



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

JUNE 1, 2008 SPECIAL CONDITIONS PROGRESS REPORT

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STATE SUPERINTENDENT OF EDUCATION**

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I. Introduction

The Office of the State Superintendent of Education (OSSE), in compliance with the Office of Special Education Programs (OSEP) and its imposition of Special Conditions on the District of Columbia Public School's (DCPS) Federal Fiscal Year (FFY) 2007 grant awards under Part B of the Individuals with Disabilities Education Act (Part B), pursuant to its authority under 34 CFR §80.12, hereby presents a Progress Report as required.

This is the second Special Conditions Progress Report (the first being issued on February 1, 2008) for FFY 2007, and it addresses all of the areas of non-compliance that the OSEP delineates.

For this report, data was gathered from a variety of sources, all of which are referenced throughout the document. The Office of the State Superintendent of Education recognizes that the data presented is not perfectly accurate nor reliable due to the lack of uniformity in collecting and gathering information from different Local Education Agencies (LEAs); however, many information technology-related initiatives are underway in the District of Columbia to address this problem including, but not limited to, the creation of a Special Education Data System (SEDS) Phase 1 rolling out in July 2008 and the creation of unique student identifiers through the State Longitudinal Education Data Warehouse (SLED) by fall 2008. These systems will greatly enhance the reporting capability of the OSSE across the District of Columbia.

This report reflects the OSSE's good faith efforts in reporting accurate and reliable data to the extent possible in light of the existing challenges in the systems being used to collect information and was reviewed by several members of the OSSE, primarily of the Special Education Department, to ensure a full and comprehensive submission. The entire report can be found on the OSSE website at www.osse.dc.gov.

II. Special Conditions

A. Initial Evaluations and Re-evaluations

This section of the report consists of data extracted from the District's Encore database as well as spreadsheets designed by the Data Management Team under the Office of the Chief Information Officer of the OSSE to capture information from Local Education Agencies that do not utilize Encore as their primary special education database system. Data for this current reporting period were collected from the District of Columbia Public Schools and 23 (or 33% of) charter LEAs, reflecting the majority of special education students in the State.

1. Initial Evaluations: Biannual Numbers (1/1/08-5/15/08)

- (a) The number of children who, as of the end of the previous reporting period (December 31, 2007), had been referred for, but not provided, a timely initial evaluation and placement: **286**
- (b) The number of children referred for initial evaluation and placement whose initial evaluation and placement became overdue during the reporting period: **433**
- (c) The number of children, from (a) and (b) above, who were provided initial evaluations and placements during the reporting period: **399**
 - 1. Old Late: **233**
 - 2. New Late: **166**
- (d) The number of children who had not been provided a timely initial evaluation and placement at the conclusion of the reporting period: **320**
 - 1. Old Late: **53**
 - 2. New Late: **267**
- (e) The percentage of timely initial evaluations and placements provided to children with disabilities whose initial evaluation deadlines fell within the reporting period: **30.27%**
 - 1. New Due: **621**
 - 2. Timely: **188**

The District of Columbia was unable to meet its goal of eliminating overdue initial evaluations and placements during the January 1, 2008 to May 15, 2008 reporting period. Overall provision of timely initial evaluations and placements fell from 42.7% to 30.27%. However, the number of children whose initial evaluations and placements became overdue during the current reporting period (b) fell from 502 to 433. Additionally, 399 children whose services were overdue were provided evaluations and placements (c), an increase from the 319 children during the prior reporting period. Nevertheless, 34 more children had not been given timely initial evaluations and placements as of May 15 than at the December 31, 2007 close of the previous reporting period (d).

Analysis of the current reporting period and the May 12, 2007 to December 31, 2007 reporting period shows that the number of students whose initial evaluations and placements were overdue at the beginning of the respective reporting periods and who were provided evaluations and placements during those periods (c, Old Late) increased by more than 300% during the current period. While the number of students whose initial evaluations and placements were previously overdue and continue to be so (d, Old Late) increased slightly during the current reporting period, the data indicate the longest-backlogged overdue initial evaluations and placements were being reduced. This is reflected in the reduction of the average number of days overdue from nearly 70 to the current 63. (See A.4 below.)

2. Triennial re-evaluations: Biannual Numbers (1/1/08-5/15/08)

- (a) The number of children who, as of the end of the previous reporting period (December 31, 2007), had not been provided a timely triennial re-evaluation: **2364**
- (b) The number of children whose triennial re-evaluation became overdue during the reporting period: **1157**
- (c) The number of children, from (a) and (b) above, who had been provided triennial re-evaluations during the reporting period: **1830**
 - 1. Old Late: **1594**
 - 2. New Late: **236**
- (d) The number of children who had not been provided a timely triennial re-evaluation at the conclusion of the reporting period: **1691**
 - 1. Old Late: **771**
 - 2. New Late: **920**
- (e) The percentage of timely triennial re-evaluations provided to children with disabilities whose re-evaluation deadlines fell during the reporting period: **23.17%**
 - 1. New Due: **1506**
 - 2. Timely: **349**

While the District of Columbia was also unable to eliminate overdue triennial re-evaluations, significant progress was made in this area. The number of children who had not been provided a timely re-evaluation at the beginning of the reporting period (a) increased from the prior period's 1415 to 2364, reflecting a growing backlog during the earlier reporting period that has been reduced, while the number of re-evaluations that became overdue during the reporting period (b) dropped from 1542 to 1157. Overall, the number of overdue re-evaluations that were provided during this reporting period (c) increased more than 300% from the prior period, and the number of children who were not provided a timely re-evaluation (d) fell from 2364 to 1691. While the percentage of children provided timely triennial re-evaluations during the reporting period fell from 37.2% to 23.17%, the average number of days overdue was reduced from nearly 200 to 75. (See A.4 below)

3. Strategies being implemented to reduce the number of overdue evaluations and placements and/or re-evaluations and explanation for lack of progress

Despite encouraging signs, the Office of the State Superintendent of Education is aware that these results are unacceptable and is committed to improvement. The District of Columbia is currently undergoing several special education reform efforts, especially in light of the Blackman Jones Consent Decree issued on August 24, 2006. Through a court filing on January 18, 2008, as a result of the Blackman Jones Alternative Dispute Resolution process, the District of Columbia agreed to implement a Backlog Reduction Plan (BRP) to specifically address the implementation of Hearing Officer Determinations

and Settlement Agreements. A related subcomponent of this plan includes attention to leading indicators, specifically to timely IEPs and evaluations.

On March 28, 2008, the District of Columbia filed a Status Report that explains the limitation that DC Public Schools, the District's largest Local Education Agency, faces in its chief strategy for compliance with timely IEPs and evaluations, which includes providing schools with timeliness reports derived from Encore. (See Attachments A-P.) The OSSE is cognizant that the data from Encore are of variable reliability; therefore, it is difficult to be certain of the number of outstanding IEPs and evaluations. In an effort to collect more robust and accurate data, the OSSE is currently implementing a new Special Education Data System (SEDS) that will be used not only in DCPS but also by 58 out of the 60 Charter Schools in the District of Columbia, as well as some of the Nonpublic schools. (The exact number is yet to be determined as the deadline to submit the intent to participate is June 9, 2008.) Since the OSSE is not making this a mandate, the high participation rate is an encouraging sign for the District.

Aside from the data issues in ascertaining the exact number of overdue evaluations and placements and/or re-evaluations, there is general consensus that there may be a culture in the District of Columbia that over-emphasizes the use of evaluations to obtain additional services for children already found eligible for special education. In an effort to combat this, the District of Columbia has drafted an "Immediate Services Policy" to eliminate this conception and to reduce the number of unnecessary evaluations requested by school personnel.

Additionally, the OSSE, in a joint effort with DCPS, has created an Independent Educational Evaluations policy directive which addresses how DCPS will systemically deal with the high volume of independent evaluations requested both by parents and parents' counsel. These guidelines include timelines and procedures which DCPS will follow in the case of an independent assessment at public expense, including reimbursement procedures. Currently, DCPS is facing a problem with the agency that it contracted to do outside evaluations, and referrals to this agency have ceased because of the high volume of current assessment referrals outstanding. As a result, the backlog of assessments did not see the kind of decline that the District would like to have seen over this reporting period. However, the OSSE and DCPS are currently searching for a new contractor to help with these referrals and reduce the number of outstanding evaluations.

To better keep track of the assessments required in the DCPS system, they have created an assessment tracking system. Furthermore, there is a dedicated effort to increase capacity in the schools to ensure that the evaluations that are required are completed in a timely manner. The District also recognizes that at the core of the problem is the need for strong special education services.

One of the main strategies to strengthen the services is to start with the Individualized Education Program (IEP) for every student. The Special Education Data System, described previously, will provide the majority of the schools in the District of Columbia with a uniform IEP planning and tracking mechanism. Training for individual SEDS

users began during the final week of May 2008 and will continue until representatives from all participating schools and LEAs receive training.

4. Average number of days the initial evaluations and placements and/or re-evaluations were overdue

- Initial Evaluations: 63
- Triennial evaluations: 75

As documented above, the average number of days overdue has decreased for both initial and triennial re-evaluations by approximately 10% and 62%, respectively. The OSSE finds these reductions an encouraging step in the right direction.

B. Implementation of Due Process Hearing Decisions

The data for this section of the report comes from Klemm Analysis Group, Inc., under the supervision of Dr. Rebecca Klemm, President and Owner. The District of Columbia has agreed to use the data provided by Dr. Klemm for purposes of reporting the implementation of HODs until a new data system is developed and its functionality and accuracy are confirmed.

1. Data collected from Dr. Rebecca Klemm

- (a) The number of children whose hearing officer determinations, as of the end of the previous reporting period (December 31, 2007), had not been implemented within the time frame established by the hearing officer or by DCPS: 1029
- (b) The number of children whose hearing officer determinations had not been implemented within the time frame established by the hearing officer or DCPS (became overdue) during the reporting period: 1141
- (c) The number of children from (a) and (b) above whose hearing officer determinations were implemented during the reporting period: 907
- (d) The number of children whose hearing officer determinations had not been implemented in a timely manner at the conclusion of the reporting period: 1263
- (e) The percentage of hearing officer determinations that had been implemented in a timely manner during the reporting period: 16.1%

The District recognizes that these are not desirable numbers; however, the efforts of the Backlog Reduction Plan, described below, have just recently begun and the District is in the process of finalizing a system that not only reduces the number of previous Hearing Officer Determinations, but that also establishes a strong systemic effort to continuously and consistently implement HODs.

2. Strategies being implemented to reduce the number of children whose Hearing Officer Determinations (HODs) are not implemented in a timely manner and related barriers

Backlog Reduction Plan

The most direct strategy that the District of Columbia is taking to reduce the number of children with unimplemented HODs is the Backlog Reduction Plan. There are many components to the system and many people in place who have been contributing to the reduction of HODs and increasing the effectiveness and timeliness of implementation as delineated below:

Initial Backlog

The initial backlog is defined as HODs dating before March 1, 2006 that have yet to be implemented. The number of cases on March 10, 2008 was approximately 66, and since then, the number has been reduced to approximately 12, with full confidence that the Initial Backlog will be completely eliminated by June 6, 2008.

HOD Implementation

The HOD Implementation process is lead by a daytime team and nighttime team at DCPS. The morning team, composed of DCPS Compliance Specialists and OSSE Disposition Specialists working with DCPS Nonpublic unit Placement Specialists, focuses on implementing HODs in DCPS and nonpublic and charter schools, respectively. Meanwhile, the evening team, which primarily consists of complaint and HOD analysts from Klemm Analysis Group, Inc., inputs the day's data and prepares for the next day by triaging complaints and HODs. This process encompasses analyzing the content of HODs and deciding how best to implement them with particular attention to timelines so that the appropriate personnel can be notified and the HOD implemented.

There have been a few barriers to HOD implementation, including the lack of authority that the HOD Implementation team has over school-based personnel, the quality of the HODs, the transmission of HODs to the schools, and the protocols used to deem an HOD "closed." To combat the issue of barriers at the school level, DCPS is reforming the structure of its Special Education Department's role in order to create more accountability. The authority of the OSSE in overseeing charter school compliance has been asserted in court by the District of Columbia, as well as supported by the OSEP, and implementation of this oversight function is underway. The respective roles of the OSSE and Public Charter School Board in effectively coordinating supervision of the charters are also being developed in order to insure effective implementation of HODs across all LEAs. To improve the quality of the HODs, the OSSE has conducted several training sessions for the current Hearing Officers and arranged for ongoing technical assistance to be provided by independent, outside consultants. Additionally, the OSSE has just issued a Request for Quotes to hire new Hearing Officers to staff the Student Hearing Office. Another reform underway at the Student Hearing Office is the creation of a Docketing System that will handle the case management that has until now been handled manually and through the use of Excel spreadsheets. Through this system, with Phase 1 Beta delivery on May 30, 2008 and final delivery expected by June 30, 2008, the Student

Hearing Office will have the capability to more effectively communicate with outside stakeholders about the status of cases. This will in turn aid HOD implementation at the school level because there is the ability for party notification directly from the Student Hearing Office Docketing System. Finally, the HOD closure protocols will be updated in conjunction with Plaintiff's counsel in the Blackman Jones class action litigation in order to ensure that children are receiving the services they need as ordered by their HODs.

Complaint Resolution and Special Issues

At the core of the high volume of HODs is the unusually large volume of due process complaints filed in the District of Columbia. The District recognizes that this situation results in parts from a serious need for ongoing professional development and technical assistance for LEA staff involved in serving students with disabilities: the OSSE is therefore focused on implementing a strong and effective monitoring system. In the meantime, the Complaint Resolution and Special Issues Team at DCPS is responsible for reaching out to parent representatives before a due process hearing occurs, usually within 48 hours of a complaint being filed. Once they are contacted, the team decides whether a notice of insufficiency should be filed, a settlement should be offered, or the case should go to a hearing. Between February 2, 2008 and March 26, 2008, the team received over one hundred complaints: fifty-five were offered settlement (with fifteen of those being accepted), four resulted in the LEA moving to dismiss for insufficiency or lack of jurisdiction, and five were chosen for litigation.

One barrier to this process is the need for additional staffing to support the Backlog Reduction effort. Additionally, it is noted that although fewer complaints now result in an HOD, a Settlement Agreement must still be implemented and tracked. Essentially, implementing an SA presents the same challenges as implementing an HOD, but the reform efforts underway to strengthen special education aim to improve the delivery of services and thus decrease the risk of litigation by way of due process complaints.

Data

The most significant achievement of the data development under the Backlog Reduction Plan is the Blackman Jones database which tracks information on due process complaints, hearings, HODs, SAs and their implementation through a system designed by Dr. Rebecca Klemm. To ensure data integrity and reliability, this database is being run in parallel with the spreadsheets maintained by Dr. Klemm on which the Federal Court has relied for its information on HOD implementation. This robust system functions as a case management tool for internal DCPS staff with the plan that dashboards will eventually be disseminated to individual schools in order to handle the legal filings and actions associated with them.

One challenge presented by the Blackman Jones database is that the data must be entered as it is written on the legal filings that are received, thus it is not uncommon for there to be incorrect data in these records such as a wrong date of birth, wrong school, or wrong spelling of a child's name. With these complications, it is difficult to fully automate the creation of dashboards that will go out to individual schools. To overcome this, however, DCPS is looking to create dynamic dashboards where school level personnel can help

correct these discrepancies. A further obstacle is that currently the Blackman Jones database is only accessible to DCPS staff; however, this database is only an interim solution. By January 2009, the OSSE's Special Education Data System aims to have a legal module in place that will replicate and improve on the processes of HOD implementation tracking that are utilized in the Blackman Jones database.

The Backlog Reduction Plan is putting in place a systemic process by which to improve the timely implementation of HODs in the District; however, there are various other reform efforts that are expected to more comprehensively address the underlying problem that drives the District's high volume of due process complaints and HODs: the need for better special education programming and services.

Other Efforts

Consolidation of OSSE Special Education Reform Team with the Office of Special Education

Pursuant to the OSSE's organizational transition plan, the OSSE initially created a Special Education Reform team separate from the OSSE's Department of Special Education. This structure was established to ensure adequate attention was focused on reform efforts while the day-to-day work of the department continued. Recently, however, the OSSE has merged the reform team with the department of special education under consolidated leadership. The OSSE Special Education Reform Team (SERT) and Office of Special Education have been combined to maximize the talent, time, and energy focused on reform initiatives and to begin to transition those reform initiatives into routine practice. SERT staff is currently working directly with special education staff members on various projects, as well as with consultants to ensure a truly collaborative effort across all fronts from strong programming to effective monitoring to steady and continued technical assistance.

Key reform initiatives currently in progress or in development are listed below:

1. State policy guidance on HOD implementation

The OSSE is in initial phase of creating guidelines and state policy around HOD implementation in order to ensure that there is uniformity across all LEAs. The OSSE hopes to ensure the participation of stakeholders across the District in order to develop a plan that will include standards and outcome expectations which will ensure that effective and timely services are delivered to special education students as required by federal law. The plan will include a clear series of steps to follow in the implementation of an HOD, clarification of accountability and responsibility, quality assurance and control mechanisms, revised closure protocols that accurately document that an HOD has been complied with fully, and other policy guidelines as deemed appropriate.

2. Quality Services Review (QSR)

In May 2008, the OSSE, under the guidance of the Child Welfare Policy and Practice Group based in Montgomery, Alabama, conducted a pilot of the Quality Services Review (QSR) process. In this pilot, the OSSE evaluated the services being provided to 24 students across charter schools, nonpublic schools, and DCPS schools. The goal of the review was to evaluate the way that individual students are provided services by the District. QSR is an established system evaluation technique. In a QSR, highly trained reviewers take a short time period, usually no more than two business days, to focus on a specific student: reviewers interview the student, his/her family and his/her service providers, then develop ratings using a scoring protocol to build an overall picture of both the experience of that student and the functioning of the whole system. QSR's power is that it reflects overall system performance from a child and family perspective. During the QSR pilot, either a staff member of the OSSE or an OSSE stakeholder shadowed the trained reviewers in order to learn about the process and understand how it can be fully implemented on a significant scale by the beginning of the next school year as a key element of the OSSE's larger monitoring system. A report of the findings on this initial pilot effort, which includes both quantitative and qualitative data, along with recommendations for improving practices, will be distributed by June 30, 2008. (Attachment Q of this document outlines the preliminary findings.)

3. Case management program

The OSSE has contracted with a private case management organization to implement a pilot case management program for special education students in the District. By April 1, 2008, thirty case managers were fully trained and deployed to several schools across the District. Of these 30 case managers 20% were required to be parents of students with disabilities within the District. This program was created to facilitate implementation of students' HODs, to collect data on system performance, and to build stronger relationships with students and their families in order to move toward a strength-based and family-focused service model in special education. The case managers are responsible for becoming familiar with each child on their caseloads, attending IEP meetings, understanding and being knowledgeable of existing resources to meet the students' various needs, and working with families in the home and community, among other things. By conducting this case management project, the OSSE is learning where system deficiencies lie in providing special education services to our students and is fostering a new service model in which the family and community are more involved in the planning and educational progress of special education students. When fully operational, it is expected that case managers will serve approximately 500 students in the District. Case managers will also remain with students as they move among LEAs and nonpublic placements. It is believed that this service will ultimately help decrease the number of HODs in the system and greatly improve the quality and coordination of services provided to each child.

4. Full Service Schools

In the Special Education reform efforts, it has become evident that behavioral supports and mental health services is one area in which the District needs to focus its

attention. Conceived as part of the Blackman Jones ADR agreement and special education reform, the OSSE is funding and supporting the creation of Full Service Schools that will be implemented in 8 DCPS middle schools and will provide coordinated behavior management and behavioral health intervention and services. At the most basic, universal tier are positive behavior supports for students which can include explicit social skill building and de-escalation strategies, to the secondary tier which can include behavior counseling and therapy, and finally the most intensive interventions, which can include wrap-around services and one-on-one mentoring. In addition, the Full Service Schools aim to increase family and community involvement, with specific staff dedicated to outreach. The behavioral component of these schools will be supplemented with an overhauled academic curriculum and an attention to rigorous instruction.

5. School-wide Application Model (SAM) schools

The District is committed to supporting the best models to improve outcomes for special education students. As a part of this commitment, the District has contracted with Dr. Wayne Sailor to implement the School-wide Application Model (SAM Schools) in eight elementary schools in the upcoming school year, in order to more fully integrate special education students in the general education program. The goal of this program is to improve the academic performance of special education and regular education students. The program relies on, among other things, a schoolwide positive behavioral support model and response to intervention protocols to improve student performance.

The OSSE realizes that the District's high volume of HODs is a direct result of a lack of quality programming and services available to our special education population, therefore, it is focusing significant time and effort on improving these offerings through its various reform efforts. Furthermore, it is dedicated to ensuring the placement of children in the least restrictive environments and monitoring LEAs to ensure compliance with federal and state regulations.

C. Ensure Placement in the Least Restrictive Environment (LRE)

- 1. Submitted in February 1, 2008 progress report**
- 2. Submitted in February 1, 2008 progress report**
- 3. Documentation that the OSSE is carrying out technical assistance, training, and monitoring activities as described in FFY 2007 Special Conditions Progress Report**

The OSSE has undergone a major restructuring in its Office of Monitoring and Compliance division since the last Special Conditions Progress Report, including the acquisition of a new Director of Monitoring and Compliance (starting date April 14, 2008) as well as a new Director of Technical Assistance (starting date May 26, 2008).

Because of this transition, it is unclear that any steps were taken to ensure that the MDT guidelines created and distributed in 2007 were monitored.

As a result of this change in staff and integration with the Special Education Reform Team, the OSSE Office of Special Education is in the process of developing a robust and dynamic monitoring system that will be implemented in the fall of 2008. This monitoring system will employ a focused monitoring approach and will provide a framework for continuous improvement. The primary goals are to: 1) Bring about agency alignment with the OSEP monitoring requirements and federal reporting, 2) Focus on outcomes and improvement of results, 3) Provide linkages for technical assistance and training that yield improvement in results, and 4) Implement a systematic approach to impose sanctions for LEAs that do not comply with requirements of IDEA.

The integrated monitoring process and activities include the following, some of which have already been implemented:

- 1) Stakeholder participation, including OSSE staff, industry experts, court monitors, and LEA representatives
- 2) A focus on specific target areas of special education services (e.g., development of the IEP document, LRE procedures, eligibility determinations, placement determinations, etc.)
- 3) Involvement of family members as parts of teams
- 4) Investigation related to compliance and program improvement
- 5) Multiple methods and data sources to monitor programs on an annual basis
- 6) Continuous examination for compliance and results
- 7) Written reports that specify evidence of correction and improvement
- 8) Technical assistance and professional development that is aligned with identified areas for improvement and correction

Inherent within these practices will be the provision of facilitated self assessments by LEAs, file reviews, parent and teacher interviews, and student interviews. A portion of this work has begun through a review in the past quarter of over 30 sample student files from the Site Review Team at DCPS, as well as the use of the Quality Services Review protocol discussed above. The OSSE also hopes to replicate the efforts of other states, such as Maryland, and rely on the best practices in the country to examine the possibility of enacting a Placement Review Division which would review placement decisions made at the LEA level. This level of monitoring would ensure that the District is providing the services in the least restrictive environment and would allow the OSSE to determine where there is need for more technical assistance in this area. However, this method will only be implemented if it is certain that strong mechanisms are in place to ensure a lack of delay in the placement process and that there is compliance with the federal law in providing each student with a free and appropriate public education.

A tiered approach to monitoring intervention will seek to tailor services to the needs of the respective LEAs. An example of this type of intervention is: Tier 1 (High Performance), Tier 2 (Compliant), Tier 3 (Improving), and Tier 4 (Non-compliant). The

type of technical assistance and monitoring activity will be contingent upon the assessed performance status of the various LEAs. The different types of sanctions or interventions in each of these tiers have yet to be determined, but by the fall of 2008, the goal is to have a well structured system in place.

One of the barriers to monitoring has been the problem with gathering data and organizing it in a meaningful manner. As mentioned previously, the Special Education Data System and State Longitudinal Education Data Warehouse will help in this regard because they will support best practices in special education management by providing real-time district wide reporting, accurate and reliable state and federal reporting, in addition to supporting school-based users and staffing decisions. These systems will undoubtedly facilitate compliance and improved quality through improved data accuracy, auditing, and timeline management.

4. Update on Monitoring report(s) issued since February 1, 2008

The Office of Monitoring and Compliance is currently working towards a system of ensuring placement in the least restrictive environment, but currently can not provide any monitoring reports in this area.

D. Identify and Correct Non-compliance

- 1. Submitted in February 1, 2008 progress report**
- 2. Submitted in February 1, 2008 progress report**
- 3. Submitted in February 1, 2008 progress report**
- 4. Updated information on the data provided in FFY 2006 APR**

The OSSE is presently following up on evidence of change based on Corrective Action Plans (CAP) submitted for 19 schools monitored during the 06/07 school year and two schools monitored during the 05/06 school year. The DCPS Elementary Division did not submit a CAP based on the monitoring done during the 05/06 school year. As a result, the Office of Monitoring and Compliance is investigating how it will work with the Elementary Division to address this issue.

A total of 25 schools were monitored during the 06/07 school year, with three schools that did not need to submit Corrective Action Plans (Academy for Learning Through the Arts, DC Preparatory, and Elsie Whitlow Stokes) and three schools that have submitted evidence of change based on their CAPs (Hope Community, Two Rivers, and E.L. Haynes) prior to the due dates. Of the schools monitored during the 05/06 school year, evidence of change based on the CAP was submitted by Booker T. Washington, but nothing has been submitted by KAMIT. Based on the numerous phone calls and conversation with a special coordinator who assisted with IEPs at KAMIT, it seems that technical assistance will be needed. This will be addressed by the new Director of Technical Assistance in the coming months.

Although the OSEP requirements ask for a more robust analysis of the number and percent of non-compliance findings identified and corrected, the OSSE is unable to provide this information. However, one of the ongoing goals of the Office of Monitoring and Compliance is to create a better way of tracking non-compliance which will allow this data to be reported in the future. Despite the lack of this quantitative analysis for this report, the OSSE is confident that with the expertise of the new Director of Monitoring and Compliance, more substantial data will be available for the next report.

III. Conclusion

The projects and reform initiatives described in this report represent the OSSE's first efforts under new governance to improve education and monitoring of special education programs in the District of Columbia. To provide additional information on current special education reform efforts, the OSSE has attached the most recent status report filed in response to the Blackman Jones class action litigation. This status report provides an update on the range of special education reform efforts underway in the District.

There is still much work to be done to improve the quality of the services provided to special education students in the District of Columbia, especially relating to the timely provision of initial evaluations and placements, triennial re-evaluations, timely implementation of due process hearing decisions, ensuring placement of children with disabilities in the least restrictive environments, and identification and correction of non-compliance. However, the Office of the State Superintendent of Education believes that it has made significant progress and is more than confident that the many reform efforts that are ongoing in the District of Columbia will lead to positive changes in the coming year.

Many of the reform efforts are designed to eliminate longstanding practices that have denied our special education children the services to which they are entitled and which they deserve, while also providing guidance on the best practices to be followed in order to create a solid foundation for a strong and effective special education system in the District of Columbia. With the acquisition of new staff and increased collaboration of experienced Office of Special Education personnel, the OSSE possesses a wealth of knowledge, expertise, and motivation to guide the District in developing a well-functioning system that addresses the needs of all of our special education children.

The Office of the State Superintendent recognizes that the quantitative results reported here do not adequately reflect all of the work that is being conducted in the District, but is committed to documenting improvement in our next report. By that time, many of the reform efforts will have been in place sufficiently long to have demonstrated measurable results. Additionally, the OSSE looks forward to receiving guidance and assistance from the Office of the Special Education Programs in any form deemed appropriate.

IV. Attachments

- A. Blackman Jones Status Report, March 28, 2008**
- B. Table of Contents**
- C. Status Report**
- D. Appendix I: ADR Status Report**
- E. Attachment A: Backlog Reduction Plan Implementation**
- F. Attachment B: Backlog Reduction Plan Status Report**
- G. Attachment C: Blackman Jones Compensatory Education Work Plan**
- H. Attachment D: Initial Proposal for Parent Center**
- I. Attachment E: Case Management Statement of Work**
- J. Attachment F: Knute Rotto Statement of Work**
- K. Attachment G: Compilation of Reports from Ms. ImObersteg**
- L. Attachment H: Interim SHO Report to Court Monitor**
- M. Attachment I: Administrative Hearing File Checklist**
- N. Attachment J: Due Process Hearing Notice**
- O. Attachment K: SHO Input Session Invitation**
- P. Attachment L: DCPS Resolution Session Waiver to SHO**
- Q. Quality Services Review Initial Report Powerpoint Slides**