



Office of the



State Superintendent of Education

**U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)
PART B SPECIAL CONDITIONS
PROGRESS REPORT #4
REPORTING PERIOD APRIL 1, 2012 – JUNE 30, 2012

SUBMITTED: JULY 30, 2012

HOSANNA MAHALEY
STATE SUPERINTENDENT

I. Reporting Requirements

The Office of the State Superintendent of Education (OSSE) is pleased to submit this fourth progress report pursuant to the special conditions imposed by the USDE Office of Special Education Programs (OSEP) on OSSE's FFY 2011 IDEA Part B grant award.

As outlined in Enclosure E of OSEP's FFY 2011 grant award notice to OSSE, OSSE is required to submit evidence that it has directed use of funds as appropriate and must provide documentation on the status of the use of these funds. All required activities outlined in OSSE's FFY 2011 Corrective Action Plan (CAP) have been completed as required; therefore, this information, which submitted prior via the CAP reports, is submitted in this final report.

In this final report for FFY 2011, OSSE must submit specific data and information related to compliance with the requirement to conduct timely initial evaluations and reevaluations. Specifically, for this reporting period, OSEP has required the District to reduce the percentage of students remaining in the backlog at the end of reporting period #3 by 95%. OSSE submits this final progress report to satisfy the above reporting requirements.

OSSE is pleased to note significant progress related to backlog implementation. A "deep dive" into the data to improve outcomes related to initial evaluation, re-evaluation, and HOD backlogs over the course of this reporting period is showing an impact as the District aligns resources to address the identified root causes of delays.

Specifically, OSSE continues to see the impact of its continuous improvement effort during the previous reporting period, and continues to take actions that build upon this data quality effort. OSSE looks forward to continuing to report on its accomplishments and improved outcomes in FFY 2012.

1. Compliance with the Requirement to Conduct Initial Evaluations and Placements¹

Summary of Data for this Reporting Element:

Reporting Period for Initial Evaluations and Placements		4/1/12-6/30/12
A	The number of children who, as of the end of the previous reporting period, had been referred for, but not provided, a timely initial evaluation and placement:	
		35
	1. Previous Report Untimely ²	44
	2. Late Data Entry Adjustment	-9
	3. Total Adjusted Untimely	35
B	The number of children referred for initial evaluation and placement whose initial evaluation and placement became overdue during the reporting period	54
C	The number of children, from (a) and (b) above, who were provided initial evaluations and placements during the reporting period:	45
	1. Old Late	18
	2. New Late	27
D	The number of children who had not been provided a timely initial evaluation and placement at the conclusion of the reporting period:	44
	1. Old Late	17
	2. New Late (Due and held during current reporting period but held late)	27
E	The average number of days the initial evaluations and placements that had not been provided in a timely manner were overdue	27
F	The percentage of timely initial evaluations and placements provided to children with disabilities whose initial evaluation deadlines fell within the reporting period:	89%
	1. New Due	503

¹ The calculations for this element were completed in a manner consistent with FFY 2011 reporting requirements. FFY 2012 reporting will be consistent with updated reporting requirements set forth by OSEP.

² Data as reported in OSSE's Third FFY 2011 Progress Report submitted to OSEP on May 1, 2012, amended May 15, 2012.

Reporting Period for Initial Evaluations and Placements		4/1/12-6/30/12
	2. Timely	449
G	The percent of children (a) who, as of the end of the previous reporting period, had not been provided a timely initial evaluation and placement (backlog) and (b) whose initial evaluation and placement became overdue during the period, that were provided initial evaluations and placements during the reporting period (c) / (a) + (b) X 100	51%

Discussion of Reported Data:

Timeliness: **89%** of initial evaluations and placements provided to children with disabilities whose initial evaluation deadlines fell within the reporting period were conducted in a timely manner. The calculation used to derive that percentage is 449/503. This rate of timeliness represents slippage as compared to the **94%** rate of timeliness reported in the third FFY 2011 progress report submitted to OSEP on May 1, 2012, amended May 15, 2012.

Backlog of Overdue Initial Evaluations: **51%** of children (a) who, as of the end of the previous reporting period, had not been provided a timely initial evaluation and placement (35) and (b) children whose initial evaluation and placement became overdue during the reporting period (54), were provided initial evaluations and placements during the reporting period. The calculation used to derive the percentage is: 45 / (35+54) X 100. This rate of completion shows no change compared to the **51%** rate of completion reported in the third FFY 2011 progress report submitted to OSEP on May 1, 2012, amended May 15, 2012.

Progress Related to the Reduction of the Backlog: Based on the third FFY 2011 progress report submitted to OSEP on May 1, 2012, as adjusted for late data entry, the baseline data for the total number of students in the backlog is **35**. Therefore, in order to reduce the backlog by **95%**, **33** cases would need to be completed in this reporting period, which would leave **2** in the backlog.

As evidenced in the above table, the District is reporting a **26%** increase in the total number of students in the backlog for this period as compared to the baseline from the last reporting period. The calculation used to derive this percentage is: (35-44)/35 x 100.

OSSE notes that the District's rate of overdue evaluations in the backlog has increased as compared to the prior reporting period. OSSE has identified targeted activities, outlined in its FFY 2012 Corrective Action Plan (CAP), to reduce the backlog of overdue

evaluations in FFY 2012. It is expected that the impact of OSSE’s targeted assistance efforts will result in accelerated progress.

OSSE believes that continued progress will be contingent upon ongoing technical assistance provided to LEAs in the areas of policy issuance, training, and monitoring. In addition, OSSE is providing access to related service providers to assist LEAs whose reason for delay is related to availability of necessary evaluators.

Reasons for Delays in Conducting Initial Evaluations in a Timely Manner:

Reasons for delay for children who were not provided a timely initial evaluation and placement during the reporting period:

Reason	Count
LEA delay	42
Parental delay	10
Need for additional evaluator/evaluator not available	2
TOTAL	54

As outlined above, a review of the data indicates that for this reporting period, the majority of the late initial evaluations and placements are due to general delays on the part of the LEA, including timely scheduling of meetings. Parental delays are the second largest cause of delay.

Actions the State is Taking to Address Noncompliance: As noted above, OSSE has identified targeted activities, outlined in its FFY 2012 Corrective Action Plan (CAP), to reduce the backlog of overdue evaluations in FFY 2012. It is expected that the impact of OSSE’s targeted assistance efforts will result in accelerated progress.

Last, OSSE is continuing to work closely with its Parent Training Center, the State Advisory Panel, and other key partners to ensure that parents are knowledgeable about the evaluation and IEP process and can be actively engaged in, and supported throughout, the process.

2. Compliance with the Requirement to Conduct Reevaluations

Summary of Data for this Reporting Element:

Reporting Period for Reevaluations		4/1/2012-6/30/2012
A	The number of children who, as of the end of the previous reporting period, had not been provided a timely triennial reevaluation	90
	1. Previous Report Untimely ³	48
	2. Late Data Entry Adjustment	42
	3. Total Adjusted Untimely	90
B	The number of children whose triennial reevaluation became overdue during the reporting period	69
C	The number of children, from (a) and (b) above, who had been provided triennial reevaluations during the reporting period	115
	1. Old Late	75
	2. New Late	40
D	The number of children who had not been provided a timely triennial reevaluation at the conclusion of the reporting period	44
	1. Old Late	15
	2. New Late	29
E	The average number of days the reevaluations that had not been provided in a timely manner were overdue	29
F	The percent of triennial reevaluations provided to children with disabilities whose reevaluation deadlines fell during the reporting period that were conducted in a timely manner	93%
	1. New Due	972
	2. Timely	903

³ Data as reported in OSSE's Third FFY 2011 Progress Report submitted to OSEP on May 1, 2012, amended May 15, 2012.

Reporting Period for Reevaluations		4/1/2012-6/30/2012
G	The percent of children (a) who, as of the end of the previous reporting period, had not been provided a timely triennial reevaluation (backlog) and (b) whose triennial reevaluation became overdue during the period, that were provided triennial reevaluations during the reporting period $(c/(a+b) \times 100)$	72%

Discussion of Reported Data:

Timeliness: **93%** of reevaluations provided to children with disabilities whose reevaluation deadlines fell within the reporting period were conducted in a timely manner. The calculation used to derive this percentage is $903/972$. This rate of timeliness represents progress as compared to the **89%** rate of timeliness reported in the third FFY 2011 progress report submitted to OSEP on May 1, 2012, amended May 15, 2012.

Backlog of Overdue Reevaluations: **72%** of children (a) who as of the end of the previous reporting period had not been provided a timely triennial evaluation (90), and (b) whose triennial evaluation became overdue during the reporting period (69), were provided triennial reevaluations during the reporting period. The calculation used to derive the percentage is: $115 / (69+90) \times 100$. This rate of completion represents progress as compared to the **70%** rate of completion reported in the third FFY 2011 progress report submitted to OSEP on May 1, 2012, amended May 15, 2012.

OSSE has identified targeted activities, outlined in its FFY 2012 Corrective Action Plan (CAP), to reduce the backlog of overdue reevaluations in FFY 2012. It is expected that the impact of OSSE's targeted assistance efforts will result in accelerated progress.

Progress Related to the Reduction of the Backlog for the Fourth FFY 2011 Progress Report: Based on the third FFY 2011 progress report submitted to OSEP on May 1, 2012, and amended May 15, 2012, as adjusted for late data entry, the baseline data for the total number of students in the backlog is **90**. Therefore, in order to reduce the backlog by **95%**, **85** cases would need to be completed in this reporting period, which would leave **5** in the backlog.

As evidenced in the above table, the District is reporting a **51%** rate of reduction of the total number of students in the backlog for this period as compared to the baseline of **25%** from the last reporting period. The calculation used to derive the percentage is: $(90-44)/90 \times 100$.

OSSE notes that the District has doubled its rate of reduction from the last reporting period.

As noted above, OSSE has identified targeted activities, outlined in its FFY 2012 Corrective Action Plan (CAP), to reduce the backlog of overdue reevaluations in FFY 2012. It is expected that the impact of OSSE’s targeted assistance efforts will result in accelerated progress.

Reasons for Delays in Conducting Reevaluations in a Timely Manner:

Reasons for delay for children who were not provided a timely reevaluation during the reporting period:

Reason for delay	Count
LEA delay	51
Parental delay	16
Need for additional evaluator/evaluator not available	2
TOTAL	69

A review of the data indicates that for this reporting period, the majority of late reevaluations are due to general delays on the part of the LEA.

Actions the State is Taking to Address Noncompliance: As noted above, OSSE continues its targeted technical assistance to each LEA based on a review of data.

In addition, OSSE continues to work closely with its Parent Training Center, State Advisory Panel, and other key partners to ensure that parents are aware of both LEA obligations and their role in the process so that they can actively engage in the reevaluation process.

3. Directed Use of FFY 2011 State-level Funds to Address Longstanding Noncompliance with Timely Initial Evaluations and Reevaluations Requirements

FFY 2010

Pursuant to the enforcement actions placed on the District of Columbia’s FFY 2010 IDEA, Part B section 611 grant award, OSEP required that \$500,000 of the total grant award be used to carry out initial evaluations and reevaluations for children who had not been provided a timely initial evaluation or reevaluation. To meet this condition, OSSE directed the District of Columbia Public Schools (DCPS), as the District’s Local Education Agency (LEA) with longstanding noncompliance, to use \$250,000 of its FFY 2010 funds under IDEA to address reduction of the backlog. OSSE then awarded \$250,000 of its State-level funds under IDEA section 611 (e) to DCPS to use to address the initial and reevaluation backlog as well. Evidence of its directed use of State-level funds was provided to OSEP via the Use of Funds Memo, the approved Budget and Spending Plan, and the signed Grant Award Notice (GAN) issued to DCPS.

FFY 2011

Pursuant to the enforcement actions placed on the District of Columbia's FFY 2011 IDEA, Part B section 611 grant award, OSEP required that \$500,000 of the total grant award be used to carry out initial evaluations and reevaluations for children who had not been provided a timely initial evaluation or reevaluation. To meet this condition, OSSE directed the District of Columbia Public Schools (DCPS), as the District's Local Education Agency (LEA) with longstanding noncompliance, to use a total of \$500,000 of its FFY 2011 IDEA funds to address this longstanding noncompliance.

In addition, pursuant to DCPS' FFY 2009 annual determination of "needs intervention", OSSE required DCPS to use an additional \$500,000 of its FFY 2011 IDEA funds to address longstanding noncompliance in the area of secondary transition. Evidence of OSSE's directing DCPS to use \$1M of its FFY 2011 funds under section 611(f) for these purposes is provided via OSSE's FFY 2009 annual determination letter to DCPS, dated August 4, 2011.

The FFY 2011 directed use funds (DUF) were reserved within DCPS' Phase II Grant Application, also provided to OSEP in Progress Report #1. DCPS was required to develop a separate spending plan and a budget for its DUF. Reimbursement requests for DCPS' DUF are reviewed and compared to the approved budget and spending plan prior to reimbursement.

Evidence of the rate at which DCPS is expending its DUF for both FFY 2010 and FFY 2011 funds is provided via the enclosed Excel report (See Attachment A). Evidence of the goods and services DCPS purchased with its IDEA DUF during this reporting period is provided as Attachment B.

DCPS submitted its final required Progress Report timely on July 13, 2012. OSSE is planning to meet with DCPS leadership on August 15, 2012 to discuss the status of both FFY 2010 and FFY 2011 Directed Use of Funds. In addition, OSSE will monitor DCPS expenditures, provide internal status updates, and continue to update DCPS on the status of remaining funds in quarterly status meetings with DCPS leadership.

II. Certification

This report reflects OSSE's good faith efforts in reporting accurate and reliable data to the extent possible and was reviewed by several members of the OSSE to ensure a full and comprehensive submission.

The District of Columbia Assistant Superintendent of Specialized Education, Amy Maisterra, hereby certifies that this report is complete and appropriate for submission to the Office of Special Education Programs.