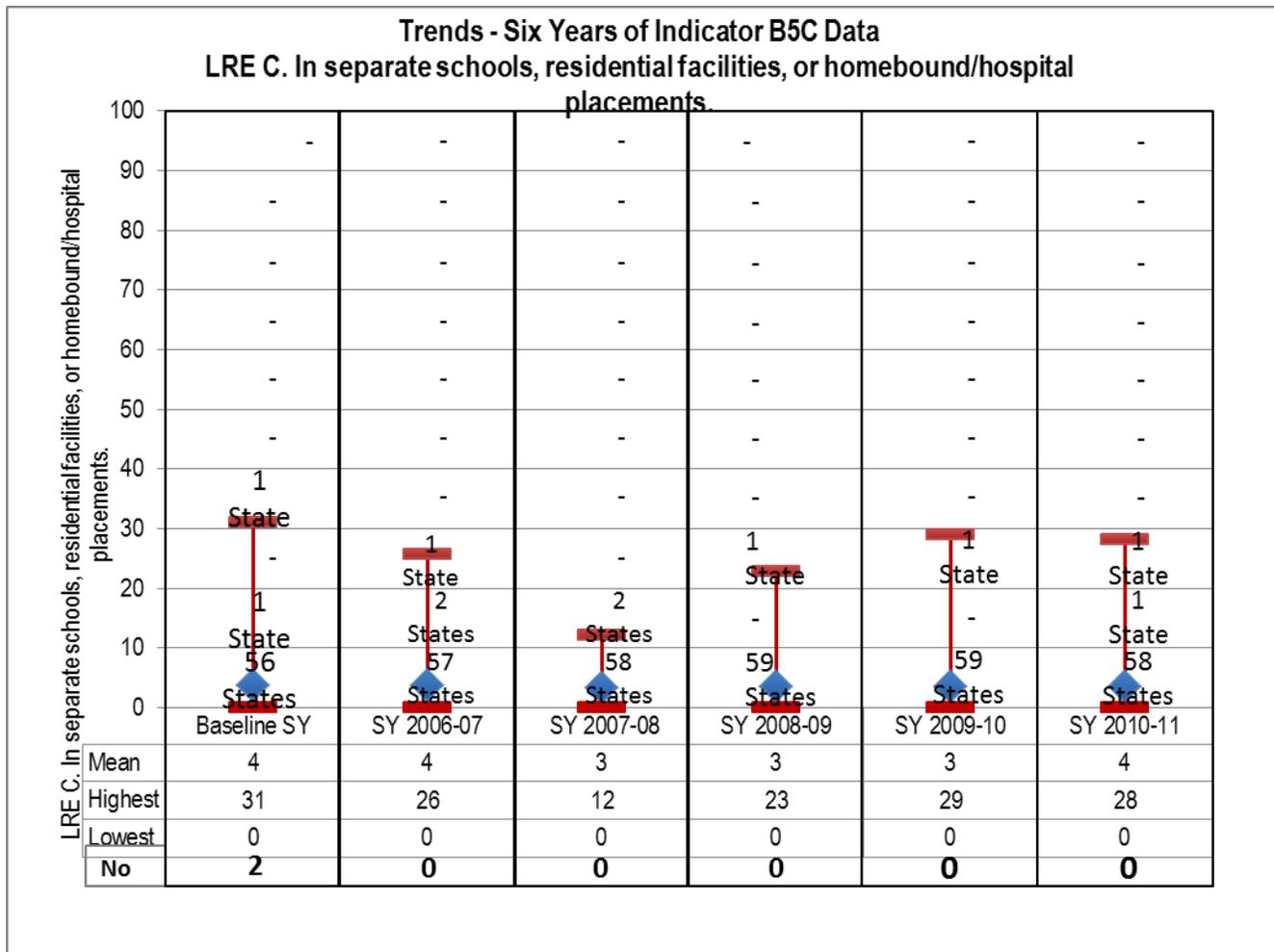
Figure 8



Six Year Trends in B5C

The six year trend graph (Figure 9) for Indicator B5B shows the essentially flat mean percentage of 3% of students who are served in separate schools, residential facilities, or homebound or hospital placements.

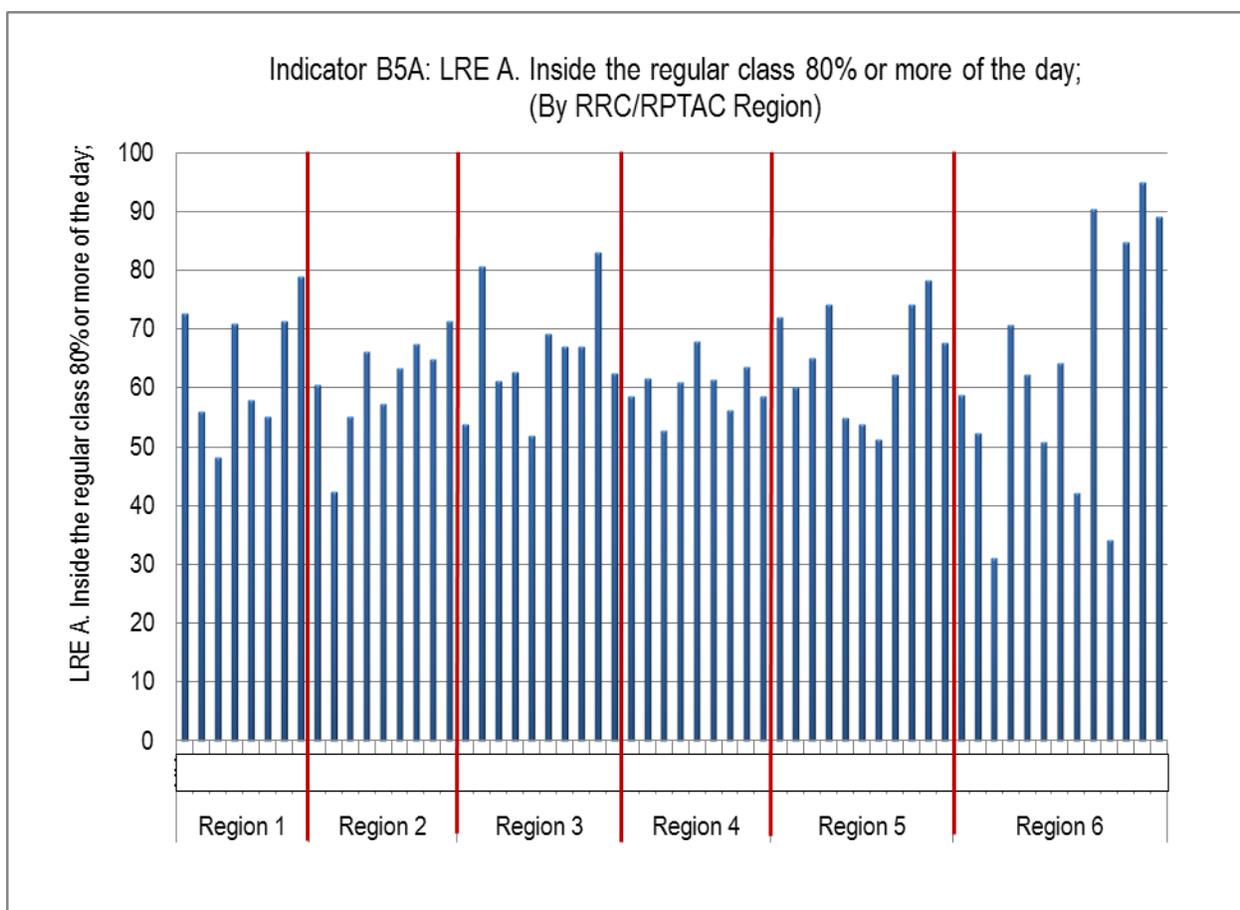
Figure 9



IMPROVEMENT ACTIVITIES

The entities with the most progress on B5A include New Hampshire, Mississippi, Arizona, the District of Columbia, Vermont, the Virgin Islands, Florida, Hawaii, Indiana, and the Bureau of Indian Education. These states and other entities are distributed across the six OSEP regions. As Figure 10 shows there is variability in the percent of SWDs who are served in general education 80% or more of the time, with the most variability contained in Region Six. Thus, correlations between the work of the regional resource centers (RRCs) and regional parent technical assistance centers (RPTACs) for families and SEAs and improvements in the 5BA indicator are not possible. Another variable that could be argued to have impact on LRE outcomes is the size of the state population of SWDs. However, the size of the 10 most improved states in terms of the numbers of SWDs they serve also varies. Two states had SWDs populations of 20 to 60,000 students. Two states/entities served less than 10,000 SWDs. One state served 100,000 to 140,000 SWDs while the other two served even larger populations (140,000 to 225,000 and more than 225,000 SWDs). SEAs attributed their progress to professional development, targeted technical assistance, and improvements in the validity of the data reported by schools and districts to states.

Figure 10



States reported extensively on their improvement activities but many did not explore root cause analyses. However, their choices of improvement activities suggest that there are a set of patterns observed within states that lead to particular kinds of investments. We explore those here. There were 13 different typologies for improvement activities and within those, specific strands. The typologies are listed here with the number of variants (in parentheses) listed from the largest to the smallest number of mentions: (a) professional development (42); (b) the analysis and use of data from continuous improvement processes (7); (c) focused evaluation projects (5); (d) school change interventions (4); (e) SEA direct service delivery (4); (f) systemic change initiatives (3); (g) sharpened focused monitoring processes (2); (h) improvements to accountability systems (2); (i) targeted technical assistance (2); (j) efforts to increase the validity of data collection (1); (k) knowledge building (1); (l) model development (1); and (m) direct development for SWDs (1).

Within these typologies are a set of activities that involve the use of ongoing continuous improvement and accountability processes as a source of evidence for identifying and building on successful practice. Examples include the improvements to accountability systems, efforts to increase the validity of data collection, mining ongoing data collection efforts to better understand and predict successful LRE efforts, and investments in specific evaluation efforts. This move from a focus on collecting data to using it in meaningful ways to improve outcomes is a shift from earlier improvement activities and speaks to growing sophistication in how data can be used to invest strategically in improvement efforts. It is worth noticing the number of years that was needed for systems to move from gathering to using data to guide investments.

Of note are the forays into providing direct service from the SEA to families and to students. This raises questions about the ways in which LEAs and schools view their roles in serving students and families and whether additional effort should be allocated to helping schools and LEAs develop stronger and more creative approaches to connecting and engaging with families and students. One possible explanation is that the SEAs are filling a void that is not addressed in local practice.

There were **42** different professional development topics identified. An examination of the most frequently cited PD topics is illustrated in the table below. The list raises many questions about how personnel providing professional development in these content areas define them and whether there is overlap in what is being offered. For example, while assistive technology and UDL focus on notions of access and investments in technologies for access and participation, they are theoretically grounded in complementary notions. Sometimes, important distinctions at macro levels are translated into knowledge silos for practitioners who may not be as fluid with the constructs. Their toolkits may end up getting organized with distinct and potentially competing tools without careful designs for the curriculum and learning. Another potential source of robust practice in the classroom, focused efforts on reading, literacy (listed here as distinct topics because it is not clear if they are defined differently), math and other content areas such as science might be important aspects of high quality access to the general education curriculum given the research literature. Yet, they have much fewer mentions than co-teaching or inclusionary practices both of which are not as clearly defined in the research literature. The list of professional development topics

raises questions about what kinds of evidence are being used to target professional learning activities.

List of Most Frequently Cited Professional Development Activities
Table 2

Content	# of Mentions	Content	# of Mentions
Curriculum & Common Core Standards	9	Collaboration	5
PBIS	9	Autism	5
Administrator Training	8	Reading & Literacy	5
Assistive Technology	8	Math	5
Differentiated Instruction & Assessment	8	RTI	5
Universal Designs for Learning	7	Parent Training	5
Inclusionary Practices	7		
Co-Teaching	7		

An additional observation about the improvement activities may be helpful. There is short shrift given in the APRs (at least in Indicator 5B) to how content knowledge, processes, and systemic approaches to scaling up improvement will be disseminated within states. The degree to which personnel within the SEAs have the deep knowledge to network, diffuse, and encourage knowledge adoption may be an important line of inquiry and development. Further, the tools for such activities require relatively high levels of skills in the design and development of digital technologies. Where these investments should lie and who should encourage their development is an important consideration. While some of the content knowledge areas might be linked with topic specific TA centers, few states mention any of the TA Centers including those like the PBIS Center that is clearly connected to professional learning and model development around PBIS. On the one hand, the lack of mention of specific centers may indicate that knowledge diffusion is so pervasive that it is no longer seen as the purview of any particular location. Further, the knowledge may reside within the state without need for external agents and knowledge builders. On the other hand, it may be that middle level SEA managers and technical assistance consultants lack the time and opportunity to have close connections with TA Centers that can support the development of expertise.

Finally, there may be development work that would strengthen state investments in particular kinds of knowledge building. Many professional development topics were listed but it was rarely apparent who the audience for the content would be. Additionally, at least 15 states and entities mentioned the use of summer institutes and conferences for knowledge dissemination but the link between the conferences and specific, focused technical assistance based on *school* and *LEA* needs was not clear. One question that could be raised is the degree to which any professional learning work should be done outside of targeted efforts to support, improve, and refine the work of educators in their specific school communities.

CONCLUSIONS AND RECOMMENDATIONS

Progress since last year on the three aspects of Indicator 5 can be summarized as moderate progress on B5A with very slight improvements in B5B and no change in B5C. The following recommendations continue to have merit in improving not only the percentage of SWDs being served in general education but also the quality of their learning experiences and their post-graduation outcomes.

- 1) Annual targets should be set with an expectation of improving the conditions of placement, so that if targets are met, conditions improve for students. If a state or territory reports no progress and yet has met its targets, there should be an analysis of the quality of student experiences with complimentary targets focused on improving outcomes of the LRE experience.
- 2) The federal reporting policy of allowing a missing 22% to 26% of special education students caused by the Indicator B5 definition of A,B, and C should be reviewed and a category D should be considered to document the percentage of students being served in regular classrooms between 41% and 79% of the day. This policy would allow the total percentage reported to equal 100%, creating an error check that is currently missing in the system, and could lead to more accurate reporting as well as review of state policies and practices.
- 3) Because the standard deviation of the total population of reporting entities is 12.30% we recommend that some form of grouping or clustering (e.g. states, territories, demographic clusters) be used to help set targets, share policy and practice successes, and interpret results.
- 4) Reporting entities with data improvements more than 2.5 times the standard deviation of the previous year should examine their policy and practices to ensure accurate data, and share evidence of changes in policy and practices that explain the dramatic improvements.
- 5) Reporting entities with slippage of more than 2.5 times the standard deviation of the mean of the previous year should set aggressive improvement targets (e.g., at least to the mean) and plan improvement activities to make concerted efforts to ensure that all special education students are placed in the least restrictive environment. For example, if a state reported that 28% of students are being served in the regular classroom for 80% or more of the day, and the standard deviation was 12.30% in the previous year, then the entity should set a target of 59% ($2.5 \times 12.30 + 28$) or more for the following year.
- 6) Reporting entities with slippage should consider and adopt some of the improvement activities reported by states with progress when planning their improvement activities for the next year.
- 7) Because the standard deviation of the territories is dramatically higher than the states, more research is needed to understand the unique conditions and needed expertise and resources in those regions, and to support the development of leadership, professional staff and teaching resources through regional resource centers, higher education institutions, and governmental entities that are serving the students in those regions.

INDICATOR 7: PRESCHOOL OUTCOMES

Prepared by ECO

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

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

INTRODUCTION

This summary is based on information reported by 59 states and jurisdictions in their FFY 2010 Annual Performance Reports (APRs) submitted to the Office of Special Education Programs (OSEP), February, 2012. This is the second year that states compared actual data to targets using the format of the Annual Performance Report (APR).

Please note that the analysis for this report includes only information specifically reported in APRs or State Performance Plans (SPPs). A state or jurisdiction may have additional procedures or activities in place that they did not describe in their reports and are therefore not included in this summary.

DATA SOURCES

Child Outcomes Measurement Approach

States and jurisdictions continue to use a variety of approaches for measuring child outcomes, as described in their APRs or SPPs. A summary of state approaches is shown in Table 1.

Table 1

Child Outcomes Measurement Approaches (N=59)	
Type of Approach	Number of States (%)
COS process	36 (61%)
One statewide tool	9 (15%)
Publishers' online analysis	6* (10%)
Other	8 (14%)

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

Thirty-six states and jurisdictions (61%) use the Child Outcomes Summary (COS) process. Nine states and jurisdictions (15%) use one assessment tool statewide. Of these, four reported the use of the Battelle Developmental Inventory, Second Edition (BDI-2), one state named the Assessment, Evaluation, and Planning System (AEPS), one state uses the Work Sampling System (WSS), and one uses selected subtests of

the Brigance Inventory of Early Development II. Two states have developed their own assessment tools.

Six states (10%) use publishers' online analysis systems, created and maintained by the publishers of the assessment tools, to produce reports based on assessment data entered on line. One of these states also uses the COS process for districts and service providers who choose not to use the online assessment.

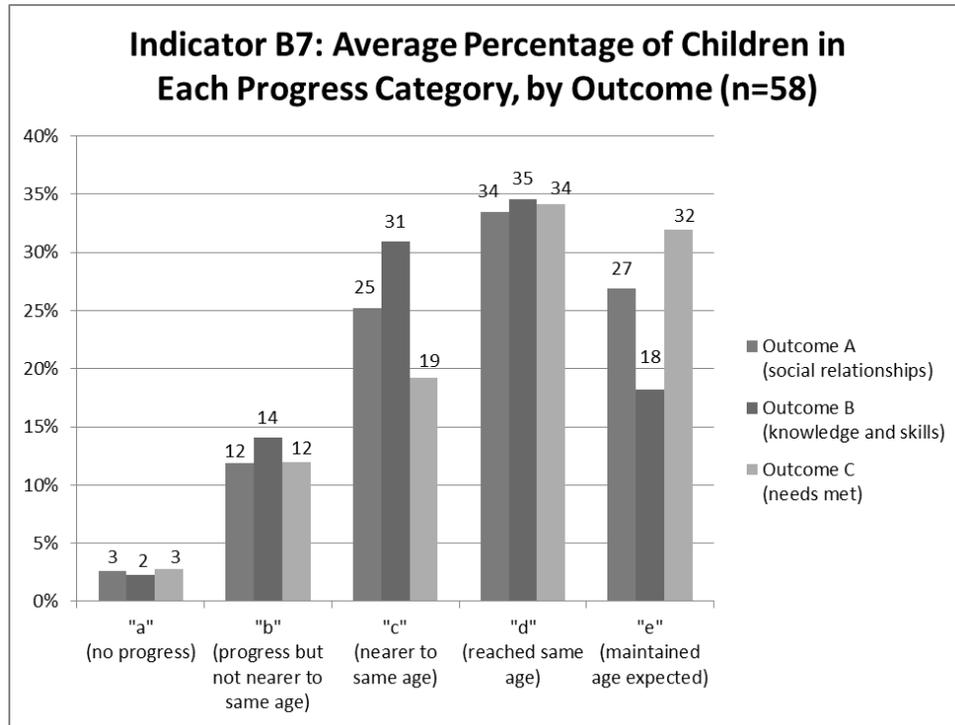
Eight states (12%) use other measurement approaches. These include a state-developed conceptual model that aligns assessment information with early learning standards, extrapolation of raw assessment data from the state data system, scores from Work Sampling Online (WSO) integrated with the COS process, and state-developed summary tools.

ACTUAL PERFORMANCE

Fifty-eight states and jurisdictions provided progress data in two ways: 1) by progress category and 2) by summary statement. One additional state reported summary statements, but did not report progress category data. The data presented by progress category include the percentages of children who a) did not improve functioning, b) improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers, c) improved functioning to a level nearer to same-aged peers but did not reach it, d) improved functioning to reach a level comparable to same-aged peers, and e) maintained functioning at a level comparable to same-aged peers. The summary statement data include percentages of children who, by the time they turned 6 years of age or exited the program 1) substantially increased their rate of growth and 2) were functioning within age expectations. The number of children reported in the data ranged from five to 12,314.

Figure 1 shows the percentages of children reported in each progress category for each outcome, averaged across the states and jurisdictions that provided progress category data (n=58). This presentation of the data weights each state/jurisdiction equally, providing an average across states of the progress category data.

Figure 1



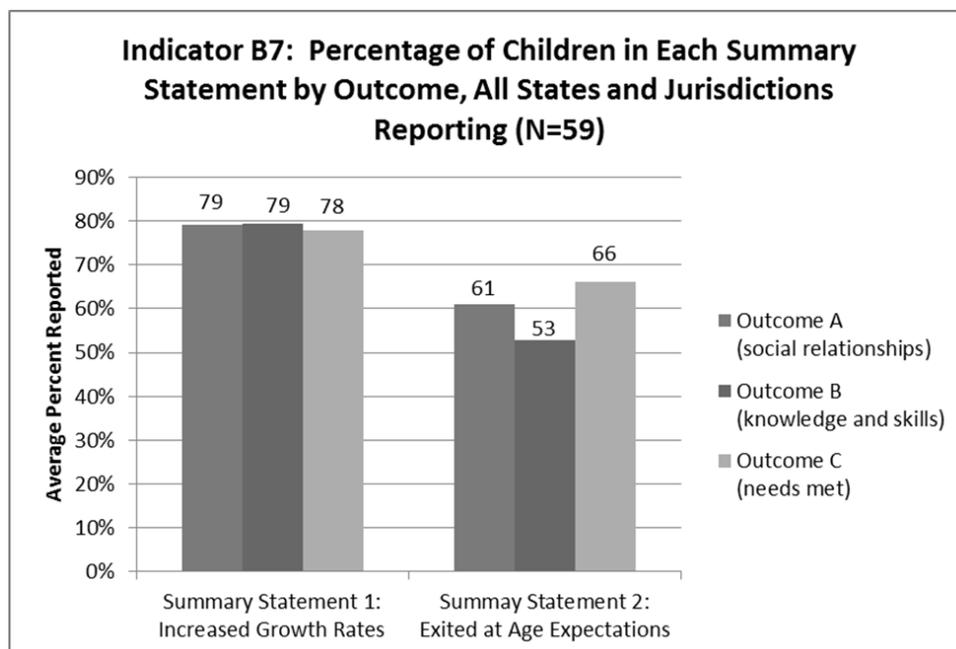
Across the three outcomes, the same general pattern shown in last year's data is still evident. The lowest percentages of children were reported in category 'a' (no progress), with percentages increasing in category 'b' (progress but not nearer to same age peers), category 'c' (nearer to same age peers), and category 'd' (reached same age). Percentages of children reported in category 'e' (maintained age-expected functioning) decrease compared to the percentage reported in category 'd.' The patterns among the three outcomes are particularly similar for Outcome A (positive social relationships) and C (getting needs met), although Outcome C shows higher percentages in 'e' and lower percentages in 'c.' The pattern for Outcome B (knowledge and skills) is a bit different than the other two outcomes, with slightly lower percentages of children reported in categories 'a,' higher percentages reported for 'b,' and 'c,' and much lower percentages reported in category 'e.'

Figure 2 shows FFY 2010 summary statement data available from all 59 states and jurisdictions. The summary statements and formulas for calculating them are as follows:

Summary Statement 1: Of those children who entered the program below age expectations in each outcome, the percent who substantially increased their rate of growth by the time they turned six years of age or exited the program $(c+d/a+b+c+d)$.

Summary Statement 2: The percent of children who were functioning within age expectations in each outcome by the time they turned 6 years of age or exited the program $(d+e/a+b+c+d+e)$.

Figure 2



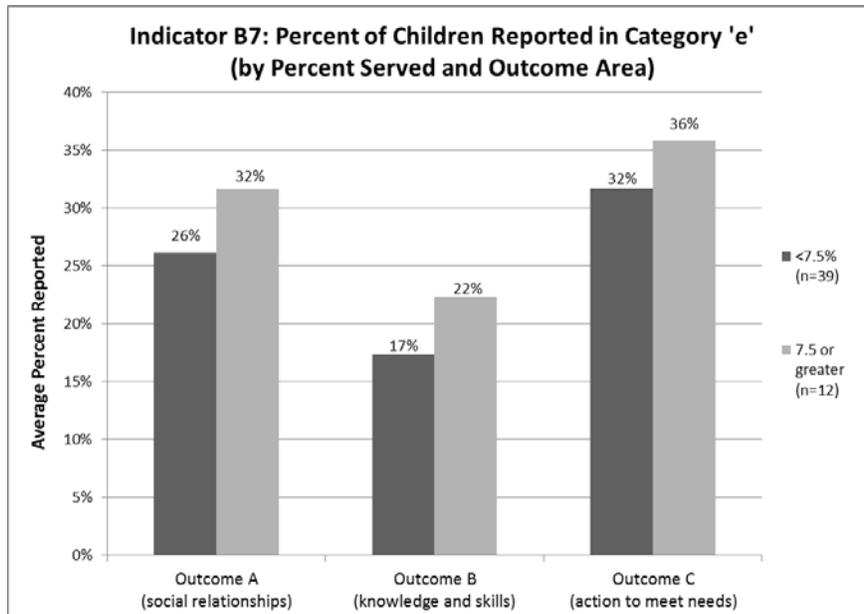
Almost identical to last year's data, the pattern in Figure 2 shows similar percentages across the three outcomes for Summary Statement 1 (greater than expected growth). For Summary Statement 2 (exited within age expectations), the fewest children exited at age expectations in Outcome B (knowledge and skills) and the most children exited at age expectations with ability to meet their own needs (Outcome C).

Additional analyses were completed to examine relationships between progress categories or summary statement data with percent of children served, child count, and region. The following figures show the results of those analyses.

Analysis by Percentage of Children Served

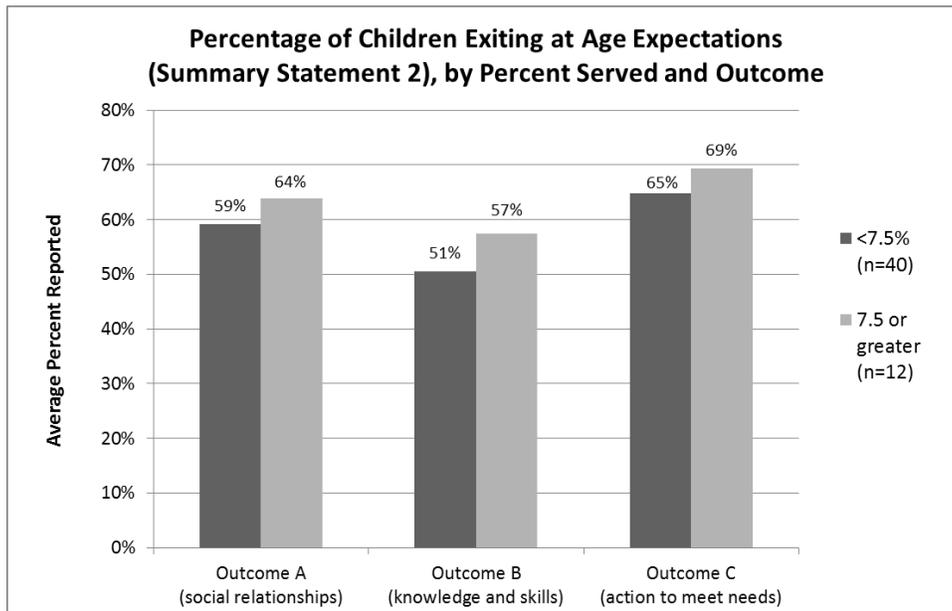
Figure 3 compares the percentage of children states reported in the 'e' category (maintained age expected functioning) per outcome area to the percentage of children served in the state. Assuming that states serve children with a similar range of disabilities, one might predict that those serving 7.5% or greater of their preschool population are likely to include in their data children with less significant needs than those serving fewer than 7.5% of their preschoolers. The pattern in Figure 3 does show, across the three outcomes, higher percentages of children who entered and exited at age level (maintained age expected functioning) in states serving greater than 7.5% of their preschoolers, compared to states serving a lower percentage of children.

Figure 3



Similarly, one might predict that states serving 7.5% or greater of their preschool population include a greater number of children with less significant needs and would therefore report higher percentages of children who exit programs at age expectations (reported as Summary Statement 2). The pattern in Figure 4 does show, across the three outcomes, higher percentages of children exiting at age expectations in states serving greater than 7.5% of their preschoolers.

Figure 4



Analysis by Child Count

Figures 5 and 6 compare percentages of children reported in Summary Statements 1 and 2 by the number of children states serve (proxy for size of state). Figure 5 shows that across outcomes and child count groupings, most states reported that 78-80% of children showed greater than expected growth upon exit from their programs (Summary Statement 1). The figure shows no clear patterns related to the size of states.

Figure 5

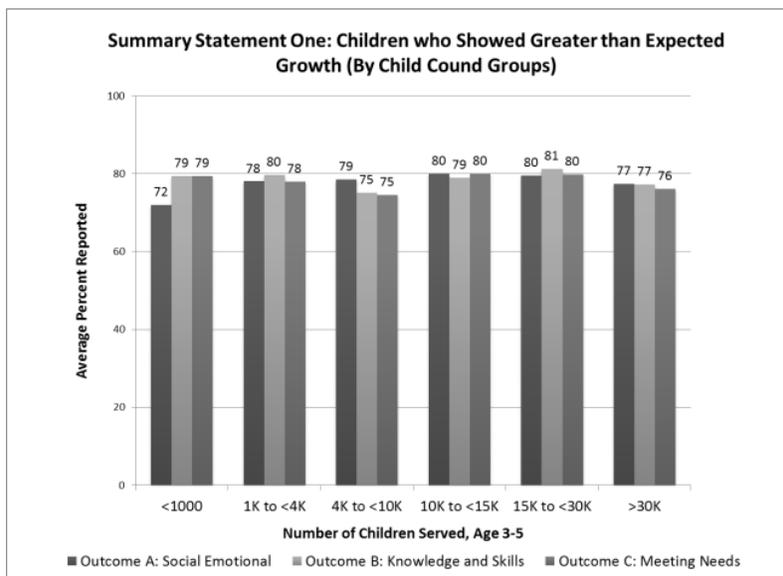


Figure 6

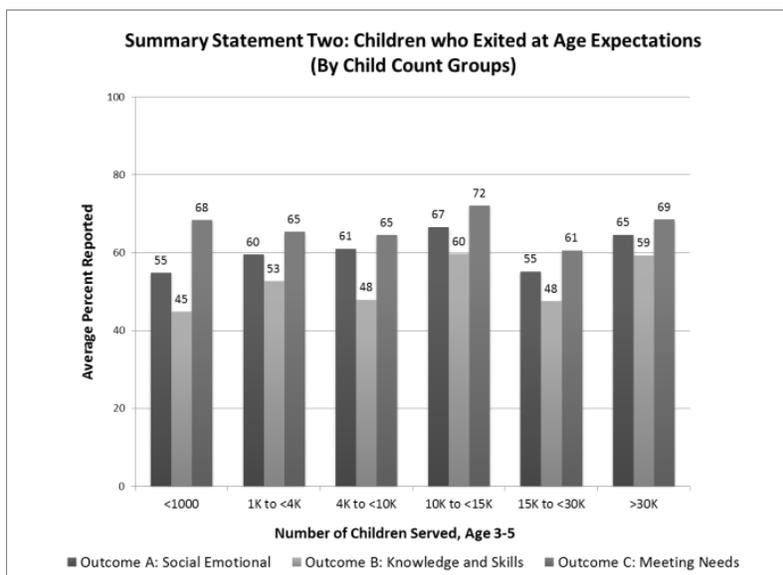


Figure 6 shows patterns for Summary Statement 2. There were no clear trends related to state size for Summary Statement 2.

Analysis by Region

An additional analysis compared the percentages of children who showed greater than expected growth (Summary Statement 1) and percentages of children who exited at age expectations (Summary Statement 2) by RRC/RPTAC region. For Summary Statement 1, Region 1 means were slightly lower than other regions, and for Summary Statement 2, Regions 1 and 3 were lower than other regions.

Figure 7

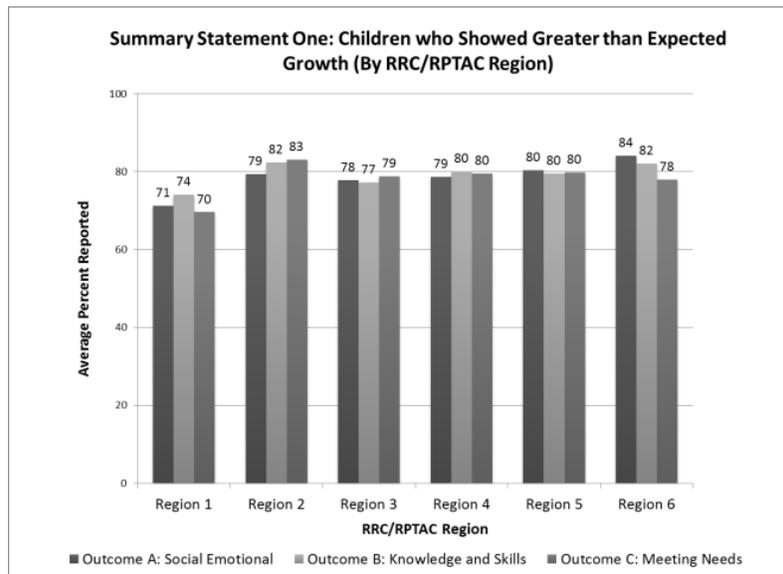
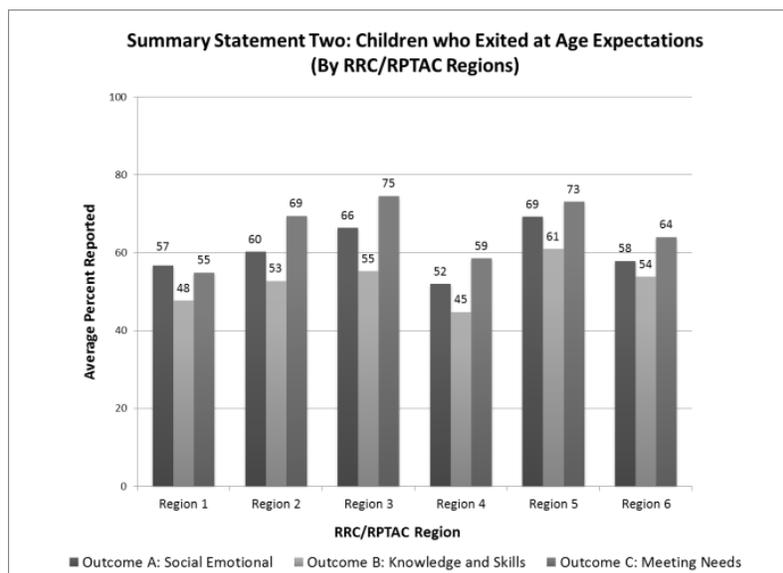


Figure 8



PROGRESS AND SLIPPAGE

Figures 9, 10, and 11 illustrate the progress and slippage states reported for Summary Statements 1 and 2 for each outcome. Progress or slippage is calculated by comparing data for each of the summary statements from FFY 2009 to FFY 2010. One state did not have data for FFY 2009 so progress or slippage could not be calculated. Data were available for 58 states.

Figure 9

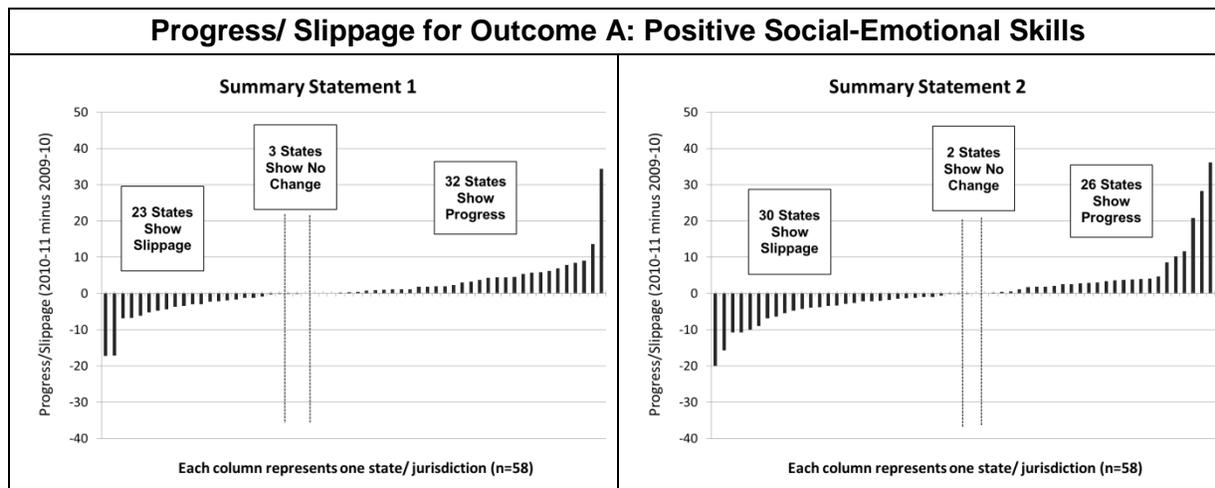


Figure 9 shows progress and slippage for Outcome A, positive social-emotional skills. As shown in Figure 8, 32 states reported progress and 23 states reported slippage in the percentage of children who showed greater than expected growth in this area (Summary Statement 1). Twenty-six states reported progress and 30 reported slippage in the percentage of children who exited with age-expected social-emotional skills. Few states reported no changes in their Outcome A Summary Statements compared with last year.

For Outcome B (acquisition and use of knowledge and skills), a majority of states showed progress for both Summary Statements (see Figure 10). Very few states reported no difference in their summary statement percentages compared with last year's data for Outcome B.

Figure 11 shows progress and slippage for Outcome C, children using appropriate behaviors to get their needs met. Similar to the pattern seen for Outcome B, more states reported progress than slippage for both Summary Statements. Only one state reported no change for each Summary Statement.

Figure 10

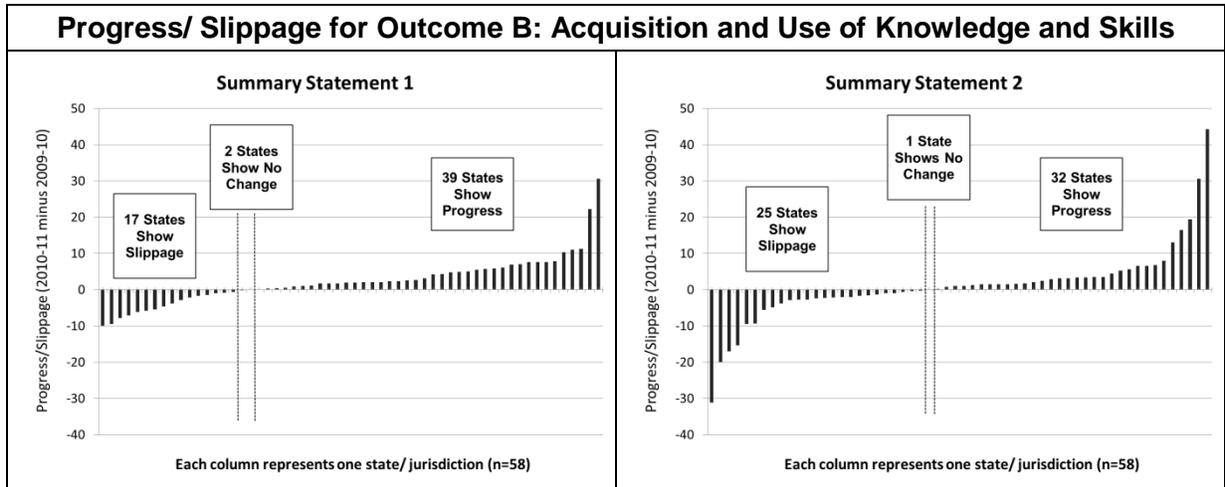
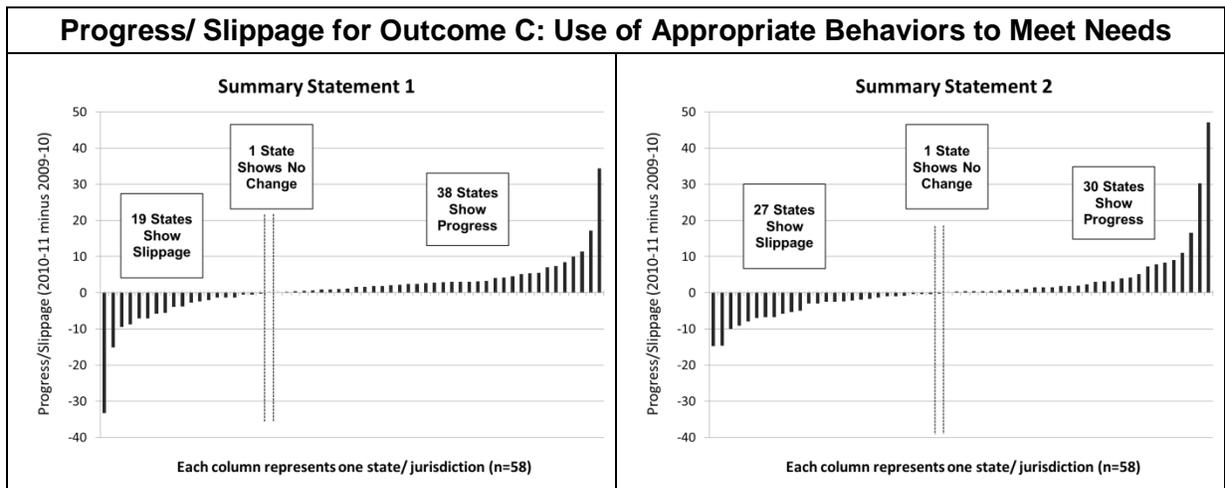


Figure 11



Explanation of Progress and Slippage

States and jurisdictions provided a number of explanations for progress and slippage in their APRs. Several reported progress related to consistent use of assessment tools and other data sources, resulting in more reliable, valid, and useful data for assessment, program planning, and outcomes reporting. States using publishers' online analyses noted that improved cutoff scores had improved their data. Others expressed that increased numbers of children in their data sets had improved data. Some also said that data collection had improved through monitoring, better guidance, and revised procedures. States also attributed progress to training and TA, such as on the use of the COS 7-point rating scale and age-expected child development. A few states cited program changes that improved their outcomes data, such as

implementation of positive behavioral interventions and supports and innovative curriculum and instruction.

States and jurisdictions attributed slippage to data collection issues, procedural changes, improved data quality, child characteristics, and program issues. Data collection issues were reported, including problems with assessment tools, inconsistent assessment practices, and inconsistent uses of data. Some states offered solutions, such as the need for more training and collaboration among the various providers and programs that play a role in collecting child outcomes data. Slippage was also attributed to new data collection and analysis procedures, such as the use of a new online data collection system and changes in criteria for determining child status and progress. Several states noted that slippage in the data actually reflected improved data quality. Factors that influenced data quality, according to reports, were better understanding and use of the COS 7-point rating scale, better understanding of child development, and use of more rigorous assessment tools. States also reported that increased numbers of children in their data sets gave a more accurate reflection of the range of children programs serve, including children with high needs. A few states specified that the children exiting in FFY 2010 included more children with autism and fewer children who receive only speech and language services. A few others said that slippage was due to budget cuts and hiring freezes that reduced the resources available to serve more involved children.

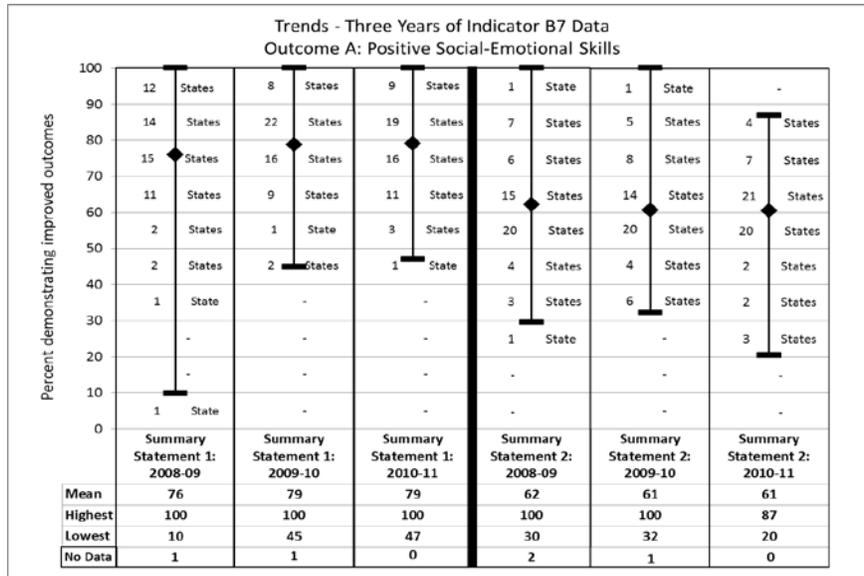
Trends over Time

This year's analysis of Indicator 7 includes three years of progress data that can be presented as trends. Figures 12, 13, and 14 compare Summary Statement data from FFY 2008, 2009, and 2010 for each of the three outcome areas.

For Outcome A (positive social-emotional skills), the national average of percentages reported over the last three years have remained consistent for both Summary Statement 1 (76-79%) and Summary Statement 2 (61-62%) (see Figure 12). The range of percentages has, however, narrowed to some extent, especially for Summary Statement 1 (decreasing by 37 percentage points over the three years). The range for Summary Statement 2 decreased slightly, by three percentage points.

For Summary Statement 2 (children who exited at age expectations), the number of states reporting percentages in each of the groupings showed some fluctuations over the last three years, but the means and ranges across the three years are fairly steady.

Figure 12



For Outcome B (acquisition and use of knowledge and skills) the national average of percentages reported shows little change for either summary statement over the last three years (see Figure 13). The mean increased slightly for Summary Statement 1 (children who showed greater than expected progress) and decreased slightly for Summary Statement 2 between FFY 2008 and FFY 2010.

The range of state-reported percentages for Outcome B narrowed for both summary statements between FFY 2008 and FFY 2010, with the most notable changes occurring between the first and second years of data.

Figure 13

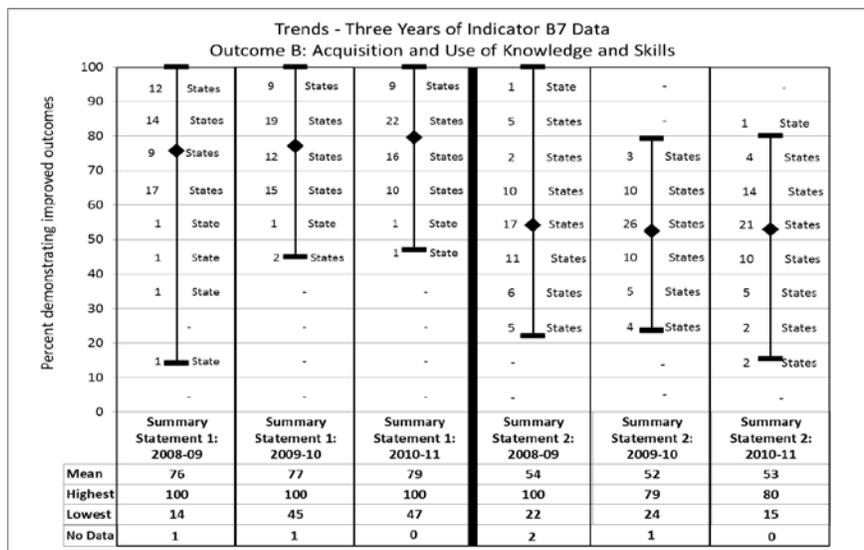
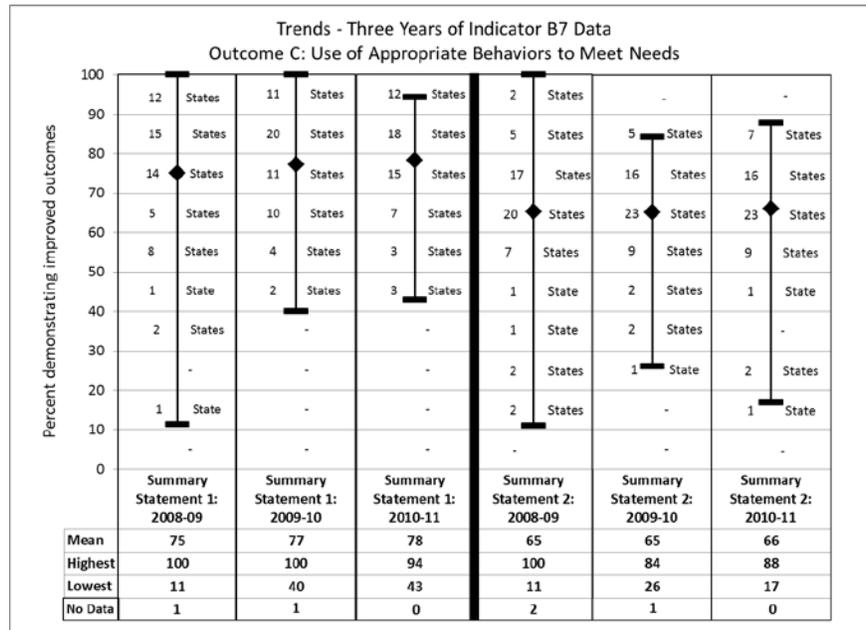


Figure 14 shows trend data for both summary statements for Outcome C (use of appropriate behavior to meet needs). As was the case for both Outcomes A and B, the national average of percentages for Outcome C has remained fairly consistent over the last three years for both Summary Statement 1 (75-78%) and Summary Statement 2 (65-66%). The ranges for Outcome C also narrowed across the three years for both Summary Statement 1 and Summary Statement 2

Figure 14



Number of Children Included in Data

The number of children included in the progress data for Indicator 7 continues to grow. Whereas last year 37 states reported data for 1,000 or more children, this year 41 states reported data for 1,000 or more children. Table 2 summarizes the numbers of children included in progress data reported across states and jurisdictions over the past four years.

Table 2

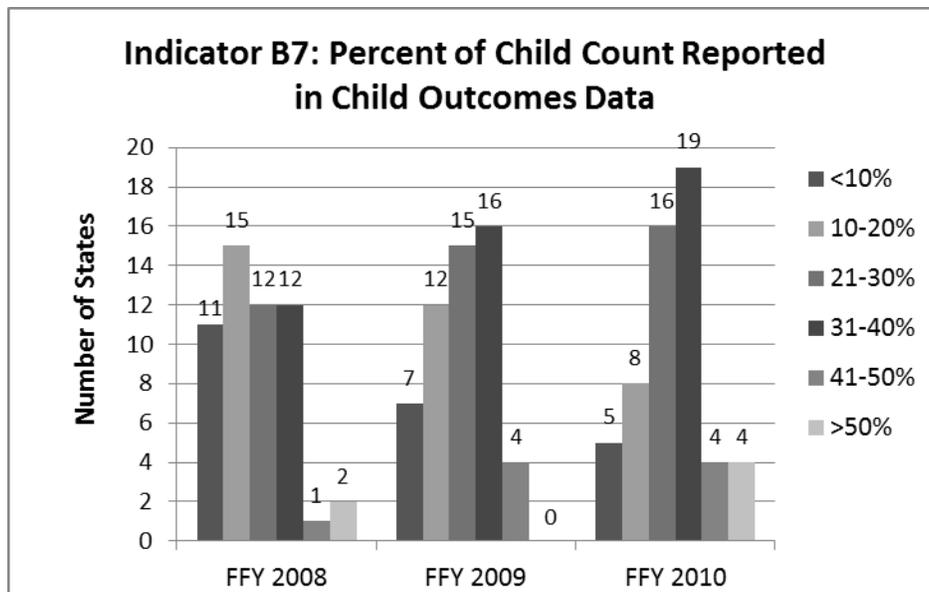
Total Number of Children Included in Progress Data				
Number of children reported	Number of States and Jurisdictions			
	FFY 2007 (N=58)	FFY 2008 (N=58)	FFY 2009 (N=58)	FFY 2010 (N=59)
10 or fewer	1	1	1	1
10-99	11	7	6	7
100-499	14	6	4	2
500-999	10	12	10	8
1000-1999	8	7	9	5

Total Number of Children Included in Progress Data				
Number of children reported	Number of States and Jurisdictions			
	FFY 2007 (N=58)	FFY 2008 (N=58)	FFY 2009 (N=58)	FFY 2010 (N=59)
2000–2999	5	10	11	12
3000–4999	5	11	9	13
5000-8999	3	3	7	9
9000+	1	1	1	2

Additional analysis looked at the number of children included in outcomes data as a percentage of the number of children served (using child count data). Nationally, as shown in Section 618 data, about 40% of preschoolers served in Part B are five years old, so 40% can be used as an estimate of the number exiting the Part B preschool program.

Figure 15 shows the variation in percentage of children on whom outcomes data were reported, ranging from 2% to 79%. Data were missing for three states missing child count data; the figure therefore reports on 56 states. Whereas 26 states included outcomes data for 20% or less of their child count number in FFY 2008, only 13 states were at or below 20% for FFY 2010. This group includes four states that are using a sampling methodology for child outcomes measurement. The number of states and jurisdictions reporting data on >31% of children served increased from 15 states in FFY 2008 to 27 states in FFY 2010.

Figure 15



Trends in Nationally Representative Data

Child outcomes measurement is a complex undertaking and still a relatively new activity for states. States continue to move through stages of implementation at varying rates. States continue to make adjustments in their procedures, including the use of new data systems, changes in assessment policies, and in some cases have changes in approach. Given these variations, data quality continues to be an issue for many states.

Last year the ECO Center developed more complex analyses to determine national averages that would provide a better representation of the national picture. The analyses include the weighting of data by child count, so that larger states are weighted more heavily than smaller states. The findings from all states were weighted by child count to be nationally representative.

The analyses also compare the national estimates of states with the highest quality data under the assumption that the states with poor quality data introduce error into the national estimate. Criteria used for determining the highest quality data were: the percentage of a state's child count included in the data (eliminating states with less than 12% of their three to five year old child count in the data), and the elimination of states with extreme or odd patterns in the 'a' or 'e' categories (>10% in "a" or >65% in "e" in at least one of the outcomes). Over the past three years, the number of states that met criteria for 'best data quality' grew from 15 to 33 to 36.

Figure 16 shows the national averages for Summary Statements 1 and 2 for Outcome A (positive social relationships) over the last three years, comparing 'best data quality' states with all states.

Figure 16

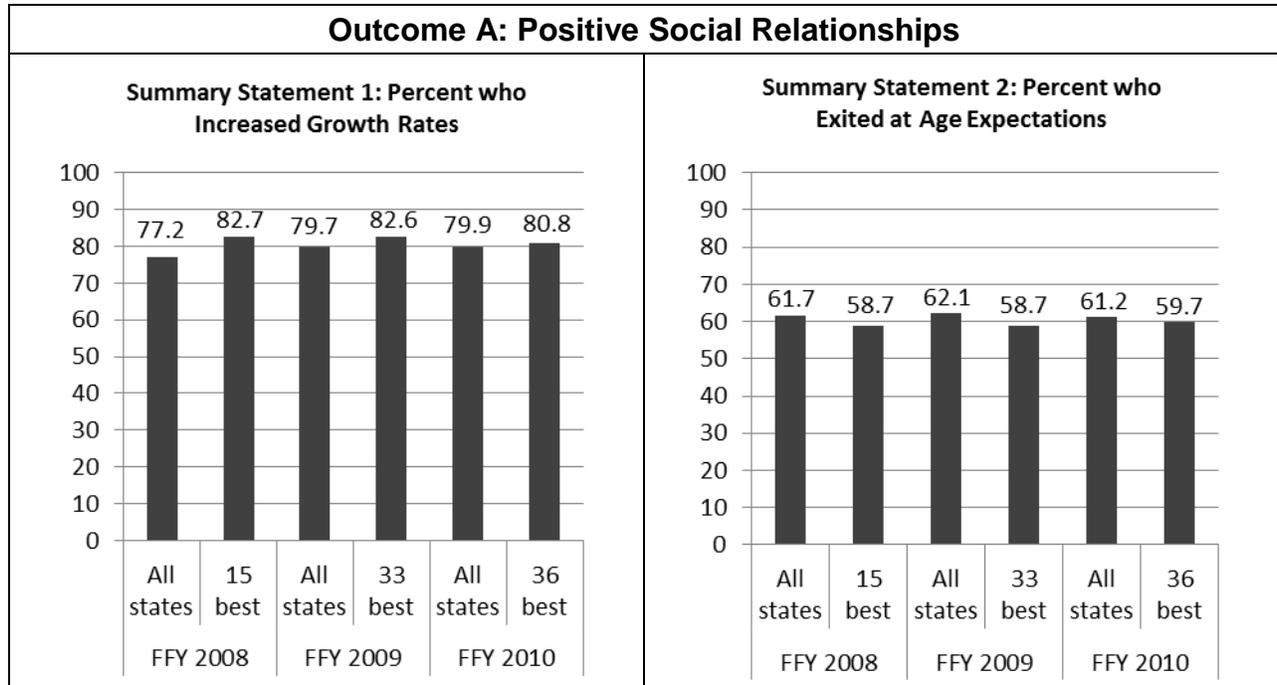


Figure 17 shows the national averages for Outcome B (acquisition and use of knowledge and skills) for Summary Statements 1 and 2 over the last three years, comparing those of 'best data quality' states with all states.

Figure 17

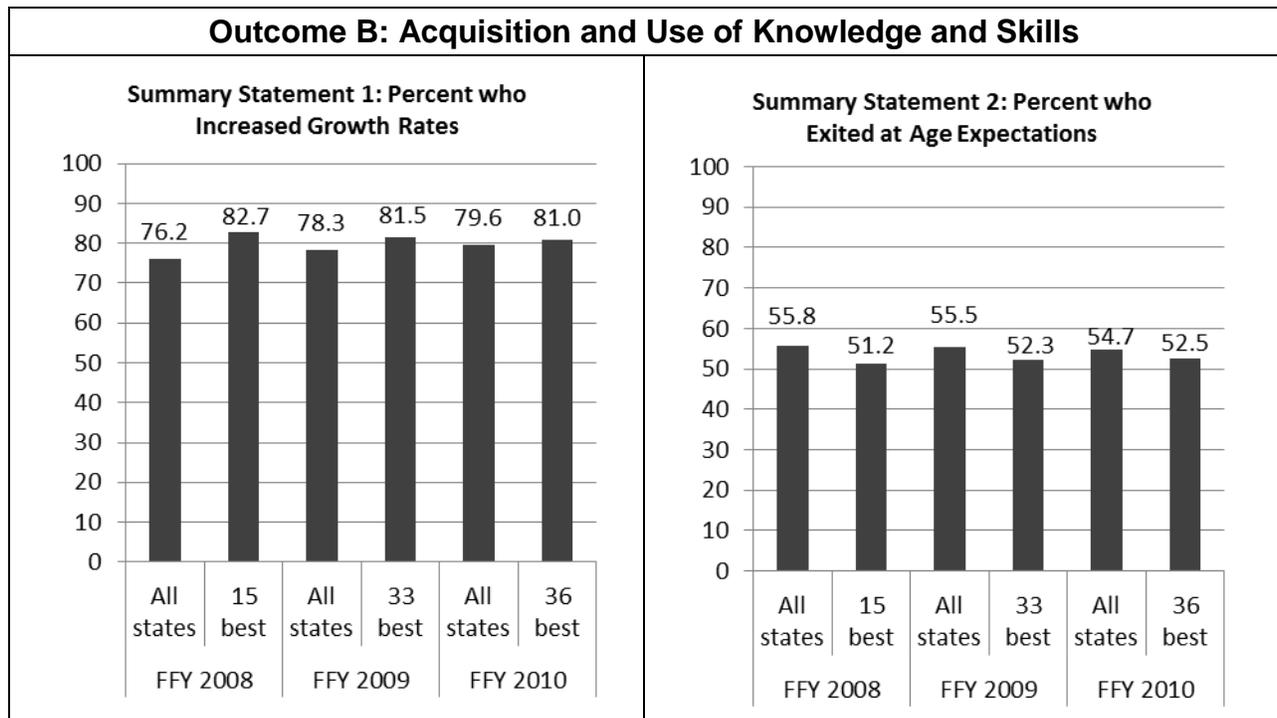
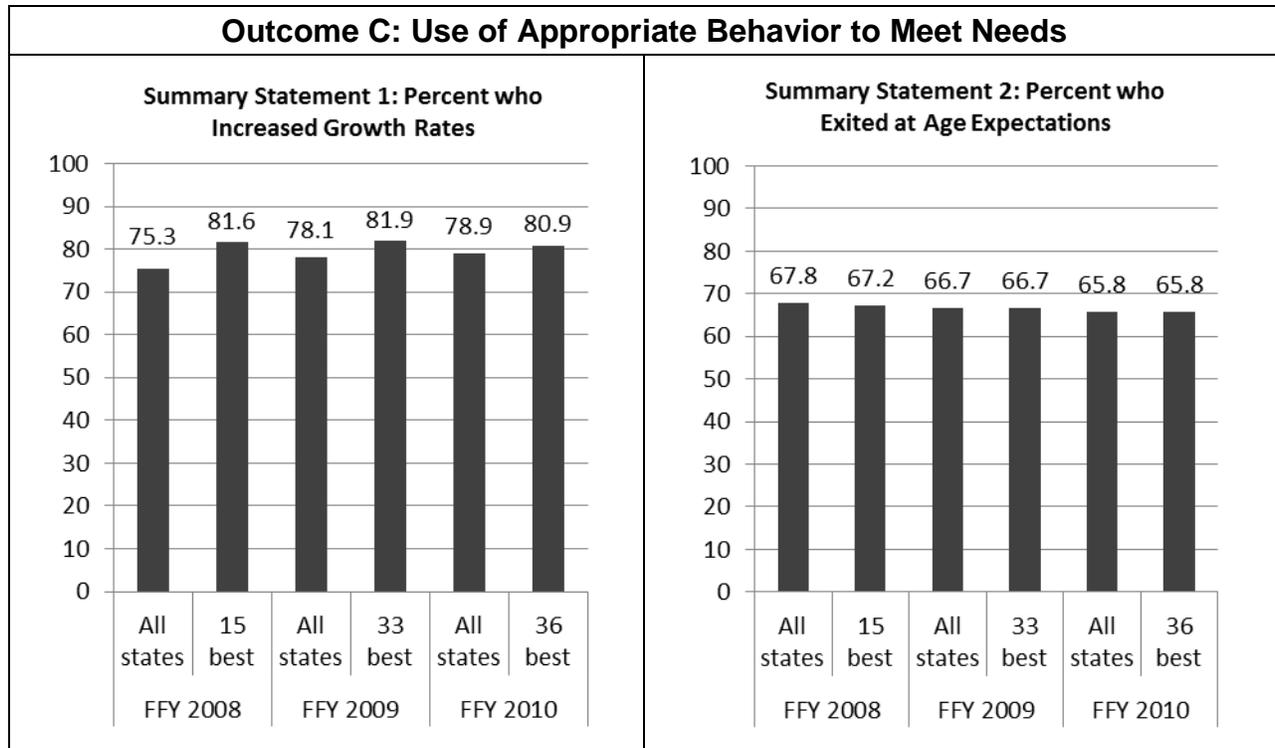


Figure 18 shows the national averages for Outcome C (use of appropriate behavior to meet needs) for Summary Statements 1 and 2 over the last three years, comparing those of 'best data quality' states with all states.

Figure 18



These three figures show the stability of the national means over the three years. Lack of wide variation in the data patterns suggests that data for this indicator are, thus far, quite stable.

IMPROVEMENT ACTIVITIES

States and jurisdictions described training and technical assistance (TA) to improve methods for collecting outcomes data and improving programs, as well as the providers and format for training and TA. In the area of data analysis, improvement activities included the refining of data systems, comparison of outcomes with other data sources, improving the ways states are checking for data quality and missing data, and how states work with regions and local districts to improve data quality and to increase the local use of outcomes data. The reports included state, regional, and local monitoring activities, including action taken as a result of monitoring. This year states described more program improvement activities with emphases on instructional practices, improving preschoolers' social and academic skills, services for special populations and families, improved IEP processes, and application of early learning guidelines.

Many of the improvement activities related to training and TA in this year's reports focused on methods states are using to collect outcomes data. States described activities to improve the Child Outcomes Summary (COS) process, assessment practices in general, and use of specific assessment tools. To improve the use of the COS process, states offered training and TA on:

- characteristics of age-appropriate, immediate foundational and foundational skills, and age-expected child development;
- use of the decision tree, group determination of entry and exit ratings to increase inter-rater reliability, and documentation of the COS rating;
- integration of COS ratings with IFSP or IEP processes; and
- strategies for working as a team and involving specialists and related service providers in the COS process.

Training and TA to improve general assessment practices emphasized observation, authentic assessment, ongoing progress monitoring, and documentation. Another focus of training and TA was the implementation of new or revised procedures addressing the use of new data systems, tools, and guidance documents.

States also ensured that training and TA were available to support the use of specific assessment instruments, especially in states transitioning from the Creative Curriculum Developmental Continuum to the new TS GOLD. Several also described training for providers on the use of their own state-developed assessment tools as well as the Battelle Developmental Inventory (BDI) and the Assessment, Evaluation, and Programming System for Infants and Children-Interactive (AEPSi).

Some states described training and TA on topics that addressed program improvement, such as improving IEP quality, Routines Based Interview practices, embedded intervention, timely service delivery, 'Early Learning eGuidelines,' and reporting data on services provided in the Least Restrictive Environment (LRE).

Improvement activities related to data analysis included the refining of data systems, comparison of outcomes with other data sources and the ways they are checking for data quality and missing data. They also described state work with regions and local districts to improve data quality and the local use of outcomes data.

States continued to improve their data systems by working with publishers of online assessment systems and implementing 'real time' data collection. Improved systems allowed states to analyze outcomes data by demographic, service, and program variables, including disability category, types of services, total hours of services, educational environment, region, district, and size of district.

This year several states reported analyses comparing outcomes data with other measurement and program data, including:

- comparing data with other program data, such as Head Start, pilot preschool programs, or state's longitudinal data system;

- comparing outcomes data with kindergarten readiness assessments, educational environment, level of child need, and other formal assessment tools; and
- comparing Part C child exit ratings to Part B child entry ratings.

States described analyses to identify and address missing data, and some state data systems were improved to prevent missing data, such as:

- requiring fields to track reasons for entry or exit data not collected;
- using automated verification checks developed within the outcomes web system to make sure that each data element is entered;
- using automatic district reports with reminders to include all entry and exit data; required exit data before a child can be graduated to kindergarten; and
- using the ECO COS Calculator to identify missing data by filtering out calculations data that do not meet minimum criteria.

In this year's report, states further described the way they engage local districts in the identification and correction of missing data, such as:

- district-specific status reports generated and disseminated to each district on data completeness;
- TA on the reporting features of the statewide data system that allow districts to identify missing data in their own regions; and
- required submission of improvement plans or Corrective Action Plans from districts with significant missing data.

Improvement activities indicated an increasing focus on local data analysis and use. Examples include:

- meetings with local stakeholders to discuss and interpret patterns in outcomes data for the generation of local improvement activities;
- development of analytic tools to post online for local use;
- training for local administrators and teachers on data analysis and using data;
- joint development of data reports to use for 'drilling down' in order to interpret data and compare local with state data;
- training for regional early childhood coordinators on using outcomes data for identifying professional development needs; and
- monthly reviews of state and local data via webinar.

In addition, states reported meeting with advisory groups to review data for statewide and school-specific planning; to determine program areas for improvement; and to verify the effectiveness of program improvement initiatives.

Improvement activities described state, regional, and local monitoring efforts. At the regional and local levels, staff reviewed completed COS data for accuracy prior to submission to the state. At the state level, improvement activities included:

- preschool programs were included in compliance verification and onsite review;

- staff reviewed outcomes data records or randomly verified data sources through focused monitoring procedures during onsite visits;
- Student Assessment specialists worked with the monitoring team to share performance data with districts and to monitor progress;
- staff compared COS ratings with evidence from multiple data sources recorded to support the rating; and
- interpreted findings to indicate training and TA needs for local programs.

More states reported program improvement activities this year, as compared with last year, as part of Indicator 7. Improvement activities focused on curriculum and instruction, including developmentally appropriate and evidenced-based practice, as well as selection of and training on specific curricula. Activities also addressed academic and social skills, such as:

- training on literacy and numeracy;
- TA from the Center for Early Literacy Learning (CELL);
- behavior and classroom management; and
- TA from the Technical Assistance Center on Social Emotional Intervention (TACSEI).

Other activities included professional development for working with special populations of children, particularly those with autism, hearing and vision challenges, and English language learners. These included the 'TEACCH' model for autism, use of assistive technology, and curricular modifications for children for whom English is not their first language.

Several states reported improvement activities to involve and inform families, such as supporting families to attend conferences, training for families on social-emotional development, development of brochures for families about preschool services, and home visits to help families understand the IEP process.

Activities also targeted improved preschool services through effective IEP practices and the application of early learning guidelines. These included, for example, training and TA on functional IEP goal development, and standards-based instruction.

CONCLUSIONS

States continue to develop complex and increasingly successful outcomes measurement systems. The numbers reported for FFY 2010 are consistent with the last two years of data, suggesting stability and credibility of national estimates. Improvement activities, including training and TA, data analysis, and monitoring, show an understanding of the importance of high quality data. States have increased their efforts at the state and local levels to understand and interpret outcomes data. Data analysis and program improvement activities show that states are working toward linkages between outcomes data and making decisions that shape services for children and families.

INDICATOR 8: PARENT INVOLVEMENT

Prepared by the National and Regional Parent Technical Assistance Centers (PTACs):

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

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

This narrative and the Indicator 8 template are based on information from states' FFY 2010 Annual Performance Reports (APRs) and subsequent revisions submitted to the Office of Special Education Programs (OSEP). State Performance Plans (SPPs) and any revisions were also consulted when information was not available in the APR.

For the purposes of this report, the term "states" refers to the 50 states, nine territories, and the District of Columbia (a total of 60 entities). Nine states reported separate performance data for parents of preschoolers (three-five years) and parents of school-age students (6-21 years). Some of these states used the same survey and methodology for both age groups, and others used different approaches. Therefore, totals in some of the tables and charts may equal more than 60. Percentages may not total 100 due to rounding.

SURVEY INSTRUMENTS

Data Summary

Table 1. Survey Instruments Used

Survey Instrument	# of States	% of States
NCSEAM	42	70.0%
State-Developed	8	13.3%
Adapted NCSEAM or ECO	7	11.7%
Combination	2	3.3%
Unknown	1	1.7%

Narrative Summary

Forty-two states (70.0%) used a version of the preschool and/or school-age special education parent involvement surveys developed by the National Center on Special Education Accountability and Monitoring (NCSEAM).

Eight states (13.3%) utilized their own state-developed instrument, either one that had been developed previously for monitoring or other purposes or a survey created specifically to respond to this APR indicator.

Seven states (11.7%) adapted questions from the NCSEAM or Early Childhood Outcomes (ECO) Center parent surveys to develop their own Indicator 8 surveys.

Two states (3.3%) used a combination of surveys. In both cases the states used the NCSEAM survey for parents of school-age students but a different survey for parents of preschoolers. One state used the ECO survey and the other used an adapted version of the ECO survey.

One state (1.7%) did not report sufficient information to determine which survey instrument they used.

At least one-third of states provided translations of their surveys, sometimes in multiple languages (translation of surveys was not specifically tracked on the analysis table, so this is minimum estimate of the number of states who provided the survey in languages other than English). NCSEAM translated their survey into Spanish. Many of the island states and territories translated their surveys into local languages, and several states offered oral translation of survey questions when print or online copies were not available in parents' languages.

SAMPLING

Data Summary

Table 2. Sampling Methodology

Sampling Method	# of States	% of States
Sample	31	51.7%
Census	25	41.7%
PreK Census, K12 Sample	3	5.0%
Unknown	1	1.7%

Narrative Summary

A variety of sampling plans were used to select respondents for the parent involvement surveys.

Sample

Approximately one half of states (31 - 51.7%) implemented some type of sampling plan. Generally this involved developing rotating cohorts of Local Education Agencies (LEAs) whereby over a two- to six-year period all districts would participate in the survey process. These cycles frequently corresponded to existing monitoring plans used by the state to evaluate LEAs. Most often all parents in participating districts were invited to complete the survey, although sampling within LEAs was used in some states, especially in larger districts. OSEP requires districts with more than 50,000 students to be surveyed annually.

Census

Twenty-five states (41.7%) utilized a census process where the survey was disseminated to all parents of children ages 3-21 receiving special education services.

Combination

Three states (5.1%) used a combination of census and sampling. In each of these cases the preschool survey was conducted through a census while sampling was used for parents of school-age students.

Unknown

One state (1.7%) did not provide enough information to identify the sampling process used to determine the population of parents to be surveyed.

SURVEY DISTRIBUTION

Data Summary

Table 3. Survey Distribution Methods

Distribution Method	# of States	% of States
Varied	30	50.0%
Mail	16	26.7%
In-Person	6	10.0%
Combination	3	5.0%
Phone	2	3.3%
Web	2	3.3%
Unknown	1	1.7%

Narrative Summary

Varied

Thirty states (50.0%) offered parents a variety of ways to respond to the survey, generally a combination of mail, web, and phone. The “varied” survey distribution method has experienced the most growth with only 15% of states reporting varied distribution methods in FFY 2006.

Mail

Sixteen states (26.7%) utilized mail as their only form of survey dissemination, representing a 12.3% decrease from FFY 2009.

In-Person

Six states (10.0%) distributed the surveys in-person, either at Individualized Education Program (IEP) meetings or as part of monitoring visits.

Phone

Two states (3.3%) conducted phone interviews as their primary method of collecting survey responses.

Web

Two states (3.3%) used an online questionnaire as the primary modality for conducting the survey.

Unknown

One state (1.7%) did not include enough information in its report to determine the survey distribution method used.

RESPONSE RATE

Data Summary

Table 4. Response Rates*

Response Rate	# of States	% of States
0-9.9%	7	11.7%
10-19.9%	23	38.3%
20-29.9%	8	13.3%
30-39.9%	3	5.0%
40-49.9%	2	3.3%
50-59.9%	2	3.3%
60-69.9%	4	6.7%
70-79.9%	1	1.7%
80-89.9%	0	0.0%
90-100%	1	1.7%
Set N	2	3.3%
Unknown	7	11.7%

*Response rates for states who conducted separate preschool and school-age surveys were combined into an overall percentage.

Narrative Summary

The average response rate across all states was 25.6%. This represents a 2.3% decrease from FFY 2009. It should be noted that there is not an expectation of states to

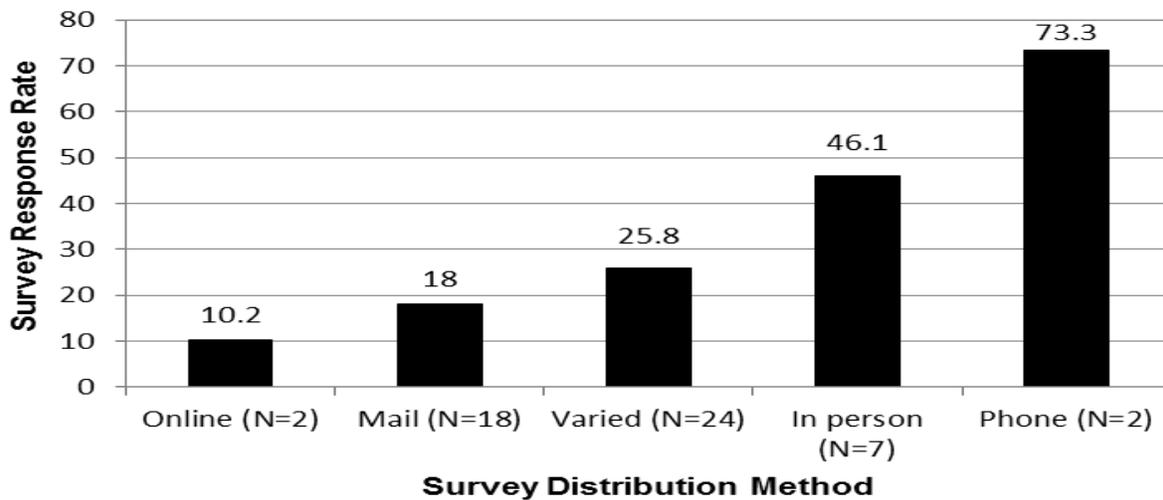
have a particular response rate. As long as the sample is representative of the population, a low response rate can still yield statistically valid results.

The most commonly reported response rates (23 states) occurred in the 10-19.9% range. Two states did not report a response rate but rather determined the sample size (n) needed to achieve the desired confidence interval and margin of error. These states ensured they collected enough surveys to reach the “n” needed. Seven states did not report enough information to determine a response rate for their parent involvement surveys.

Not all states reported the extent to which the survey responses were representative of the population of families of children receiving special education surveys in the geographic area surveyed. Of those that did, states generally reported that the surveys they received were representative of the population and differences were not statistically significant. Many states, however, noted that parents of students who were Black/African American or had learning disabilities were underrepresented among respondents.

The following chart (Figure 1) compares the response rates by survey distribution methods. The data demonstrates that states that offered parents a variety of ways to respond to the survey achieved a higher response rate than those distributing the survey by mail or online only. States who conducted the survey by phone or distributed the surveys in-person achieved the highest response rate.

Figure 1: Response Rate by Survey Distribution Method



CRITERIA FOR A POSITIVE RESPONSE

Data Summary

Table 5. Criteria for Positive Response

Criteria for Positive Response	# of States*	% of States
Percent of Maximum	27	43.5%
NCSEAM	18	29.0%
Single/Two Question(s)	12	19.4%
Other	4	6.5%
Unknown	1	1.6%

*The number of states totals 62 because two states used different criteria for a positive response for their preschool and K-12 surveys.

Narrative Summary

Percent of Maximum

Twenty-seven states (43.5%) used a “percent of maximum” method to determine a positive response.

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

Not all states using this method had the same “cut-off” for a positive response. For example, many used four (60%) on a six-point scale. Others used 75% (four on a five-point scale) or other criteria.

NCSEAM Standard

Eighteen states (29.0%) used the NCSEAM standard for determining a positive response to their parent involvement surveys.

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

The calibration levels for the NCSEAM survey ranged from 200-800. The stakeholder

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

Single Question or Two Questions

Twelve states (19.4%) used a response to a single question (11 states) or two questions (one state) to determine whether that parent felt the school facilitated parent involvement as defined in this indicator. Often states used this data analysis method when they were using a state-developed survey that included relatively few questions related to parental involvement. States using the single question method varied with regard to the degree of agreeability needed to count the item as a positive response (i.e., some states required a response of “yes” to a yes/no question; others required a response of “3” or “4” on a 4-point scale).

Other

Four states (6.5%) used “other” criteria for determining a positive response. Three states in the “other” category reported an average survey response across the entire sample of survey questions answered rather than analyzing each parent’s survey individually. Another averaged the lowest individual survey item agreement rate for preschool and school age surveys.

Unknown

One state (1.6%) did not describe the criteria for a positive response in either its APR or its SPP.

INDICATOR PERFORMANCE

The following tables and charts compare states’ performance on Indicator 8 based on a variety of factors. Although it is helpful to include this analysis, care must be taken when drawing conclusions because of the wide variability in states’ selection of survey instruments and criteria for positive response.

Data Summary

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

Ind. 8 Performance	# of States*	% of States
0-9.9%	0	0.0%
10-19.9%	1	1.4%

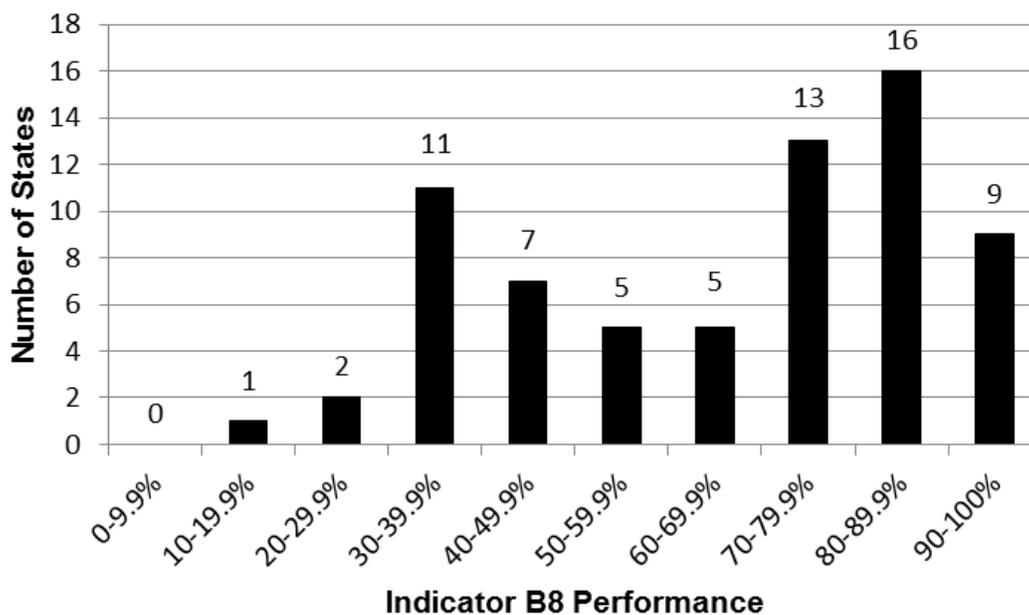
20-29.9%	2	2.9%
30-39.9%	11	15.9%
40-49.9%	7	10.1%
50-59.9%	5	7.2%
60-69.9%	5	7.2%
70-79.9%	13	18.8%
80-89.9%	16	23.2%
90-100%	9	13.0%

*The number of states totals 69 because of the nine states reporting separate preschool and school-age data.

Narrative Summary

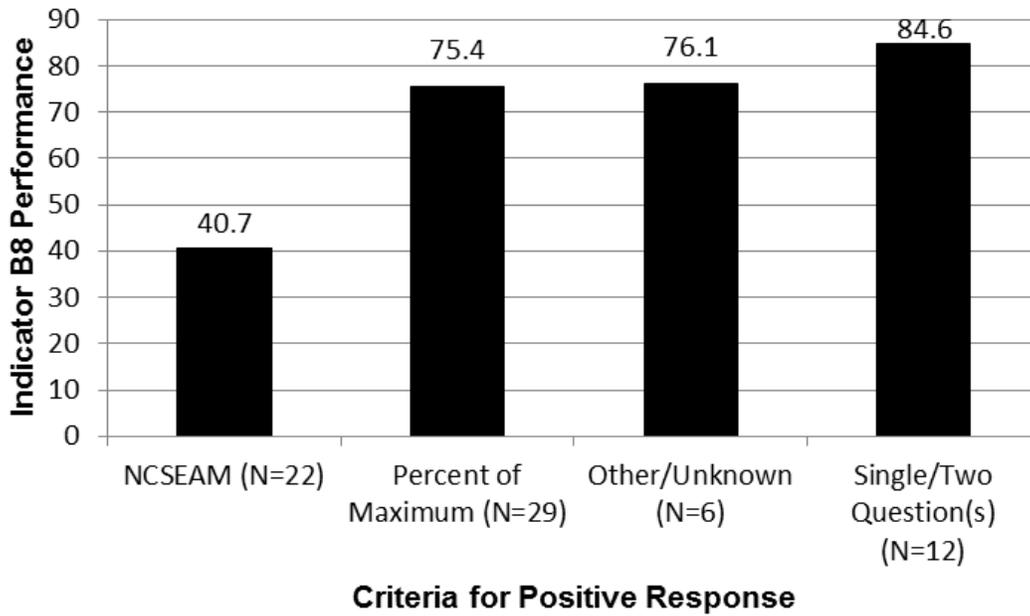
The average FY 2010 Indicator 8 performance was 66.0%, a .1% decrease from FFY 2009. Thirty-three states met their targets, 24 missed their targets, two states met their preschool targets but missed their school age targets, and one state missed its preschool target but met its school age target. The data distribution for FFY 2010 is similar to previous years. Few states reported whether or not there were differences in performance on this Indicator based on respondents' race, ethnicity, or language.

Figure 2: Performance Data Distribution



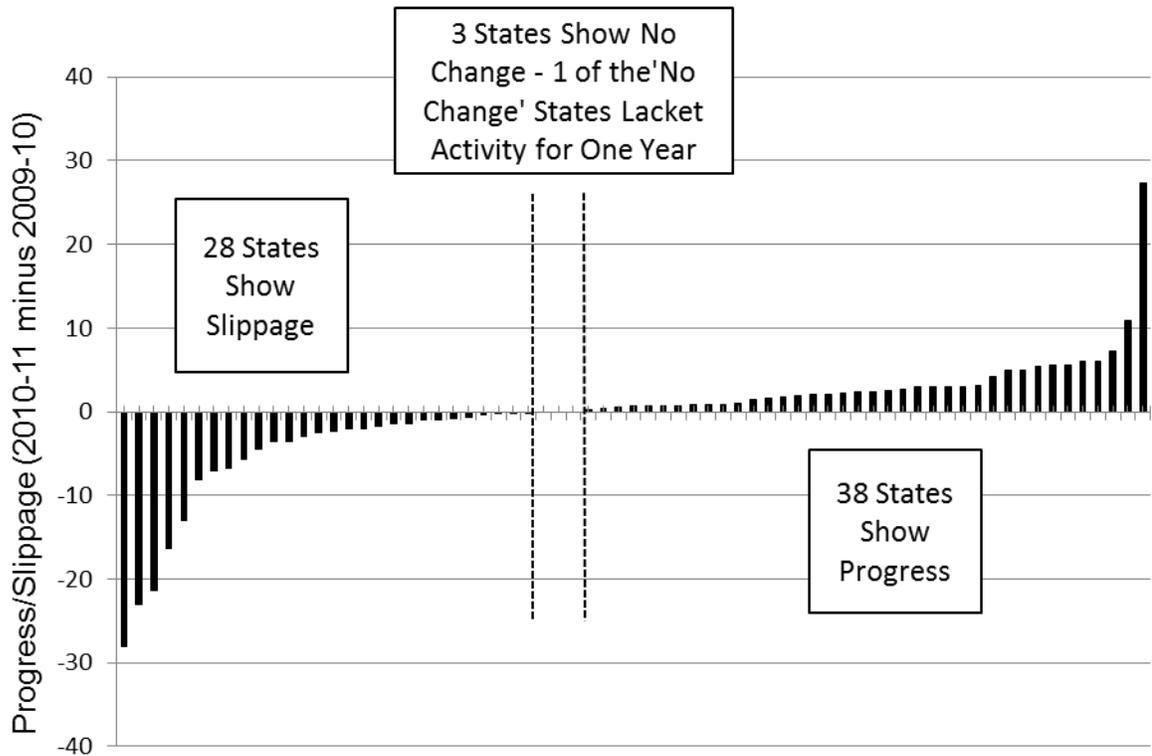
As noted in previous Indicator 8 summaries, there are two distributions of performance data at the lower and higher ends. This data corresponds to the criteria for positive response used by the state. Generally, states using the NCSEAM Standard have a lower distribution of scores while those using “percent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

Figure 3: Performance by Criteria for Positive Response



The NCSEAM standard of 600 using the Rasch framework appears to be a more rigorous standard than other methods used for data analysis. States using the NCSEAM standard reported an average performance of 40.7% while the average performance of states using other analysis methods ranged from 75.4% to 84.6%.

Figure 4: Indicator 8 Progress/Slippage from FFY 2009 to FFY 2010



Each Column represents One State/Jurisdiction (n = 69)

The chart above shows progress and slippage made by states from FFY 2009 to FFY 2010. Twenty-eight states demonstrated slippage, three states experienced no change, and 38 states made progress. Data ranges from 28.0% slippage to 27.4% progress.

States attributed slippage to various factors such as typical year to year variation, a different sample of schools with unique characteristics (rural, charters, etc.), and student mobility. States who reported progress indicated it may have resulted from improvement activities and other family engagement initiatives as well as improved survey response rates.

PARENT CENTER INVOLVEMENT

Data Summary

Parent Center in Improvement Activities	PTI (# of States)	% (when applicable)	CPRC (# of States)	% (when applicable)
Yes	43	78.2%	6	26.1%
No	12	21.8%	17	73.9%
N/A	5	N/A	37	N/A

Narrative Summary

Of the 60 state entities, 55 had OSEP-funded Parent Training and Information Centers (PTIs) and twenty-three had OSEP-funded Community Parent Resource Centers in FFY 2010. Forty-three states (78.2%) mentioned that their state's OSEP-funded Parent Training and Information Center (PTI) played a role in their Indicator 8 improvement activities, but only 26.1% (6 states) mentioned their Community Parent Resource Center (CPRC). Twenty-five percent (15 states) did not reference their state Parent Center in their report. Of the 57 states with a PTI or CPRC, 77.3% reported involvement by a Parent Center in their reports.

SUMMARY OF IMPROVEMENT ACTIVITIES

States reported a wide variety of improvement activities. Common activities included increasing public awareness of the survey to improve the response rate, training and technical assistance for parents and professionals, posting documents and training modules on websites for families to access, including parents on focused monitoring teams, and supporting parent mentor programs.

Although many states still list activities related to survey administration as part of their improvement activities, overall there is a much greater focus on substantive parent involvement activities than in the first few years that reporting on Indicator 8 was required.

Parent and professional training is a part of many states' improvement activities. In some cases, states contracted with the state PTI or CPRC to conduct the trainings. Trainings may be related to special education law, evidence-based practices, or school-parent communication and collaboration. Making resources available on state department of education websites was another common method states used to increase parents' and professionals' knowledge of special education topics. Many states held statewide parent conferences.

Several states conducted an in-depth analysis of the Indicator 8 survey results to determine what type of technical assistance is most needed by school districts and parents. Training content is then determined based on lower scoring areas of parent surveys. In some cases school districts are required to develop improvement plans demonstrating what they will do to increase parent involvement in areas shown by the survey results to need the most improvement.

Very few states described specific activities designed to increase parent involvement of families from underserved communities. Most often the only mention of diversity was translation of the survey or ensuring the representativeness of the survey sample (including oversampling) with respect to race/ethnicity. Few states reported specific efforts targeted at closing the "parent involvement" gap.

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

Although there are still a relatively small number of states describing connections among indicators, there does seem to be a small increase each year.

RECOMMENDATIONS

Survey Distribution

As indicated in this analysis, states using varied survey distribution methods reported significantly higher response rates than states using a single method. To achieve maximum response rates, states should consider incorporating an array of data collection methods. Some of the methods that states found to be effective included offering paper and web-based surveys and providing an opportunity for parents to complete the survey during their annual IEP meeting. There is some concern, however, that asking parents to complete a survey in front of professional IEP team members may lead to less reliable survey scores.

Additionally, states should consider reaching out to their local PTIs and CPRCs to assist with survey distribution, particularly as it relates to reaching underrepresented populations. Some states reported that there is a level of perceived mistrust if families do not understand the purpose of the survey, especially in states that only mailed the survey to the families. Parent Centers could help inform parents of the intent of the survey. Some states connected families with federally-funded parent centers to administer the survey to parents needing assistance. Connecticut partnered with its PTI to include an incentive insert that could be used to order free educational materials from the Parent Center in the survey mailing, along with an explanatory cover letter and self-addressed stamped envelope. This practice could be replicated in other states. In Tennessee, the PTI provided trainings to some LEAs on parent involvement, and the Indicator 8 data revealed that those LEAs had a higher parent survey response rate than LEAs where trainings from the PTI did not occur.

Survey Analysis

As described in this report, the difference in measures for positive response criteria makes it challenging to compare performance data across states. Some states are not using methods of calculating positive parent responses that would be considered valid or reliable for the purposes of measuring Indicator 8. These methods, such as averaging all parent responses or using the results from a single question, are not aligned with the research of NCSEAM or the ECO Center. SEAs should consider collaborating with other stakeholders to review their criteria and ensure that the methods are providing valid and reliable results.

In addition to reviewing the statistical methods used to analyze the survey results, states can take greater advantage of the survey data and examine subgroups of respondents. States could look for differences in positive responses based on respondents' race, ethnicity, or language, an important consideration in determining whether schools are assisting all families equally in being involved as a means of improving services and results for children with disabilities. Individual district data could also be reviewed as a means of identifying best practices and locations where

improvement is most needed. New Hampshire, for example, provided regional activities to bring together districts with below-state average survey return rates or lower survey results to share strategies for improvement, including providing technical assistance by districts and parent organizations who are leaders in building and maintaining family-school partnerships.

Collaboration with Parent Centers

The majority of states reported Parent Center involvement in their improvement activities. These partnerships should continue and become more substantive through ongoing and innovative parent-professional collaboration that are targeted to address LEAs and or populations with the greatest challenges. Massachusetts partners with its Parent Center to assist districts with poorer performance to develop and implement local plans to enhance collaboration between families and schools, overall and on specific topics.

Parent Centers can be a valuable partner in developing and implementing improvement activities, providing training to parents and professionals, and conducting outreach to and facilitating engagement of underserved families. In particular, Community Parent Resource Centers should be engaged in outreach and improvement activities aimed at the underserved families and communities that are their target.

Further, effective parent-professional partnerships are key to improving outcomes across all Part B and C indicators, not just Indicator 8. States should include activities aimed at educating and engaging Parent Centers and families in improvement across all of the SPP/APR indicators.

The National and Regional Parent Technical Assistance Centers (PTACs) are another important resource available to states. PTACs have developed extensive resources on effective parent engagement and are knowledgeable about parent-professional partnerships at the individual and systems levels. More information about the PTACs and the Parent Centers can be found at: www.parentcenternetwork.org.

INDICATORS 9, 10: DISPROPORTIONATE REPRESENTATION DUE TO INAPPROPRIATE IDENTIFICATION

Prepared by DAC and NCRTI

INTRODUCTION

The measurements for these SPP/APR indicators are as follows:

- B9. 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
- B10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

The Data Accountability Center (DAC) and the National Center on Response to Intervention (NCRTI) worked jointly to review the FFY 2010 APRs for the 50 states, the District of Columbia, and the Virgin Islands. The other territories and the BIE are not required to report on B9 and B10. Throughout the remainder of this section, all are referred to as states, unless otherwise noted. For FFY 2010, one state (2%) for B9 and three states (6%) for B10 did not report valid and reliable data. Our review of states' APRs focused on:

- The percentage of districts identified with disproportionate representation;
- The percentage of districts with disproportionate representation that was the result of inappropriate identification;
- Methods used to calculate disproportionate representation;
- Definitions of disproportionate representation;
- Minimum cell size requirements;
- The percentage of districts excluded from the analyses due to sample size requirements;
- Descriptions of how states determined the disproportionate representation was the result of inappropriate identification;
- Description of progress and slippage made by states from FFY 2009 to FFY 2010; and,
- Promising improvement activities implemented by states to address disproportionate representation.

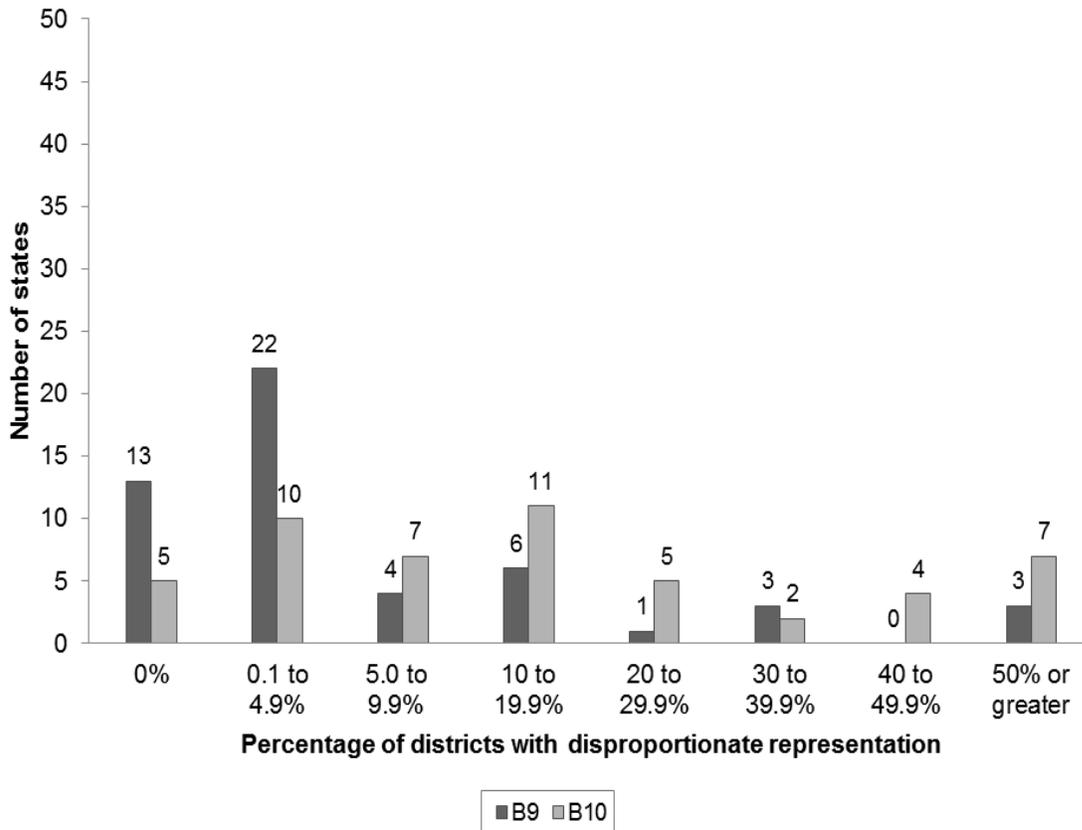
This section ends with a summary and recommendations.

PERCENTAGE OF DISTRICTS WITH DISPROPORTIONATE REPRESENTATION

In their APRs, states reported on the number of districts that they identified with disproportionate representation and subsequently targeted for a review of their policies, procedures, and practices. Figure 1 summarizes this information.

Figure 1

Number of states reporting various percentages of districts with disproportionate representation for B9 and B10: 2010-11



Note: The total number of states for B10 does not sum to 52 because one state is not required to report on B10.

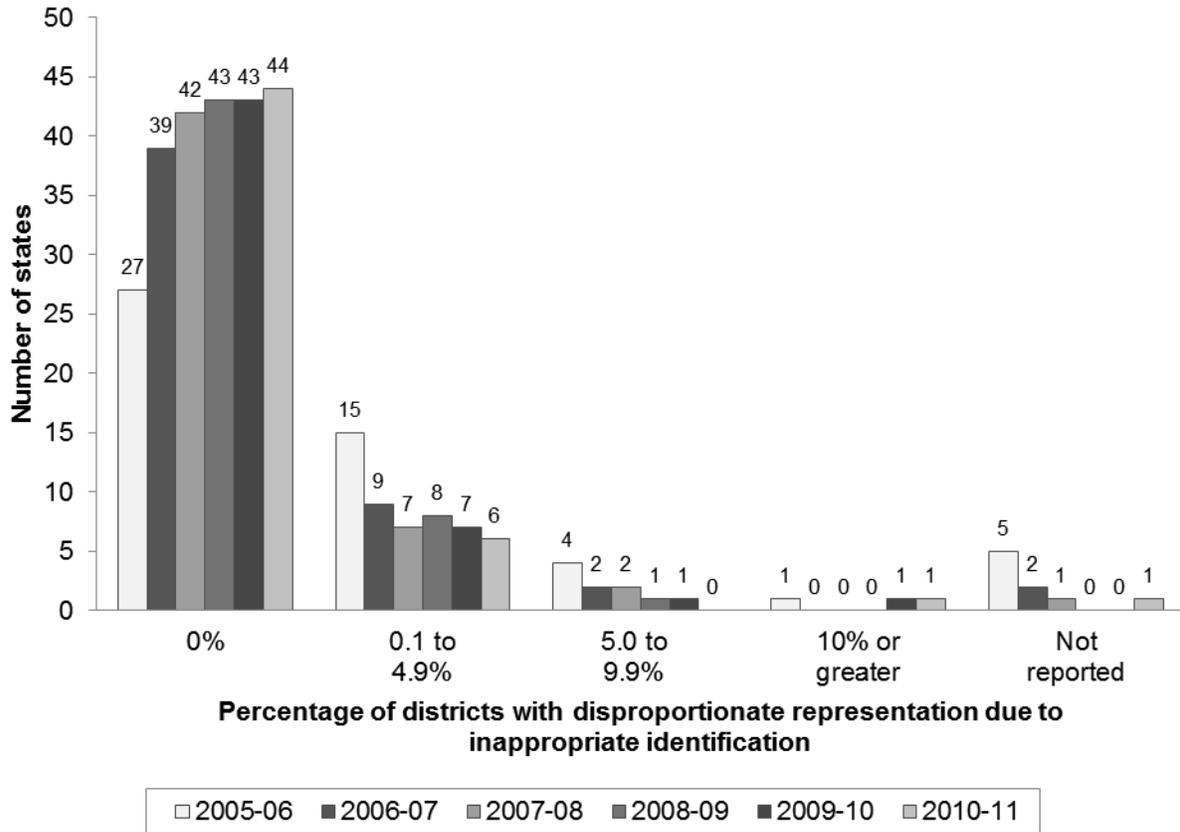
- As shown in Figure 1, 13 states (25%) for B9 and 5 states (10%) for B10 reported that they did not identify any districts as having disproportionate representation for 2010–11.
- Half of the states for B9 (26 states or 50%) and a third of the states for B10 (17 states or 33%) reported that they identified some, but less than 10% of their districts.
- Only 7 states (13%) for B9 and 18 states (35%) for B10 identified 20% or more of their districts as having disproportionate representation.

PERCENTAGE OF DISTRICTS WITH DISPROPORTIONATE REPRESENTATION THAT WAS THE RESULT OF INAPPROPRIATE IDENTIFICATION

Consistent with the definitions and measurement requirements of these indicators, states reported the percentage of districts that had disproportionate representation that was a result of inappropriate identification for both B9 and B10. This information is presented in Figures 2 and 3 for B9 and B10, respectively. For each indicator, data are presented for 2010–11, as well as for the five previous years.

Figure 2

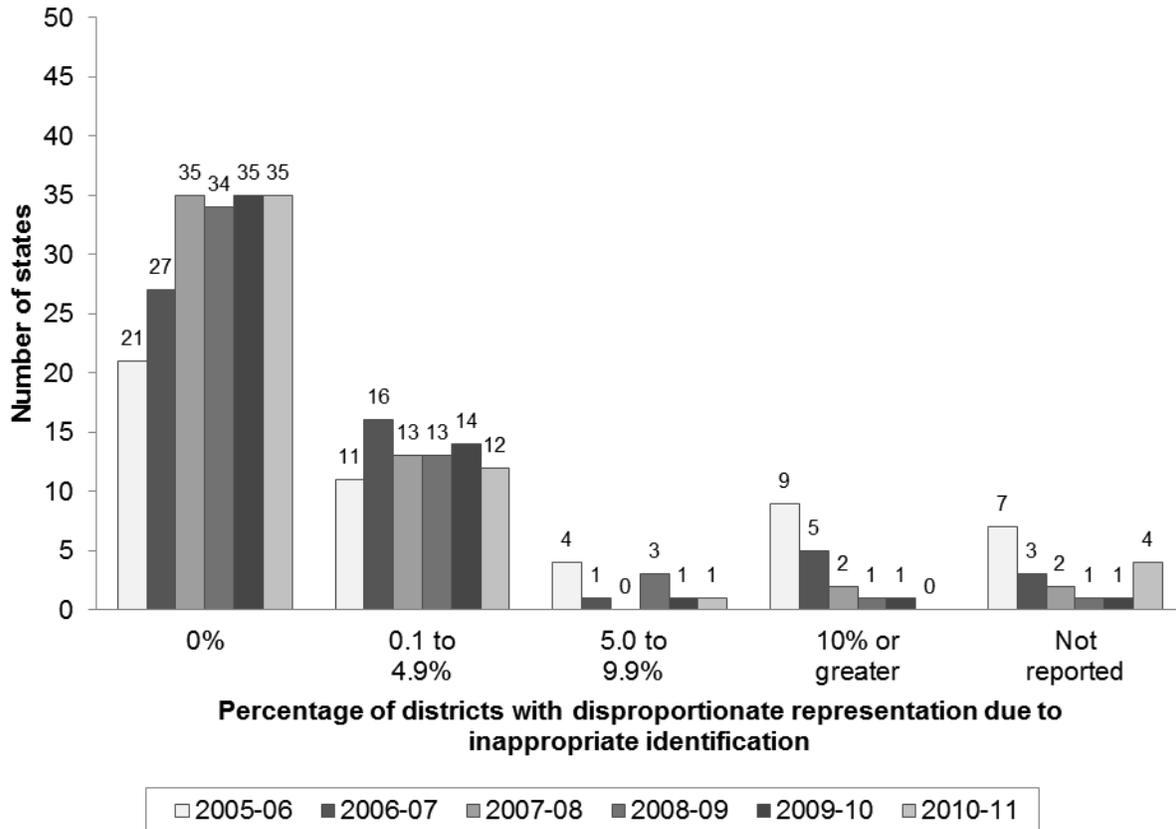
Number of states reporting various percentages of districts with disproportionate representation that was the result of inappropriate identification for B9: 2005–06, 2006–07, 2007–08, 2008–09, 2009–10, 2010–11



- As shown in Figures 2 and 3, a large majority of states reported in 2010–11 that they did not identify any districts as having disproportionate representation that was the result of inappropriate identification. This was true for both B9 (44 states or 85%) and for B10 (35 states or 69%).
- For both B9 and B10, the number of states reporting that they did not identify any districts as having disproportionate representation that was the result of inappropriate identification increased from 2005–06 to 2007–08, and, for the most part, has remained stable from 2007–08 to 2010–11.
- For B9, the number of states reporting that they identified some, but less than 5% of their districts as having disproportionate representation that was the result of inappropriate identification decreased from 2005–06 to 2010–11, while for B10 the number of districts has remained relatively stable from 2005–06 to 2010–11.

Figure 3

Number of states reporting various percentages of districts with disproportionate representation that was the result of inappropriate identification for B10: 2005–06, 2006–07, 2007–08, 2008–09, 2009–10, 2010–11



Note: One state is not required to report on B10.

METHODS USED TO CALCULATE DISPROPORTIONATE REPRESENTATION

The APR instructed states that they should consider using multiple methods to calculate disproportionate representation to reduce the risk of overlooking potential problems. However, states were not required to use multiple methods or to use a specific methodology to calculate disproportionate representation.

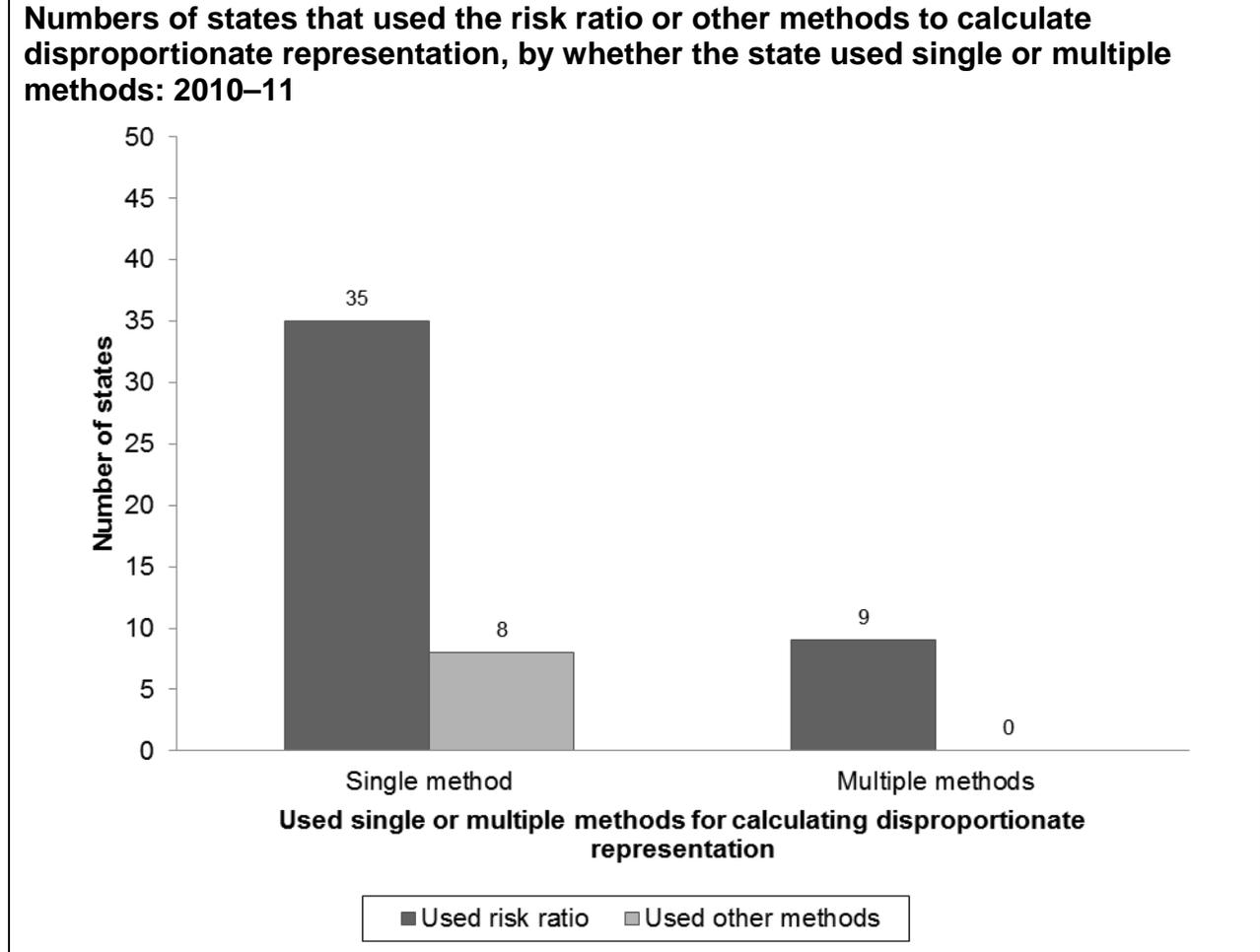
States Using One Method

The majority of states (43 states or 83%) used one method to calculate disproportionate representation (see Figure 4).

- Of the states using one method, most (35 states or 81%) used one or more forms of the risk ratio (i.e., risk ratio, alternate risk ratio, weighted risk ratio), as their sole method for calculating disproportionate representation.
- The remaining states (eight states or 19%) used methods other than a risk ratio as their sole method for calculating disproportionate representation. These

methods included some form of composition, risk, the E-formula, and expected counts of students.

Figure 4



States Using Multiple Methods

The remaining states (nine states or 17%) used more than one method to calculate disproportionate representation.

- Of the states using multiple methods, all states (nine states or 100%) used the risk ratio in combination with one or more other methods.
- As with states using one method, the other methods that states used included some form of composition, risk, the E-formula, and expected counts of students.
- Four states (44%) used different methods either for B9 and B10 or for underrepresentation and overrepresentation.

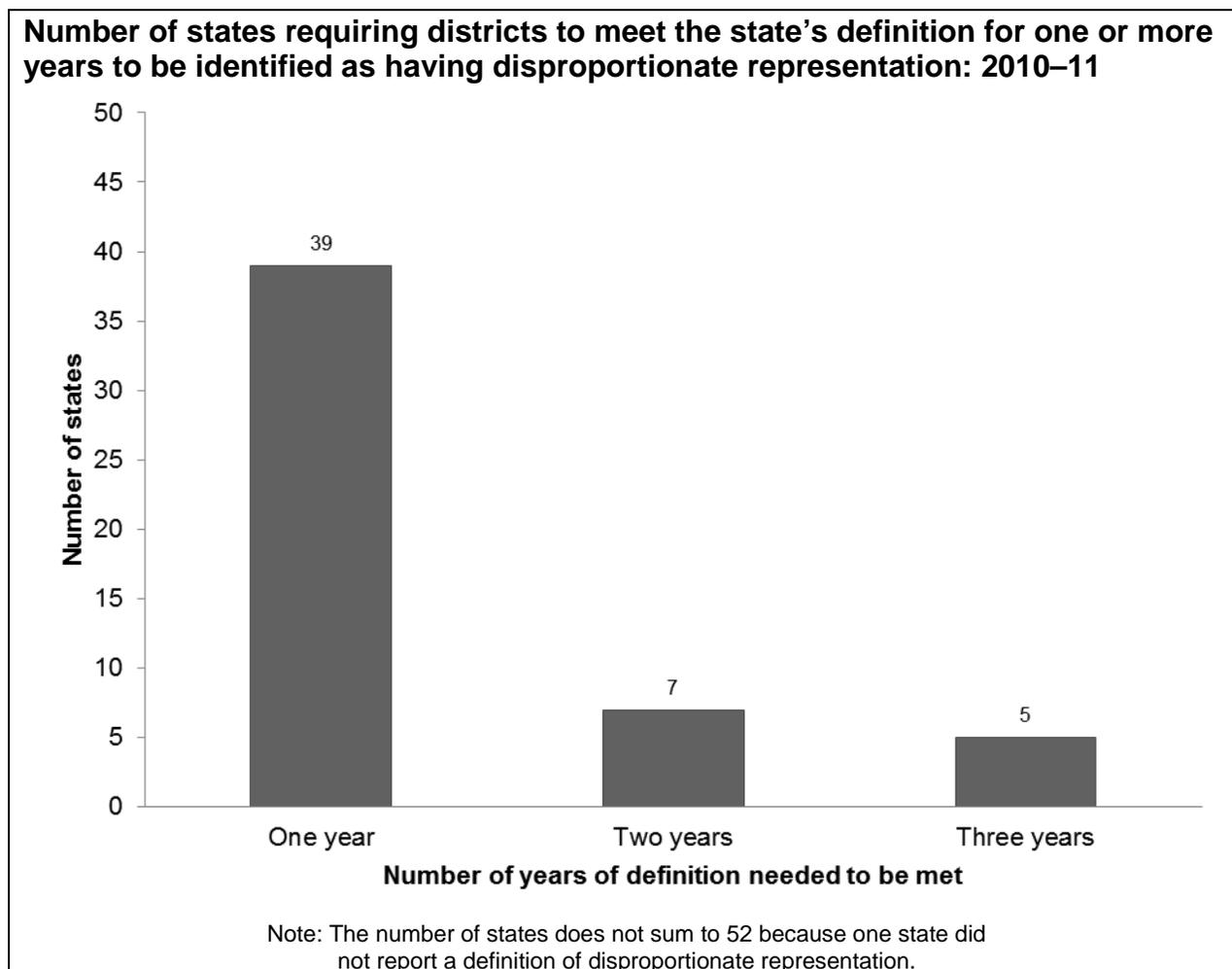
DEFINITIONS OF DISPROPORTIONATE REPRESENTATION

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

Multiple Years of Data

As shown in Figure 5, some states (12 states or 24%) required that a district meet the state's definition of disproportionate representation for multiple years—typically two (seven states) or three (five states) consecutive years—before the district was identified as having disproportionate representation. In 39 states (76%), a district needed to meet the state's definition for only one year in order to be identified.

Figure 5



Risk Ratio

Most of the states using the risk ratio defined disproportionate representation with a risk ratio cut-point. That is, the state considered a district to have disproportionate representation only if the risk ratio for one or more racial/ethnic groups was greater than the state's cut-point for overrepresentation or less than the state's cut-point for underrepresentation.

- The most commonly used cut-point for overrepresentation was 3.0 (16 states).
 - Other cut-points used by more than one state included 2.0 (used for at least one indicator by ten states), 2.5 (used for at least one indicator by eight states), 4.0 (used for at least one indicator by five states), and 3.5 (two states).
 - Cut-points used by single states for at least one indicator included 2.8 and 2.25.
- The most commonly used cut-point for underrepresentation was 0.25 (used for at least one indicator by 19 states).
 - Other cut-points used by more than one state included 0.2 (used for at least one indicator by five states), 0.3 (five states), 0.5 (five states), 0.33 (four states), and 0.4 (two states).
 - Cut-points of 0.37, 0.12, and 0.03 were each used for at least one indicator by one state.

Two states used alternatives to cut-points for risk ratios. One state used confidence intervals, and another state used chi-square tests.

Other Methods

The small number of states that calculated disproportionate representation using other methods defined disproportionate representation in different ways. These included:

- For composition, percentage point differences, relative differences, standard deviation;
- For risk, confidence intervals, comparisons to thresholds;
- For the E-formula, determining upper and lower bounds; and,
- For expected numbers, differences between expected numbers of students and actual numbers of students.

States Using Multiple Methods

All but one of the states (eight states or 89%) that reported using multiple methods to calculate disproportionate representation for B9 or B10 required that the district meet the state's definition for disproportionate representation for all of the methods before the district was identified as having disproportionate representation.

MINIMUM CELL SIZE REQUIREMENTS

Overall, 50 states (96%) specified minimum cell size requirements used in their calculations of disproportionate representation. States used a variety of minimum cell size requirements, ranging from 5 to 100 students. States also defined “cell” in many different ways.

Definitions of “Cell”

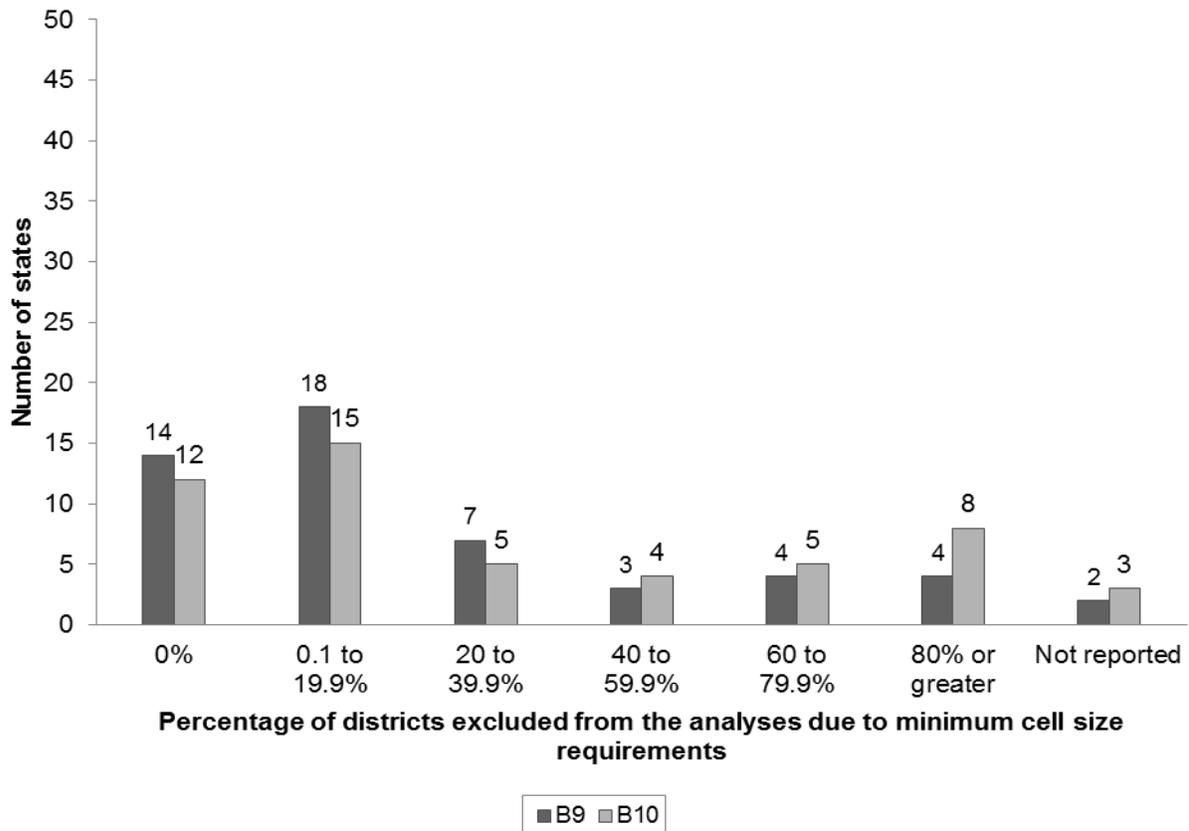
- Many states used minimum cell size requirements that involved *students with disabilities*, often from the racial/ethnic group of interest. For example, a state might require that there be 40 Black or African American students with disabilities in the district in order for disproportionate representation to be calculated. In addition, some states used minimum cell size requirements for B10 referring to *students in particular disability categories*. For example, a state might require that there be at least 20 students with autism in the district.
- Other states used minimum cell size requirements that involved the number of *students enrolled in the district*. For example, a state might require that there be at least 30 students enrolled in the district. In other cases, the requirement also referred to the racial/ethnic group of interest (e.g., there must be at least 10 Hispanic/Latino students enrolled in the district).
- Several states used minimum cell size requirements that involved the number of *students in the comparison group*. For example, if analyzing Black or African American students, a state might require that there be at least 20 students enrolled in the district from all other racial/ethnic groups combined.
- In several instances, the minimum cell size requirements that states were using were unclear. For example, some states simply stated that they used a minimum cell size requirement of a certain number (e.g., 10 students), but it was not clear what this number meant (i.e., students enrolled in the district? students with disabilities? students from the racial/ethnic group of interest?).
- Nineteen states (37%) had multiple minimum cell size requirements. For example, one state had requirements related to racial/ethnic group district enrollment, district racial/ethnic group special education counts, and comparison group counts. Other states had different requirements for overrepresentation and underrepresentation and/or for B9 and B10.

Districts Excluded From Analyses

In determining disproportionate representation, states are required to analyze data for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet the minimum ‘n’ size set by the state. Fifty states (96%) for B9 and 49 states for B10 (96%) reported on the percentage of districts excluded from the analyses due to minimum cell size requirements. Figure 6 presents this information.

Figure 6

Number of states reporting various percentages of districts excluded from the analyses due to minimum cell size requirements: 2010–11



Note: One state is not required to report on B10.

- Over 20% percent of states (11 states or 22%) for B9 and over 30% of states (17 states or 35%) for B10 reported that they excluded at least 40% of the districts in the state from the analyses.
- Eighteen states (36%) for B9 and 15 states (31%) for B10 reported that they excluded some, but less than 20%, of the districts.
- Fourteen states (28%) for B9 and 12 states (24%) for B10 did not exclude any districts from the analyses.

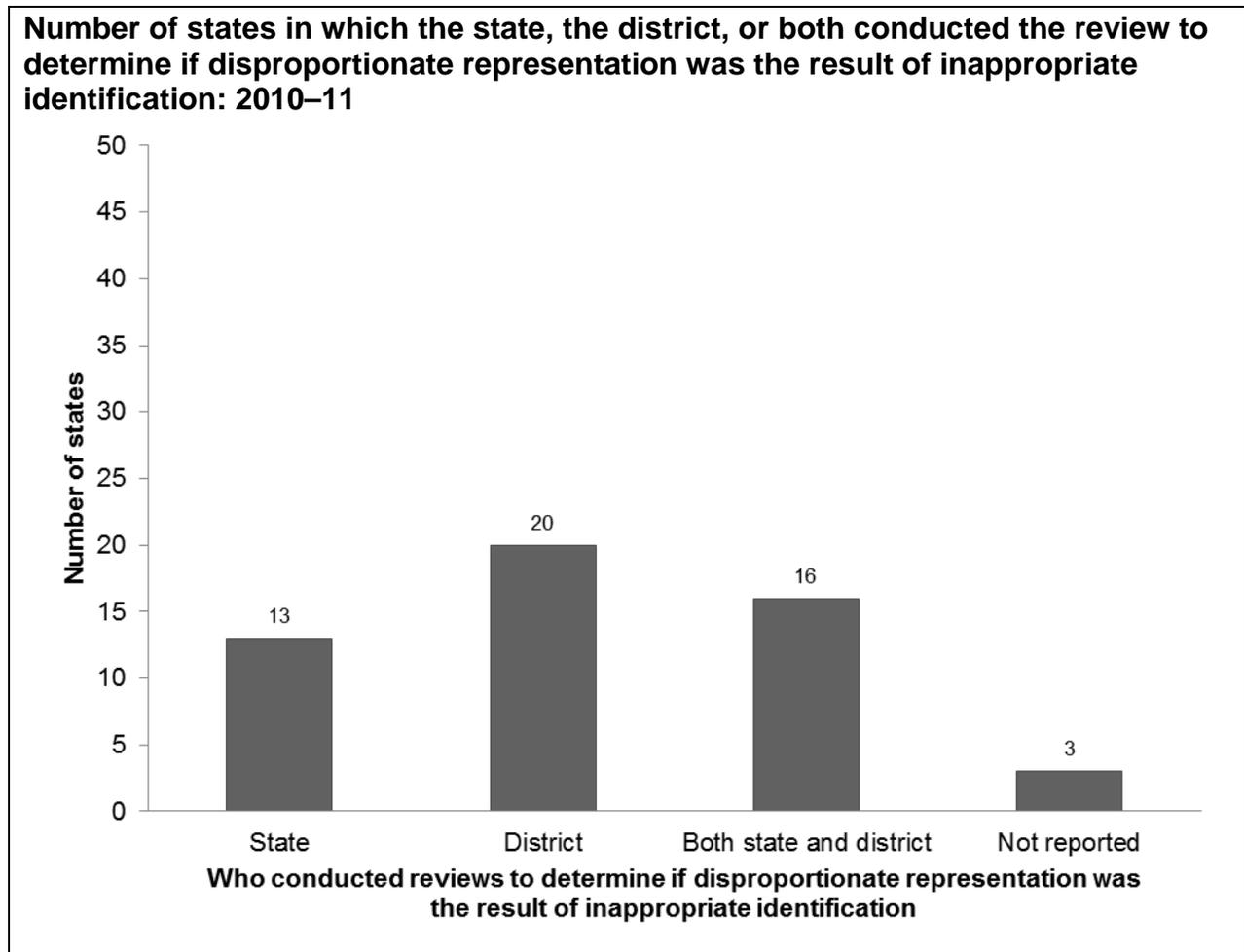
DESCRIPTION OF HOW STATES DETERMINED THE DISPROPORTIONATE REPRESENTATION WAS THE RESULT OF INAPPROPRIATE IDENTIFICATION

For B9 and B10, states were required to describe how they determined that disproportionate representation of racial/ethnic groups in special education was the result of inappropriate identification. All but three states (6%) included this information.

Who Conducted the Reviews

Figure 7 presents information about who conducted the reviews to determine whether districts had disproportionate representation that was the result of inappropriate identification.

Figure 7

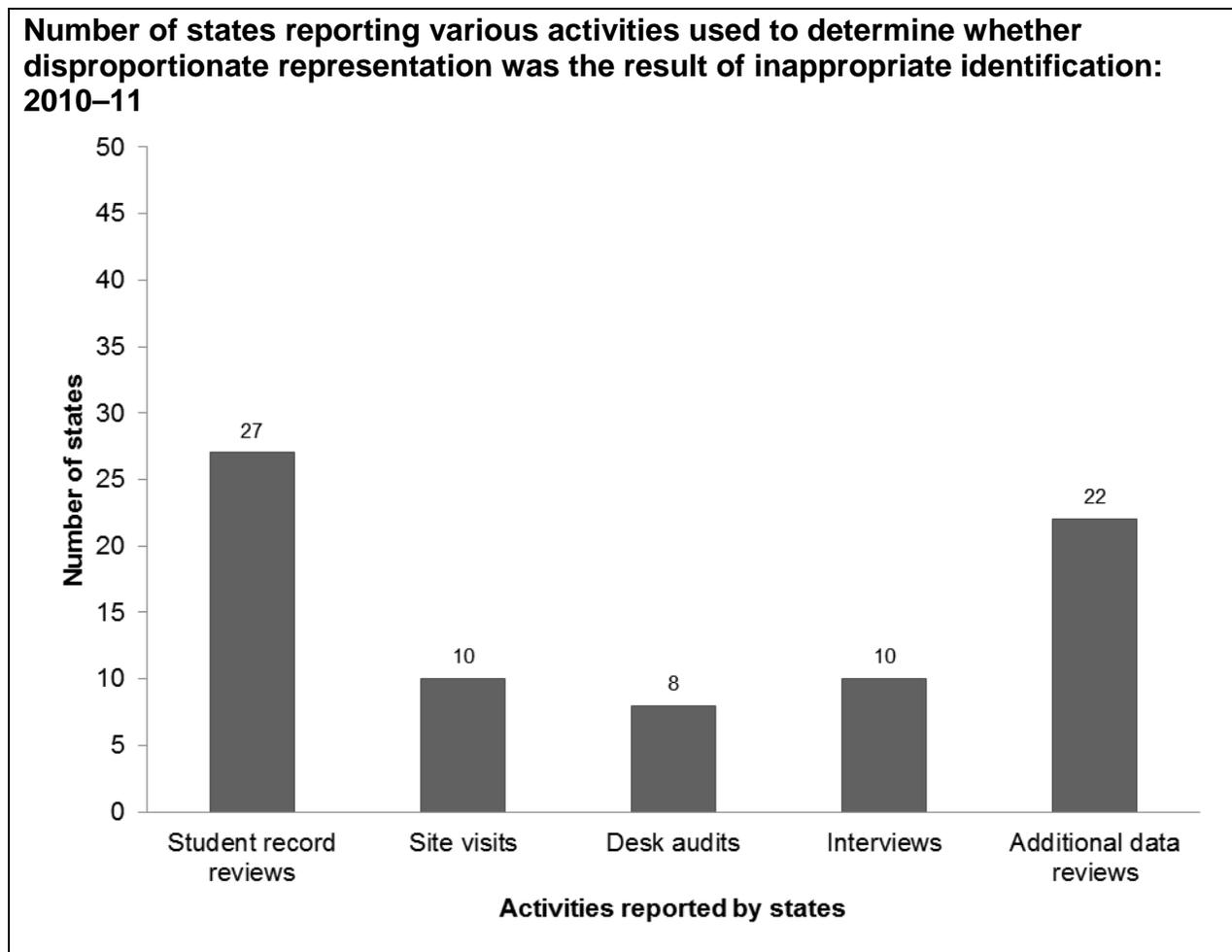


- In 13 states (25%), state-level staff conducted the reviews to determine if the disproportionate representation was a result of inappropriate identification.
- In 20 states (38%), district-level staff conducted the reviews via self-assessments. Ten of these states reported that they provided a tool to help the districts conduct the reviews, and 15 of these states reported that they required the district to submit the self-assessment to the state for verification. It should be noted that when districts conducted the reviews, the state still made the final determination as to whether the disproportionate representation was a result of inappropriate identification.
- In 16 states (31%), some aspects of the review were conducted by the state-level staff while others were conducted by the district-level staff.

Specific Activities Used to Conduct Reviews

Figure 8 presents the specific activities reported by states to determine whether there was inappropriate identification. In many cases, the reviews included a combination of two or more of these activities.

Figure 8



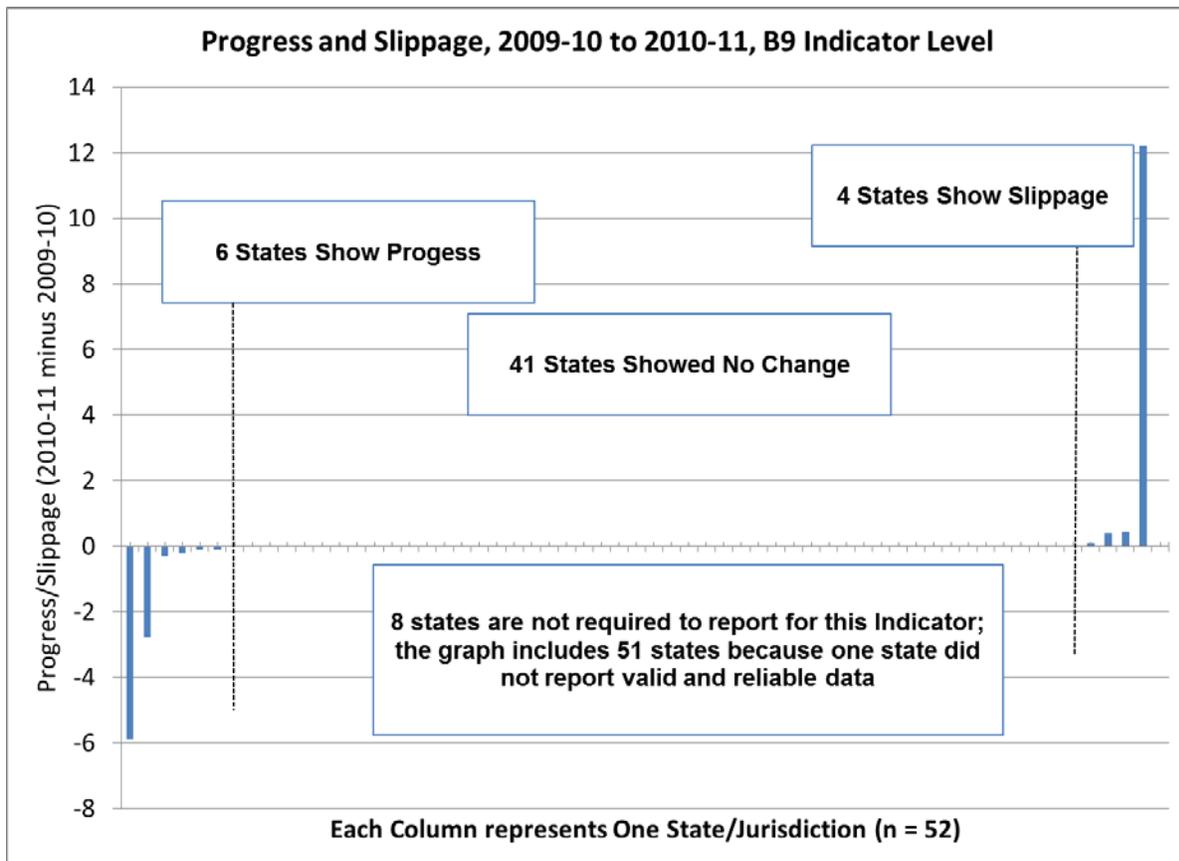
- Activities frequently reported by states included student record reviews (27 states or 52%) and additional review or analysis of new or existing data (e.g., risk ratio trend data, assessment data, dispute resolution data, monitoring data) (22 states or 42%).
- Other activities that states reported included on-site visits (10 states or 19%), interviews with district staff (10 states or 19%), and desk audits (8 states or 15%).
- Some states (six states or 12%) described using a different set of activities for B9 versus B10 and/or overrepresentation versus underrepresentation. In addition, a small number of states (five states or 10%) used different combinations of activities and/or more activities based on the degree of disproportionate

representation or the number of consecutive years that the district had been identified.

DESCRIPTION OF PROGRESS AND SLIPPAGE FROM 2009–10 TO 2010–11

As indicated in Figures 9 and 10, for B9 and B10, 41 states (79%) and 30 states (59%), respectively, reported no change in the percentage of districts identified as having disproportionate representation due to inappropriate identification. Six states (12%) reported progress and four states (8%) reported slippage for B9. For B10, 11 states (22%) reported progress and seven states (14%) reported slippage.

Figure 9



PROMISING IMPROVEMENT ACTIVITIES IMPLEMENTED BY STATES

The narrative for this section focuses on the improvement activities reported by states. Note that, with the exception of five states, reported improvement activities are typically the same activities for both indicators. Therefore, this report discusses both indicators in tandem, except where notable improvement activities address only a specific indicator.

Figure 10

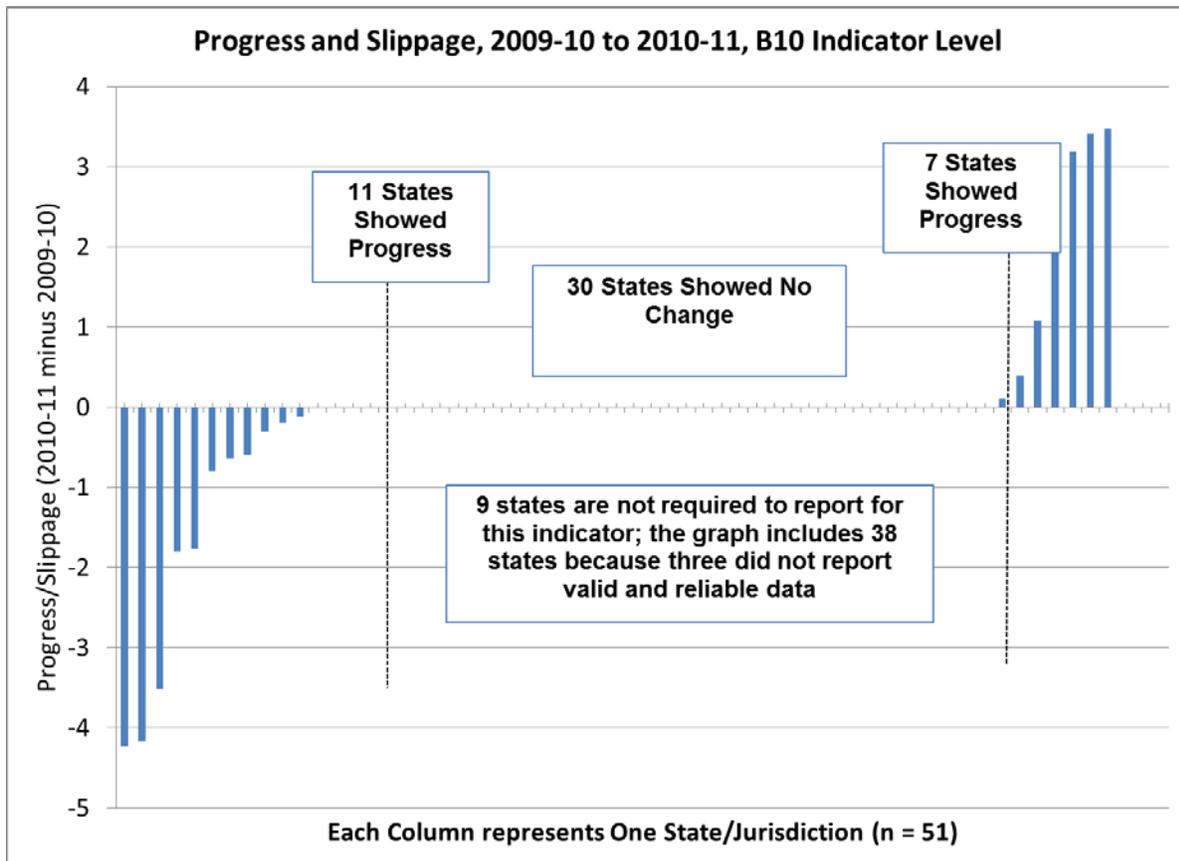


Table 1 summarizes the improvement activities reported by states for FFY 2010.

Table 1

FFY 2010 Improvement Activities for B9 and B10		
Improvement Activity Category	B9	B10
Targeted TA [e.g., Culturally and Linguistically Diverse Instruction (CLD)], support for English Language Learners (ELL), Response to Intervention (RTI), RTI for ELLs, expanding bilingual special education TA providers and support, providing forums on disproportionality for districts at 'serious risk')	25	23
General TA (e.g., statewide and regional conferences)	21	22
RTI (includes expansion of models and tools, implementation, TA center, ongoing support)	18	18
Review and revise practices, policies, & procedures (including eligibility and identification tools; new protocols)	16	16

Improvement Activity Category	B9	B10
General PD (e.g., data collection, systems improvements, monitoring, procedures)	16	14
Collaboration (includes Resource Centers, state division, advisory groups, stakeholders, RELs)	11	10
Review and improve data collection	11	10
Self-review, monitoring, and improvement planning	9	9
Targeted PD (e.g., cultural competency and responsiveness, bilingual support, PBI, three-tiered model of intervention, ELL, disproportionality, differentiated instruction)	9	9
Research-based efforts (e.g., study of promising practices, provision of grants to explore research-based activities that address disproportionality, literature review to identify determinants and appropriate interventions)	9	8
Develop web pages to disseminate disproportionality information	7	8
Implementation of new initiatives (includes closing the achievement gap, staff development, network liaisons to African American families, Literacy for Learning)	7	8
Revise calculations (e.g., annual review of calculations used to determine disproportionality, gradual reduction of weighted risk ratio)	7	7
Outreach (e.g., parent training and community outreach)	5	5
Capacity building (e.g., identify retired special education directors as capacity builders, develop peer reviewers to provide training)	5	3

As indicated by Table 1, for FFY 2010, the top five improvement activities states used to address progress and slippage (by order of frequency) included:

- Targeted technical assistance;
- General technical assistance;
- RTI implementation, tools, and support;
- Review and revision of policies, practices, and procedures, and
- General professional development.

A number of states also reported the following categories of improvement activities for both B9 and B10, although with less frequency than the five categories listed above: collaboration (e.g., Regional Resource Centers, advisory groups, RELs, etc.); reviewing and improving data collection; self-review, monitoring, and improvement planning; targeted technical assistance; and research-based efforts (e.g., study of promising practices).

The top five categories of improvement activities used most often by states to address progress and slippage across both indicators have changed in relation to the activities reported in FFY 2009, during which they were the following:

- General technical assistance;
- Collaboration with others (e.g., Regional Resource Centers, RELs, and stakeholders);
- Self-review, monitoring, and improvement planning;
- Review and revision of policies, practices, and procedures (which includes review and revision of eligibility tools, identification tools, and implementation of new protocols); and
- General professional development.

Thus, in comparison to FFY 2009, self-review, monitoring, and improvement planning and collaboration are no longer in the top five categories of improvement activities for FFY 2010. In addition, targeted technical assistance and RTI implementation and support have become more frequently cited as improvement activities. Table 2 below shows a comparison between FFY 2009 and 2010.

Table 2

Top Five Improvement Activities for 2010 versus 2009		
Ranking of Improvement Activity	FFY 2010	FFY 2009
1	Targeted TA	General TA
2	General TA	Collaboration with others (e.g., Resource Centers, RELs, and stakeholders)
3	Response to Intervention implementation, tools, and support	Self-review, monitoring, and improvement planning
4	Review and revision of policies, practices, and procedures	Review and revision of policies, practices, and procedures
5	General PD	General PD

Data for FFY 2010 indicate a change in the frequency with which states reported use of improvement activities as categorized in this report. In FFY 2010, there were 25 and 23 reports by states of the use of targeted technical assistance improvement activities for B9 and B10, respectively. By comparison, in FFY 2009, there were four reports by states using targeted technical assistance improvement activities for each indicator. These data represent an increase in the use of targeted technical assistance as an improvement activity.

States also reported an increase in the use of general technical assistance as an improvement activity. There were 21 reports of general technical assistance for B9 and

22 reports for B10 in FFY 2010, versus 10 (B9) and 14 (B10) in FFY 2009. Taken together, these data indicate that states have increased their use of some form of technical assistance as an improvement activity in FFY 2010. Indeed, there are 46 reports of technical assistance for B9 and 45 for B10 in the current reporting year; in comparison, there were 14 (B9) and 18 (B10) reports in FFY 2009.

Similarly, the use of RTI has increased among states. In FFY 2009, there were four reports of RTI as an improvement activity for B9 and three reports for B10; for FFY 2010, there were 18 reports of using RTI as an improvement activity for each indicator. Finally, among the top five improvement activities, there was an increase in the use of review and revision of practices, policies, and procedures among states. In FFY 2010, the use of activities in this category increased to 16 for each indicator, up from 5 for B9 and 11 for B10 in FFY 2009.

Other differences noted in FFY 2010 are the increased use of capacity building and revision of calculations (to determine disproportionate representation) as improvement activities. In FFY 2009, there were only two reports of use of capacity building for Indicator B10 and none for Indicator B9; in FFY 2010, there were five reports of this improvement activity for indicator B9 and three for indicator B10. Reports of revising calculations increased from only two for Indicator B10 and none for Indicator B9, in FFY 2009 to seven for each indicator in FFY 2010.

SUMMARY AND RECOMMENDATIONS

As in past years, the major trend emerging from review of the FFY 2010 data is that a majority of states (41 states or 78% and 30 states or 59%) for B9 and B10 reported no change in the percentage of districts identified with disproportionate representation as a result of inappropriate identification. In FFY 2010, 10 states (17%) reported progress or slippage for B9, and 18 states (30%) reported progress or slippage for B10. In comparison, for FFY 2009, 12 states (20%) reported progress or slippage for B9, and 18 states (30%) reported progress or slippage for B10.

Between 2005–06 and 2010–11, the number of states reporting that they identified 0% of their districts increased from 27 to 44 states for B9 (85% of states) and from 21 to 35 states for B10 (69% of states). Furthermore, all of the states that reported no change from 2009–10 to 2010–11 with regard to progress or slippage reported that they identified 0% of their districts with disproportionate representation due to inappropriate identification for both years.

Some form of the risk ratio was used by 44 states, sometimes as part of a combination of two or more methods for calculating disproportionate representation; states using the risk ratio used a variety of cut-points to determine over- and underrepresentation. When determining disproportionate representation, 12 states required that a district meet the state's definition for two or three years before the district was identified.

States used a wide range of minimum cell size requirements that districts needed to meet in order to be included in analyses for determining disproportionate representation; also, there was much variety with regard to how states defined a "cell" for these requirements. Fifty states for B9 and 49 states for B10 reported on the

number of districts excluded from the analyses due to minimum cell size requirements. Eleven states for B9 (22% of states) and 17 states for B10 (35% of states) reported that they excluded at least 40% of the districts in the state from the analyses.

Based on the foregoing descriptive analysis, we recommend the following steps for improving state analyses across B9 and B10:

- 1) Use guidance for establishing sound definitions of disproportionate representation, including the choice of minimum cell sizes (see www.IDEAdata.org, *Methods for Assessing Racial/Ethnic Disproportionality in Special Education: A Technical Assistance Guide*).
- 2) Provide guidance from the field on best practices for combining state and district-level monitoring and review strategies to determine inappropriate identification policies, practices, or procedures.
- 3) For states reporting slippage (i.e., increased disproportionate representation), increase the use of relevant technical assistance and professional development supports, including training on CLD instructional strategies, effective instruction for ELLs, and the use of differentiated instruction (see www.rti4success.org and www.equityallianceatasu.org for resources). In addition, reporting requirements should include a full description of the outcomes and impact on disproportionate representation stemming from state-identified improvement activities.
- 4) For both indicators, include information on specific racial/ethnic groups and disability categories found to have disproportionate representation that is the result of inappropriate identification. These data will support efficient implementation of targeted improvement activities.

INDICATOR 11: TIMELY INITIAL EVALUATIONS

Prepared by DAC

INTRODUCTION

FFY 2010 (2010–11) was the sixth year of required data reporting for Indicator 11. The 50 states, District of Columbia, and the nine territories reported. For this report, they will be called the 60 states.

This indicator requires the state to collect and report data from the state's monitoring activities or data system. Additionally, the state is required to indicate the established timeline for initial evaluations.

Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe. [20 U.S.C. 1416(a)(3)(B)]

Part B requirements that are the basis for compliance Indicator 11:

- (c) The initial evaluation--(1)(i) Must be conducted within 60 days of receiving parental consent for the evaluation; or (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe;
- (d) The timeframe described in paragraph (c)(1) of this section does not apply to a public agency if--(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under §300.8.
- (e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed. [20 U.S.C. 1414(a)(1)(C), 34 CFR §300.301(c), (d), and (e)]

Requirements for initial evaluations: [20 U.S.C. 1414(a)(1)(A)-(C); 34 CFR §300.301(a)-(c)] Child find requirements: [20 U.S.C 1412 (a)(3); 34 CFR §300.111]

Specifically, the Part B Measurement Indicator Table states:

Data Source

Data are to be taken from state monitoring or state data systems and must be based on actual, not an average, number of days. Indicate if the state has established a timeline, and, if so, what is the state's timeline for initial evaluations.

Measurement

- a. Number of children for whom parental consent to evaluate was received.
- b. Number of children whose evaluations were completed within 60 days (or state-established timeline).

Account for children included in "a" but not included in "b." Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

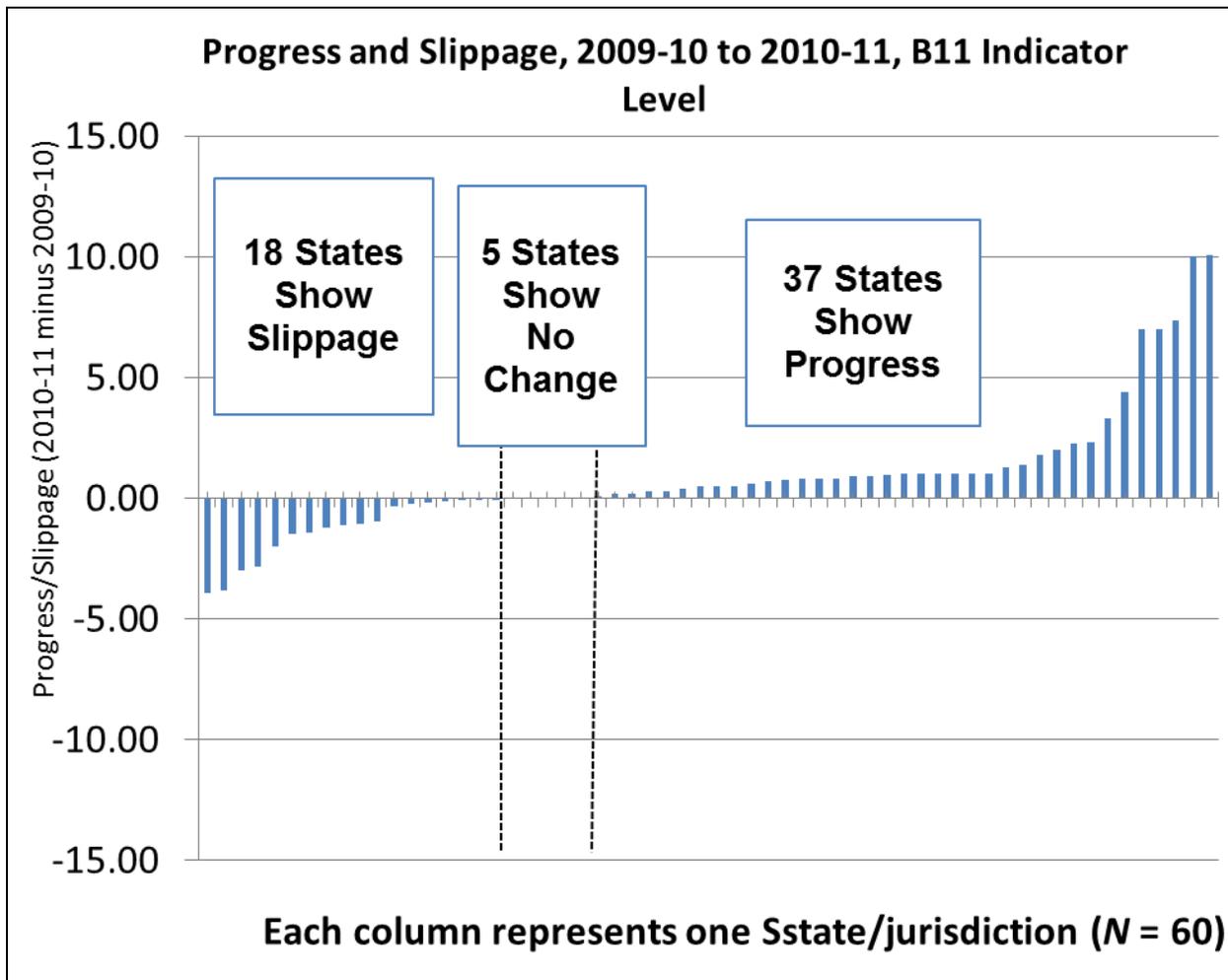
Percent = [(b) divided by (a)] times 100.

The remainder of this analysis focuses on six elements: (1) states' descriptions of progress and/or slippage; (2) discussion of states' established timelines; (3) method of data collection; (4) range of days beyond the timeline and reasons for delays; (5) timely evaluations; and (6) states' improvement activities. The last section of the report contains a summary.

PROGRESS OR SLIPPAGE

In FFY 2010, for the second year in a row, the upward trend seen in previous years did not continue, and the total number of states reporting progress dropped from 47 states (78%) in FFY 2009 to 37 states (62%) in 2010. Figure 1 shows the number of states that reported progress, slippage, or no change.

Figure 1



In FFY 2010, five states (8%) reported no change.

Among the 37 states reporting progress in FFY 2010, most reported the reasons for their progress.¹ The main reasons cited for progress focused on various aspects of technical assistance provided to the LEAs. Specifically, states attributed progress to (1) providing technical assistance, (2) conducting improvement activities, (3) refinement of data systems and procedures, and (4) emphasis on verification. Five states reported progress, but did not provide an explanation for it.

The number of states reporting slippage increased from eight states (13%) in FFY 2009 to 18 states (30%) in FFY 2010, the same number of states that reported slippage in FFY 2007. Figure 1 shows the one-year changes across states. Reasons for slippage

¹ One state reported progress in its school-age programs, but slippage in its preschool programs. No explanation was given for the slippage. The state is reported only in the made progress number.

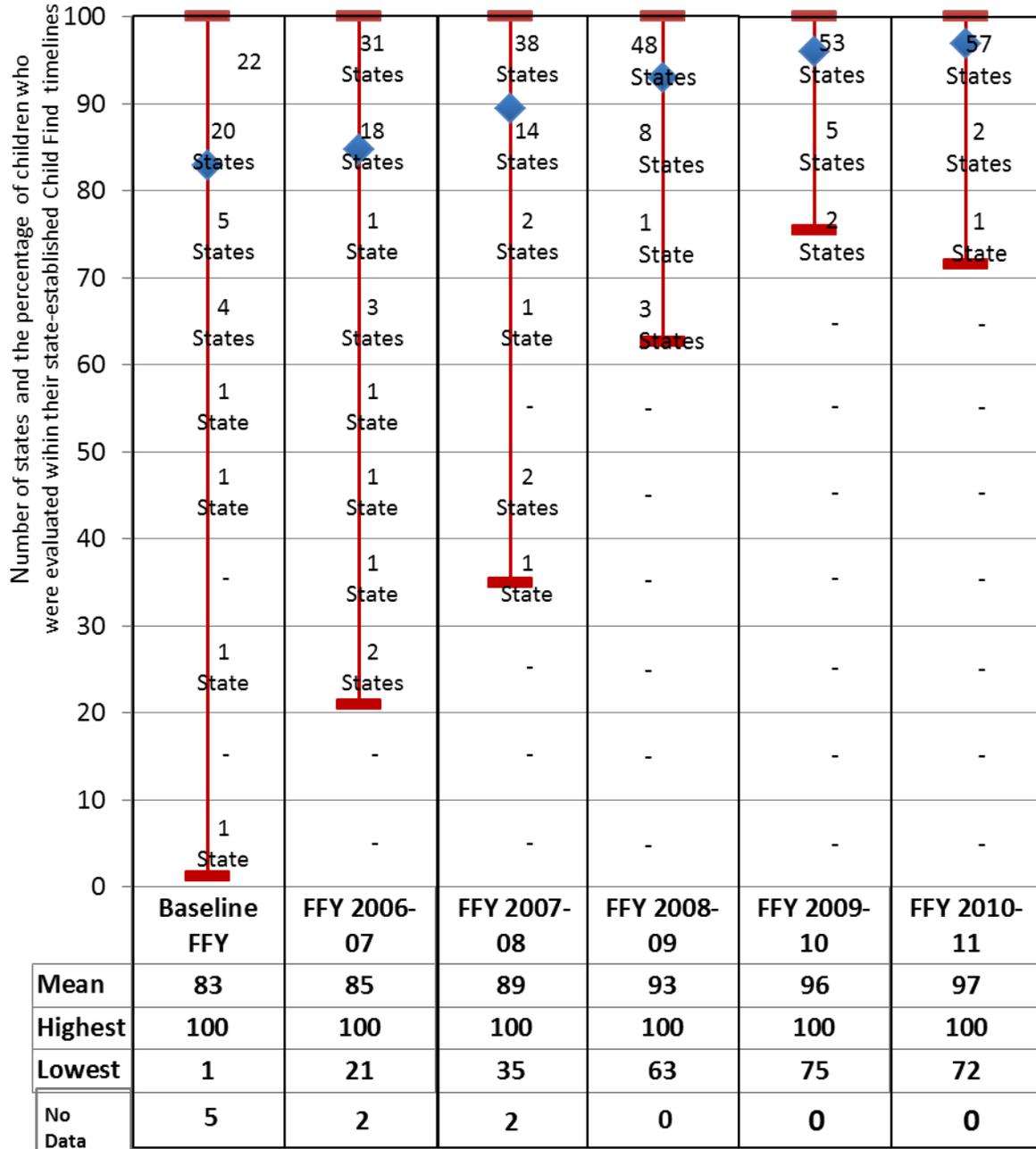
varied among the states that reported it and included (1) changes in data collection methods/data collection systems, (2) novice users of the system, (3) program coding errors, and (4) teacher noncompliance. Four states that reported slippage did not provide an explanation for it.

Figure 2 shows the six-year trend in the data for this indicator. It can be noted that the range in performance has narrowed, and the gap between the highest compliance level of 100% and the noncompliant levels has narrowed. The mean has risen from 83% during the baseline year to 97% in FFY 2010.

States are continuing to move toward the 100% target for this indicator. In FFY 2006, 31 (51%) states reported that they had reached at least 90% compliance; in FFY 2007, the number of states rose to 38 (63%); in FFY 2008, it rose again to 48 (80%); in FFY 2009, it rose to 53 states (88%), and in FFY 2010 it rose to 57 states (95%).

OSEP sets substantial compliance at a minimum of 95% of the districts achieving the target. In FFY 2010, 50 (83%) of the states achieved substantial compliance. Nine of these states (15%) achieved 100% compliance.

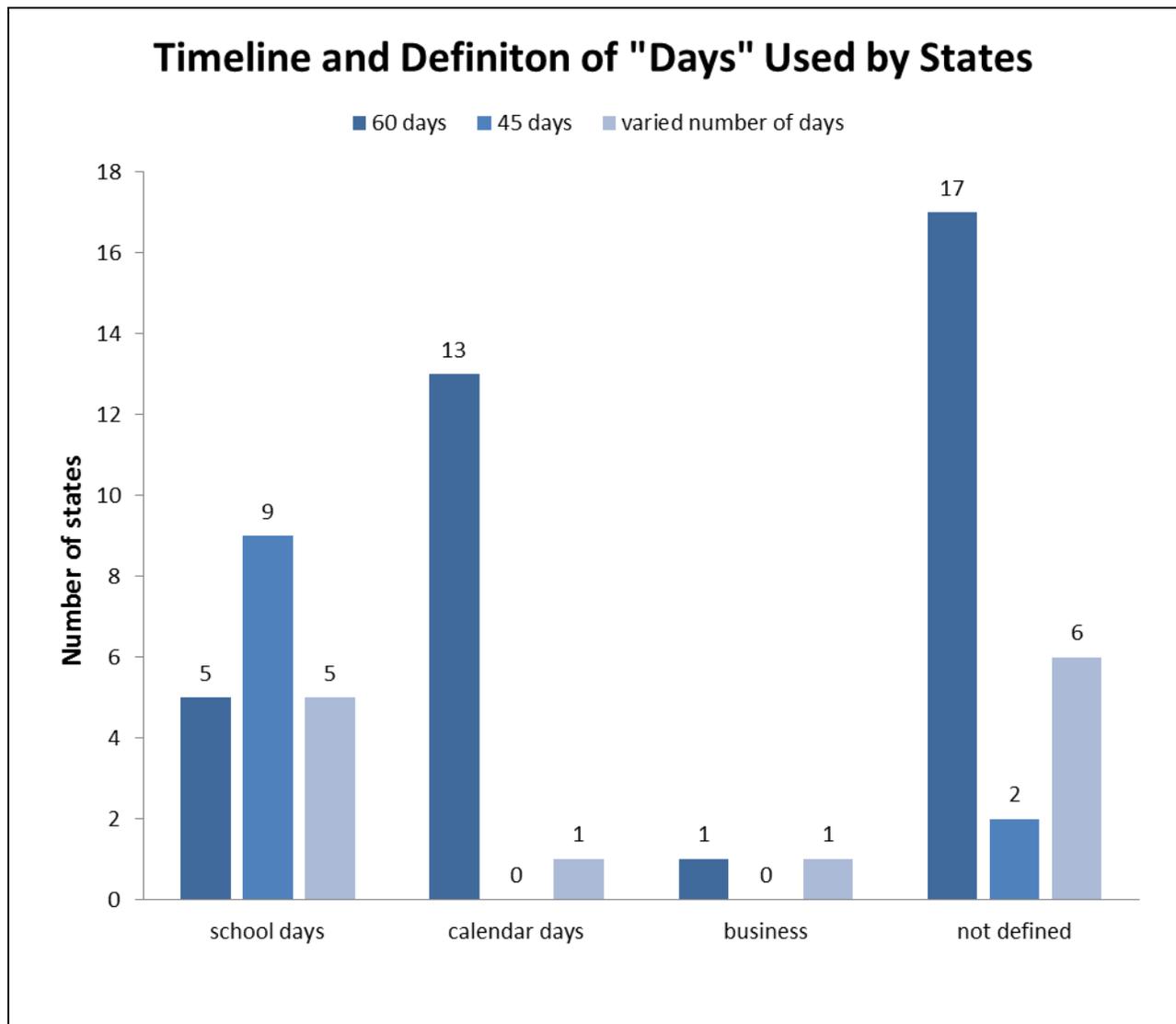
Figure 2
Trends - Six Years of Indicator B11 Data
Child Find



ESTABLISHED TIMELINE

Indicator 11 stipulates a timeline of “60 days (or state-established timeline).” States’ timelines for evaluation ranged from 25 school days to 120 days. There was great variation in the use of the term “days.” Across the states, terms used included “school days,” “working days,” “business days,” as well as “calendar days.” Figure 3 shows the number of states that reported 60-day timelines, 45-day timelines, or other timelines and the number of states that reported using calendar days, school days, other definitions for “day” or no definition for “day.”

Figure 3



- The majority of states (36 states or 60%) used a 60-day timeline. Among this group:
 - Five states reported 60 school days.
 - 13 states reported 60 calendar days (one state in this group indicated that it could be extended 30 days).²
 - One state reported 60 business days.
 - 17 states reported 60 days but did not define “days.”
- The next most frequently used timeline was 45 days and was used by 11 states. Among this group:
 - Nine states used 45 school days^{3 4}.
 - Two states used 45 days but did not define “days.”
- The timelines for the 13 remaining states varied from 30 to 120 days.
 - Five states reported school days.
 - One states reported calendar days.
 - Two states reported business days.
 - Six states did not define days.

DATA COLLECTION METHODS

States are required to use the data from their state monitoring or state data system, and their data must be based on actual and not the average number of days. The majority of states reported using some type of web-based/computer-based student management system. One of these states reported using an on-line census.

Some states reported using onsite work during the continuous monitoring process, submission of reports and other documents to the central office, desk audits, self-assessment reports, and/or Excel spreadsheets. A few states mentioned submission of timeline reports, using compliance monitoring data, scheduling initial evaluations, and establishing a monitoring cycle as data collection methods. The remaining few states either reported using a variety of methods to collect data or did not provide any information regarding their data collection method.

RANGE OF DAYS BEYOND THE TIMELINE AND REASONS FOR THE DELAYS

States are required to report the range of days they exceeded the timeline. Nine states (15%) reported that they stayed in the timelines and achieved 100% compliance. This is almost double the number of states from FFY 2009 (five states or 8%). Only one state did not report a range, but did mention an average of 14 days. The remaining

² One state reported 60 calendar days for school-age students and 30 school days for preschool-age children. The state is included only in the 60 calendar days count.

³ One state reported 45 school days or 90 calendar days of receiving parental consent, whichever is shorter.

⁴ One state reported 45 school days for children ages 5–20 and 60 calendar days for children in the Child Development Services System. The state is included only in the 45 school days count.

states reported ranges with the minimum and maximum number of days that the timelines were exceeded.

Minimum Ranges Reported

The minimum ranges reported by the remaining 50 states were:

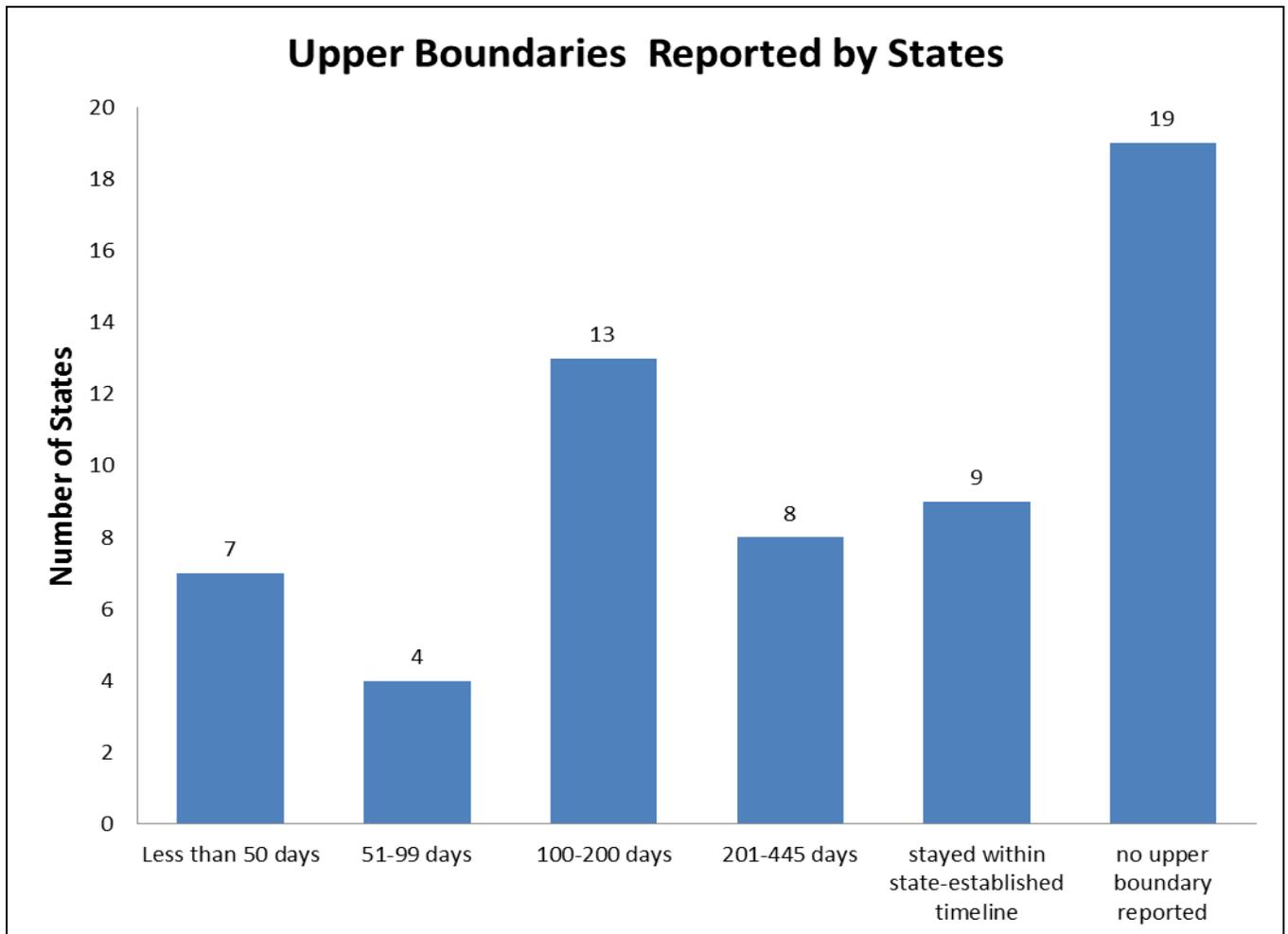
- One day: 48 states
- Two days: One state
- 45 days: One state

The greatest change in reported minimum ranges is the increase in the number of states reporting a low range of 1 day. In FFY 2009, 39 states reported this as a lower boundary.

Maximum Ranges Reported

Figure 4 shows the maximum ranges that states reported.

Figure 4



The maximum reported ranges were:

- less than 50 days: Seven states⁵ (12%)
- 51-99 days: Four states (7%)
- 100-200 days: 13 states⁶ (22%)
- 201-445 days: Eight states (13%)
- stayed within state-established timeline: Nine states (15%)
- not reported: 19 states (32%). These states reported an upper range from more than 16 to more than 210 days, but did not provide an upper limit.

The number of upper boundary days states reported changed from FFY 2009 to FFY 2010. In FFY 2009, six states reported in the less than 50 days category; seven states reported in the 51-99 days category; and 15 states reported in the 100-200 days category. There was an increase in the number of states reporting in the more than 200 days' timeline: from six states reporting in FFY 2009 to eight (8) states reporting in FFY 2010.

Most states, including states that did not report a range of days, provided reasons for delays in meeting the timelines. The reasons for the delays varied, but can be broadly grouped as follows:

- *School- or District-Level Issues:* These include staff shortages or turnovers, including unavailability of non-English-speaking evaluators/instruments; volume of referrals; scheduling conflicts; timeline errors that did not incorporate weekends or school breaks; inadequate tracking and scheduling systems; improper documentation; charter school noncompliance; and staff errors.
- *Student and/or Family Delays:* These include student illness, student absence for reasons other than illness, failed hearing or vision screening, student incarceration, parent cancellations or no shows, child moved into or out of administrative unit, unsigned evaluations or forms, custody issues, and district or state transfer issues;
- *Medical Issues:* States mentioned delays in receiving medical reports or evaluations and the need for further testing or glasses;
- *Weather-related delays, natural disaster, and/or power outages.*

TIMELY EVALUATIONS

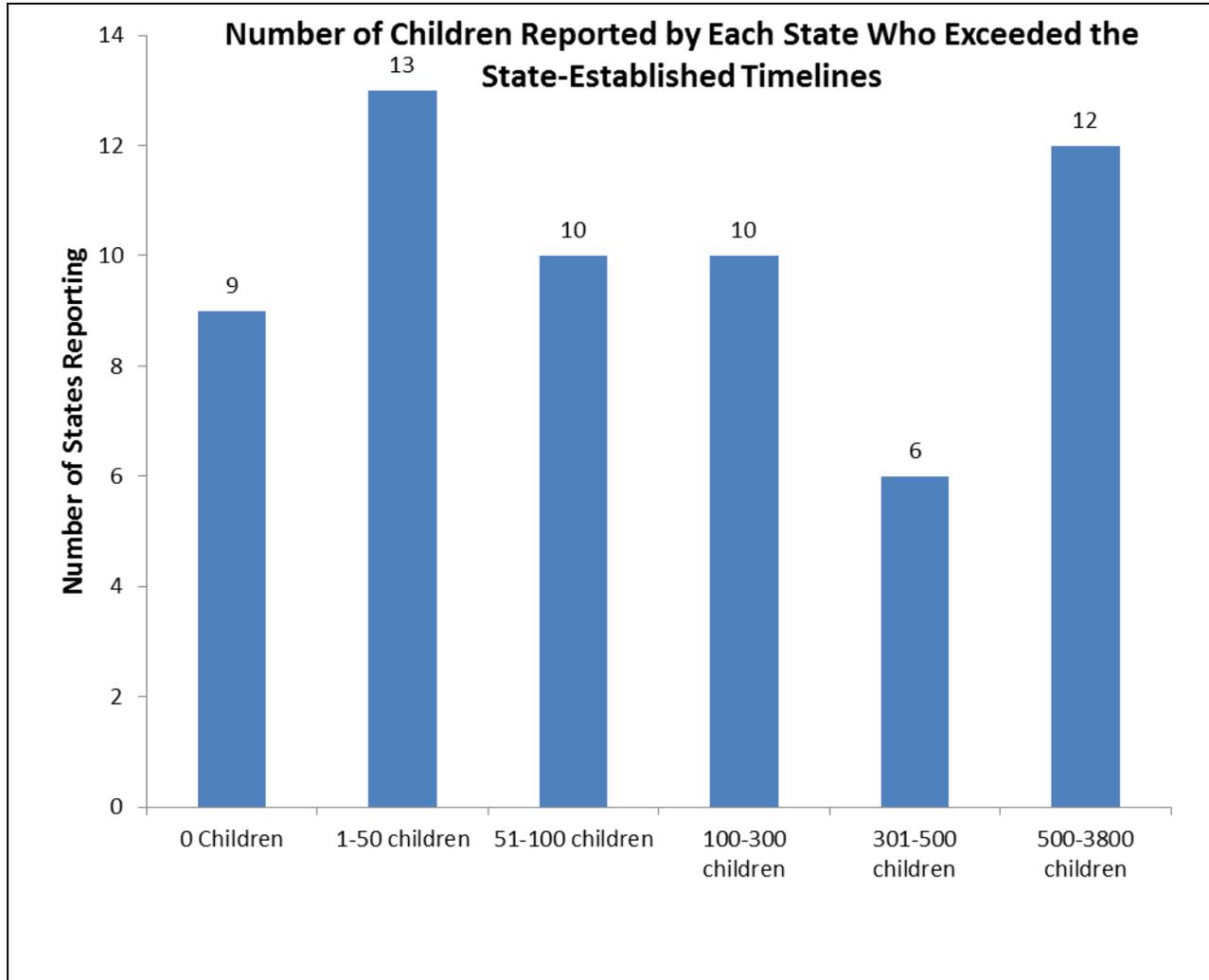
States are required to report the number of children who did not receive a timely initial evaluation upon the district's receipt of parental consent. To determine the number of children, the following formula is used: The number of children for whom parental consent to evaluate was received (Part A of the formula) minus the number of children

⁵ This includes one state that reported less than 50 days for students ages 6–20 but 1 to more than 90 days for children ages 3–5. No upper boundary was given for children ages 3–5.

⁶ This includes one state with differing ranges for school-age and preschool-age children. This number includes only the range for school-age children.

whose evaluations were completed within the state established timeline (Part B of the formula). Figure 5 shows the state reported numbers of children who did not have timely evaluations.

Figure 5



Number of states with:

- Zero children who did not receive timely evaluations: Nine states (15%)
- 1- 50 children who did not receive timely evaluations: 13 states (22%)
- 51-100 children who did not receive timely evaluations: Ten states (17%)
- 101-300 children who did not receive timely evaluations: Ten states⁷ (17%)
- 301-500 children who did not receive timely evaluations: Six states (10%)

⁷ This includes one state with different ranges for children ages 3–5 and 6–20, although the days over are both in this range.

- 501 to more than 1,000 children who did not receive timely evaluations: 12 states (20%).

IMPROVEMENT ACTIVITIES

Among the states that reported progress, most attributed their progress to specific activities that were accomplished during the year. Four themes predominated:

- *Targeted Technical Assistance:* Examples of the types of technical assistance described included (1) states worked with LEAs to determine the root causes of the delays and set up corrective action plans, (2) LEAs implemented the guidance strategies that OSEP provided, (3) DAC and RRCs provided technical assistance, and (4) states increased the clarity of their guidance documents.
- *Improved Monitoring Systems:* This included (1) creating new monitoring systems and (2) adding new data fields to capture information more accurately, (3) state increasing monitoring efforts, and (4) states providing technical assistance to districts on enhancements made to data systems.
- *Using Grant Funding:* States continue to develop and implement a variety of grant activities geared toward improving compliance.
- *Increased Focus on Indicator B11:* States and districts reported focusing more intensely on the components of this indicator by: (1) highlighting the importance of this indicator, (2) focusing on the specific requirements of this indicator, and (3) ensuring school staff are aware and understand the importance of a timely evaluation

SUMMARY

The number of states reporting progress decreased for the second year in a row, from 47 states to 37 states; the number states reporting slippage increased from eight (8) states to 18 states. However, in FFY 2010, 50 states achieved substantial compliance, and nine (9) of these states achieved 100% compliance.

Numerous states attributed their general progress to either the technical assistance they provided their local LEAs or the technical assistance they received at the state level from either OSEP or OSEP-funded TA centers. Once again, technical assistance was the most widely reported improvement activity.

The maximum number of days beyond the timeline varied widely, ranging from 0 days beyond the timeline to 445 days. The reasons for the delays were largely attributed to: (1) school- or district-level issues (2) student and/or family delays, (3) medical issues, and (4) weather-related delays, natural disaster, and/or power outages.

States also varied greatly in the number of children who did not receive timely evaluations. In FFY2010, approximately 37% of the states had 50 or fewer children who did not receive timely evaluations, while 34% of the states had 51-300 children; 30% had more than 300 children who did not receive timely evaluations.

Reported improvement activities focused on four themes. They were: (1) targeted technical assistance provided by the state to the districts or by the districts themselves, (2) improving monitoring systems and providing technical assistance on their use, (3) using grant funding in a variety of ways to improve timeliness of the evaluations and the reporting of the indicator, and (4) generally increasing focus on Indicator 11.

INDICATOR 12: EARLY CHILDHOOD TRANSITION

Prepared by NECTAC

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

INTRODUCTION

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 ensuring that, “Children who participated in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part [Part B] experience a smooth and effective transition to those preschool programs in a manner consistent with §637(a)(9). By the third birthday of such a child an individualized education program has been developed and is being implemented for the child” [§ 612(a)(9)].

The Indicator 12 analysis is based on a review of the FFY 2010 Part B Annual Performance Reports (APRs) from 56 states and jurisdictions. Indicator 12 does not apply to all jurisdictions in the Pacific Basin as not all are 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 actual FFY 2010 performance data, discuss completed improvement activities, give an explanation of progress or slippage, and describe data collection processes, improvement activities, and timelines. States were also asked to provide the reasons for delay when IEPs were not developed and implemented by a child’s third birthday. A new measurement element in this year’s reporting is the number of children who were referred to Part C less than 90 days before their third birthday.

DATA SOURCES AND MEASUREMENT APPROACH

Table 1 provides a count of the number of states by the type of data collection source used for this indicator. The total number of states varies across years due to missing data.

Of the 56 states, 48 states (86%) provided census data on all children that experienced transitions in FFY 2010. Twenty-three of these states described state or local level capacity to compare child specific transition data from Part C to child specific data in Part B via a shared database, transferred data elements, or other mechanisms.

Table 1

Comparison of Types of Data Sources Reported Over Time						
Data Collection Source	Number of States					
	FFY 2005	FFY 2006	FFY 2007	FFY 2008	FFY 2009	FFY 2010
State data system	24	33	34	33	44	45
State data system and monitoring	0	1	3	0	0	0
Monitoring, includes system wide file review	16	8	2	5	6	6
Other	6	7	13	15	2	3
Not reported or unclear	8	7	4	2	4	2
<i>Total</i>	<i>54</i>	<i>56</i>	<i>56</i>	<i>55</i>	<i>56</i>	<i>56</i>

The majority of states (45 states, 80%) used state data systems as the data source for this indicator. Since the FFY 2005 report, there has been significant improvement in the capacity of states to include transition measurement requirements in statewide data systems. All states using some type of statewide data gathering system were able to report census data for this indicator. The data collected and the processes used within these systems vary greatly across states, from complex systems collecting comprehensive individual student information to simple reporting of basic student information.

Six of 56 states (11%) used a file review system or monitoring as the source for Indicator 12 data. Five of these were a subset of LEAs monitored within the FFY 2010 reporting year, and one was a file review process of all children's files. A few of these states used very small numbers of files or data sets to report state performance. Monitoring often included a review of information contained in a data system. The number of states reporting monitoring as the sole data source has decreased over time.

Two states (4%) used a sampling or cohort process to gather data; the third compared Part C exit data using a process that included Part B file review for verification.

ACTUAL PERFORMANCE

Of the 56 states reporting on this indicator, the mean percent of children referred by Part C, eligible for Part B, who had an IEP developed and implemented by their third birthday was 96.3%. Twelve states demonstrated 100% compliance. Overall, eighty-two percent (46 states) reported performance at 95% or above. All but four states reported compliance of 90% or above, with these four ranging from 62-86%.

Reasons for Delay

Many states detailed the circumstances under which IEPs for children who transitioned from Part C to Part B were not in place by a child's third birthday. In general, delays attributed to Part B were reported by states to be most often related to combinations of procedural and/or staff capacity issues (e.g. staff shortages), evaluation issues (i.e. additional assessments needed, evaluation staff shortages, failed hearing and vision screenings), or scheduling problems (i.e. summer/holiday staff availability, child's birthday). States also reported general LEA issues such as lack of understanding, awareness, communication, tracking, or documentation.

Child and family circumstances which contributed to delays centered primarily on family availability, agreement to extend timelines, and consent. These included family rescheduling or missing meetings, family refusal to respond or provide consent, failing to make the child available (illness of child or family member), inability to locate family, or incomplete residency information. Custody or residency issues were also mentioned. Delays attributed to Part C were all related to late referrals and untimely transition conferences. The 'other' category, infrequently used, cited weather as the reason for late transitions.

Ten states reported performance lower than 95% on this indicator. Of those reporting reasons for late IEPs, general LEA capacity issues were most often mentioned (i.e., large caseloads and lack of staff, staff availability, and scheduling at times around holiday and summer). Additional reasons included the need for specialty evaluations, including hearing and vision assessments, delays due to family circumstance, Part C communication issues, and late referrals. Of the three lowest performing states, only one provided reasons for late IEPs for transitioning children; these related to limited availability of specialty evaluations, and recommended services.

The circumstances cited for late transition and IEP development are inconsistently counted across states. For example, a family who moved or could not be located might have been counted by some states in category "d" (parent refusal to provide consent) and factored out of the percentage of late transitions. Other states did not exclude these children from the calculation and, therefore counted them as not having an IEP in place by their third birthdays.

Additional Analyses of Performance

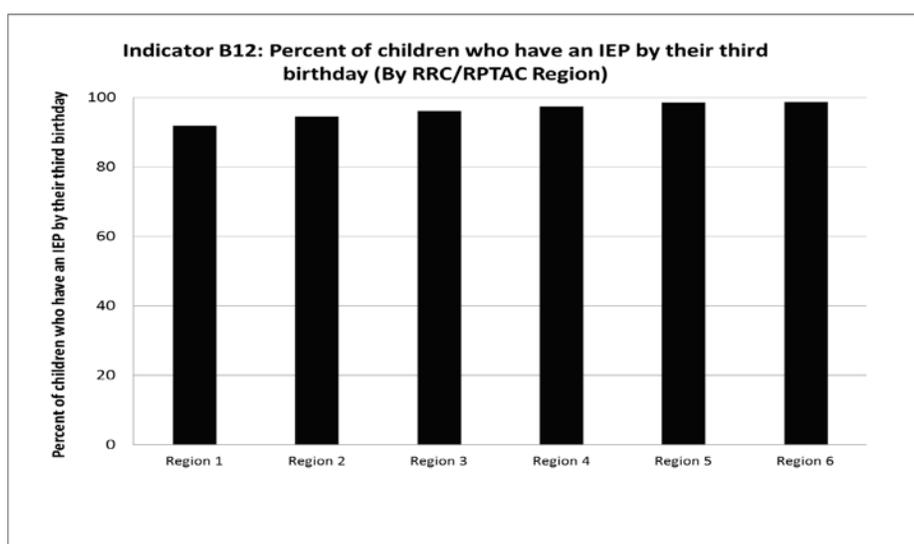
The data elements of this indicator allowed for the analysis of several related factors influencing timely transition, including children referred but found ineligible, and number of parent refusals. There was great variability across states in the percentages of children referred from Part C to Part B, but not found eligible: these ranged from zero to 46%, with an average of 15%. Nine states had percentages of non-eligible children above 20%. Information on the percentage of referred children found eligible for Part B services may provide insight to states in determining definitions for Part C children deemed potentially eligible and referred for Part B services, and/or in refining transition and evaluation procedures.

Another factor impacting states' performance on Indicator 12 is the percentage of parent refusals to consent for evaluation. Rates of parent refusals ranged from zero in several states to 69% in one state. Reporting of parent refusal was inconsistent across states and all states did not define what they consider to be parent refusal for consent. For example, the state reporting 69% included parents who chose to remain in an extended Part C option as parent refusals.

A new measurement element has been added for reporting the number of children who were referred to Part C less than 90 days before their third birthday. For FFY 2010, the majority of states (n=48) reported percentages of late referrals of less than 5% of total referrals, although eight states reported late referrals of 5% to 15%.

Comparisons of Indicator 12 data by child count and percent served showed little variation in the data across states, with 52 states reporting 90% or greater compliance. As shown in Figure 1, comparisons by RRC/RPTAC show Regions 1 and 2 were slightly lower than other regions.

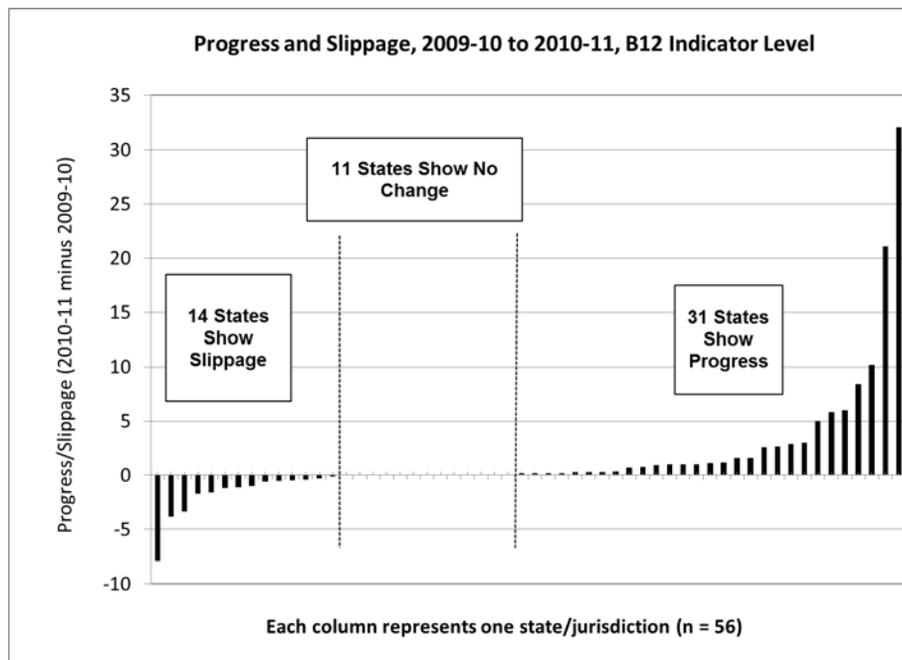
Figure 1



PROGRESS AND SLIPPAGE

Of the 56 states providing progress and slippage data in FFY 2010, 31 states (55%) reported progress, 11 states (20%) reported no change, and 14 (25%) states reported slippage (Figure 2). Progress reported by states ranged from 0.1 to 32 percentage points. Four states made progress of eight percentage points or more, and an additional three states improved at least five percentage points. Ten of the 11 states reporting no change in performance were performing above 98%, with eight of these maintaining 100% compliance. Of the states reporting slippage, half of these decreased by less than one percentage point (the range of slippage was from 0.1 to 7.9 percentage points).

Figure 2



Explanation of Progress

Themes most often reported by states accounting for their progress included collaborative activities between Part C and Part B systems, training and technical assistance, clarified policies/guidance, new data enhancements, and monitoring. Most states engaged in multiple activities or a combination of activities that crossed multiple themes. The following explanations of progress were offered by states:

- Collaborative Part C and Part B processes, including meetings, facilitated discussions, trainings, updated procedures, and Memorandums of Agreement.
- Professional development, trainings, and technical assistance related to processes, data, or policies, provided in some states by dedicated staff or a TA network.
- Focus on policy, guidance, and procedural updates.

- Data improvements including more complex data systems, enhancements, tracking logs, additional data elements, and alerts.
- Monitoring or desk audits, often involving targeted TA and corrective action plans.

In many states, Part B and Part C data sharing involved methods to collaboratively analyze trends, evaluate data system effectiveness, determine joint data verification processes, and develop shared procedures for technical assistance and training. Data sharing highlights include:

- Unique child identifiers were used in eight states, all demonstrating compliance of 98.3% performance or above. Other states mentioned development of unique child identifiers or other mechanisms to share child specific information from Part C to Part B, though in some states implementation was described as a multi-year undertaking.
- Twenty-three states provided state or local data comparison of child specific data supplied by Part C with individual child level data generated by Part B. States utilizing this process reported high percentages of compliance for children transitioning from Part C to Part B, with most (17 states) demonstrating 98 to 100% performance.

Explanation of Slippage

Slippage was reported by 14 states, all of whom maintained performance of 95% compliance or above. Seven of these reported minimal slippage of one percentage point or less, and seven experienced more significant slippage ranging from 1.1 to 7.9 percentage point change. Of the seven states with more significant slippage, four reported performance of 97% or higher. The remaining three states had the most significant slippage, from 3.4 to 7.9 percentage points, and provided reasons for slippage. The reasons most often cited were related to LEA capacity or procedural issues, listed in decreasing order of frequency:

- Personnel issues including vacancies, shortages, and state-level turnover.
- Scheduling difficulty, including weather-related delays.
- Systemic data reporting issues or a single entity responsible for data entry.
- Absence of annual verification.
- Referral information not received.

Comparison of Baseline and Actual Performance

Most states have demonstrated significantly improved performance compared to baseline data. Only three states have dropped below baseline performance. Figure 3 illustrates the trajectory of states' performances from baseline to the FFY 2010 reporting period.

Figure 3

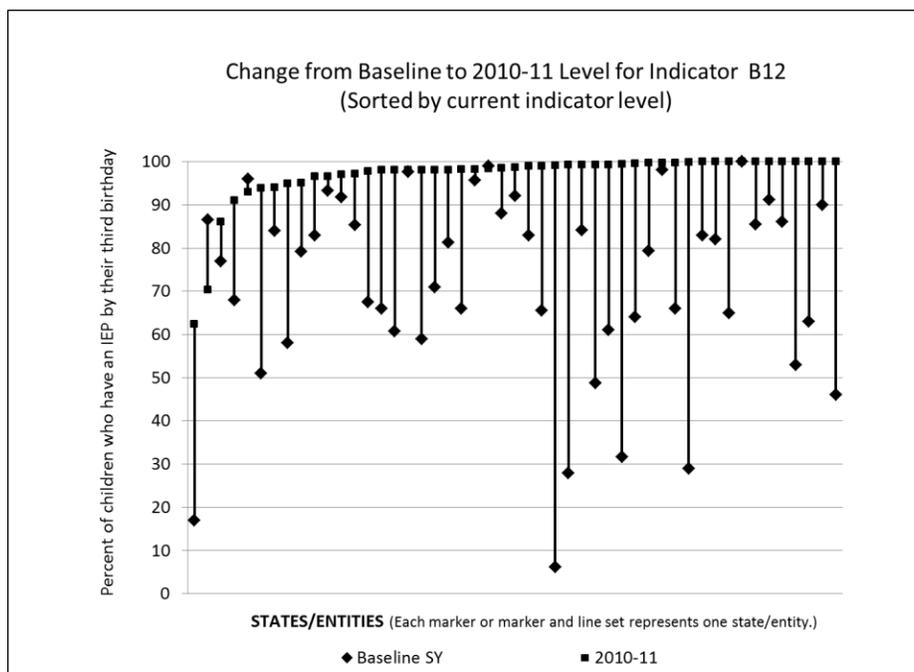
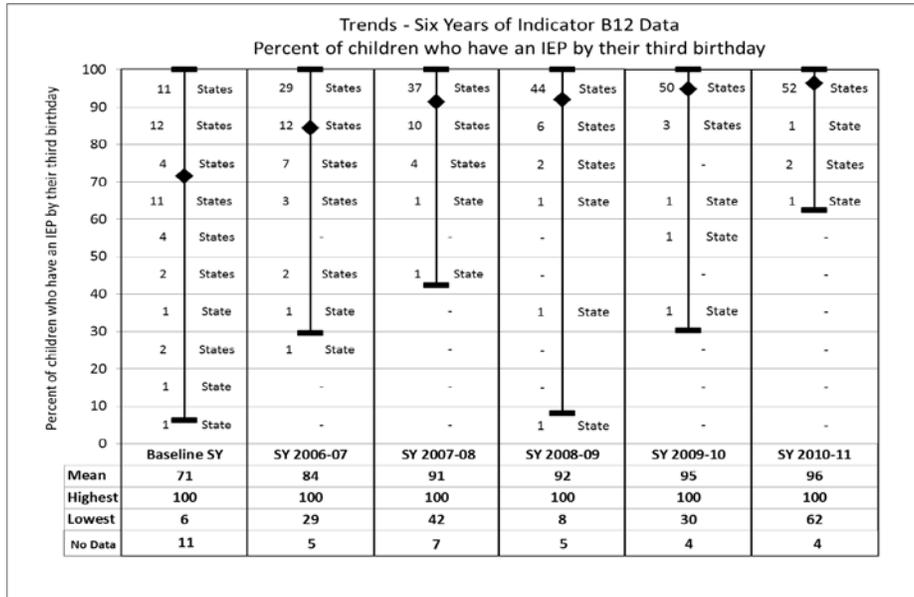


Figure 4 illustrates an upward trend over time, including baseline and the most recent five reporting years through FFY 2010. The six-year trend in performance shows the majority of states (52) reporting 90% compliance or above, as compared to just 11 states in that category at baseline. The mean performance increased from 71% at baseline to 96% in FFY 2010. In addition, the number of states reporting percentages below 80% has significantly decreased over time, from 26 states at baseline to only three states in FFY 2010.

Figure 4



IMPROVEMENT ACTIVITIES

Overall, most states have demonstrated significant improvement over time and progress within this reporting period, or have reached and maintained high performance. Improvement activities were very often collaborative in nature (in 49 states). The majority of states reporting 100% or high-performance for this indicator described collaborative activities, making their approach to performance on this indicator a unified Part C/ Part B effort.

Improvement activities generally clustered in four main areas: (1) collaborative activities, (2) systems administration/monitoring, (3) professional development, training and technical assistance, and (4) enhanced data capability. The theme of collaboration was woven throughout the categories and improvement activities. In addition, a number of states specifically mentioned activities to include and support families in the transition process.

Featured Improvement Activities

State examples within the four primary categories of improvement activities are featured below, beginning with the most frequently reported activities.

Collaborative Activities

Collaborative activities most often mentioned included: improved communication between systems; the use of memoranda of agreements or understanding (MOAs or

MOUs); training, policy, and procedure guidance; data improvements and analysis; and joint or coordinated monitoring. Specific examples include:

- Part C and B state leaders conducted regional joint planning meetings with local C and B coordinators to gain technical assistance in conducting local self-assessments, discuss updated transition guidance, adjust policies in accordance with the definition of 'potentially eligible' children, and to develop catchment area transition agreements.
- Part C provided a list of all children referred to Part B to populate a statewide electronic Preschool Tracking Log to document transitions. The agencies met together to examine effectiveness of transition procedures and to determine joint training and technical assistance needs for local Part C and LEA personnel.
- Part C and B leaders worked closely with families, Head Start, and parent training staff to collaboratively develop a Memorandum of Understanding and address systemic concerns regarding parent refusal for Part B services.

Systems Administration and Monitoring

Many states utilized administrative policies, and guidance documents to emphasize the importance of early childhood transition. Specific examples include:

- Regularly scheduled state database compliance review or focused LEA monitoring, either as an ongoing activity or in conjunction with corrective action plans.
- Part C and B state staff developed resource documents, detailed flow charts illustrating early childhood transition, and an updated guide for families.

Technical Assistance, Training, and Professional Development

Training and technical assistance activities were routinely mentioned in conjunction with the introduction of new data systems or elements, clarification of policies or procedures, and/or to promote collaborative processes. Trainings, often in collaboration with families, Part C, and other community partners, were provided through conference and poster presentations, web-based modules, forums, regional meetings, guides and brochures. Sessions and an informational booth at one state's early childhood conference addressed the transition process by providing networking, training, and materials; transition materials were also published in the *Provider Quarterly Magazine*.

Enhanced Data Systems

State data system refinements ranged from verification processes to specific technical assistance and training:

- Guidance and resources were developed to improve data entry (e.g. more explicit instructions, flowcharts to guide decision-making process for online data entry, new regional and district reports for use in analyzing data, etc.)

Future Activities

States are planning new activities such as revisions to transition guides and handbooks designed for families and/or professionals; improving data capacity through integration of Part C data via unique identifiers and/or alert systems; improving monitoring and/or verification activities; and collaboratively analyzing transition processes.

CONCLUSION

Most states demonstrated significantly improved performance on this indicator over time. A wide range of collaborative activities has been the mechanism responsible for the considerable improvement states have attained on this indicator. Many high-performing states have institutionalized successful on-going transition strategies and activities, along with collaborative policies, procedures and practices, all designed to ensure the continuation of timely transitions. Overall, states have made progress in building state-level data systems to capture the information needed to report on this indicator, particularly in the ability to share Part C and Part B child-specific data.

INDICATOR 13: SECONDARY TRANSITION

Prepared by NSTTAC

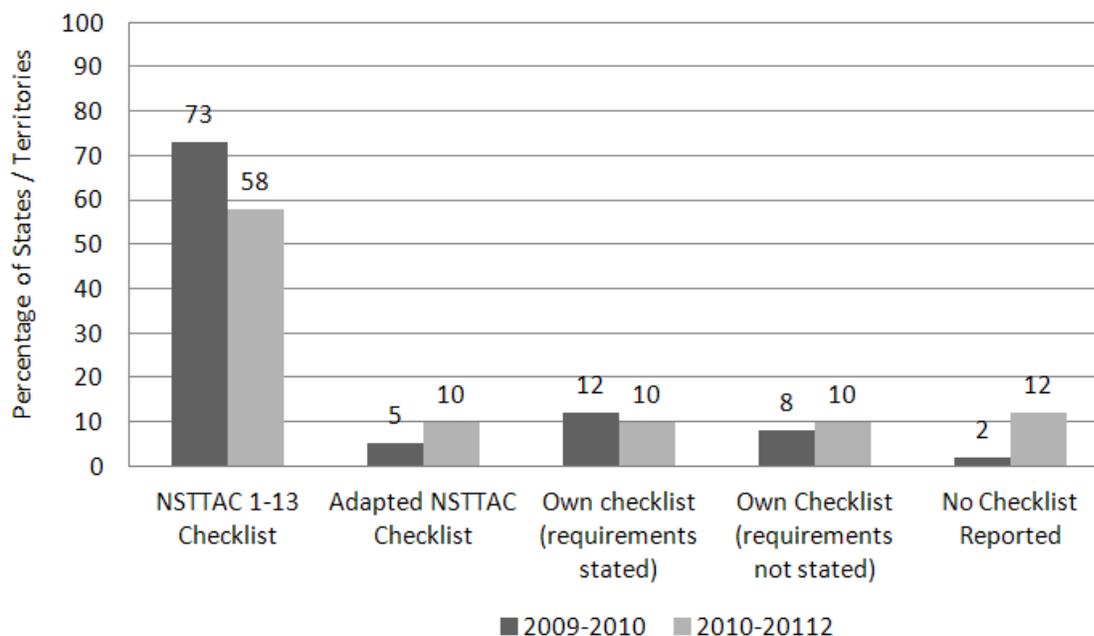
The National Secondary Transition and Technical Assistance Center was assigned the task of analyzing and summarizing the data provided by states for Part B Indicator 13—Transition. For the sake of convenience, in this report the term “states” is inclusive of the 50 states, nine territories, and the District of Columbia.

States are required to report data on “*Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.*”(20 U.S.C. 1416(a)(3)(B))

DATA SOURCES / MEASUREMENT APPROACHES

States used a variety of checklists to measure Indicator 13 including the NSTTAC I-13 Checklist or their own checklist. Figure 1 illustrates the type of checklists used by states to measure Indicator 13.

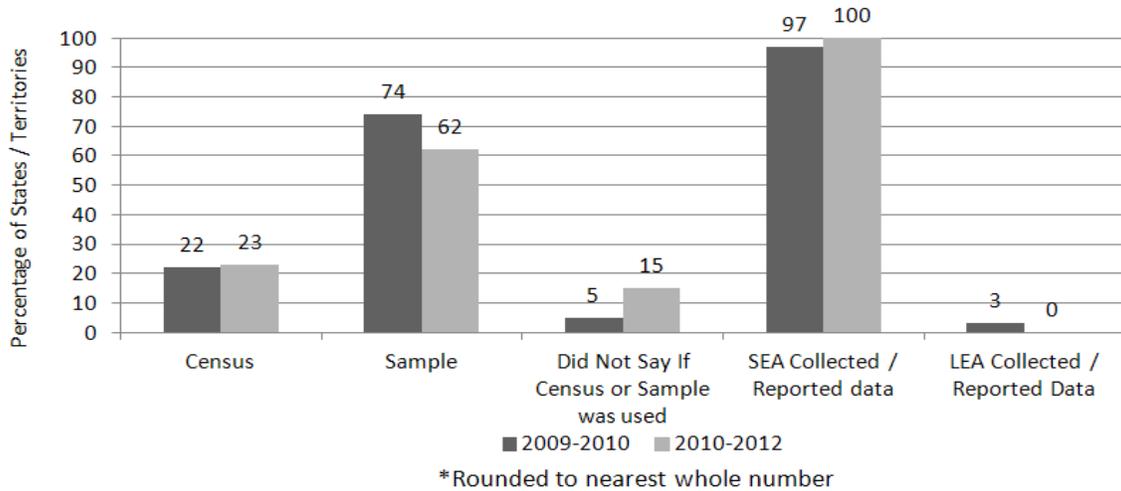
Figure 1: Type of Checklist Used to Collect Indicator 13 Data*



*Rounded to nearest whole number

Fifty-one (85%) states reported using either a sample or census method to collect Indicator 13 data. Additionally, 100% of the states reported that their State Education Agency collected the data used to report Indicator 13 data. Figure 2 summarizes the type of method used to collect data.

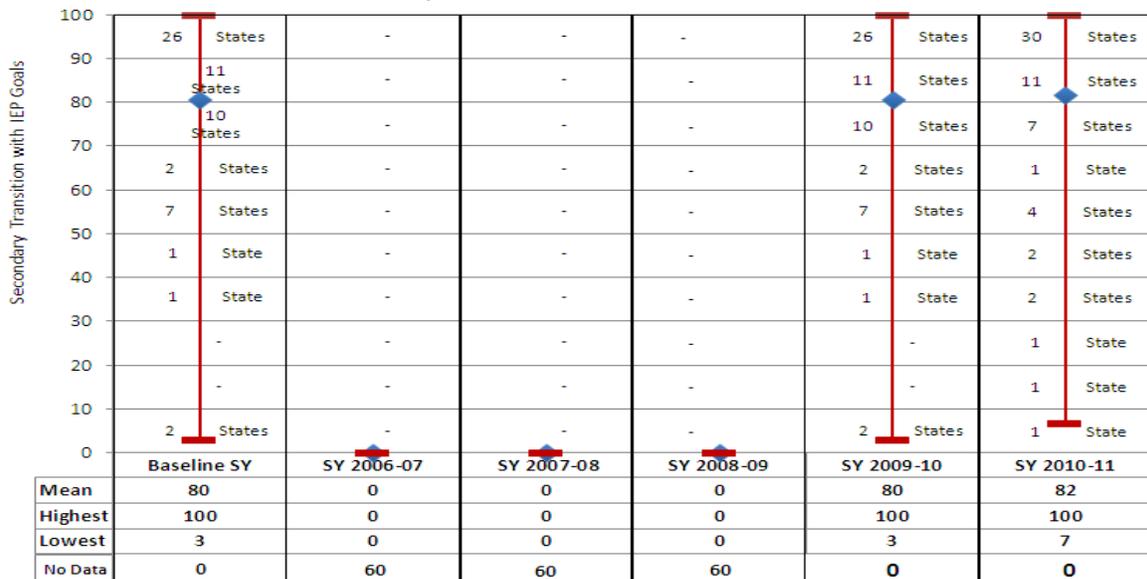
Figure 2: Method Used to Collect Indicator 13 Data



ACTUAL PERFORMANCE

The FFY 2010 submission of the State Performance Plan (SPP) is the first after a new baseline was established for states. Of the 60 states, 100% reported data for FFY 2012. Performance ranged from 6.8% to 100% with a mean of 81.6% and a median of 90.9%.

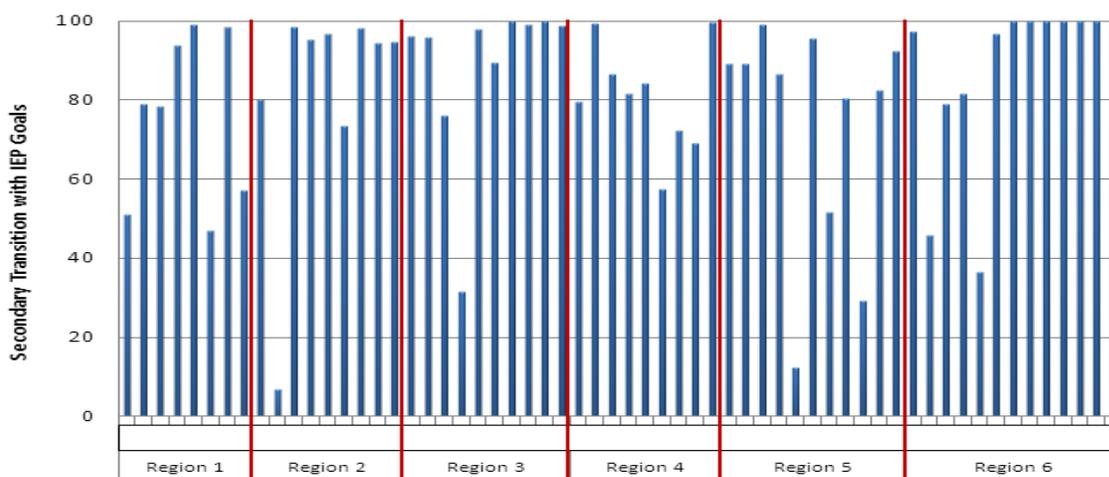
Figure 3: Two Years of Indicator B13 Data



CROSS-REGION COMPARISON DATA

Figure 4 indicates the cross-region comparison data for Indicator 13. Percentage of states that scored above 80% by region were: Region 1 = 37.5%, Region 2 = 77.8%, Region 3 = 80.0%, Region 4 = 55.6%, Region 5 = 72.7%, Region 6 = 76.9%.

Figure 4: Indicator B13: Percent of youth with IEPs with appropriate IEP postsecondary and transition goals and services (By RRC/RPTAC Region)



PROGRESS AND SLIPPAGE

Figure 5 summarizes trends from this year's data; 21 states showed slippage, one showed no change, and 38 showed progress. Six (10%) states reported 100% compliance. Overall, states attributed their progress to increased professional development and technical assistance provided to LEAs, and slippage to changing to a more rigorous (valid and reliable) monitoring and data collection process.

Figure 5: Progress and Slippage, 2009-10 to 2010-11, B13 Indicator Level

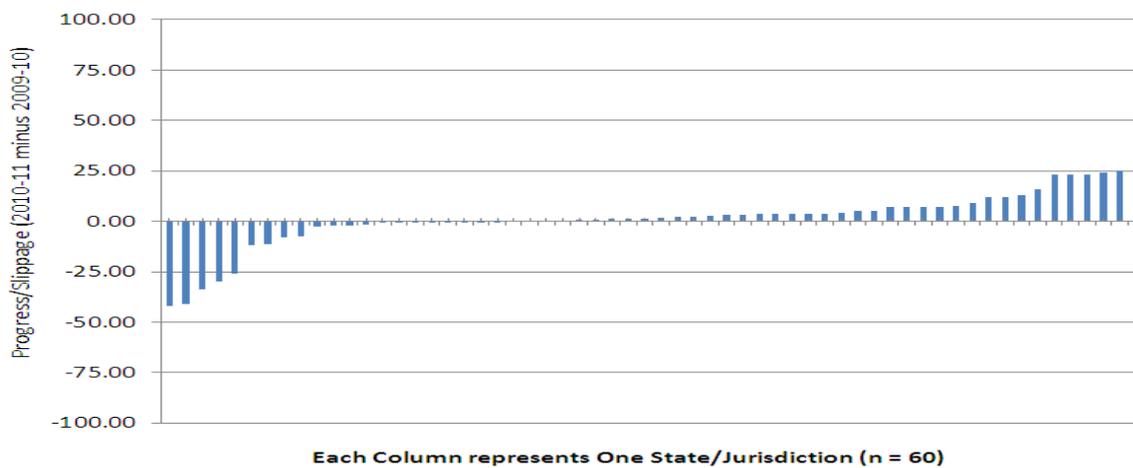
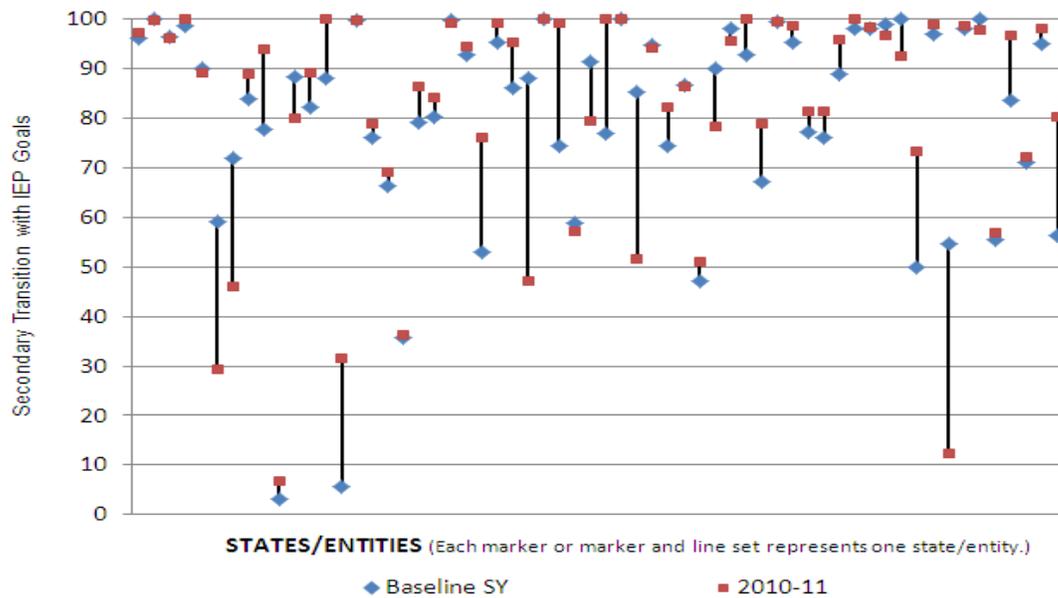


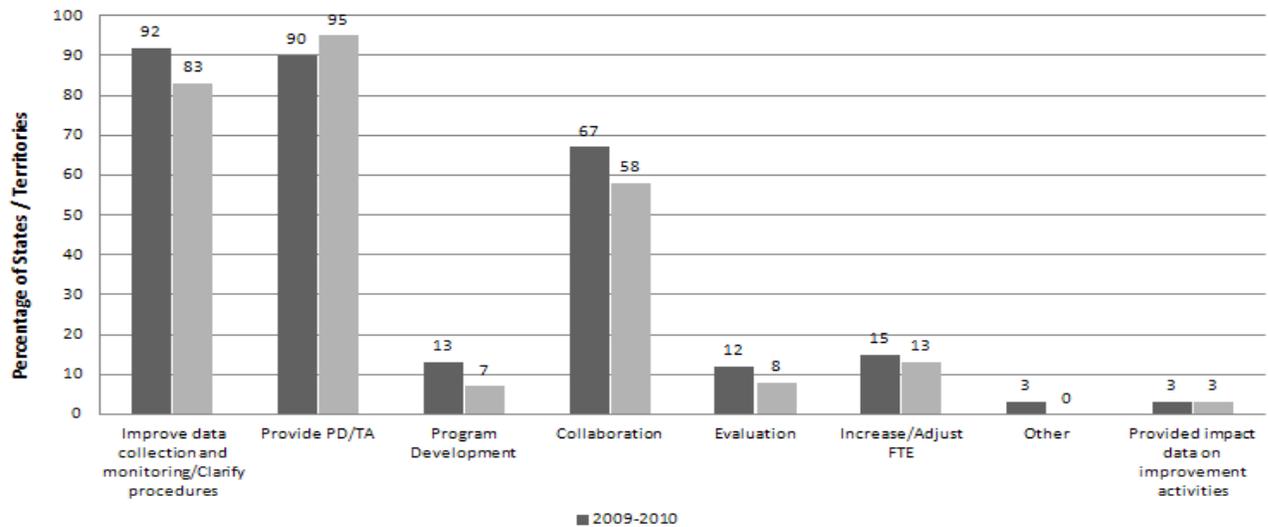
Figure 6: Change from Baseline to Current B13 Indicator Level (Sorted by current indicator level)



IMPROVEMENT ACTIVITIES

Fifty-nine (98.3%) states reported improvement activities. Two states (3.3%) included data measuring the impact of their improvement activities. Figure 7 provides a summary of Improvement Activities reported.

Figure 7: Summary of Improvement Activities*



- The two most frequently stated Improvement Activities continued to be (1) provide training/professional development/technical assistance and (2) improve data collection and reporting/examine policies and procedures.
- Although Improvement Activities continue to be written around data collection and monitoring, the largest increase was again in collaboration/coordination. While it may be too early to call this a trend, this could be explained by the possibility that states are reaching the point where their data collection system is becoming more routine, so they now have time to focus on other Improvement Activities.
- Only two (3.3%%) states provided data on the impact of their Improvement Activities. They were the same two states as last year and included:
 - ❖ Evaluating effects of technical assistance/professional development (n=2) by collecting pre-post data on content presented (e.g., improved transition components of IEPs) or analyzing survey data to determine training effectiveness.
 - Arizona
 - Post-training data analysis of all PEAs that received training in secondary transition during FFY 2010 showed a 81.3% average for compliance with the eight items for Indicator 13.
 - Through pre- and post-training analysis, an increase of 4.8% in compliance for Indicator 13 was demonstrated.
 - Paired Samples T-Tests indicated a statistically significant increase in knowledge from the beginning to the end of Year 1 training.
 - Anecdotal information provided by STMP training participants and ESS program specialists indicated significant improvement in PEA knowledge and compliant practices.
 - Arkansas
 - Pre- and post-test scores from the Transition Class: Integrating Ideas revealed a 80% increase in knowledge and skills as an outcome of the training.

- Pre- and post-test scores from the Transition Class: Getting the Job revealed a 77% increase in knowledge and skills as an outcome of the training.
- Pre- and post-test scores from the Person Centered Planning activity revealed a 66% increase in knowledge and skills as an outcome of the training.
- Pre- and post-test scores from the Transition Class: Getting Started revealed a 64% increase in knowledge and skills as an outcome of the training.
- Pre- and post-test scores from the Customized Training: Toolkit revealed a 64% increase in knowledge and skills as an outcome of the training.

HIGHLIGHTS OF FFY 2010 APR Indicator 13 DATA

- Six (10%) states and territories met the compliance criteria of 100%, an increase of 2 (3.3%) from baseline.
- 41(68.3%) states and territories reported data between 80% and 100%, an increase of 5 (8.3%) from baseline.
- Overall, data ranged from 6.8% to 100% with a mean of 81.6% and a median of 90.9%, which was an increase from the baseline mean of 80.3% and median of 87.4%.
- The two most frequently stated Improvement Activities continued to be (1) improve data collection and reporting/examine policies and procedures and (2) provide training/professional development/technical assistance.
- Only two (3.3%) states provided data on the impact of their Improvement Activities.

RECOMMENDATIONS FOR COLLECTING FUTURE INDICATOR 13 DATA

- In order to ensure data are *valid*, require states to include a copy of their checklist in the APR. This could be done by requiring states to provide an item by item summary of their checklist.

- In order to ensure data are *reliable* (accurate), require APRs to describe the process used to collect reliable data. This does not mean just verifying that all data were collected, it means checking to determine that the data entered are accurate (would be agreed upon by a second person).
- Require states to provide data on the impact of their Improvement Activities. To assist with this process, provide them with a list of possible methods they can use to determine the impact of their Improvement Activities.
- For ease of reporting and reading, require states to list Improvement Activities in tabular format. When reporting Improvement Activities across indicators (e.g., 1, 2, 13, & 14), make one table and put it with each individual report. This table of Improvement Activities could also include a column for providing data on the impact of each activity.

INDICATOR 14: POST SCHOOL OUTCOMES

Prepared by NPSO

INTRODUCTION

Indicator 14 requires states to report the “percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school”. (20 U.S.C. 1416(a)(3)(B))

For FFY 2010, states were to report actual (i.e., achieved) data for measures A, B, & C, discuss progress or slippage, and completed or additional improvement activities in their Annual Performance Report. The National Post-School Outcomes (NPSO) Center analyzed the APRs submitted by the 50 states, nine jurisdictions/entities, and District of Columbia. Collectively, we refer to these as the 60 states in this report. Percentages are based on a total number of 60 and may exceed 100% due to rounding. When the actual number of states is less than 60, numbers of states are provided, not a percentage.

DATA SOURCES/MEASUREMENT APPROACHES (For some indicators)

This section summarizes the methods states used to collect post-school outcome (PSO) data for Indicator B14. Specifically, we describe (a) definitions specific to B14 measures A, B, & C, (b) whether the state used a census or sample, (c) the method used to collect PSO data, (d) who the respondents were, and (e) who collected PSO data in the state.

Measure Specific Definitions

Beginning in FFY 2009, states were directed to use the following definitions for Indicator B14 measures A, B, and C:

Measure A

Percent enrolled in higher education within one year of leaving high school. *Higher education* is defined as youth have been enrolled on a full- or part-time basis in a community college (2-year program), or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.

In total, 33% of states (n = 20) reported using the above definition for higher education. An additional 63% of states (n = 38) did not report a definition of higher education and 3% of states (n = 2) used a different definition. When using a different definition, one state used the definition: “...completion of at least one term at 2 yr college or technical

college or university”. The other state used the definition: “...enrolled on a full-time (at least taking 12 credit hours of classes) or on a part-time basis (taking less than 12 credit hours of classes) at a community college in a two year program of study or college/university in a four year program or study for at least one complete term to earn either a degree or other recognized credential, or involve being trained for at least one academic year to prepare for gainful employment in a recognized occupation”.

Measure B

Percent enrolled in higher education or competitively employed within one year of leaving high school. *Competitive employment* is defined as youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

In total, 32% of states (n = 19) reported using the above definition for competitive employment. An additional 65% of states (n = 39) did not report a definition of competitively employed, and 3% of states (n = 2) used a different definition of competitively employed. When using a different definition, states either (a) excluded an element of the required definition, (e.g., working in a setting with nondisabled peers), or (b) used a completely different definition, (e.g., the vocational rehabilitation definition).

Measure C

Percent enrolled in higher education, competitively employed, enrolled in other postsecondary education or training program, or some other employment.

In measure C, *other postsecondary education or training* is defined as youth enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, or vocational technical school which is less than a 2-year program).

In total, 33% of states (n = 20) reported using the above definition for other postsecondary education or training program. An additional 65% of states (n = 39) did not report a definition of the term and 2% of states (n = 1) used the definition: “...completion of 1 term at any other short-term education or training program, humanitarian program, or high school completion program”.

In measure C, *some other employment* is defined as youth who have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

In total, 32% of states (n = 19) reported using the above definition for some other employment. An additional 65% of states (n = 39) did not report a definition of the term and 3% of states (n = 2) used a different definition of some other employment program. Of the 2 states using a different definition, one used the definition: “...when [youth] did

not meet competitive employment criterion but worked for at least 90 days in any setting, for any number of hours, at any wage”. The other state using a different definition defined other employment as “...90 days of employment in any setting”. It should be noted, one state used a different definition for all four post-school outcomes.

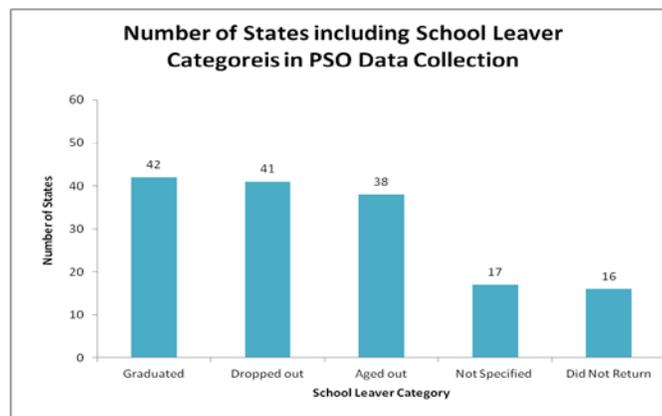
Census versus Sample

To address Indicator 14, states had the option of conducting either a *census* of all students with an IEP or a *representative sample* of students with an IEP leaving high school. When using a sample, the sample must be representative of each of the LEAs sampled considering such variables as disability categories, age, race, and gender.

Of the 60 states, 55% of states (n = 33) reported collecting PSO data from a census of all leavers with an IEP and 28% of states (n = 17) reported collecting data from a representative sample of leavers; 17% of states (n = 10) did not report whether they used a census or sample. Of the 17 states conducting a sample, nine states reported defining their sample of youth based on the demographic categories of disability and race/ethnicity. An additional eight states included gender and two states included age as a demographic variable when establishing the representative sample.

Whether a state used census or sample for collecting data, the school leaver groups were to include students who (a) graduated with a completion document (regular, modified diploma), (b) dropped out, (c) aged out of school, and (d) were expected to return but did not for the current school. As seen in Figure 1, *Number of States including School Leaver Categories in PSO Data Collection*, 42 states included graduates in the school leaver group; 41 states included youth who dropped out, and 38 states included youth who aged-out of school in the data collection efforts. The school leaver groups were not defined by 17 states and 16 states specified that they included youth who were expected to return but did not in the school leaver group.

Figure 1



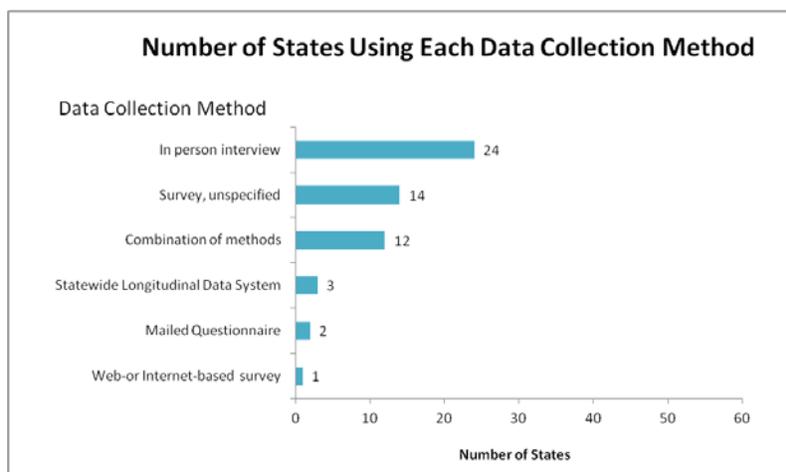
States conducting a sample of school leavers were to describe how the sampling methodology would yield valid and reliable estimates. Specifically, states were to describe: (a) the sampling procedures (e.g., random, stratified, etc.); (b) the methods used to test the similarity or difference of the sample from the population of students

with IEPs; and (c) how the State Education Agency addressed problems with response rates, missing data and selection bias.

Method of Data Collection

States had the option of how PSO data were collected from youth who have been out of school for at least one year. This year 56 states reported the method used to collect PSO data. As seen in Figure 2, *Number of States Using Each Data Collection Method*, survey methodology continues to be the dominate method used by states (n = 53) to collected PSO data. Specifically, in-person interviewing (i.e., phone or face-to-face) was used by 24 states and 14 states did not specify the type of survey method used. A total of 12 states used some combination of methods to collect PSO data (e.g., interview and mailed questionnaire) and 3 states reported using administrative databases for collecting PSO data collection. Of the 56 states reporting how data were collected, 2 did not specify the method used. Only 2 states reported using a mailed questionnaire, and 1 state used a web or Internet-based survey.

Figure 2



Respondents

Of the 60 states, 78% of states (n = 47) reported the respondents were parents and or former students, and 2% of states (n = 1) reported former teachers as the respondent for PSO data. The respondent was not described by 15% of states (n = 9). Identifying a respondent was not applicable for the 5% of states (n = 3) using administrative databases for data collection.

Who Collects Post-School Outcome Data

Of the 60 states, 48% (n = 29) reported PSO were collected by personnel from either the state or local district. An organization (e.g., external contractor) hired by either the state or local district was used to collect these data by 25% of states (n = 15). Who collect PSO data was not reported by 22% (n = 13) of the states. Identifying who

collects PSO data was not applicable for the 5% of states (n = 3) using only a using administrative databases for data collection.

ACTUAL PERFORMANCE:

FFY 2010 Data

As noted previously, Indicator 14 was a new indicator for the FFY 2009 reporting period, therefore, FFY 2010 is the second year in which states have post-school outcomes data using the new definitions. For the FFY 2010 reporting period, states were to submit an Annual Performance Report (APR) describing (a) achieved data for each of the three measures A, B, & C, (b) any problems related to response rate, missing data, and or selection bias, (c) to what they attribute progress or slippage toward meeting the FFY 2010 target, and (d) improvement activities. To analyze potential problems areas, NPSO staff examined states' (a) response rates, and (b) respondent groups to determine whether respondents were representative of the total leavers based on key categories of disability, race/ethnicity, age, gender, and exit status. This section summarizes findings regarding states' (a) response rates, (b) representativeness, (c) missing data, and (d) achieved data for each measure.

Response Rate

In survey research, response rate refers to the number of people who answer the survey. The response rate for PSO data collection is calculated by dividing the number of youth contacted and who completed the survey by the total number of youth with an IEP who left school in the year, less any youth ineligible for the survey. Ineligible youth are those who returned to school or are deceased. Based on information provided in the FFY 2010 APR, the majority of states (n = 47) included sufficient information to determine whether response rates were correctly calculated. Only 13 states either didn't include sufficient information or made an error calculating response rate. In total, 82% of states (n = 49) reported a response rate for Indicator 14. The reported response rates ranged from 7.25% to 100% with the median response rate of 31.40% (*sd* = 22.37).

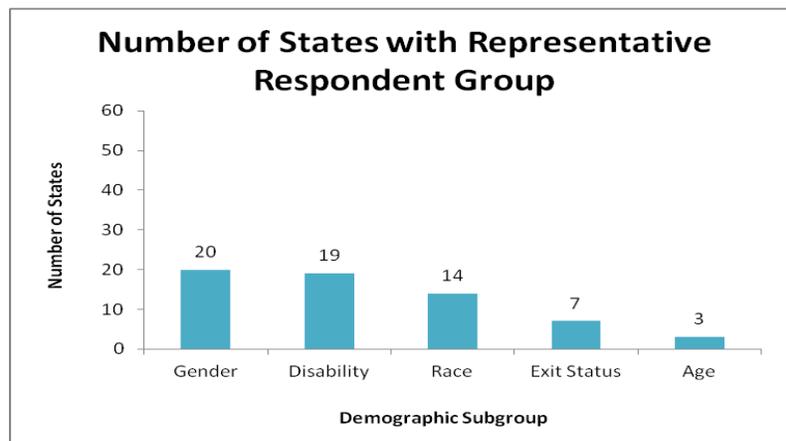
Representativeness

When using survey methods it is important to understand how similar or dissimilar the respondents are to the target population as a measure of confidence that the results reflect all students who left school. When examining whether the respondent group is representative of the target leaver group, five subgroups are examined: (a) disability category, (b) gender, (c) race/ethnicity, (d) exit status, and (d) age. NPSO Center staff relied on the guideline of "important difference", set at $\pm 3\%$, to determine whether the respondents represented the target leaver group. A $\pm 3\%$ difference between the proportion of youth in the respondent group and the proportion of youth in the target group in each subgroup was sufficient to say the respondent group was not representative of all students who left school in that subgroup. Applying a $\pm 3\%$ difference between the respondent group and the target leavers is consistent with the NPSO Response Calculator approved by OSEP.

In total, 78% of states (n = 47) described whether the respondent group represented the target population. Of these 47 states, 20 states reported the respondents represented the target population and 27 states reported the respondents did not represent the target population. An additional 22% of states (n = 13) did not describe whether the respondent group represented the target group. States used a variety of parameters to measure whether respondents represent the total leaver population. Of the 25 states reporting what parameter they used to determine representativeness, most (n = 21) used $\pm 3\%$ absolute difference in proportions to determine representativeness. The remaining four states used some other parameter, including $p < .05$, odds ratios, chi square and effect size, and 5% variability to determine representativeness.

Using the $\pm 3\%$ criterion to determine representativeness, NPSO staff found only two states had a respondent group representative of the target leavers based on all five subgroup categories – disability, gender, race/ethnicity, age, and exit status. If age, the category used by the fewest number of states when determining representativeness, is excluded then one additional state was found to have respondent group representative of the total leaver group in four demographic categories – disability, gender, race/ethnicity, and exit status – based on $\pm 3\%$ criterion. Noteworthy, is the fact that the two states with a representative respondent group had 100% response rate with fewer than 10 total leavers each. Figure 3, *Number of States with Representative Respondent Group*, shows the number of states having a representative respondent group within $\pm 3\%$ difference by each subgroup.

Figure 3



Missing Data

When examining states' description of how representative the respondent group is to the target leavers, NPSO Center staff qualitatively examined potential problems related to response rate, missing data, selection bias, and representativeness of the target group. Themes observed this year are consistent with themes identified last year:

- States reported the lack of contact information for leavers as a contributing factor for low response rates leading to under-representation of various sub-groups.

- States that examined representativeness found youth were underrepresented in the categories of (a) method of exit - drop out, (b) disability category - emotional disorder, and (c) race/ethnicity -- minority youth were underrepresented in the respondent groups.
- States did not routinely report the amount of missing data or what strategies were being utilized to address missing data.

Achieved Data

Achieved data refers to the FFY 2010 data states collected when youth have been out of school for at least one year. These data are generally collected by states between May and September. To calculate measures A, B, & C, each respondent is counted in the highest applicable category, with 1 being the highest, 2 second highest, etc.

1 = # of respondent leavers enrolled in “*higher education*.”

2 = # of respondent leavers in “*competitive employment*” (and not counted in 1 above).

3 = # of respondent leavers enrolled in “*some other postsecondary education or training*” (and not counted in 1 or 2 above).

4 = # of respondent leavers in “*some other employment*” (and not counted in 1, 2, or 3 above).

Measure percentages are calculated using the formula:

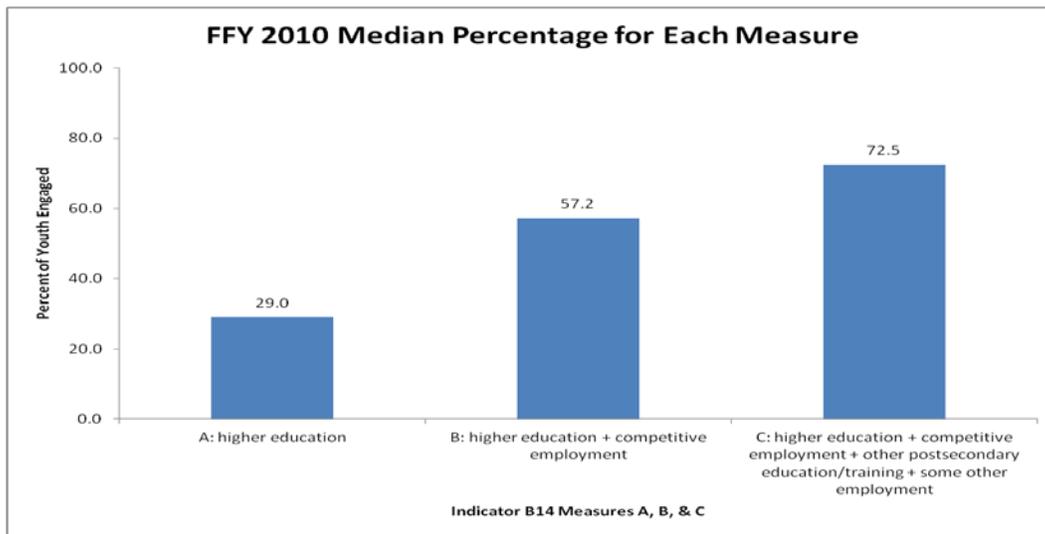
A = 1 divided by total respondents

B = 1 + 2 divided by total respondents

C = 1 + 2 + 3 + 4 divided by total respondents

All 60 states reported data for FFY 2010. Figure 4, *FFY 2010 Median Percentage for Each Measure*, shows the median percent of youth engaged in each measure A, B, and C. The median percent of youth reported in measure A, enrolled in higher education one year after high school, was 29.00 (*sd* = 14.36). The median percent reported in measure B, enrolled in higher education plus competitively employed, was 57.25%, (*sd* = 14.80). The median percent of youth reported in measure C, enrolled in higher education + competitively employed + some other postsecondary education or training program + in some other employment was 72.50% (*sd* = 15.80).

Figure 4



Figures 5, 6, and 7, on the following pages, display the distribution of percentages for each separate measure of A, B, & C as reported by each state. For the reader's convenience, the definitions of each measure are provided again with each measure. The bold line indicates the median percentage for the measure.

As seen in Figure 5, *State Percentages for Measure A*, the percentage of youth enrolled in measure A higher education, ranged from 0% to 72.80%. The bold line indicates the median of 29.00% ($sd = 14.36$). Higher Education means youth have been enrolled on a full- or part-time basis in a community college (2-year program), or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.

Figure 5

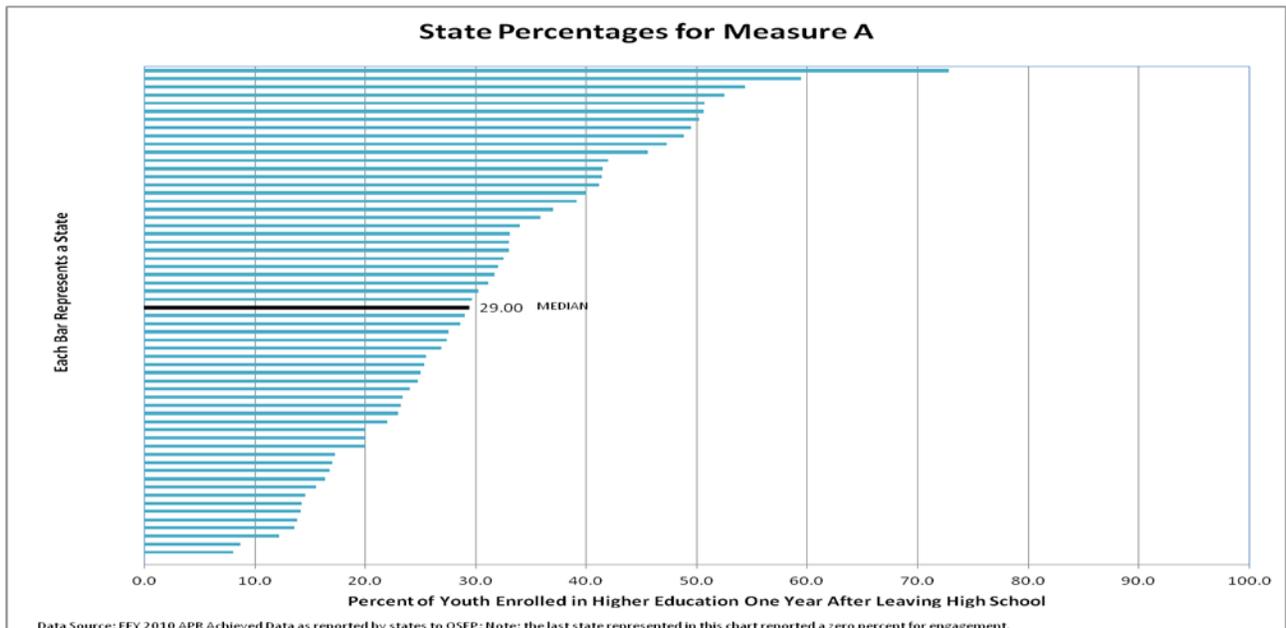


Figure 6, *State Percentages for Measure B*, shows the distribution of percentages for youth enrolled in higher education + competitively employment. In measure B the percentages ranged from 0% to 90.6%. The bold line indicates the median of 57.2% ($sd = 14.80$). Competitive employment means youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Figure 6

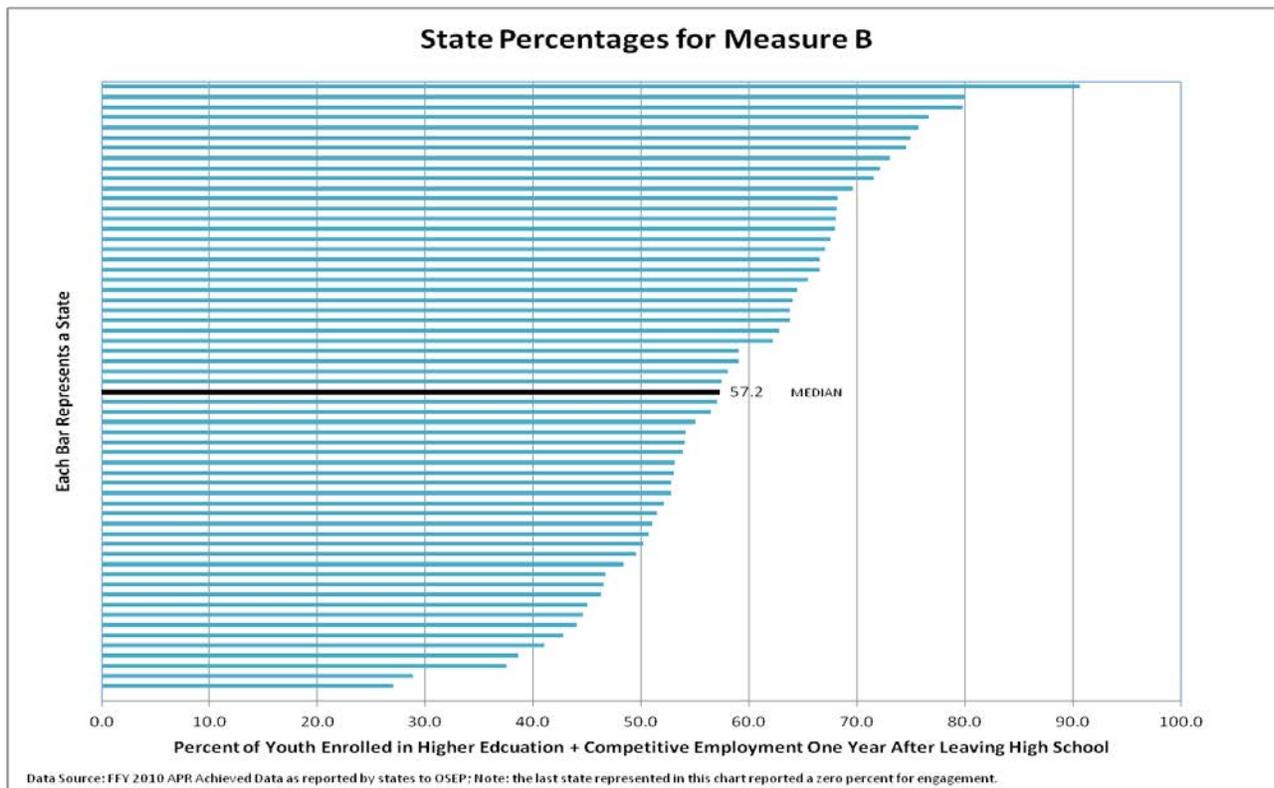


Figure 7, *State Percentages for Measure C*, shows the distribution of percentages for youth enrolled in higher education + competitive employment + other postsecondary education or training program + some other employment. For measure C percentages ranged from 0% to 100%. The bold line indicates the median of 72.5% ($sd = 15.80$).

Measure C is the percent enrolled in higher education + competitively employed + enrolled in some other postsecondary education or training program + in some other employment. *Other postsecondary education or training* means youth enrolled on a full- or part-time basis for at least one complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, or vocational technical school which is less than a 2-year program). *Some other employment* means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

Figure 7

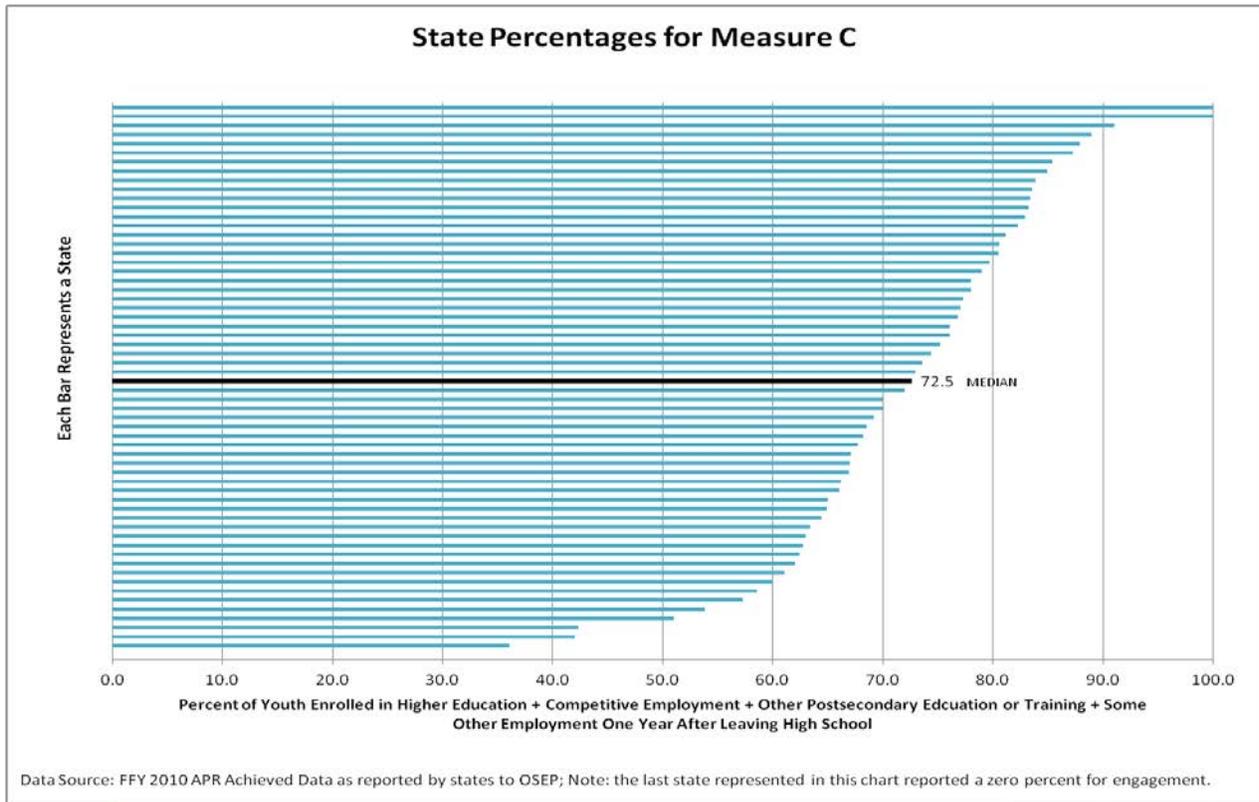
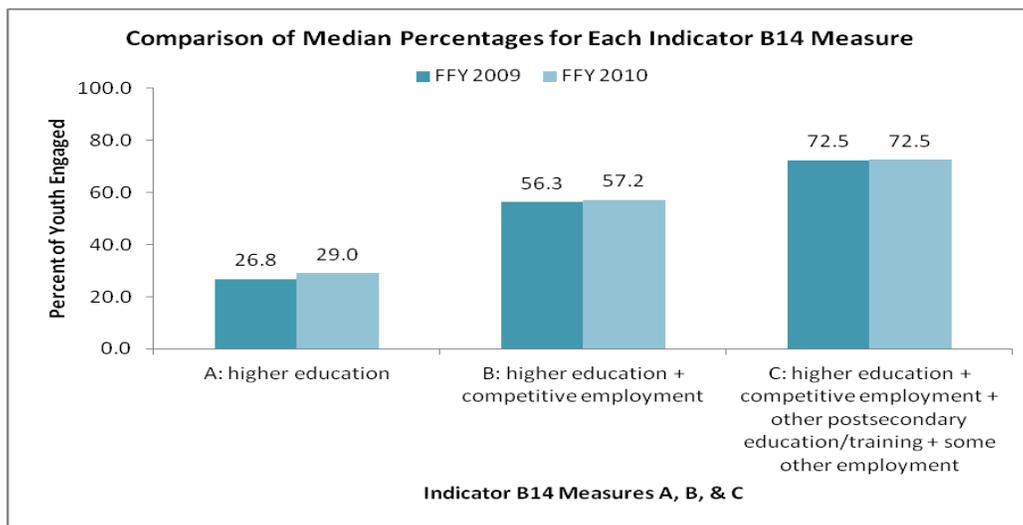


Figure 8, *Comparison of Median Percentages for Each Indicator B14 Measure*, shows the aggregate median percentage for baseline year FFY 2009 compared to the aggregate median for the achieved percentage in FFY 2010. The largest change in percentage, 2.2 percentage points, occurred in Measure A, percent of youth enrolled in higher education. Measure B showed a change of .09 percentage points, and Measure C had no change in the aggregate percentage from baseline year to current FFY 2010.

Figure 8



PROGRESS AND SLIPPAGE

To measure progress or slippage, states were to compare the achieved data to last year's data. For Indicator 14, the previous year, FFY 2009, also happens to be baseline year. In this section, we present two graphs for each measure. The first graph, the trajectory chart, depicts the change in percentages from baseline to achieved data for FFY 2010 for each state. The state's baseline percentage is displayed by a diamond mark (◆) and the square mark (■) represents the current FFY 2010 achieved data. A square higher on the graph than the diamond indicates positive change from baseline and a square lower than the diamond indicates negative change from baseline.

The second graph, progress or slippage chart, displays the number of states making progress, no change, or slippage for the measure when comparing the current achieved data to last year's data. For both graphs, data in these displays were calculated by MSIP (Excel files aprdata_B14A,B,C_2012_MSIP revised 06132012) from achieved and target data obtained in states' APR and reported to the Office of Special Education Programs (OSEP) in February 2012.

In Figure 9, *Change from Baseline to 2010-11 Level for Indicator B14 Measure A*, the range of change across all 60 states was -.2 to 38.7 percentage points. The average change in percentage points across all 60 states was 1.7 percentage points.

Figure 9

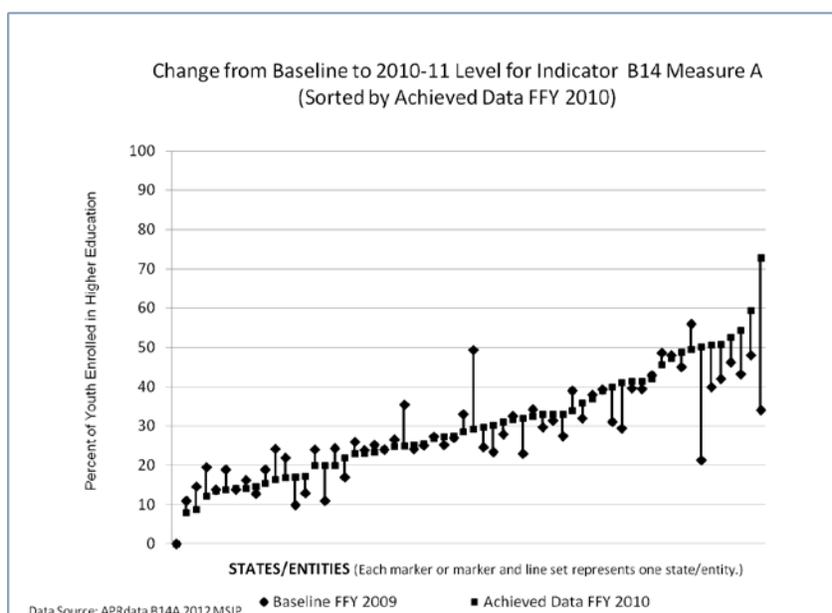
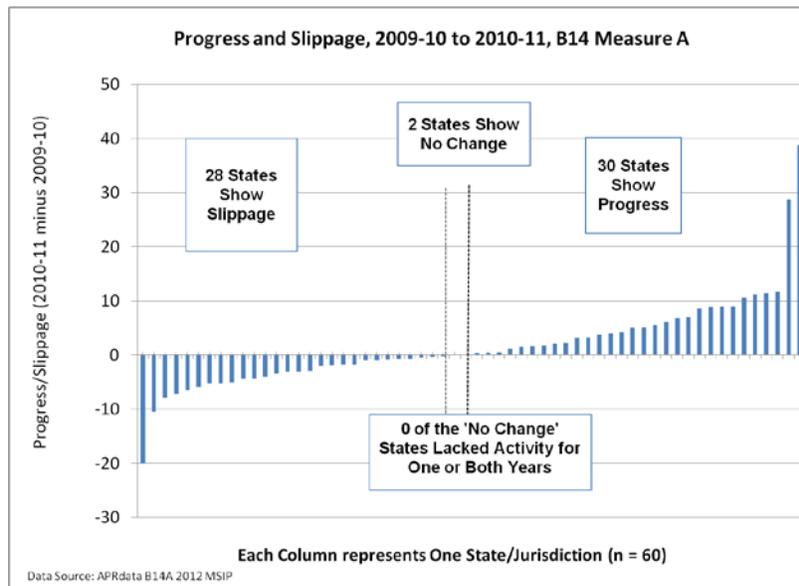


Figure 10, *Progress and Slippage, 2009-10 to 2010 – 11, B14 Measure A*, shows 28 states experienced slippage, two states had no change, and 30 states experienced progress. Slippage ranged from -.2 to -20.04 absolute change in percentage points from FFY 2009 to FFY 2010. Progress ranged from .35 to 38.70 absolute change in percentage points from FFY 2009 to FFY 2010.

Figure 10



In general, few states identified whether progress or slippage occurred and, even fewer number of states provided an explanation for either the progress or slippage. The reasons given for progress or slippage were generally the same across all three measures. For measure A, 15 states provided an explanation for slippage and attributed it, in order of most frequently referenced, to topics of:

- economic or employment factors.
- data (e.g., more accurate data, higher response rate, etc.).
- other factors (e.g., working, health or disability issues, increased advocacy for accommodations in higher education).
- higher standards (e.g., increased graduation requirements).

When progress occurred, only 10 states provided an explanation and attributed progress, in order of most frequently referenced, to topics of:

- improvement activities (e.g., state initiatives, stated provided professional development).
- higher standards (e.g., increased graduation requirements).
- economic or employment factors.
- data (e.g., more accurate data, higher response rate).

In Figure 11, *Change from Baseline to 2010-11 Level for Indicator B14 Measure B*, the range of change across all states was -24 to 37.59 with the average change in percentage across all 60 states being 1.03.

Figure 11

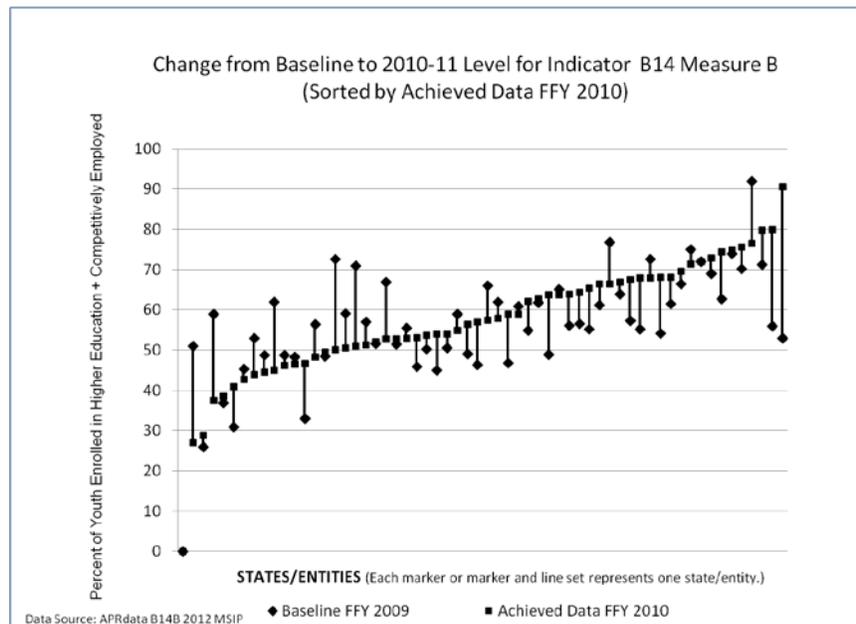
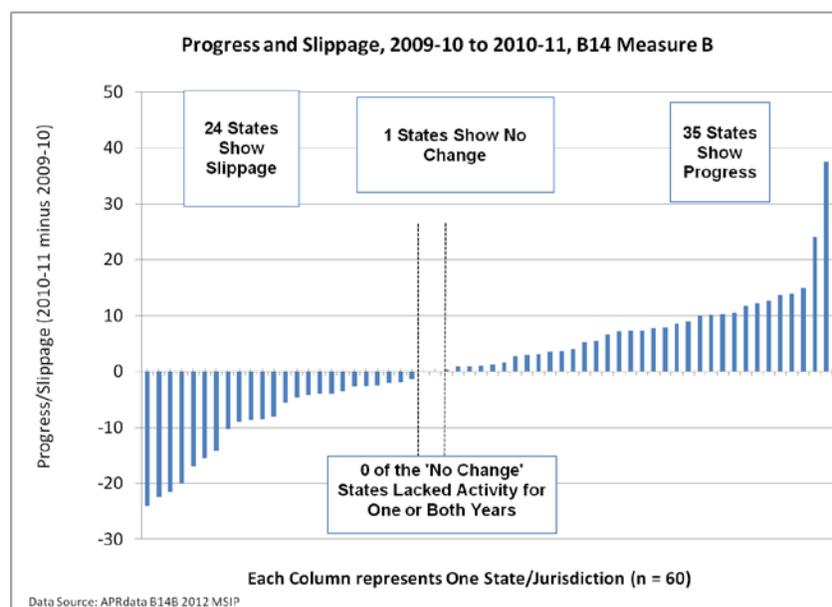


Figure 12, *Progress and Slippage, 2009-10 to 2010 – 11, B14 Measure B*, shows 24 states experienced slippage, 1 state had no change, and 35 states experienced progress. Slippage ranged from -24 to -1.4 absolute change in percentage from FFY 2009 to FFY 2010; progress ranged from .1 to 37.59 absolute change in percentage.

Figure 12



For measure B, 11 states provided an explanation for slippage and attributed slippage, in order of most frequently referenced, to topics of:

- economic or employment factors.
- other factors (e.g., can't afford postsecondary education when not working, same slippage seen in all students, progress was made but due to such low enrollment in higher education slippage occurred).
- data related factors (e.g., higher response rate, etc), standards/graduation requirements, and decrease in community-based opportunities.

When progress occurred, only five states provided an explanation and attributed progress, in order of most frequently referenced, to topics of:

- improvement activities (e.g., priority indicator, work with DVR).
- economic or employment factors.
- data related factors (e.g., higher response rate).
-

In Figure 13, *Change from Baseline to 2010-11 Level for Indicator B14 Measure C*, the range of change across all states is -43.9 to 17.5 with the average change in percentage across all 60 states being -.83.

Figure 13

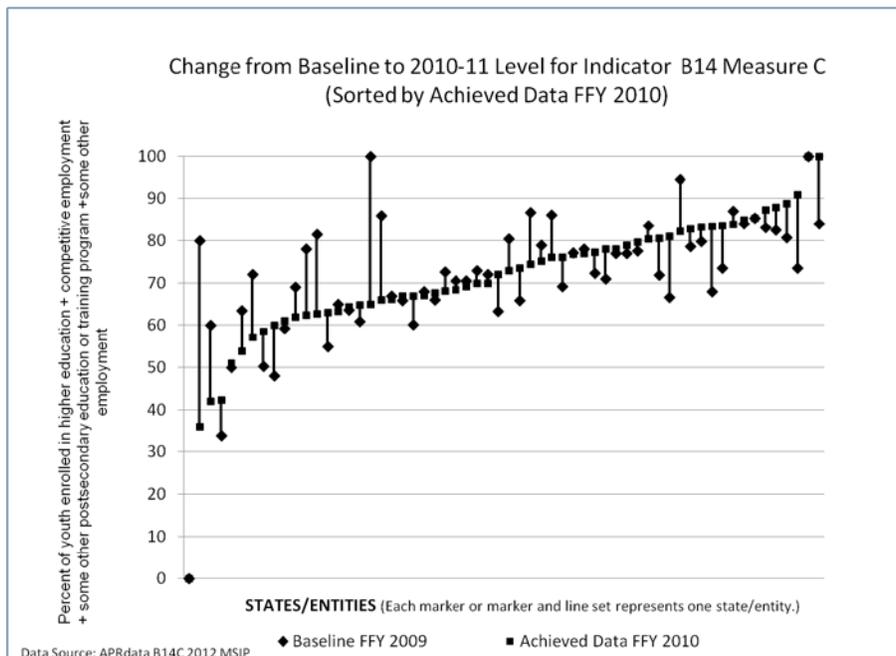
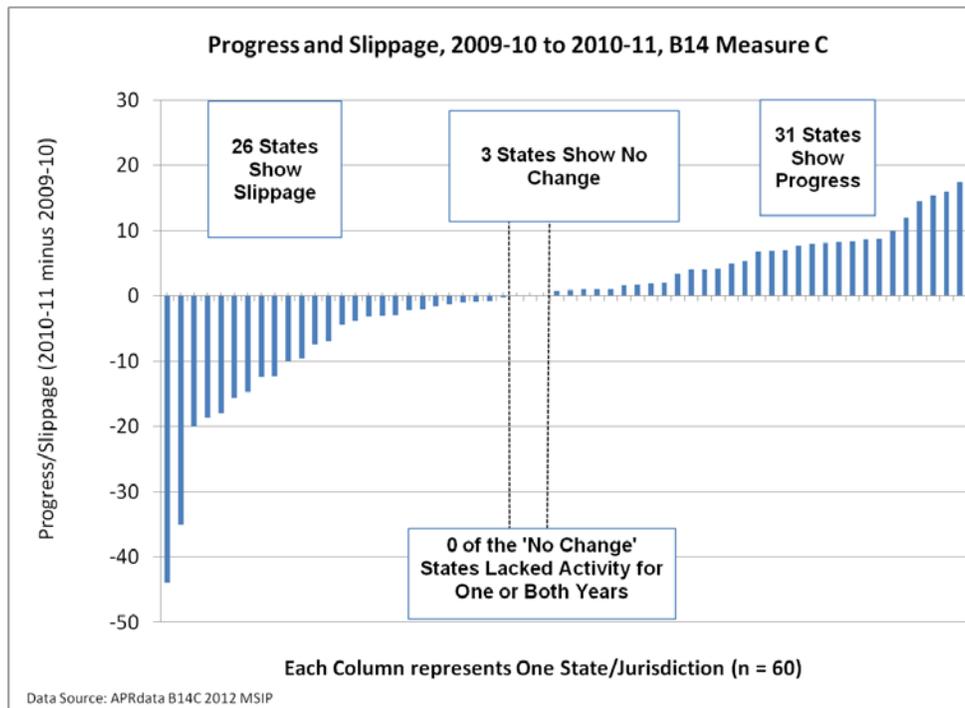


Figure 14, *Progress and Slippage, 2009-10 to 2010 – 11, B14 Measure C*, shows 26 states experienced slippage, three states had no change, and 31 states experienced progress. Slippage ranged from -43.9 to -.28 absolute change in percentage from FFY 2009 to FFY 2010 and progress ranged from .83 to 17.5 absolute change in percentage from FFY 2009 to FFY 2010.

Figure 14



For measure C, eight states provided an explanation for slippage and attributed slippage, in order of most frequently referenced, to topics of:

- economic or employment factors.
- other factors (e.g., more youth in higher education and competitive employment categories lead to decrease in this measure, and low performance rates by urban districts).
- data (e.g., higher number of districts participating).

When progress occurred, only five states provided an explanation and attributed progress, in order of most frequently referenced, to topics of:

- data (e.g., higher response rate, increase in number of youth reporting other postsecondary education or training and some other).
- improvement activities (e.g., state initiatives).

IMPROVEMENT ACTIVITIES

States were asked to revise their Improvement Activities (IA) as needed for the new Indicator. OSEP specifies nine categories of IA; the categories and descriptors are:

- 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. Develop or connect data systems.

- B. Improve systems administration and monitoring – refine/revise monitoring systems, including continuous improvement and focused monitoring. Improve systems administration.
- C. Build systems and infrastructures of technical assistance and support – develop Statewide or regional infrastructures to maximize resources.
- D. Provide technical assistance/training/professional development – provide technical assistance and/or training/professional development to State, LEAs and/or service agencies, families and/or other stakeholders on effective practices and model programs, etc.
- E. Clarify /examine/develop policies and procedures – clarify, examine, and or develop policies or procedures related to the indicator.
- F. Program development – develop/fund new regional/statewide initiatives.
- G. Collaboration/coordination – Collaborate/coordinate with families/agencies/initiative.
- H. Evaluation – conduct internal/external evaluation of improvement processes and outcomes.
- I. Increase/Adjust FTE – add or re-assign FTE at State level. Assist with the recruitment and retention of LEA and service agency staff.

This section summarizes the Improvement Activities reported by states and the NPSO Center’s efforts relative to technical assistance.

State Improvement Activities

In all, 93% of states (n = 56) reported IA through FFY 2012. Improvement Activities (IA) reported by the states for Indicator 14 spanned eight of the nine categories of activities; evaluation was the only IA category not identified by Center staff. The three primary categories of IA states reported using were (a) providing technical assistance/professional development, (n = 44); (b) improving data collection and reporting, (n = 38); and, (c) collaboration/coordination with families or agencies (n = 27). The majority of states (n = 46) do not provide sufficient detail to identify trends or promising strategies. NPSO Center staff judged seven states as having described their IA in detail and in such a way as to indicate that they will, potentially, have a positive effect on the sampling and or data collection systems, and or post-school outcomes for youth. States judged to have IA containing sufficient detail generally described the purpose for the IA, or what need or problem area was being addressed by the IA. Examples of IA describing the purpose are:

- *“To promote self-advocacy and self-determination among [state] youth with disabilities, [SEA] organized and conducted six Student Leadership ‘Dare to*

Dream’ conferences for students with disabilities in the spring of 2011. These conferences were held regionally throughout the state on college campuses. More than 1500 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conference featured presentations by youth and young adults with disabilities.

- *To increase awareness of the outcomes, improve response rates and improve outcomes, information from the [system] will be shared with parents and families, youth, public and private adult services providers, teachers, school administrators, and the [state stakeholder group] at conferences and meetings.*

In these examples, the intent of the IA is clearly stated, the behavior or what the state will do is clearly stated, and, although not explicitly stated, it would be likely that an evaluation method could be identified to measure the effectiveness of the IA.

Technical Assistance

In total, 77% of states (n = 46) reported having received some type of technical assistance in the past or planned to receive technical assistance (TA) in the future. Of these states, 39 states specified having received or planning to receive at least one type of TA from the NPSO Center. Table 1, *Types of NPSO Technical Assistance Received or Planned*, shows the types of TA states reported receiving or planned. States may be counted in more than one category.

Table 1

Types of NPSO TA Received or Planned	Number of States
Specific NPSO Tools & Products	32
TA Not Specified	18
Teleconference	12
On-site Consultation	11
Accessed Website	9
Conference Presentation	9
Phone Consultation	4

The category, Specific NPSO Tools and Products, was examined further to determine which tools and products states reported using. Table 2, *Specific NPSO Tools and Products*, shows the number of states that reported using each item.

Table 2

NPSO Specific Tools & Products	Number of States
NPSO Response Calculator	21
Data Display Templates	15
Data Collection Protocol	10
Data Use Toolkit	6
Writing Suggestions & Examples	6
Student Flyers	5
NPSO Sampling Calculator	5
Trend Data Displays	4
Indicator 14 FAQ	4
Superstar Video	2
Parent Flyers/Briefs	2

Based on NPSO records, we have provided some type of TA to all 60 states between February 1, 2011 and January 31, 2012. On average, states have received 11 technical assistance contacts with NPSO, ranging between four and 34 TA contacts.

CONCLUSIONS AND RECOMMENDATIONS

Indicator 14 was revised by OSEP in February 2009 and May 2010 providing states with definitions for four specific outcomes for youth who had an individualized education program in effect at the time they left high school. The outcome categories – enrolled in higher education, competitively employed, enrolled in some other postsecondary education or training program, and some other employment – are aggregated into three separate measures A, B, and C. FFY 2010 was the second year for states to have post-school outcomes data using the federal outcome definitions. For this reporting period states were instructed to use the Annual Performance Report (APR) template to report actual target data for FFY 2010, explanation of progress or slippage, discussion of improvement activities completed for FFY 2010, and revisions, with justification, to proposed targets, improvement activities, timelines, and resources for FFY 2011. NPSO Center staff analyzed the 60 APRs and findings are summarized in this report.

As a general observation, the APRs submitted for FFY 2010 lacked specificity. This brevity is notable from the number of states not defining one or more of the four outcome categories to the lack of information describing how well respondents represented total leavers to apparent errors in calculating measures and whether

progress or slippage occurred for the measures. It is not possible to discern from the APRs why there was missing information. For example, do the 38 states not defining outcomes assume that all states are using the same outcome definitions and therefore it is not necessary to explicitly define the outcomes? Perhaps the lack of specificity is due to oversight (e.g., some element was lost during the 'cutting and pasting' writing process), or something more serious affected reliability or validity of the data, therefore information was omitted. Regardless of the reason, the lack of detail warrants caution when interpreting Indicator B14 findings.

From this analysis and the work of the NPSO Center, states continue to demonstrate a good faith effort to design and implement rigorous, yet practical, systems to collect, analyze, and use post-school outcome data. All states have established a data collection system. We continue to see wide variation across states relative to: (a) methodologies for collecting data, (b) response rates and representativeness, and (c) percent of youth reported as being engaged in each measure.

Approximately half of all states either analyzed the representativeness of their respondent group compared to the target leavers or provided enough information that representativeness could be judged by Center staff. Representativeness remains an area where improvement is needed as evidenced by only two states being judged as having respondents representative of the target leavers. In general, states need to focus improvement activities on increasing response rates by: (a) collecting better student exiting contact information, and (b) defining strategies to collect post-school outcome data on subgroups demonstrating poor representativeness (e.g., dropouts, students with emotional/behavioral disabilities). Additionally, states would benefit from using the *NPSO Response Calculator* to determine response rate and representativeness of demographic subgroups. Based on the information provided by this simple-to-use tool, state resources could be targeted to specific areas of need.

Center staff continues to see some errors in the mathematical calculations required for Indicator 14. Errors appear to have been made when calculating the response rate, basing the denominator on the number of youth for whom contact information was available rather than the total number of leavers in the census or sample. Errors also seemed apparent in the calculation of the measure, although the lack of sufficient information (e.g., actual numbers) reported in the APR prohibited the recalculation or verification of what some states reported. When numbers were provided, we observed inconsistencies between numbers reported in aggregate for measures A, B, & C and the numbers provide for the four, mutually exclusive outcome categories (higher education, competitive employment, other postsecondary education, and other employment). States would benefit from using the calculation formulas provided in the *NSPO Writing Suggestions and Examples*.

Although most states list a variety of Improvement Activities in the APR, in general, there was insufficient information to determine the purpose of the IA or what it was intended to improve. As important, the lack of details makes it unfeasible to evaluate the actual or intended effectiveness of the IA. Center staff is currently developing a series of tools to assist states in writing and evaluating improvement activities.

NPSO staff will continue to provide general, targeted, and intensive TA to states to address issues of response rates, representativeness, and improvement activities. We welcome the opportunities to support states' efforts to build capacity for coordinated efforts and B14 data use to improve programs for youth in transition.

INDICATOR 15: TIMELY CORRECTION OF NONCOMPLIANCE

Prepared by DAC

INTRODUCTION

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

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

The Office of Special Education (OSEP) 2012 Measurement Table, required states to:

- 1) describe the process for selecting LEAs for monitoring.
- 2) describe the results of the calculations and compare the results to the target; provide the actual numbers used in the calculation; include all findings of noncompliance regardless of the specific level of noncompliance.
- 3) report on the number of findings of noncompliance made in 2009–10 (July 1, 2009–June 30, 2010) and corrected as soon as possible and in no case later than one year from identification.
- 4) disaggregate the findings by components of the state’s general supervision system, including monitoring (onsite visits, self-assessments, local performance plans and annual performance reports, desk audits, data reviews) and dispute resolution (complaints and due process hearings). Findings must also be disaggregated by SPP/APR indicator and other areas of noncompliance. Describe the other areas of noncompliance.
- 5) provide detailed information about the correction of noncompliance as noted in OSEP’s response table for the previous APR, including any revisions to general supervision procedures, technical assistance provide and/or any enforcement actions that were taken.
- 6) if the state did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification) .
- 7) provide information regarding the nature of any continuing noncompliance, improvement activities completed, and any enforcement actions that were taken.

The Department did not require states to report data by local education agencies. Sixty APRs were reviewed for this summary. These included the 50 states, the District of Columbia, the eight territories, and the BIE. For purposes of this summary, the term “state” includes all or any of these 60 entities.

PROGRESS OR SLIPPAGE

Based on the B15 data reported in the APR, OSEP is able to determine whether each state has shown progress or slippage from the previous year. Included in this report are three charts that reflect the progress states have made in meeting the 100% requirement.

Figure 1, a trajectory chart, depicts the national progress toward meeting the required 100%. “Trajectory” is defined as a path, progression, or line of development. Given the squares represent the 2010–11 data compared to the diamonds that represent the baseline 2005–06 data for all 60 states, one can predict states will continue to improve and could ultimately meet the B15 100% requirement. However, several states reported a lower performance in FFY 2010 (2010–11) than was reported in the FFY 2005 (2005–06) baseline.

Figure 1

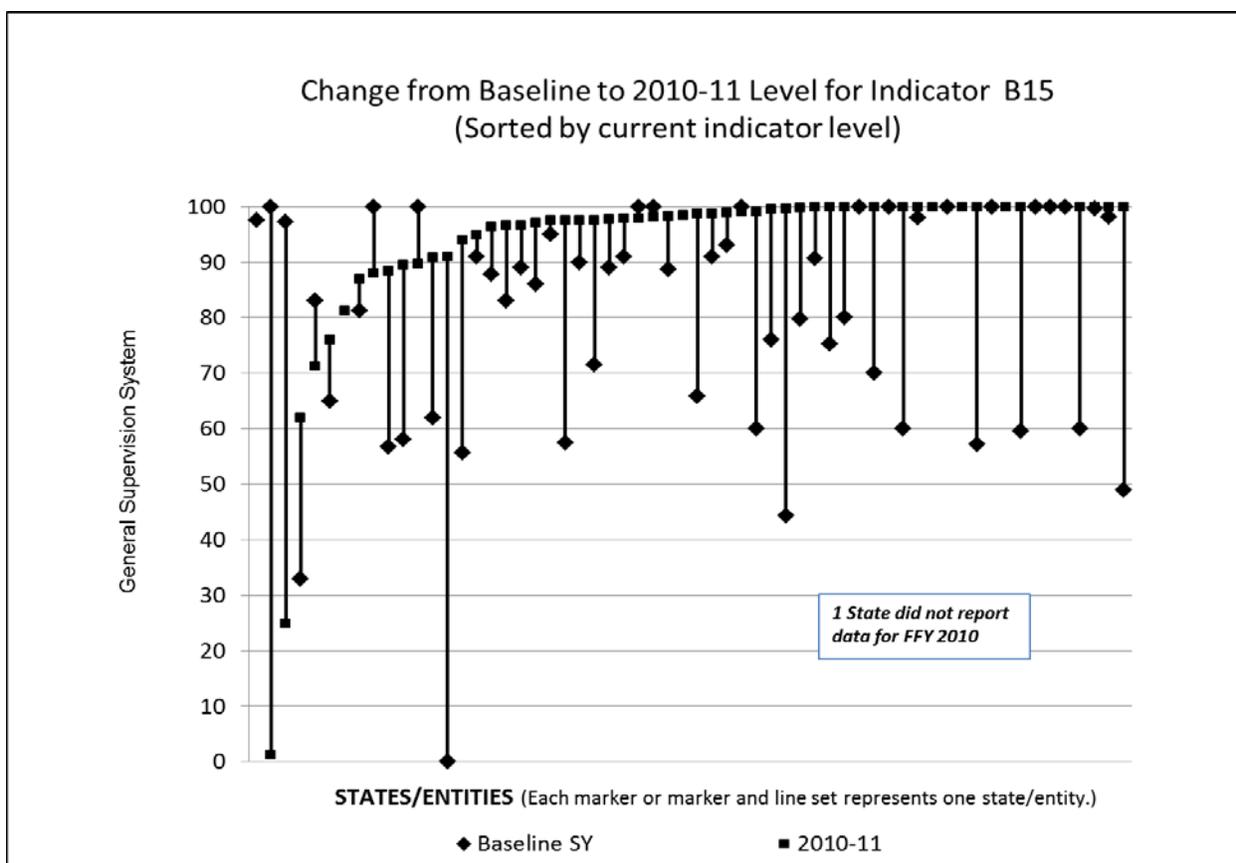


Figure 2 demonstrates the progress in the number of states that have made gains in meeting the 100% requirement over the last several years. From FFY 2005 (2005–06) to FFY 2010 (2010–11), the mean has increased from 80 to 93. It is noteworthy that the mean remained the same from FFY 2009 (2009–10) but is lower than the FFY 2008 (2008–09) mean of 95.

Figure 2

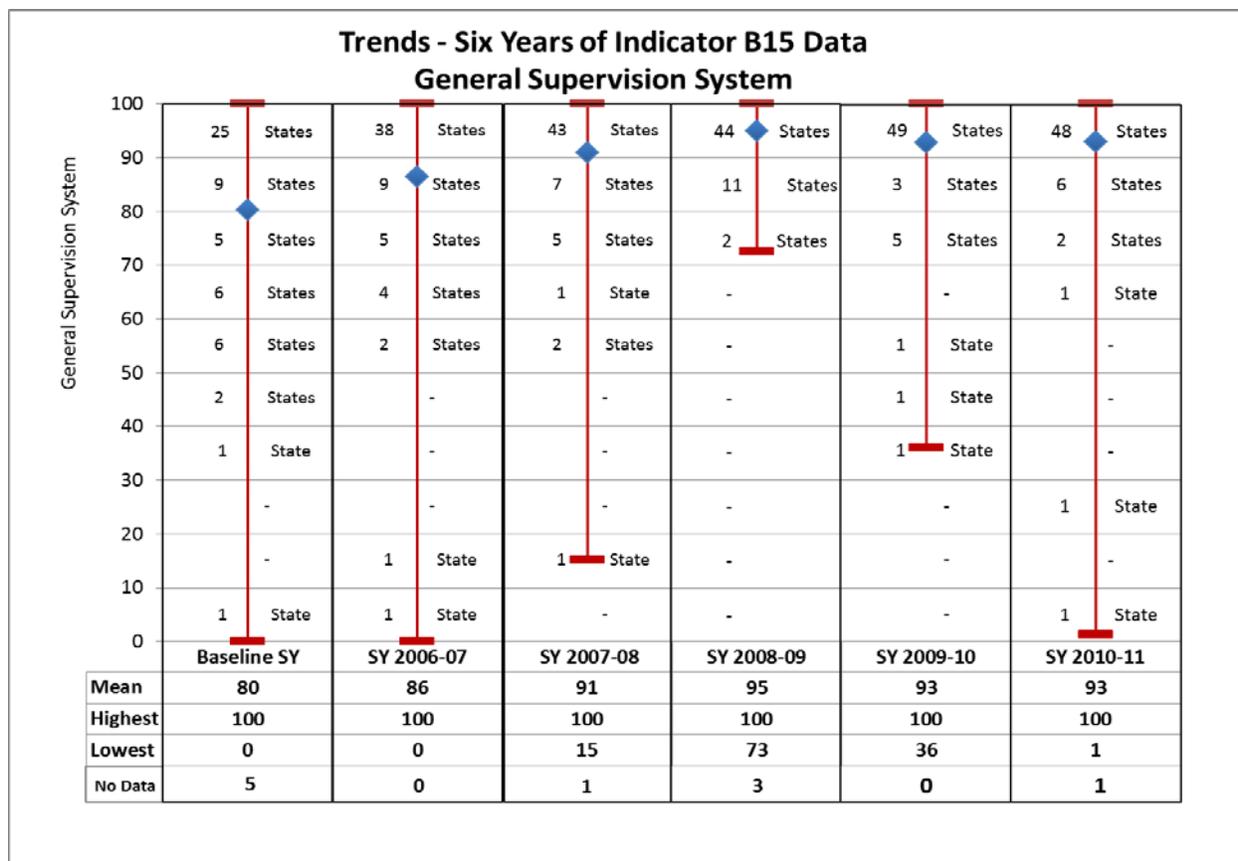


Figure 3 below shows the number of states that showed slippage in meeting the 100% target, the number that showed no change, and the number that showed progress. Many of the states that indicated no change were ones that maintained 100%. The number of states showing progress is larger than the number of states showing slippage. When these data are compared to FFY 2009 (2009–10), there was one more state reporting slippage, one fewer state showing no change, and two fewer states reporting progress.

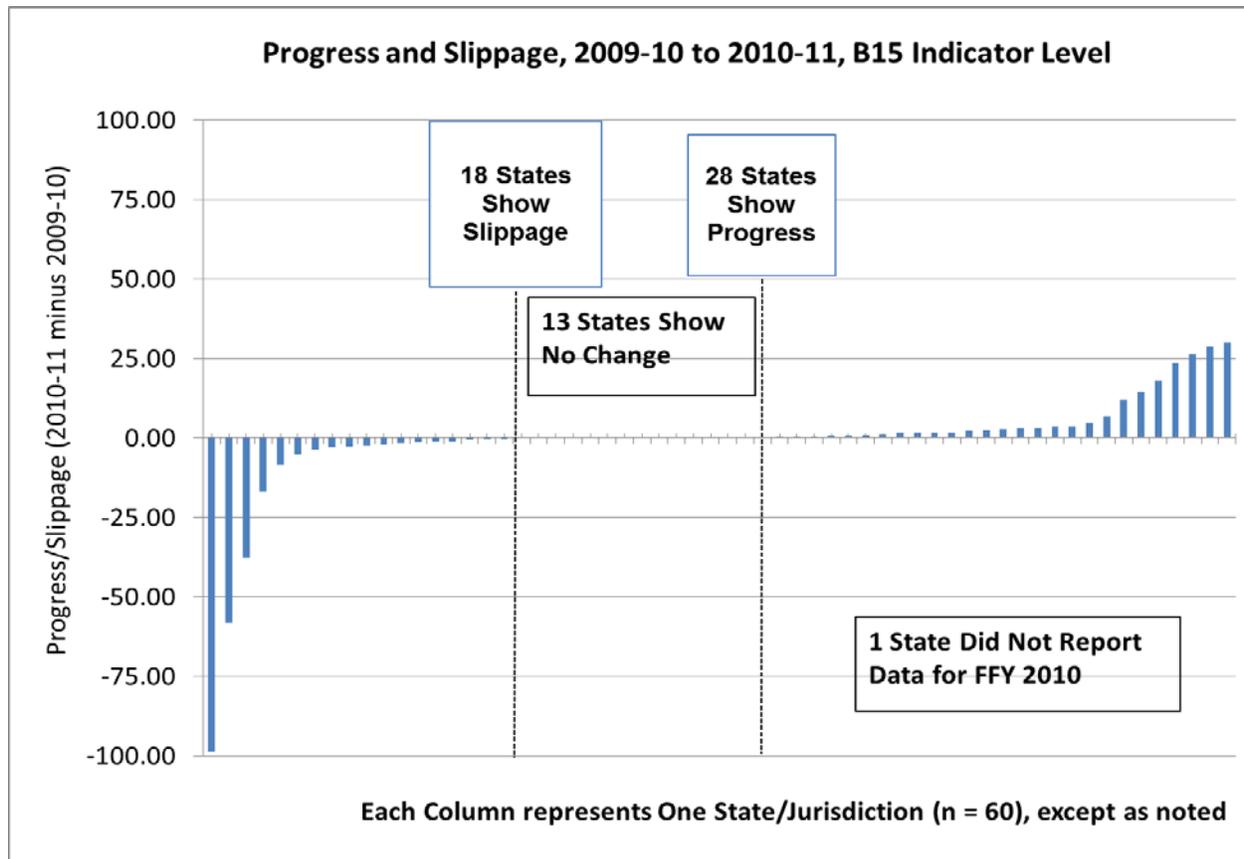
The APR template directed states to report “the explanation of progress or slippage that occurred for FFY 2010 (2010-2011).” Thirty-eight percent of the states did not specify progress or slippage in the APR. This is a change from 42% of the states not reporting progress or slippage for FFY 2009 (2009–10) and 47% for FFY 2008 (2008–09).

Of those states reporting progress (27%), the most common explanations included:

- providing targeted training to local districts concerning the requirements for demonstrating the correction of noncompliance.
- providing training and support to local districts to ensure correction by addressing root causes for the noncompliance.
- implementing the improvement activities outlined in the state APR.

- conducting regular follow ups with the local district to determine progress in correcting noncompliance.
- creating a more robust general supervision system in order to adhere to the OSEP Memorandum 09-02.

Figure 3



Of the 18% of states reporting slippage, most common reasons included:

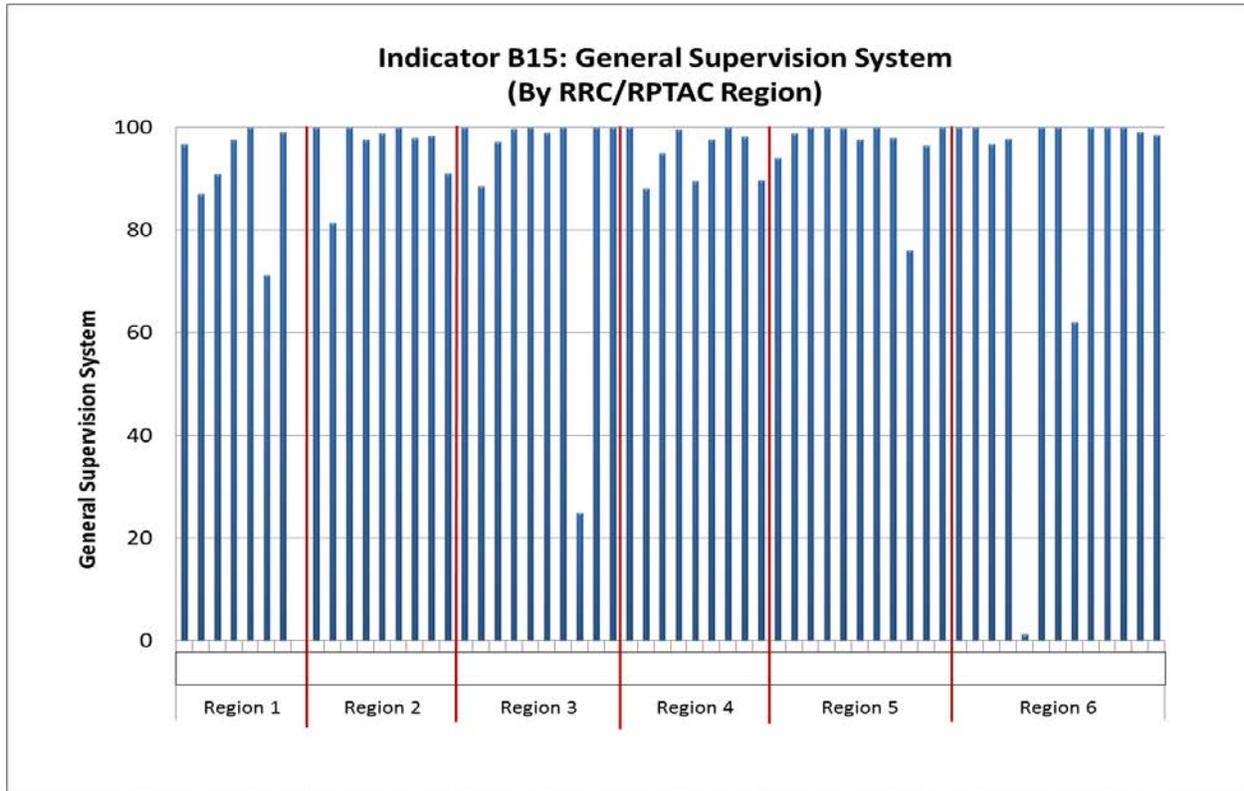
- noncompliance concerning a particular LEA;
- individual student noncompliance; and
- changes in the state's infrastructure (e.g., consolidation of district and/or regional structures).

Seventeen percent of states reported they have maintained 100% compliance from one year to another. Most often, the activities attributed to maintaining 100% were implementing the improvement activities and providing targeted technical assistance to local agencies.

Figure 4 below represents a comparison of states organized by their respective Regional Resource Center (RRC)/Regional Parent Technical Assistance Center (RPTAC). While all but two regions had at least one state that did not report

performance over 80%, in all regions the majority of states reported performance over 80%.

Figure 4



METHODS USED TO COLLECT MONITORING DATA

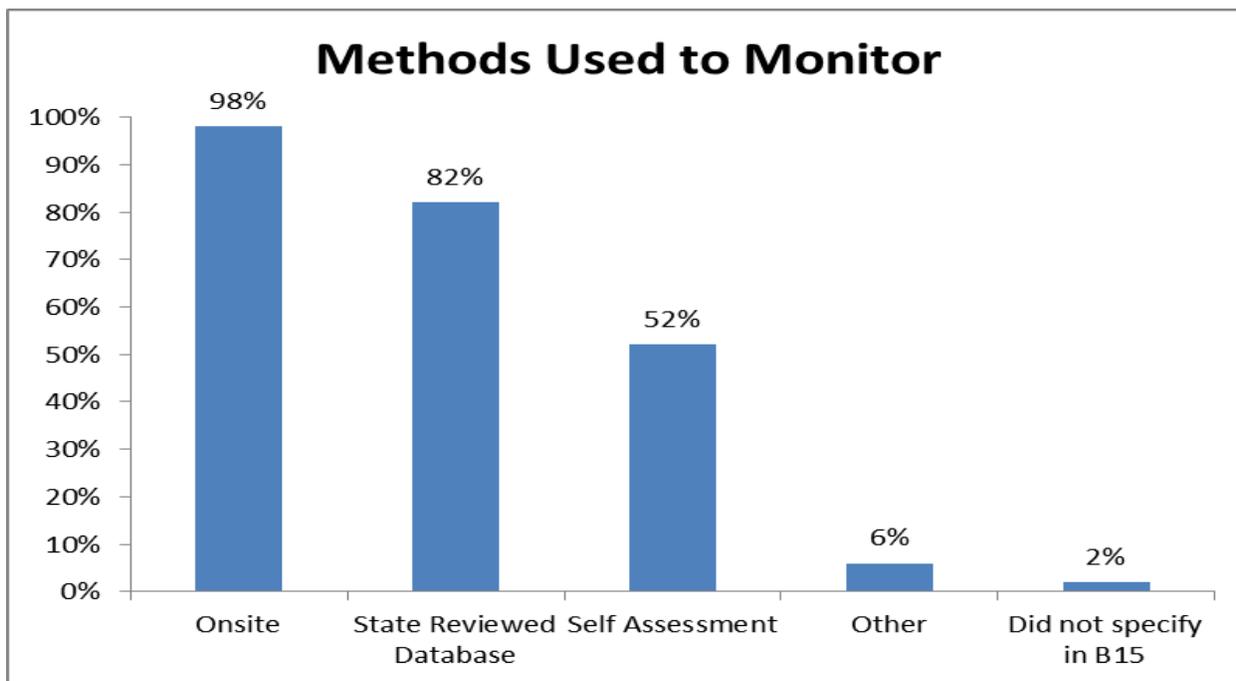
OSEP defines a “finding” as a written notification from the state to an LEA that contains the state’s conclusion that the LEA is in noncompliance and that includes the citation of the regulation and a description of the quantitative and/or qualitative data supporting the state’s conclusion of noncompliance with the regulation.

DAC reviewed the APR to identify the methods the state used to collect monitoring data. All but one state described the methods they used to collect monitoring data. DAC categorized the methods into four areas:

- 1) Onsite—refers to instances where the state physically goes to the district to determine performance.
- 2) Review of State Database—refers to opportunities the state has to conduct desk audits or data reviews in the state office from a state database.
- 3) Self-Assessment—refers to instances when the LEA does the actual monitoring and the state verifies the results.
- 4) Other—those methods beyond 1–3 above.
- 5) State Did Not Specify Methods to Collect Data in the APR.

While many states reported more than one monitoring method or activity, the following figure represents the percentages of states by data collection method:

Figure 5



The most notable changes in these data from FFY 2009 (2009–10) to the current APR include an increase in the percentage of states:

- using their state database to monitor for compliance with *IDEA* (73% to 82%).
- utilizing a self assessment as a method to monitor (43% to 52%).
- relying on onsite visits to local districts to monitor for compliance (increased three percentage points in one year, 95% to 98%)

METHODS USED TO VERIFY B15 DATA—CORRECTION OF NONCOMPLIANCE

The OSEP Memorandum 09-02 defines “correction” as the state requiring the LEA to revise any noncompliant policies, procedures, and/or practices, and the state verifies through follow-up review of data, other documentation, and/or interviews that it has revised the noncompliant policies, procedures, and/or practices and corrected the noncompliance. The state should notify the LEA in writing that the noncompliance is corrected. For purposes of the SPP/APR reporting, timely correction occurs when noncompliance is corrected as soon as possible but no later than one year from the identification of noncompliance.

OSEP Memorandum 09-02 further describes correction as having two prongs: in Prong 1, the LEA has corrected each individual case of noncompliance; in Prong 2, the LEA is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance), based on the state’s review of updated data.

DAC reviewed the APRs to identify the methods states used to verify the correction of noncompliance: Prong 1 and Prong 2. DAC categorized the methods into five areas:

- 1) Review of State Database—refers to opportunities the state has to conduct desk audits or data reviews in the state office from a state database.
- 2) Onsite—refers to instances where the state physically goes to the district to determine performance.
- 3) State Reviewed Local Correction Data—refers to instances when the LEA submits documents to the state demonstrating the correction of noncompliance (e.g., a corrected IEP).
- 4) State Did Not Specify Methods to Collect Data in the APR.
- 5) Other—refers to other methods not reflected in 1–4 above.

While many states reported more than one verification method or activity, Figures 6 and 7 below represent the percentages of states by data collection method.

What is most notable in both Prong 1 and Prong 2 is that between FFY 2009 (2009–10) and FFY 2010 (2010–11), there were significant increases in the percentages of states utilizing all methods of monitoring. The largest increase was in the percentage of states that rely on “Review of Local Correction,” which increased from 43% to 60% for Prong 1 and 37% to 53% for Prong 2.

Figure 6

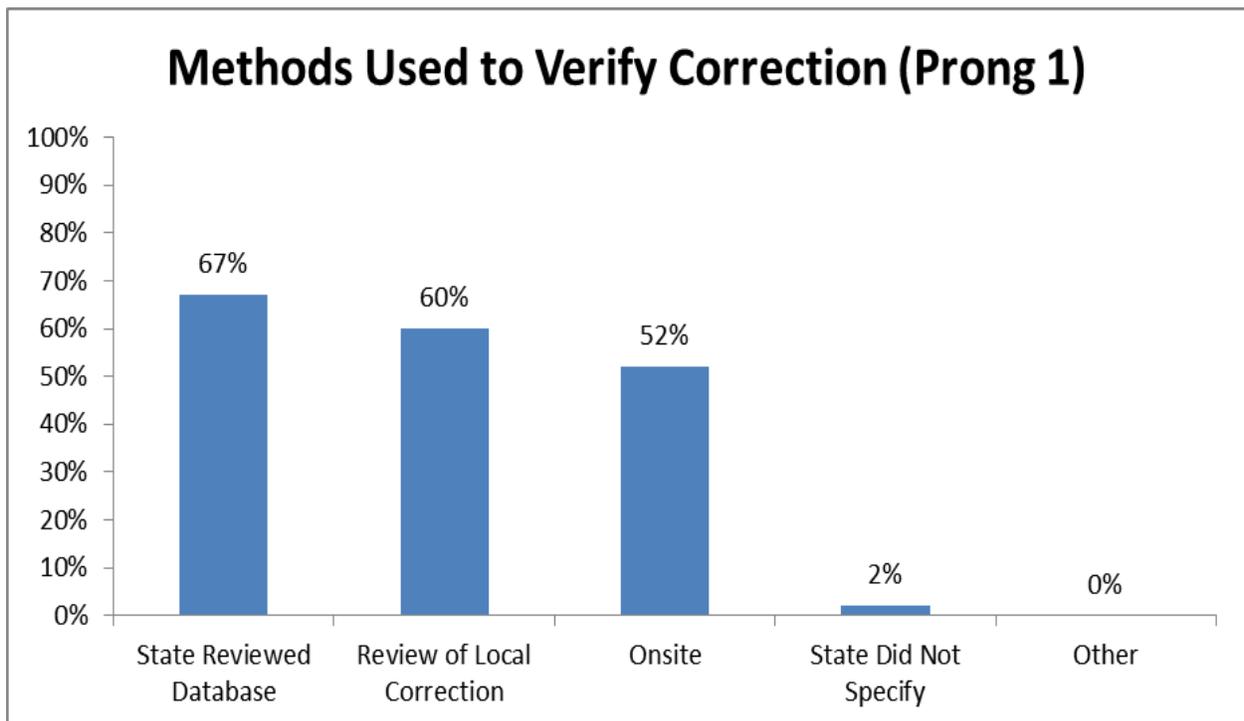
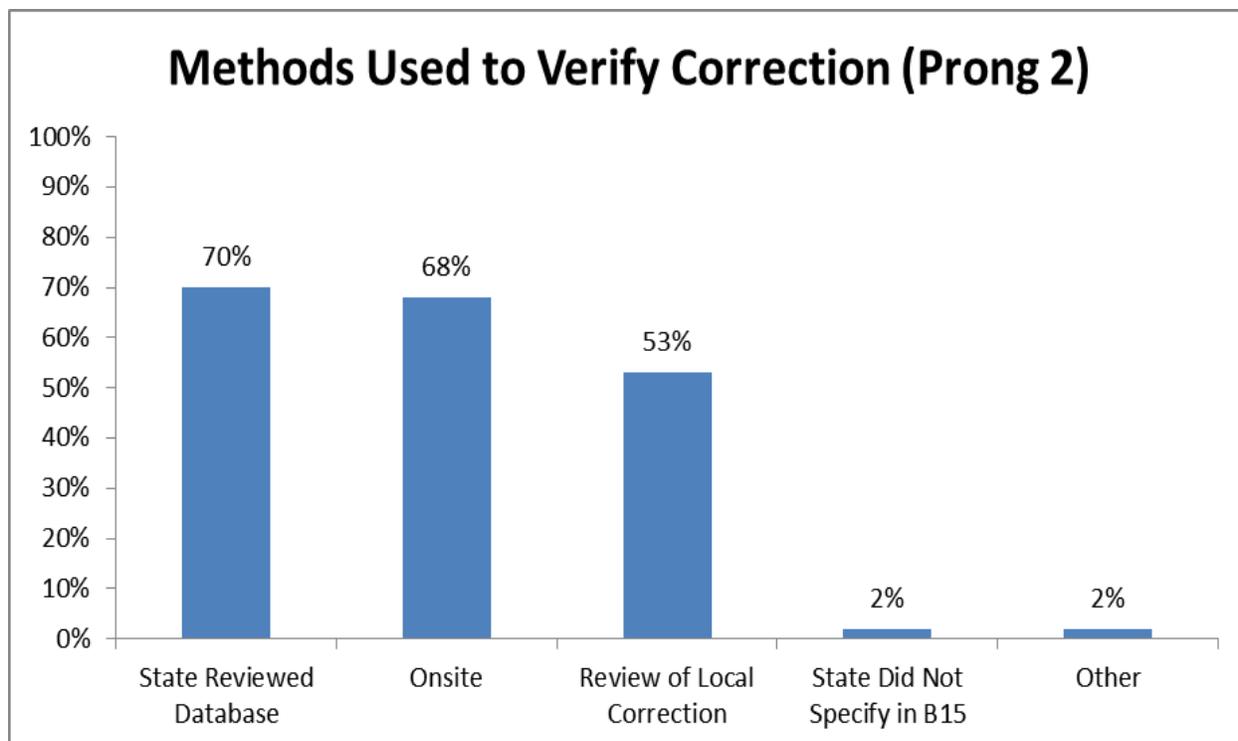


Figure 7



IMPROVEMENT ACTIVITIES

States reporting progress most often attributed that progress to implementing the improvement activities described in the SPP. Further review of the improvement activities revealed that states are continuing existing improvement activities rather than starting new improvement activities. This supports the opinion of states that their current improvement activities are either ensuring the state maintains 100% for this indicator or contributed to progress toward achieving 100%.

There were states that did report improvement activities that appear to be *promising*. Several of the promising activities are described below:

The Delaware Department of Education (DDOE) adopted a “monitoring workbook” (i.e., monitoring report) to document the DDOE’s findings and work with LEAs throughout each monitoring cycle. The monitoring workbook provides the LEAs with the DDOE’s findings based on each regulation reviewed. It describes any areas of noncompliance found and the specific corrective actions required by the LEA based on a percentage level of noncompliance. The workbook establishes timelines for the completion of corrective actions by the LEAs and provides the LEAs with a list of all children who require corrected IEPs by a prescribed date. The workbook provides a method for the LEAs to report the status of corrective actions to the DDOE and to certify when they have made all corrections.

The workbook calculates percentage levels of compliance for each regulatory item reviewed for each LEA. The DDOE uses the data to analyze its compliance findings and tailor the development of technical assistance programs based on the areas of identified need throughout the state. In addition, the workbook allows the DDOE to collect monitoring data in a central and efficient manner to promote accurate and timely reporting under Indicator 15 of the APR each year.

Florida reported progress with correction of noncompliance within the required timeline on B15, increasing from 72.4% to 98.9%. The procedures for demonstrating timely correction of noncompliance incorporate both prongs (student-specific correction and demonstration that the district is correctly implementing the specific regulatory requirement(s)). The state's improvement activities were reviewed, and increased information and assistance were provided to districts regarding verification that the specific regulatory requirements are being implemented correctly (i.e., achieved 100% compliance). Correction of noncompliance, including the demonstration of 100% compliance, was explained during self-assessment and compliance conference calls with the districts as well as in the *Exceptional Student Education Compliance Manual: 2010–11*. In addition, the Bureau of Exceptional Education and Student Services (BEES) liaisons provided individual technical assistance to districts through telephone and email correspondence.

Kansas has a policy feedback loop to refine the Kansas Integrated Accountability System (KIAS), including a KIAS Stakeholder group comprising district special education director representatives from each region of the Kansas Association of Special Education Administrators (KASEA). Further, ongoing communication and feedback on KIAS is gathered through meetings with all KSDE Technical Assistance System Network (TASN) providers, which includes PTI, agency staff, and other technical assistance providers. These TASN meetings also provide opportunities for agency staff to train and communicate updates on KIAS with these partners. Additionally, KSDE provided training on KIAS, including timely information on any refinements to the system, to district staff on an ongoing basis through conference calls, written memoranda, and direct technical assistance with individual districts. As a result of the stakeholder input and ongoing professional development regarding the refinement of the integrated accountability system, implementation of KIAS has continued to be effective and efficient in ensuring that 100% of findings of noncompliance are verified as corrected within the one year timeline.

The Ohio Department of Education, Office of Exceptional Children (OEC) has made an increased commitment to the quality of its monitoring data. For each compliance indicator that the LEA reports 100% compliance in the state database, the state verifies the quality of the data when conducting an onsite visit. The data reported in the database are compared to evidence provided by the district supporting the validity and reliability of the data. During year-end reporting, OEC identified 6,916 potential reporting errors. Of those, 3,176 were corrected by LEAs prior to the end of the reporting period, any one of which could have contributed to findings of noncompliance. Due to the OEC's increased attention to data quality, districts are giving more attention to ensuring the data submitted to the state database are valid and reliable.

CONCLUSIONS

When compared to previous years' Indicator 15 analysis, states reported a better understanding of the OSEP 09-02 Memorandum and described a more seamless system when verifying Prong 1 and 2 of correction. Overall, states seem to have adjusted to the guidance provided regarding the correction of noncompliance, including adjusting their improvement activities accordingly. There is no doubt that the OSEP 09-02 Memorandum has had considerable impact on monitoring procedures across the country, as is evidenced by the remarkable increase in the data collection methods states use to verify correction as well as the training and technical assistance states now provide to local districts during the monitoring process to ensure correction.

States seem to be striving for a higher level of sophistication in collecting and verifying monitoring data and improving the validity and reliability of those data. The use of technology (e.g., web-based monitoring) continues to assist states in improving the quality of monitoring data. This conclusion is supported by the 73% of the states reporting using improved state database systems to monitor local districts as compared to 60% last year. There is also a noticeable trend in states placing the burden of ensuring the correction of noncompliance at the district level by requiring local districts to identify and address the root cause of noncompliance in the action plan designed to correct noncompliance. This is demonstrated by the increase in the percentage of states requiring local districts to provide evidence to the state having increased from 43% to 60% for Prong 1 and 37% to 53% for Prong 2 when comparing FFY 2010 (2010–11) to FFY 2009 (2009–10).

Overall, states have created more robust monitoring systems and have devoted extensive resources and capacity to meeting the requirements of B15 since the FFY 2005 (2005–06) APR. This is evident by the number of states reporting progress in reaching 100% for this indicator increasing at a higher rate than those reporting slippage.

On March 3, 2012, OSEP announced during a conference call with states that the 2012 Continuous Improvement Visits would be postponed to allow OSEP and stakeholders time to explore a Results Driven Accountability (RDA) system. In preparation for a movement towards RDA, DAC reviewed the B15 portion of the FFY 10 APRs to determine the percentage of states that currently report incorporating results indicators into their annual monitoring system. Of the sixty APRs reviewed, 32 percent (32%) clearly articulated including one or more results areas in their monitoring activities most often during onsite monitoring. This would imply support for OSEPs vision of RDA as there is a movement already within many states to incorporate results into the monitoring process.

INDICATORS 16, 17, 18, AND 19: DISPUTE RESOLUTION

Prepared by the Center for Appropriate Dispute Resolution in Special Education (CADRE)

INTRODUCTION

The Individuals with Disabilities Education Act (IDEA) requires states receiving grants under Part B to make available four dispute resolution (DR) processes, and to report annually to the U.S. Department of Education Office of Special Education Programs (OSEP) on their performance and improvement activities for each.⁸ The processes, which include signed written complaints, mediation, due process complaints, and resolution meetings associated with due process, offer a formal means for resolving disagreements and issues arising under the IDEA.

The following summary and analysis of the FFY 2010 State Annual Performance Reports (APRs) for the DR indicators under Part B includes:

- Indicator 16: Percent of signed written complaints with reports issued that were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.
- Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.
- Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.
- Indicator 19: Percent of mediations held that resulted in mediation agreements.

Readers should note that although there are many examples of states successfully improving their performance in each of the four DR areas, specific details on improvement strategies are beyond the scope of this document. Also, while there is a relationship between overall DR system functioning, leadership, and resources, including those directed toward specific improvement activities, past or current performance does not necessarily predict future performance.

⁸ For the purposes of this report, the terms “states” and “states/entities” are used interchangeably to refer to all 60 Part B grant recipients (i.e., the 50 United States, the District of Columbia, the Bureau of Indian Education, Puerto Rico, the Virgin Islands, American Samoa, Guam, the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau).

DATA SOURCES AND METHODOLOGY

Sources for this report include FFY 2010 (2010-11) APRs, applicable APR clarifications, OSEP-verified APR data, and information on state DR activities drawn from CADRE's longitudinal DR database, which includes data from prior APRs and states' Section 618 reports. Unless otherwise specified, years stated in the text refer to federal fiscal years (FFY); for example, FFY 2010 may also be shown as 2010 or 2010-11.

CADRE's national longitudinal DR database uses the following reported data: 1) from FFY 2002 to the present, state DR activity reported to OSEP in the APRs, first as Attachment 1 and later as Table 7; 2) from FFY 2006 to the present, Section 618 data reported by states to the Data Accountability Center (DAC); and 3) DAC state DR activity data, following publication in OSEP's Annual Report to Congress.

Summaries of longitudinal data from FFY 2003 through FFY 2010 are included here to demonstrate change over time in state compliance and performance related to each indicator. Since complete Table 7 data are not uniformly reported in the APRs, current APR data can be used to generate complete summaries of changes in the indicator values and in use trends for those data elements used in calculating the indicators. Summaries of other Table 7 DR activity may include under-estimates of FFY 2010 values.

SUMMARY BY INDICATOR: PERFORMANCE AND IMPROVEMENT ACTIVITIES

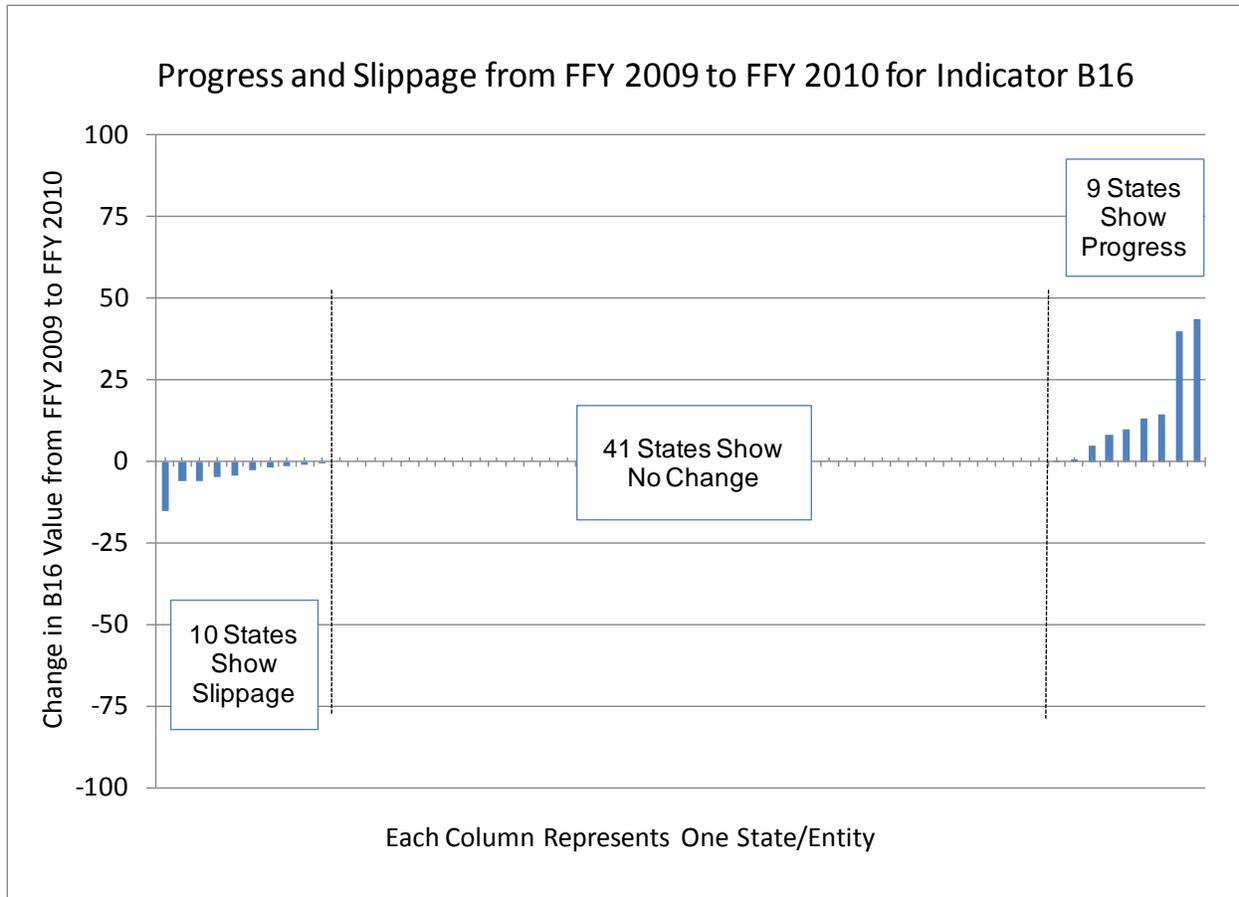
Indicator 16: Signed Written Complaint Reports Issued Within Timelines

Indicator 16 is a compliance indicator with a performance target of 100%. States must issue signed written complaint reports within the 60-day timeline, or a timeline appropriately extended.

In FFY 2010, 46 states performed at or above 95% ("substantial compliance" with the indicator), nine of which showed improvement over their FFY 2009 levels. Ten states performed below their FFY 2009 level; however, the drop was slight for five of those, as their overall performance met substantial compliance. Seven states reported no activity, one entity completed on-time reports in neither FFY 2010 nor FFY 2009, and one state lacked valid and reliable data.

Figure 1 is a display of the change in current performance on Indicator 16 from FFY 2009 to FFY 2010. Each marker and line set represents a state. If the FFY 2009 marker (diamond) is below the FFY 2010 marker (square), the state showed positive change. If the diamond is above the square, the state showed negative change.

Figure 2



Not all states/entities provided an explanation for their progress or slippage on Indicator 16. Some simply indicated that they either met or did not meet the target, without attributing their performance to any specific activities or issues, while others just stated “implementation of improvement activities” as their explanation for progress/slippage. Nineteen states/entities indicated that they had worked or were working with one or more technical assistance centers as part of their improvement activities.

States that attributed progress or improvement to particular strategies included the following in their explanations or activities charts:

- Improve systems administration and monitoring, including increased collaboration among complaint investigators, general supervision and monitoring (GSM) staff, and leadership (32 states).
- Provide technical assistance, training, or professional development to agency staff (at the state and/or local level), families, and other stakeholders (28 states).
- Improve data collection and reporting, timeline tracking, and intra-agency coordination (17 states).
- Stakeholder collaboration and engagement, often including a public process for publicizing DR options, clarifying processes, and reporting results (15 states).

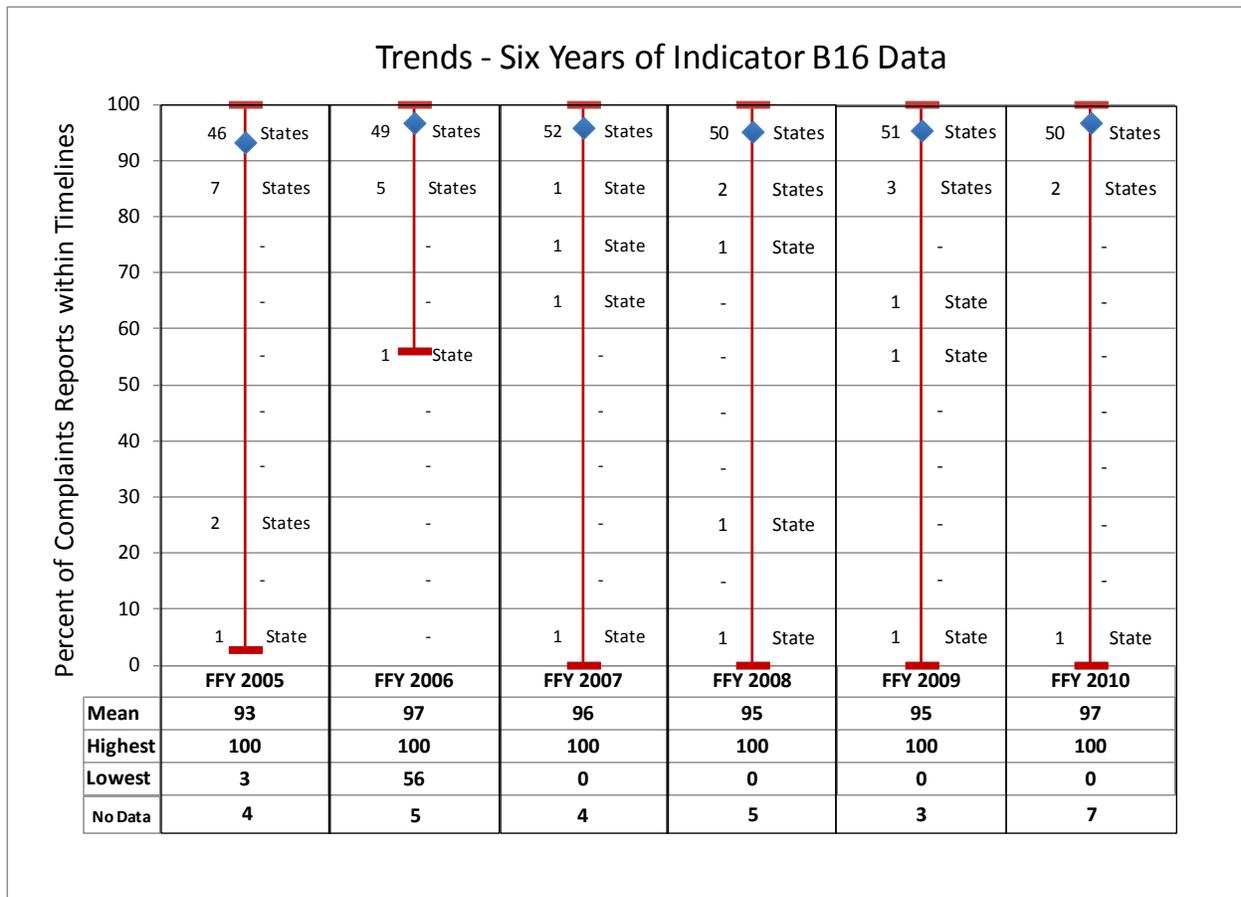
- Enhanced public awareness/outreach, including online access to complaint procedures, guidance documents, and model complaint forms (14 states).
- Support for upstream or early DR processes, such as facilitated IEP meetings (11 states).
- Clarify, examine, and/or develop policies and/or procedures related to this indicator (nine states).
- Adjust FTE to meet level of activity/need (eight states).

States that experienced slippage generally attributed underperformance to one or more of three main causes:

- Staffing and personnel difficulties, including vacancies, hiring freezes, contract issues, and personal leave/scheduling (six states).
- System restructuring and/or implementation of new complaints processes or procedures (six states).
- A significant increase in the number and/or complexity of complaints filed compared to prior years (three states).

Indicator 16 Trends

Figure 3



Note: "No data" indicates the number of states/entities reporting no activity or lacking valid/reliable data.

Each of the bands in Figure 3 reflects a 10% range of performance for Indicator 16, and the number of states falling within each range. The uppermost band shows the number of states that performed $\geq 90\%$ on this indicator; the next band down shows the number of states that performed in the 80% to $<90\%$ range, etc.

The trend toward substantial compliance ($\geq 95\%$) is positive. Of the 50 states/entities in the 90% to 100% band, 39 were at 100% and eight were greater than 95%. Three states were between 90% and 95%. The two states in the 80% to $<90\%$ range both struggled with staffing issues in FFY 2010. In past years, these two states have demonstrated compliance with Indicator B16.

Over the years, several non-state entities have struggled to reach compliance. The single state entries in the 0% to $<10\%$ range across years have consistently represented non-state entities; which entity varies year to year. Not achieving compliance appears to be an exception to the rule though, as the vast majority of states/entities have achieved compliance on Indicator B16 annually.

Table 1, drawn from APR data, illustrates that in FFY 2010, 39 states achieved full compliance, 47 reached substantial compliance, six performed below 95%, and seven had no activity or reported non-valid and reliable data.

Table 1

Number of States Achieving Substantial or Full Compliance on Indicator B16						
	05-06	06-07	07-08	08-09	09-10	10-11
100%	36	36	42	42	43	39
$\geq 95\%$ to $<100\%$	46	42	47	47	49	46
$<95\%$	10	13	9	8	8	6
No Activity or NVR Data	4	5	4	5	3	7

Indicator 16 Improvement Activities

Although state performance plans (SPP) and APRs often lack detail on how a state/entity approaches DR management, improvement activities associated with each indicator offer a glimpse into what states identify as current priorities. Many states have adopted OSEP's "Featured Improvement Activities" taxonomy and incorporated this into indicator-specific activity charts that specify planned activities, associated resources, proposed timelines, and anticipated outcomes.

For Indicator 16, as was the case in prior years, a number of states report having implemented updated policies and procedures regarding the use of extensions in complaint investigations – granting extensions in compliance with regulatory standards (i.e., in exceptional circumstances or when the parties opt to try mediation). While applying rigorous standards had the initial effect of decreasing on time report

completion (in 05-06 and 06-07), growth in the number of states completing investigations and reporting within timelines is evident in these data. It should be noted that APR data do not provide a fully accurate picture of the use of extended timelines because states inconsistently report their Indicator 16 calculations.⁹ For this reason, the current year's data are estimated, and updated after Section 618 data are available.

Another improvement activity that may be credited for the upward trend in timely complaint reporting is increased collaboration amongst complaint investigators, GSM staff, and leadership. Thirty-two states identified this as a priority, as well as cross-training staff to job-share in times of high demand and ensuring that staff are provided with the training and professional development necessary to provide effective technical assistance and training to the field.

Some states have gone an extra step in their SPPs/APRs, including DR activities other than those required by the IDEA. For example, a few states that promote or encourage strategies aimed at prevention or early resolution of conflicts have included details about these optional processes in their improvement activities, as those activities are considered essential parts of their DR system. Anecdotal evidence suggests that use of upstream, preventive strategies is linked to a reduction in the number of signed written complaints filed. However, there is no nationwide data collected to support or refute this.

Featured Elements of State Processes and Improvement Activities

Here (and in later parts of this chapter) are observations on improvement activities and process elements considered to be parts of effective DR systems, emphasized by some states in their FFY 2010 APRs. It is important to note that these are not endorsements of any particular approach. Several of these processes and activities were featured in the FFY 2009 and prior years' B16 Indicator analyses, suggesting that states are learning from and following in others' footsteps.

System Administration and Monitoring. Many states credited improved communications, coordination, and collaboration between complaints investigation staff, GSM staff, and leadership with ensuring that corrective action plans required by complaint reports were completed and closed within one year. This activity emphasizes the benefits of teamwork and shared knowledge. It may also bring to light unidentified statewide or regional technical assistance and training needs, provide opportunities to address stakeholder concerns and issues of noncompliance, and possibly reduce the number of complaints filed annually.

Training/Professional Development. Providing technical assistance, training, or professional development to agency staff (at the state and/or local level), families, and other stakeholders is a key element of effective DR systems. States that provided detail on training activities in their APRs held sessions at regular intervals throughout the year

⁹ The formula used to report Indicator B16 data is drawn from the Section 618 Table 7: [(1.1b reports within timelines + 1.1c reports within extended timelines)/1.1 complaints with reports issued x 100]. When states report only the sum of the digits in the parentheses, without providing detail on how many reports were issued within extended timelines, it complicates analysis on the use of extensions.

(the content/focus was based on current issues and needs), in addition to providing at least one annual professional development event for staff. Six states reported collaborating with parent centers to develop and provide statewide stakeholder training events, while five states began developing online stakeholder resources.

Integrated Database and Timeline Tracking. States that implemented integrated data and tracking systems reported that monthly and/or frequent report review meetings were helpful to ensure that timelines were addressed and reports issued in a timely manner. Often, these same states reported aligning improvements to their data and tracking systems with updates to their administration and monitoring systems, to maximize improvement activity outcomes. States that have corrected repeated timeline problems have invested in staff training emphasizing tracking (including “tickler” notices) and data accountability, and provided relevant feedback to staff (e.g., report reviews, performance evaluations).

Stakeholder Engagement and Public Awareness/Outreach. All 15 states that reported incorporating stakeholder engagement and public awareness/outreach activities in their improvement activities achieved substantial compliance on Indicator 16. These states underscored the importance of stakeholder involvement in the development of policies, procedures, guidance documents, and model forms, as well as discussion/review of reports, results, and processes.

Indicator 17: Hearings Held and Decisions Issued Within Timelines

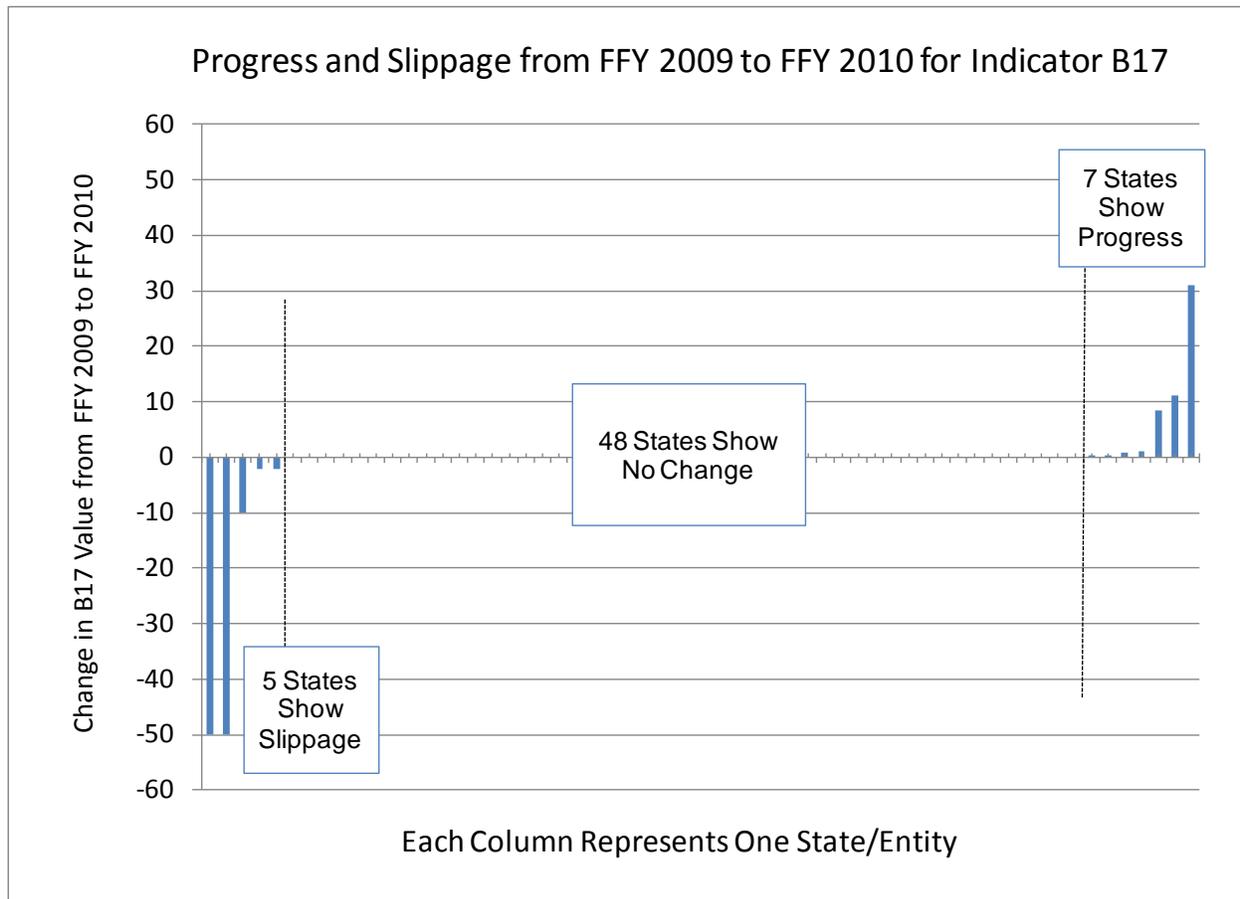
Indicator 17 is a compliance indicator with a performance target of 100%. This indicator measures whether due process hearing decisions were issued “within the 45 day timeline, or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.” States must meet this standard for all due process hearings held and decisions issued.

Thirty-nine states held due process hearings in FFY 2010. Of those, 29 met the 100% target and two achieved substantial compliance ($\geq 95\%$); one state was at 90%, and seven states failed to meet the target. Twenty-one states reported no due process hearings held.

Figure 4 is a display of the change in current performance on Indicator 17 from FFY 2009 to FFY 2010.

Indicator 17 Progress and Slippage

Figure 5



Between FFY 2009 and FFY 2010, seven states showed progress, five states showed slippage, and 48 showed no change. Of those states/entities showing no change, 26 reached the 100% target in both years, while the other 22 reported no due process complaint activity in one or both years.

States that attributed progress or improvement to particular strategies included the following in their explanations or activities charts:

- Provide technical assistance, training, and professional development opportunities to hearing officers, ALJs, and staff at the SEA and administrative hearing office, including focused training on hearing procedures, timelines, and legal issues (29 states).
- Improve systems administration and monitoring, including more frequent and/or effective communications between the SEA's due process coordinator and hearing officers or an administrative hearing office, which may be implemented through the use of agreements or memoranda of understanding (26 states).

- Improve data collection and reporting, timeline tracking, and interagency coordination between the SEA's due process complaint coordinator and the hearing officer or administrative hearing office (15 states).
- Clarify, examine, and/or develop policies and/or procedures related to internal and external due process complaint processes and requirements (10 states)
- Implement or improve evaluations/evaluation processes for the complaint filing and hearing process, hearing officer performance, and outcomes, including asking for feedback and guidance on timelines (10 states).

Very few states offered explanations for slippage (or failure to reach compliance); the most common reason was hearing officer/ALJ performance, followed by clerical errors related to procedural changes. Several states commented that they were in the process of implementing changes to their hearing officer/ALJ evaluation systems. A moderate activity state that experienced significant slippage in FFY 2009 made progress in FFY 2010 albeit without achieving substantial compliance; the state moved from a performance rate of 27% last year to 58% this year.

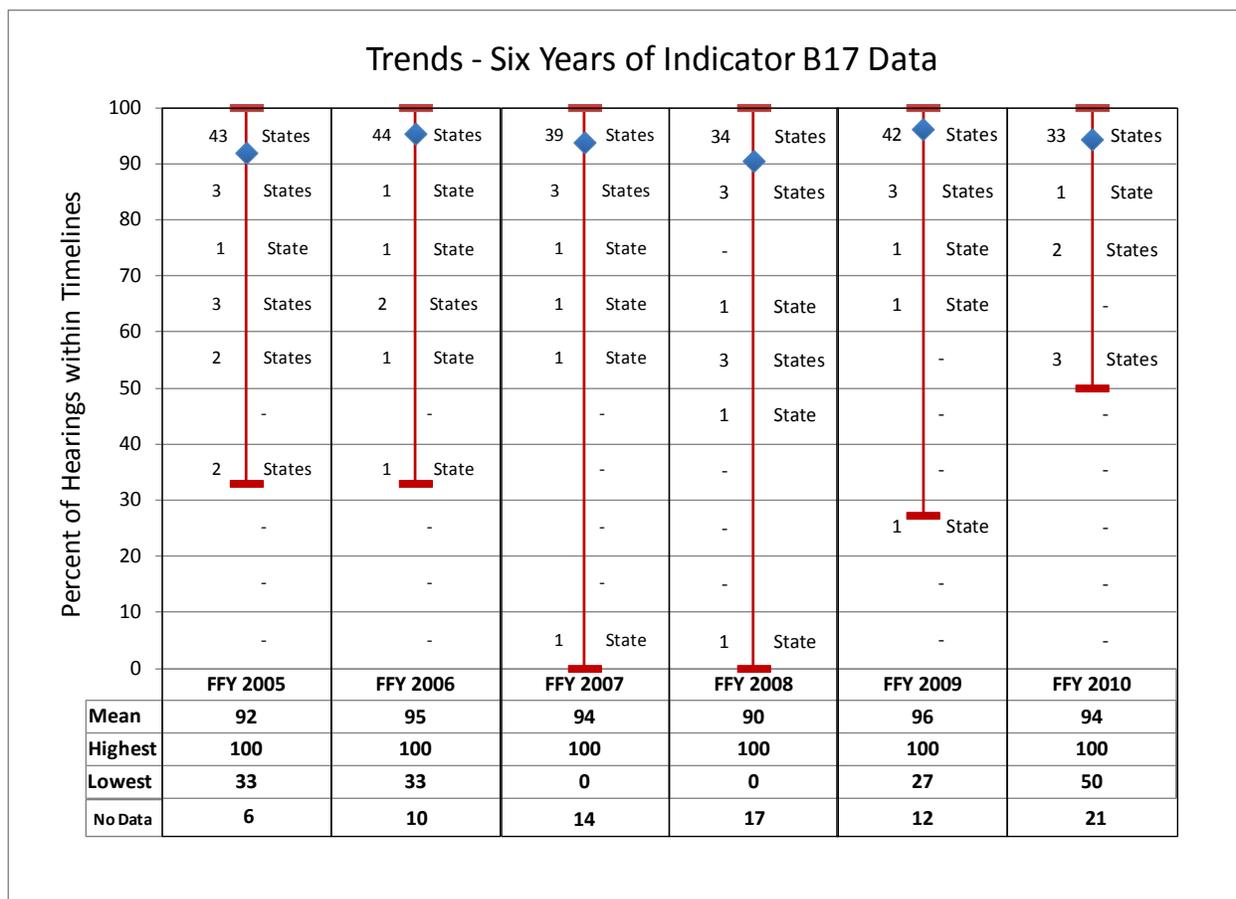
Of the five states that showed slippage in FFY 2010, only two showed significant drops in performance compared to FFY 2009. Those two states, mentioned earlier, had low levels of activity, and in each, half of the decisions (three of six) were issued late. Had those decisions been issued on time, both states would have achieved 100% compliance. Another relatively low-activity state that experienced slippage (from 100% in FFY 2008 to 80% in 2009 and 78% in 2010) linked the issue to a “problem hearing officer” who was removed from service after issuing two late decisions. There is no question that for states with relatively low activity levels, the timeliness of every decision affects their performance rate.

There also appears to be a relationship between the number of hearings that a state holds and the percentage of decisions issued on time. A comparison of performance rates and state activity levels suggests that it is more difficult for higher activity states/entities to ensure that all decisions are issued within the timelines. So, systems with moderate to high levels of due process activity are less likely to achieve 100% compliance. While this is an evidence-based observation (see Table 2), it is by no means a rule. Two of the states that held 100 or more hearings in FFY 2010 achieved between 95% and 100% on Indicator 17, suggesting that even systems with high levels of activity can achieve substantial compliance.

Table 2

Hearings Held	FFY 2009		FFY 2010	
	# of States	% Not Compliant	# States	% Not Compliant
None	12	N/A	10	N/A
1-3	22	5%	19	5%
4-19	16	25%	23	22%
20-99	7	29%	4	25%
>100	3	100%	4	75%

Figure 6

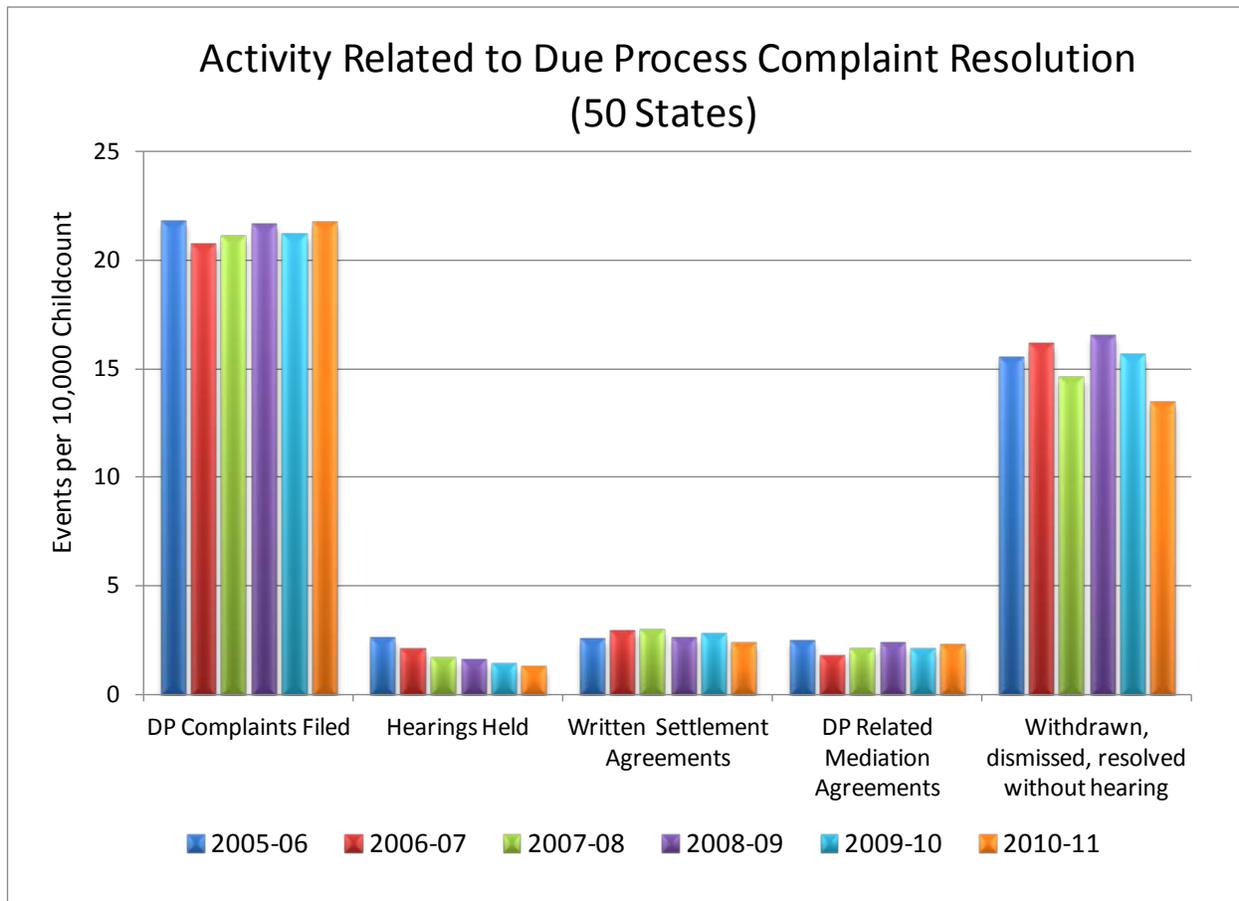


Note: "No data" indicates the number of states/entities reporting no activity or lacking valid/reliable data.

The bands in Figure 6 reflect state performance on Indicator B17 over a six year period. In FFY 2010, of the 39 states that reported due process hearing activity, 33 states were in the 90% to 100% range. Thirty-two of those states were at or above 95%, with 31 achieving the 100% target. Only six states fell below 90%, supporting the overall trend toward compliance.

Figure 7 displays data that is not available through the APR – the average national rate of due process hearings per 10,000 special education childcount. These data are drawn from the Section 618 Table 7 reports and from earlier APRs.

Figure 7



The rate of due process complaints filed over the six year period from FFY 2005 to FFY 2010 has remained relatively constant, while the number of hearings held has decreased. In light of the low number of hearings, it is of interest what became of the balance of the due process complaints filed. About one-fifth of complaints filed are reported as pending at the end of the fiscal year; more than half are reported as resolved without a hearing, dismissed, or withdrawn. For these no-hearing-held cases, there is limited data to determine final outcomes, such as whether a case was settled by the parties outside the resolution meeting or a mediation session.

Indicator 17 Improvement Activities

As earlier discussed, SPPs and APRs often lack detail on state approaches to DR management, so improvement activities associated with each indicator can be helpful to identify state/entity priorities. For Indicator 17, as was the case with Indicator 16, a number of states reported implementing new policies and procedures for due process complaints. Fourteen states/entities reported working with technical assistance centers on their improvement activities.

Featured Elements of State Processes and Improvement Activities

Technical Assistance, Training, and Professional Development. The most common improvement activities reported in FFY 2010 related to technical assistance, training, and professional development activities for hearing officers/ALJs and agency staff. States highlighted annual trainings that focused on hearing procedures, timeline management, appropriate extensions, and legal updates covering national, regional, and state-specific content, in addition to technical assistance sessions/meetings that occurred more frequently (i.e., quarterly, or in response to performance issues).

Of note is the spectrum of professional development and training opportunities that different states provide, and the amount of continuing education required for hearing officers/ALJs. Several states reported that hearing officers/ALJs must participate in a minimum of 24 hours of real-time training annually, while other states provide practitioners with subscription-based services that are available anytime but do not feature an in-person instruction component. Although not specifically expressed in their APRs, it appears that at least a few states experienced a budget adjustment in the amount of funds available for professional development and training. One state in particular stated in FFY 2009 that hearing officers were provided with eight days of training; yet in FFY 2010 that same state reported a \$400 training allowance per hearing officer.

Timeline Tracking and Case Docketing Database. Many states have implemented or updated due process complaint data systems similar to (or the same as) those used to track and monitor Indicator 16 data. For due process complaints, some states reported that their systems have a docketing function, which may be helpful in ensuring that timelines are met.¹⁰ Disaggregation of data from these systems is crucial to monitoring, evaluation, training, and technical assistance.

System Administration and Monitoring (and Evaluation). While ten states reported using hearing officer evaluation systems to track timeline compliance and overall performance, these systems are especially common in higher activity states/entities where due process complaints are managed by an office of administrative hearings. In such states, the supervision and evaluation systems are often based on collaborative agreements between the SEA and the hearing office. One state that did not achieve substantial compliance in FFY 2009 but did meet the target in FFY 2010 attributed their progress to both the use of new due process database tracking reports and an increase in hearing officer monitoring by the consultant that oversees the hearing and mediation system. Several states reported removing from service or initiating misconduct proceedings against hearing officers/ALJs that failed to improve or demonstrated incompetence.

Early DR Options and Conflict Management. Eleven states attributed the reduction of due process complaints filed and the increase in complaints resolved without a hearing to the implementation of early DR options and conflict management processes. Some examples of these include facilitated IEP meetings, parent hotlines (SEA or

¹⁰ Docketing involves scheduling and tracking the various elements of a due process complaint, from the resolution process through issuance of the decision, and may include “ticklers” that advise the hearing officer/ALJ and the parties of critical points in the process.

parent center operated), parent-educator training on working together collaboratively, and the use of an ombudsperson office.

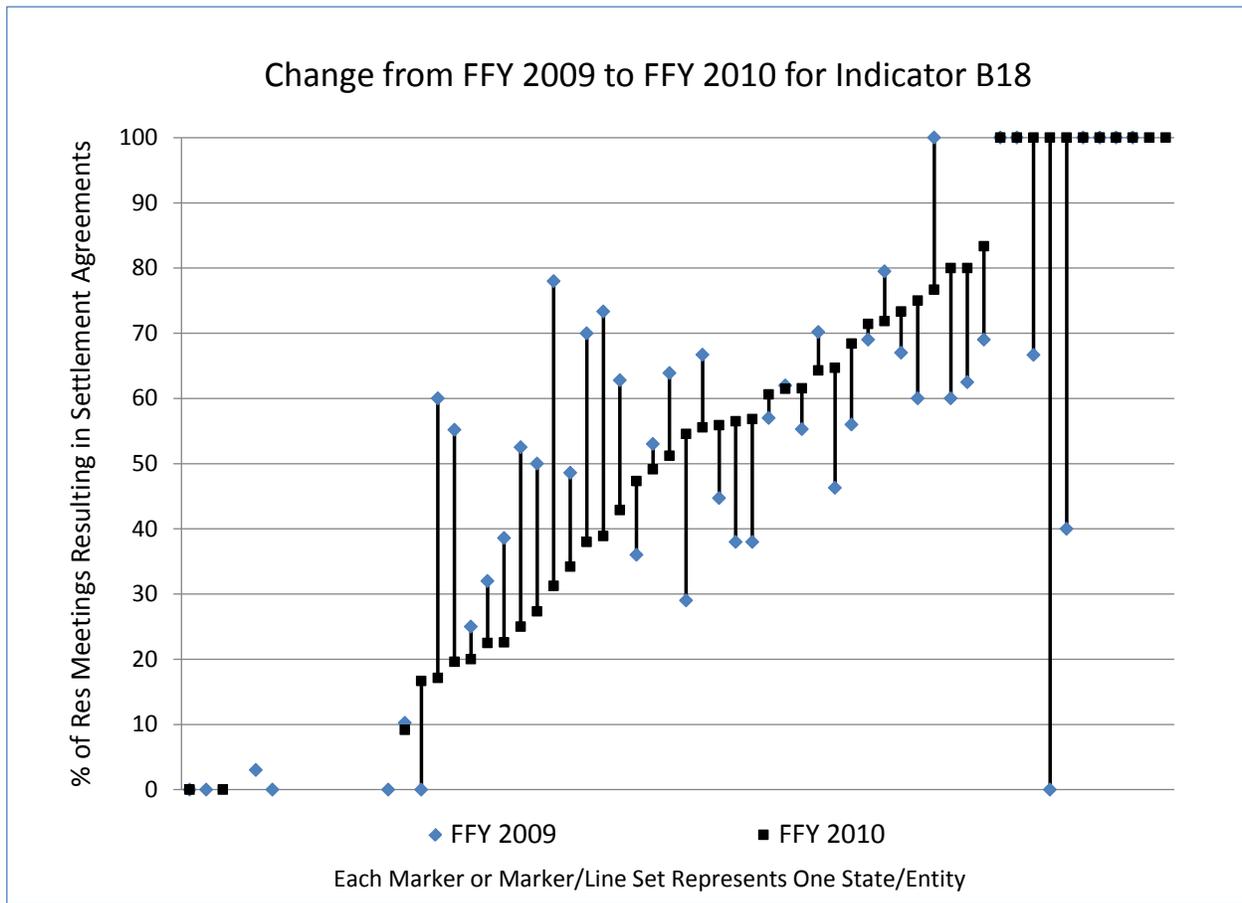
Indicator 18: Resolution Meetings Resulting in Written Settlement Agreements

Indicator 18 is considered a performance indicator that documents the number of resolution meetings resulting in written settlement agreements. For performance indicators, states/entities set targets, or goals, in their SPPs. States are not required to set a target or report current performance if they hold fewer than ten resolution meetings in a single year; although, some states/entities with low activity levels choose to report data on this indicator.

For the second year in a row, 49 states/entities reported Indicator 18 data in their APRs. In FFY 2010, 9,577 resolution meetings were held, resulting in 2,254 written settlement agreements, for a national agreement rate of 23.5%. In FFY 2009, 9,805 meetings were held and 2,975 agreements written, for a national agreement rate of 30.3%. Between the two years, the national performance rate for written settlement agreements declined by nearly 7%.

Figure 8 shows the change in state performance on Indicator B18 from FFY 2009 to FFY 2010, and reflects a key difference in activity between the two years.

Figure 8



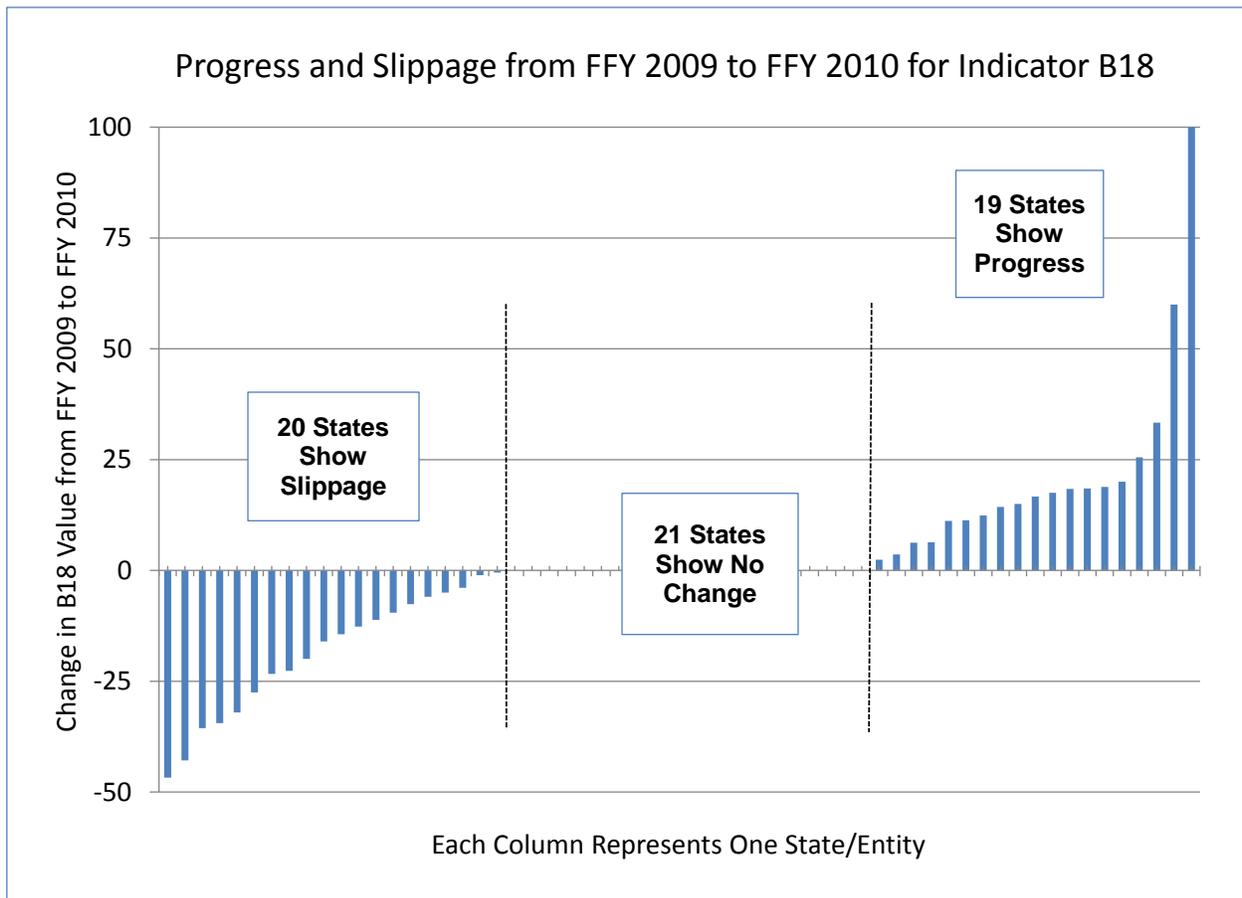
The drop in state performance was not due to the disproportionate impact of a very active state with low agreement rates (as was the case in FFY 2009); rather, a greater number of states experienced lower rates of agreement during FFY 2010.

In FFY 2010, seventeen states saw an increase in the percentage of resolution meetings resulting in written settlement agreements, while the same number of states/entities saw a decrease of more than a few percentage points. Of the 11 states that reported 100% performance during FFY 2010, only one held more than ten resolution meetings (which also happened to be a first for the state). That state reported 17 resolution meetings and agreements. The rest of the states at 100% were all low activity states that reported six or fewer resolution meetings with agreements.

Indicator 18 Progress and Slippage

As demonstrated in Figure 9, 20 states showed slippage during FFY 2010, 21 showed no change, and 19 showed progress.

Figure 9



Fewer than half of states provided an explanation for their progress/slippage on Indicator 18. Most do not attribute their performance to any particular improvement activities but just state that the rate of performance went up or down.

Regardless of whether a state offered explanations for progress or slippage, the most common remark was that Indicator 18 does not account for all of the written settlement agreements that parties to due process complaints may create, particularly those occurring outside the due process resolution meeting. Several states reported that data collected for state use shows most parties settling prior to hearing, even though current performance on Indicator 18 may not reflect this. One state gave the example of parties crafting a settlement agreement after the resolution meeting but prior to the end of the resolution period – the resolution meeting would be reported as having occurred but their agreement is not, since it was finalized outside the resolution meeting. The number of due process complaints resolved this way seems significant, given the number of complaints reported as withdrawn or dismissed (including resolved without a hearing). For example, in FFY 2009, 70.5% of requests were reported as resolved without a hearing. The ultimate outcome of such cases (the reason for withdrawal) cannot be determined from APR or Section 618 data.

States with higher performance rates also noted:

- A facilitator was available to assist with communications during the resolution meeting, at no charge to the parties.
- Mediation was offered at the time a due process complaint was received.
- Training on resolution meetings and the resolution process was provided to educators and parents/families, including the benefits of collaboration and resolution of issues by the parties, as opposed to a decision issued by a hearing officer.
- Resolution periods, meetings, and settlement agreements were actively tracked, monitored, and reviewed by the SEA to ensure that LEAs were implementing the resolution process; corrective action plans were ordered for LEAs that were not meeting the requirements.
- Resolution meeting and agreement data were reviewed, and system improvements were implemented accordingly.

Some states with lower performance rates noted the following:

- Resolution meeting outcomes depend upon the parties involved and the level of complexities at issue (Note: This reason was also cited by states with higher performance).
- Although fewer due process complaints are being filed, a higher percentage of those are going to hearing, suggesting that the issues in dispute are more complex, and it is more difficult for parties to resolve disputes on their own.
- Financial constraints/budget issues – districts' hesitation to agree to settlements that would result in additional costs.

Indicator 18 Trends

The national agreement rate discussed earlier (23.5% in FFY 2010) represents a sharp decline from last year (30.3% in FFY 2009), and that difference becomes more

significant when activity levels are also taken into account. As Table 3 shows, states holding more resolution meetings generally report lower rates of agreement.

Table 3

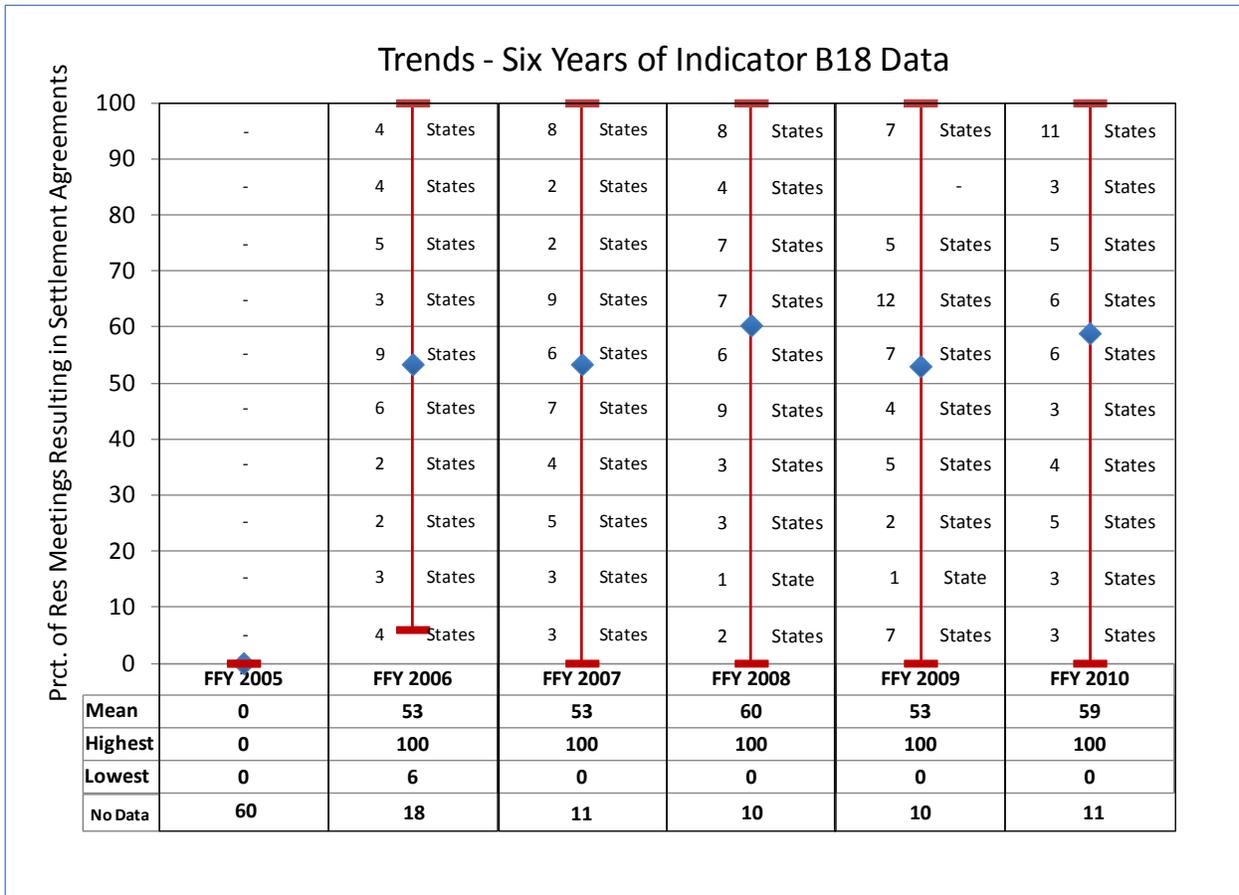
Indicator B18 Activity and Performance Rate in FFY 2010

# of Resolution Meetings Reported	<10	10-29	30-49	50-100	100-1000	>1000
# States Reporting	18	13	8	10	5	2
Performance Rate >50%	15	5	6	4	2	0

For example, only six of the 17 states (less than one-third) that held 50 or more resolution meetings reported a performance rate above 50%, while 26 of the 39 states (two-thirds) holding less than 50 resolution meetings reported rates above 50%. This also relates to the earlier discussion of written settlement agreements and due process complaints reported as withdrawn or dismissed (including resolved without a hearing). A resolution meeting that took place would likely be counted; however, an agreement begun at a meeting and completed at a later time would not necessarily be counted as an Indicator 18 written settlement agreement.

Figure 10 reflects state performance on Indicator 18 over a six year period. Of note is that over the years, the percentage of resolution meetings resulting in settlement agreements has been relatively flat, never rising above a mean of 60% (FFY 2008), despite states' reporting various improvement activities. In FFY 2010, the mean was 59%.

Figure 10



Note: "No data" indicates the number of states/entities reporting no activity or lacking valid/reliable data.

Indicator 18 Improvement Activities

It is difficult to determine which activities contribute significantly to improved performance on Indicator 18, as those listed by higher performing states are representative of a relatively small number of the total resolution meetings held in FFY 2010. The 11 states performing at 100% account for only 46 of the 9,577 meetings and 2,254 agreements, while only 15 of the 25 states/entities performing above the mean referenced improvement activities in their APRs. Some of those improvement activities were mentioned above, in the explanations for progress; following is a list of activities featured by states/entities in past years, and again this year.

Featured Elements of State Processes and Improvement Activities

Improved Data Collection & Monitoring. Over the years, a number of states have reported updates and improvements to their data systems, allowing them to collect and report more detailed data on due process resolution meetings, monitor LEA compliance, and track outcomes, including incorporating participants' evaluations of the process. Some aspects of monitoring that states now include:

- Providing immediate notification of the resolution process requirements to both parties at the time a due process complaint is received/filed.
- Checking with the LEA to ensure that the resolution process is implemented.
- Documentation of whether a written settlement agreement was reached, and at what point in the process.

Resolution Meeting Facilitation (Early DR and Conflict Management). A few states reported that they offer parties a facilitator to assist with communications during the resolution meeting, or period, at no charge to either party. While having the assistance of an impartial third-party does not guarantee that parties will create a settlement agreement, the use of a facilitator may improve the flow of communications between parties and their ability to work together.

Technical Assistance, Training, and Professional Development. As with Indicator 17, states reported providing technical assistance on the resolution process requirements to a broad range of stakeholders in FFY 2010. In addition to training and professional development activities for LEA staff and hearing officers/ALJs, states highlighted annual trainings offered to parent and advocacy groups that emphasized ways in which parties to a due process could use the resolution period to work together on creating agreement, and to avoid the irreparable relationship damage that often results from going through a hearing. States also reported making available updated public awareness and outreach materials to encourage schools and families to work together on resolving disagreements as early as possible, less adversarially and more cooperatively, to build strong relationships that lead to better outcomes for students.

Indicator 19: Mediations Resulting in Written Agreements

Indicator 19 documents the percentage of mediation sessions resulting in written agreements, and is considered a performance indicator. Like Indicator 18, states are not required to set a target in their APR or report current performance if there are fewer than ten events to report in a single year. Some states/entities choose to set targets and report data on this indicator even though their total number of mediations is less than ten annually.

Figure 11 shows that from FFY 2009 to FFY 2010, the total number of mediations held and agreements reached increased. Although a few states/entities improved slightly or lost some ground with regard to their performance, 34 states met their performance targets in FFY 2010. Most states are clustered in the 60% to 90% range of mediations resulting in settlement agreements.

Figure 11

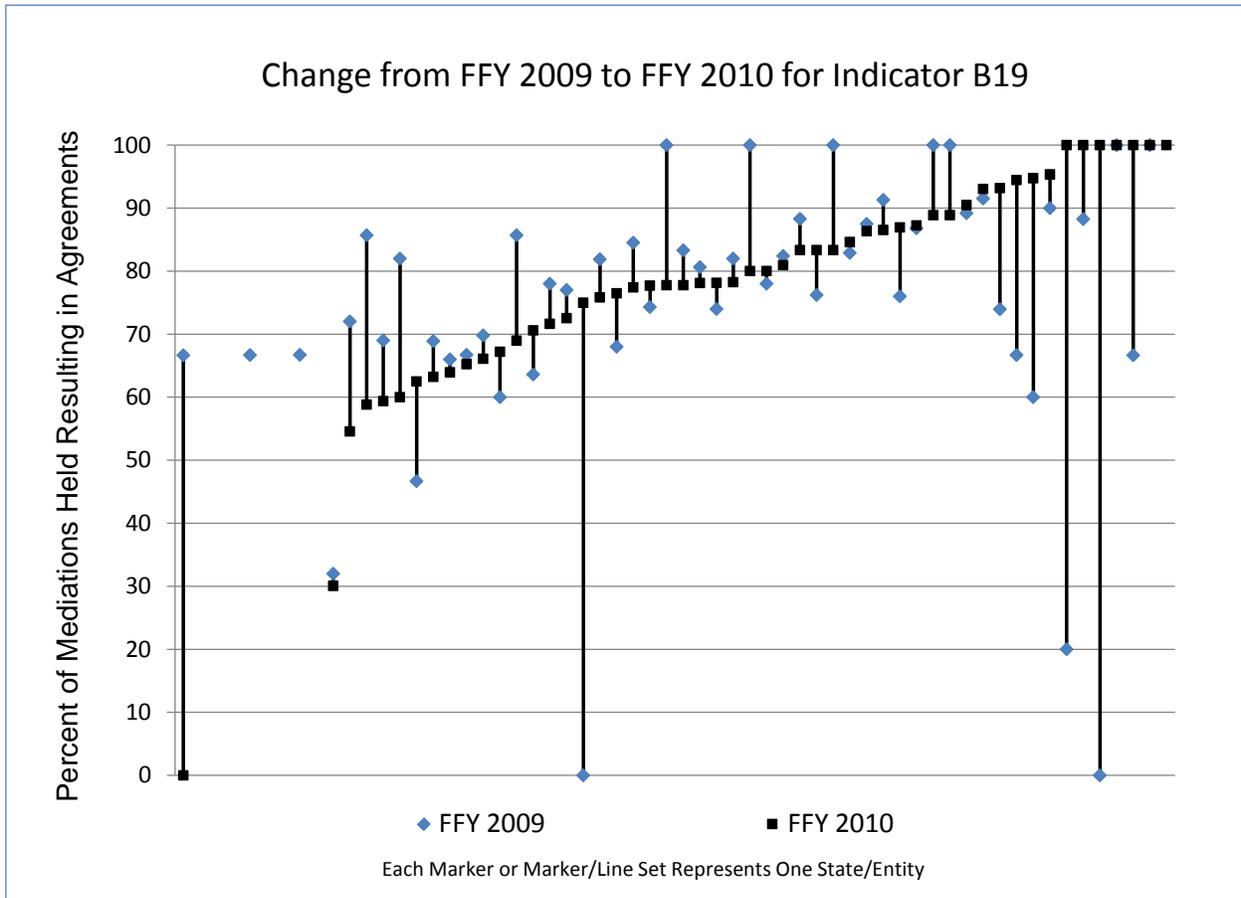
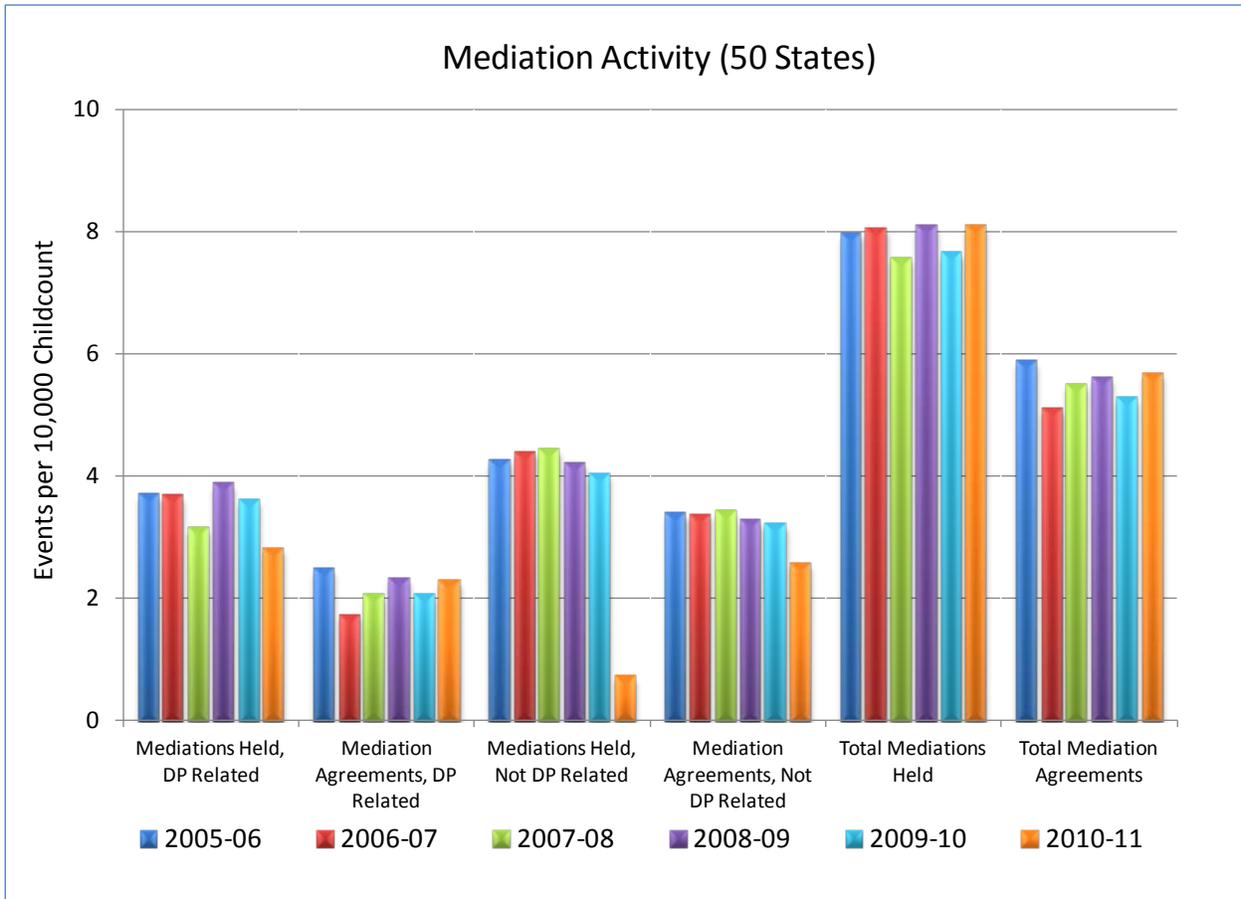


Figure 12 displays the rate of mediation activity for the 50 States, based on special education childcount.¹¹ Overall, the rate of performance on Indicator 19 during the past six years has been remarkably stable, with the exception of a dip in FFY 2010 in the rate of mediations held and agreements not related to due process. This may be attributable to a discrepancy between the data on the number of mediations and mediation agreements reported in the APRs and states' Section 618 Table 7 reports. Because states do not consistently follow OSEP guidance regarding the formula for calculating mediation agreement rate, the data for the number of mediations that either were or were not related to due process is incomplete for FFY 2010.¹²

¹¹ Not including the District of Columbia and other Part B grant recipients.

¹² The formula used to report Indicator C19 data is drawn from the Section 618 Table 7: $[(2.1.a.i \text{ mediation agreements related to due process complaints} + 2.1.b.i \text{ mediation agreements not related to due process complaints}) / 2.1 \text{ mediations held} \times 100]$. When states report only the sum of the digits in the parentheses, providing no detail on the number of agreements related to due process (or not), it complicates the analysis of mediation settlement rates.

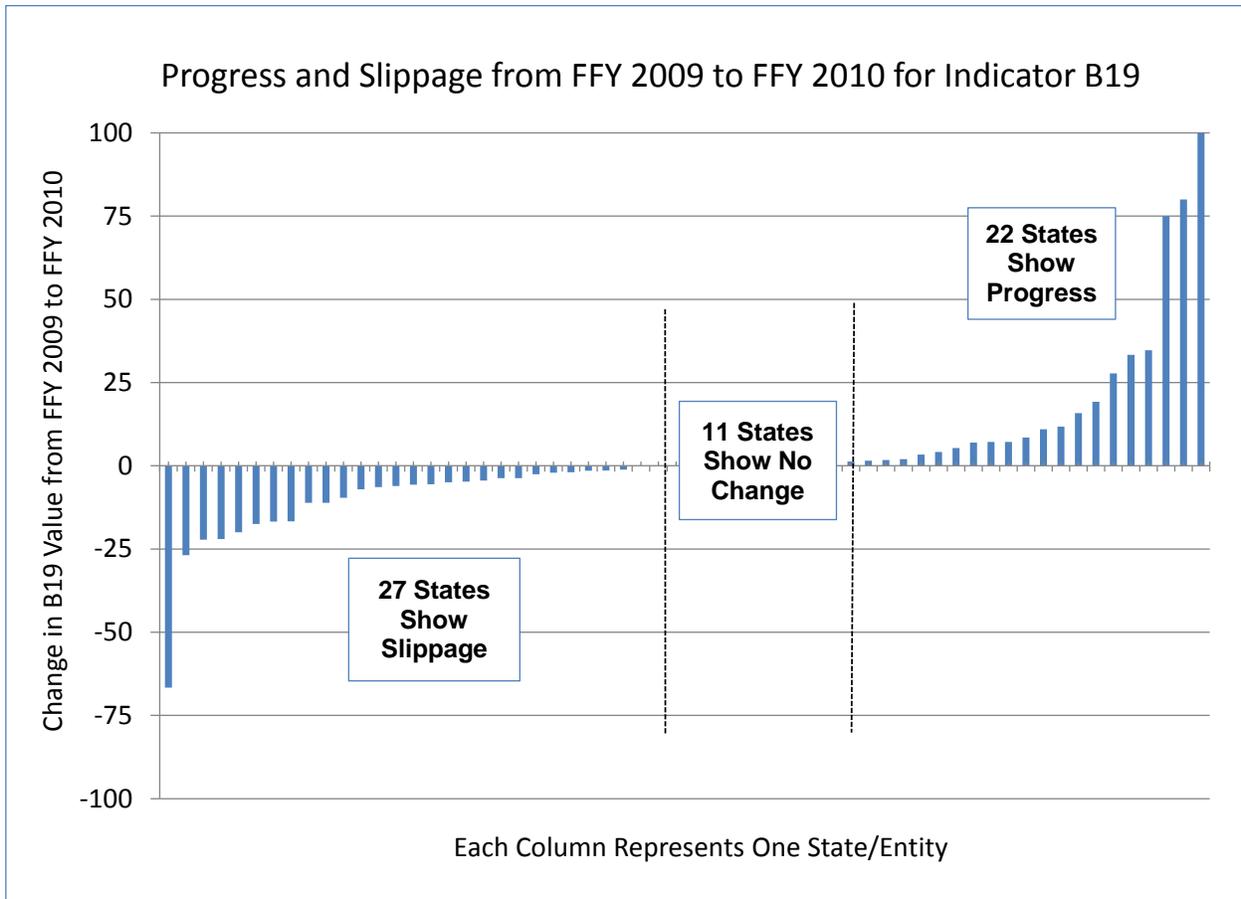
Figure 12



Indicator 19 Progress and Slippage

As demonstrated in Figure 13, 22 states reported progress on Indicator B19 from FFY 2009 to FFY 2010, 27 states experienced slippage, and 11 states showed no change.

Figure 13

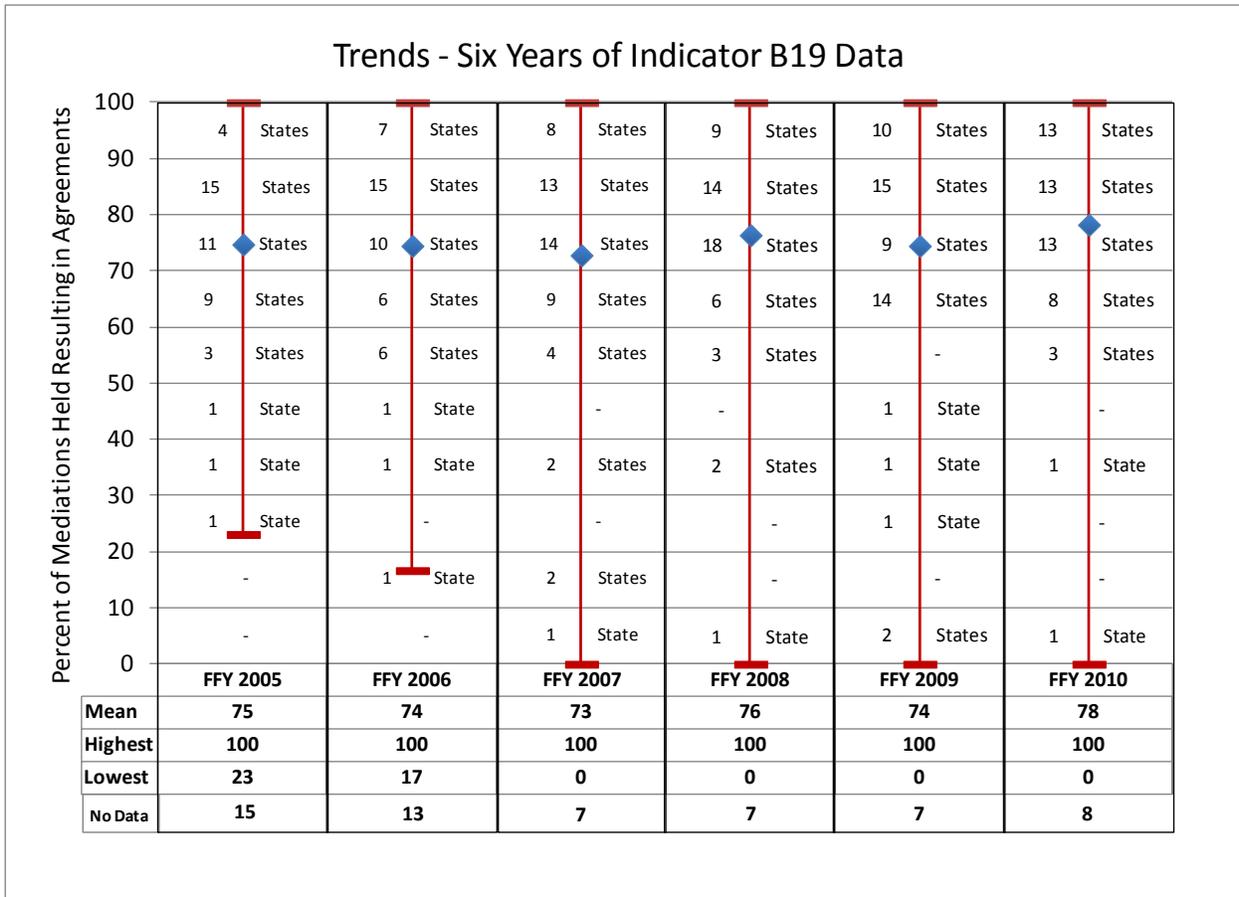


The reasons for progress and slippage in mediation rates are similar to those for resolution meeting agreements (Indicator 18). Increased use of early DR options was offered by states as both an explanation for progress (creates a culture of agreement) and slippage (hard cases are now going to mediation after early resolution efforts solve the easy ones). States continue to report that providing technical assistance and training opportunities for parent-school collaboration has encouraged participants to use mediation to reach agreement, while the increased availability of collaborative processes, such as IEP facilitation, has decreased demand for mediation in some places.

Indicator 19 Trends

The performance bands in Figure 14 display states' performance on the percentage of mediations resulting in agreements across the last six years. In FY 2010, 26 states performed between 80% and 100%, including 13 that performed at or above 90% – the highest number of states ever to perform in that range. Also worth noting is the mediation agreement rate – it remains steady, averaging 75% across the six years. Only seven or eight states/entities report having held no mediations in the past four years.

Figure 14



Note: "No data" indicates the number of states/entities reporting no activity or lacking valid/reliable data.

Indicator 19 Improvement Activities

The most frequently identified basis for achieving high mediation agreement rates was the presence of highly trained and experienced mediators. Additionally, states with high-performing mediation systems credit their performance to stakeholder collaboration and training, public awareness and outreach on the availability of early DR options, and implementation or improvement of data collection/reporting and evaluation systems.

Featured Elements of State Processes and Improvement Activities

Technical Assistance, Training, and Professional Development. Many states emphasized their requirements for mediator experience, training, and preparation of mediators (several require 20 or more hours of annual training and professional development). A few states reported increased frequency of communications with their mediators on hot topics and provision of technical assistance on complex issues, helping practitioners meet parties' needs. States also are increasingly using online resources and tutorials to provide practitioners with training opportunities.

Stakeholder Engagement. Many mediation systems include stakeholder involvement and parent-professional participation in their design and operation, and emphasized the development of ongoing joint training efforts with parent centers and other stakeholder groups in their APRs. Some states reported working with stakeholders on multi-year action plans relating to early DR options, like IEP facilitation and online resources for approaches to conflict management.

Internal and External Evaluation of Processes and Outcomes. States reported using information drawn from participant satisfaction surveys, process evaluations, and practitioner feedback to determine overall efficacy of their mediation systems and which areas needed adjustment. Several states noted that the return rate for mediation evaluations increased with the use of online surveys. Another state referenced sending parties an additional survey 60 days following their mediation, to determine the degree to which any agreement(s) crafted during mediation sessions were implemented.

CONCLUSIONS

State DR systems appear to be working well, especially in states with the leadership and capacity to support effective state administration and monitoring of dispute resolution options, implement early DR options and conflict management approaches, offer substantial and effective training, engage and involve stakeholders, and perform ongoing systematic evaluation and improvement. Policies, procedures, and practices across the country and among grant recipients have been updated, and systems are generally performing more consistently and successfully.

Active systems may face challenges in managing the high volume of requests and complaints they receive annually but many of these states/entities are reaching their targets and goals. Meanwhile, systems with lower levels of activity face very different challenges, such as being prepared when several due process or signed written complaints arrive at once, or a key staff person goes on leave. Additionally, in states with smaller populations and tight-knit communities, the idea of filing a formal complaint is not considered an option, so the need for more informal ways of managing conflict and less adversarial DR options are high priority.

RECOMMENDATIONS

CADRE has identified the following attributes commonly found in effective DR systems. While some of these have been featured in this chapter in relation to specific improvement activities, a more complete list is provided here:

Oversight Guided by a Clear and Integrated Vision of the DR System

- Management structure that includes a specific individual or group having responsibility and authority for coordination and performance of the system.
- Reliable financial and personnel resources adequate to support all system components.
- Transparency in the design, implementation, performance and evaluation of the system.

- Use of evaluation data to guide continuing system improvement efforts.
- Active and meaningful engagement of a broadly representative group of system stakeholders in planning, promotion, evaluation and improvement activities.

A Continuum of DR Options and Practices

- Preventative or upstream DR approaches that offer alternatives to due process and formal complaint procedures.
- A single point of entry for families, including personal assistance to provide information, help identify and resolve issues, or suggest an appropriate DR option.
- Educational materials comparing DR procedures and describing how to prepare for and use them effectively.
- Information and training in collaborative strategies, including dispute prevention skills, available to educators and parents.

Standards, Training, and Technical Assistance

- Relevant experience, education, and training requirements for personnel in the DR system.
- Clearly articulated standards and guidance for performance, practice, and expected results for all personnel.
- Continuing education and professional development opportunities that respond to identified DR training needs.
- Technical assistance at the state and local level that leads to improved performance in specific activities and in overall system functioning.

Public Awareness, Outreach, and Stakeholder Involvement

- Collaboration between SEA and stakeholder organizations (i.e., PTIs and CPRCs) to develop resources and ensure availability and distribution to the widest audience possible.
- Publicly available, accessible resources and materials outlining DR system options and processes.
- A wide range of outreach activities and methods of information dissemination including web, print, television/radio, and in-person presentations in multiple languages.
- Continual recruitment of new stakeholders.
- Activities to keep experienced participants engaged and appeal to individuals who are new to special education.

Collection, Analysis, and Reporting of Evaluation Data for Continuous Quality Improvement

- Standards that incorporate benchmarks and assess against best practices.
- Mechanisms for data collection and tracking that provide systematic information about individual DR practices and practitioners, as well as the performance of the system as a whole.
- Procedures for assessing how well the standards, personnel guidance, training and technical assistance are achieving the organizational mission.

CADRE prepared this summary and analysis. CADRE provides state education agencies (SEAs) technical assistance by means of an integrated and systemic approach, assisting states to develop, maintain, and increase performance of their required DR systems, as well as early dispute resolution options and conflict management approaches. When families, students, and schools resolve disagreements through less adversarial, more cooperative means, stronger relationships and better student outcomes generally result.

INDICATOR B20: TIMELY AND ACCURATE DATA

Prepared by DAC

INTRODUCTION

Indicator 20 measures the timeliness and accuracy of state-reported data (618 and SPP/APR-616). The data source for this indicator is state selected and includes data from the state data system as well as monitoring systems. States must meet a target of 100%. Measurement of this indicator is defined in the SPP/APR requirements as:

State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

The data source and measurement in the measurement table requires states to—

Use State-reported data, including 618 data and Annual Performance Reports (APRs), are: (a) Submitted on or before due dates (February 1 for child count, including race and ethnicity, and placement, May 1 for MOE/CEIS, November 1 for exiting, discipline, personnel, and dispute resolution, December 15 for assessment, and February 1 for the APR); and (b) Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

OSEP has developed a rubric to measure the timeliness and accuracy of 616 and 618 data submitted by states. Use of this rubric was not voluntary for FFY 2010 APR submissions.

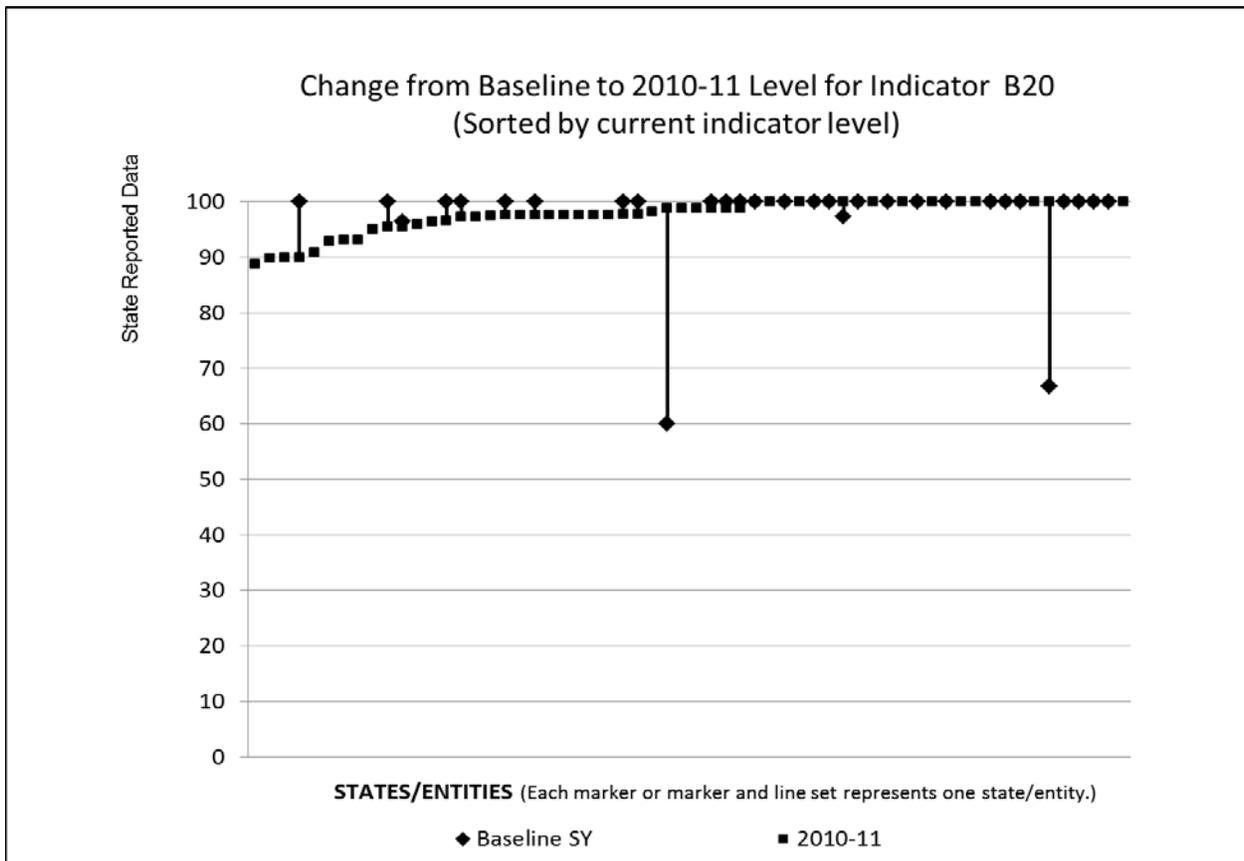
The Data Accountability Center (DAC) reviewed a total of 60 FFY 2010 APRs. These included the 50 states, the District of Columbia, the territories, and the Bureau of Indian Education (BIE). (For this discussion, all of these will be referred to as states, unless otherwise noted.) Analysis of the actual target data as reported by states indicates:

- Twenty-six (43%) states reported that their data were 100% accurate.
- Thirty-four (57%) states reported accuracy other than 100%.
- Of these 34 states, 33 reported a percentage between 90 and 99%.

See Figure 1 below.

The remainder of this analysis focuses on three elements: (1) states' descriptions of progress and/or slippage, (2) descriptions of how states ensured timely and accurate data, and (3) states' improvement activities.

Figure 1



PROGRESS OR SLIPPAGE

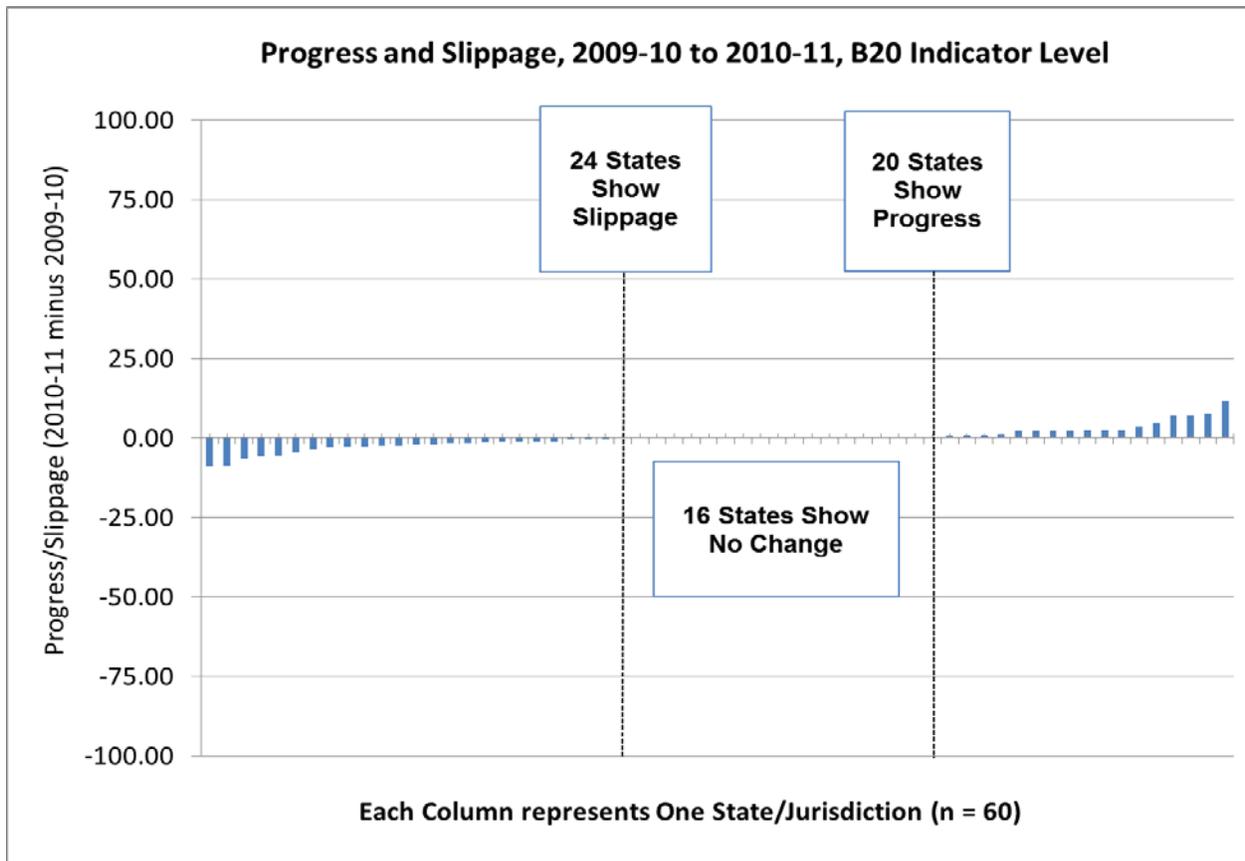
Twenty states (33%) reported progress; 24 states (40%) reported slippage, while 16 states showed no change (27%) (see Figure 2).

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

- receiving targeted technical assistance from OSEP-funded technical assistance providers (i.e., DAC and RRCs);
- providing training to local districts; and
- improving data submissions to *EDFacts*.

States reported that using OSEP-funded technical assistance providers and training local districts around the 618 data reporting requirements, including *EDFacts*, would lead to continued progress. States reported that training districts allowed the SEA to receive more accurate data.

Figure 2



States attributed slippage to:

- new data collection requirements and timelines. States had trouble submitting the 618 tables in a timely and accurate manner. This was mainly because the data for the new components came from other state agencies, and/or the districts were not keeping accurate records (especially new Table 8 data collection and new assessment due date);
- specific districts in the state;
- difficulties with the ED *Facts* file specifications;
- loss of personnel; and
- implementation of new data systems

DESCRIPTION OF METHODS OF ENSURING TIMELY AND ACCURATE DATA

The majority of states, 46 (77%), provided some description of how they ensured that their data were timely and accurate. This is a slight increase from FFY 2009, which had 75% of states providing a description on how they ensured that their data were timely and accurate. Many states relied on data systems to provide timely and accurate data. Seventeen states (28%) had built-in edit checks and validations to ensure that the data were valid. This is the same number of states that reported using edit checks in FFY 2009. More states, 38 (63%) for FFY 2010, relied on technical assistance to help

ensure timely and accurate data. Some states also used onsite monitoring, database manuals, and review of the data by state- and district-level personnel.

IMPROVEMENT ACTIVITIES

One of the requirements of this indicator is the implementation of improvement activities that will increase compliance. All 60 states and territories reported improvement activities in their FFY 2010 APR. Updating or establishing new data systems was the most widely reported activity, while increasing/adjusting FTE was the least reported. The most frequent improvement activities were improving data collection and/or reporting (60%), providing technical assistance or training or professional development (58%), and collaboration (17%).

Most states reported improving the data collection or reporting practices as an improvement activity. Many states that used this improvement activity were using their database to help with the technical assistance being provided. Fifty-five states (92%) were creating or revising reports that LEAs could access monthly or quarterly. Thirty-four states (57%) reported that they held monthly or quarterly trainings to inform the providers of the required data collection elements.

TECHNICAL ASSISTANCE PROVIDED TO STATES

DAC reviewed technical assistance logs and records to determine the number of states receiving specific levels of technical assistance from DAC in FFY 2010. The levels of technical assistance listed below are defined by DAC and are not precisely aligned to those in the OSEP draft Conceptual Model. The percentages of states that received technical assistance from DAC related to this indicator are reflected using the following three codes:

- A. National/regional technical assistance—100%
- B. Individual state technical assistance—52% and
- C. Customized technical assistance—10%

During FFY 2010, DAC provided national technical assistance support to all states through www.IDEAdata.org. DAC provided individual technical assistance primarily through email and telephone contact based on individual state requests. DAC also provided customized technical assistance to several states specifically related to this indicator.

Eleven states (18%) also reported receiving technical assistance from the RRCP, which helped the state make progress or meet the target. Thirteen states (22%) reported receiving technical assistance from DAC, which helped them make progress or meet the target.

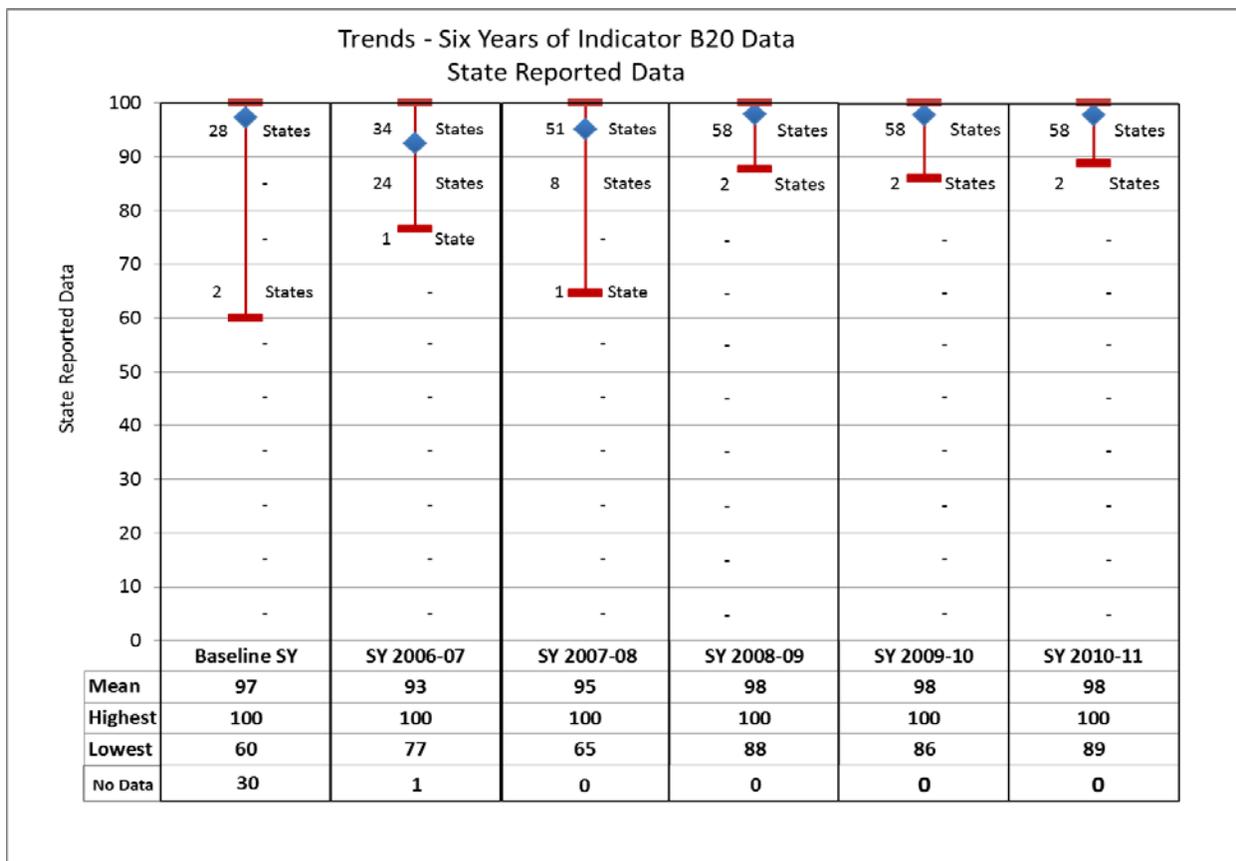
OBSERVATIONS AND CONCLUSIONS

It is important to note that certain problems came up when trying to analyze these data. Most states did not attribute their progress or slippage to any cause. A few states did

not specify which activities they considered their improvement activities in this SPP/APR and/or activities to ensure data are timely and accurate. In addition, many states did not specify whether their activities for ensuring quality data were used for 618 and/or 616 data.

Based on this analysis, states seem to have a better understanding of the requirements for Indicator 20. In FFY 2006, the mean percentage reported was 93, with the lowest being 77%. This has increased to between 98% and 88% for FFY 2010 (see Figure 3 below).

Figure 3



Additionally, and perhaps more importantly, most states reported improved data collection methods. This was clear from the number of states that had either updated or implemented a new data system. States are also accessing the technical assistance centers more often for assistance with the data collections.

A final observation is that many more states are beginning to use technical assistance and training activities on the district level. They are providing assistance to districts on how to provide valid and reliable data. They are also assisting the districts in analyzing their own data. This has seemed to be more important with the FFY 2010 data, which was the year the Table 8 data collection was introduced and a change in the due date for assessment reporting was required.