

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

D.L., et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 05-1437 (RCL)
)	
DISTRICT OF COLUMBIA, et al.,)	
)	
Defendants.)	
)	

**DEFENDANTS’ AUGUST 31, 2018 REPORT
ON NUMERICAL AND PROGRAMMATIC REQUIREMENTS**

Defendants provide the following annual report, which summarizes the District’s progress toward meeting the numerical and programmatic requirements of the Court’s May 18, 2016 Order.

NUMERICAL REQUIREMENTS

In addition to data for the current reporting period (*i.e.*, FFY 2017), this report includes updated data for FFY 2015 and FFY 2016. These updated data are the result of a thorough review of data systems and reporting “business rules,” incorporating input from plaintiffs that was gathered during a series of meetings between January and August 2018. Through this review process, the District identified areas where systems and reporting procedures could be refined and made updates accordingly. Except where otherwise noted, the data reported below—for FFY 2015, FFY 2016, and FFY 2017—was produced according to the revised business rules, which have been provided to plaintiffs contemporaneous with this filing and are discussed in greater detail later in this report.

FFY 2015-2017 Annual Numerical Performance

Order Reference	Metric	FFY 2015 (School Year October 1, 2015 – June 30, 2016)¹	FFY 2016 (School Year September 1, 2016 – June 30, 2017	FFY 2017 (School Year September 1, 2017 – June 30, 2018)
Paragraph 1 (Subclass 1)	Average percentage of Preschool Children Aged 3 through 5 Enrolled in Special Education Services Under Part B of IDEA or Enrolled in Special Education Services through the Extended IFSP Option Under Part C during the months of the school year	6.5%	6.6%	7.2%

Order Reference	Metric	FFY 2015 (July 1, 2015- June 30, 2016)	FFY 2016 (July 1, 2016- June 30, 2017)	FFY 2017 (July 1, 2017 – June 30, 2018)
Paragraph 2 (Subclass 3)	Percentage of Preschool Children Aged 3 through 5 Referred for Part B Services who Received a Timely Eligibility Determination	94.2%	93.3%	96.0%
Paragraph 3 (Subclass 4)	Percentage of Part C Graduates who are Found Eligible for Part B Services, who have Received a Smooth and Effective Transition to Part B by their Third Birthday	65.7%	62.2%	75.0%

¹ Under the revised business rule for subclass 1, the data reported is an average percentage of 3-5 year olds enrolled during the school year months, rather than cumulative annual enrollment, as previously reported. This change is discussed in greater detail in the “Discussion of Data” section, below.

FFY 2017 Monthly Performance for Subclass I (Enrollment Percentage)

Month	Enrollment Percentage
July 2017	0.9%
August 2017	6.4%
September 2017	6.9%
October 2017	7.0%
November 2017	7.1%
December 2017	7.1%
January 2018	7.2%
February 2018	7.2%
March 2018	7.3%
April 2018	7.4%
May 2018	7.3%
June 2018	7.1%
Average of September 2017 – June 2018	7.2% = (1,802/25,160)

Discussion of Data

As reported in the District's October 31, 2017 Supplemental Memorandum Regarding Defendants' August 31, 2017 Report (Supplemental Memorandum), the District identified root causes of poor performance on the Subclass IV requirement and considered corrective actions for future reporting periods. The root causes included evidence of location assignment, evidence of related service delivery and of delays in service delivery not attributable to the LEA. The District also engaged plaintiffs in a series of collaborative discussions regarding these concerns, and explained above, updated the reporting business rules for Subclasses I, III, and IV to reflect the outcomes of these discussions, the root cause data analysis, and other practice considerations.

The updated business rules for Subclass I reflect the District's effort to more accurately and transparently report students served, taking into account plaintiffs' primary concern that reporting based on a cumulative annual rate inaccurately reflects the spirit of the Court's Order. Following discussions, the Parties ultimately agreed that the District would report for Subclass I an average percentage of 3-5 year olds enrolled during the school year months of September through June. Student enrollment in the school year months is a reliable indicator of student availability for the receipt of LEA required service delivery. As noted, for FFY 2015, this metric includes only those months for which the District has available data—October 2015 through June 2016.

The updated business rules for Subclass III align with U.S. Department of Education Annual Performance Report, Indicator 11 to require that the eligibility determination be completed within 120 days of referral, instead of by the third birthday, as well as a 60-day timeline from referral to eligibility determination for students who transfer into the state with a completed IEP.

The updated business rules for Subclass IV clarify exclusion events that are applicable during the child find, eligibility, and Part C to B transition processes to accurately account for whether the District is meeting its obligations when children are available for, and require, identification and receipt of services. These clarifications are for the District to more accurately identify performance lapses that occur in spite of the absence of a barrier to service delivery (*i.e.*, when the parent is

making the child available to receive the evaluation and/or services). This methodology allows the District to hone in on data and practice challenges and ensure that improvement strategies are designed to effectively address the root cause of the challenge.

PROGRAMMATIC REQUIREMENTS

Paragraph 308(a): The District shall maintain and regularly update a list of primary referral sources, including physicians, hospitals, and other health providers; day care centers, child care centers, and early childhood programs; District departments and agencies; community and civic organizations; and advocacy organizations. The District shall also develop a system to track frequency of contacts with the referral sources to ensure that outreach occurs on a regular basis.

DCPS continues to maintain and update the Early Stages database and track communications with primary referrers as described in the December 2016 Report. Since September 2017, 27 new organizations have been added to the database, including 9 new child development centers, one medical provider, eleven community-based organizations, and six social service programs.

Paragraph 308(b): The District shall develop and publish printed materials targeted to parents and guardians that inform them of the preschool special education and related services available from DCPS, the benefits and cost-free nature of these services, and how to obtain the services. These materials shall be written at an appropriate reading level and be translated into the primary languages spoken in the District. These materials shall be distributed to all primary referral sources (e.g., medical professionals and child care staff), public and public charter schools, public libraries, Income Maintenance Administration Service Centers, public recreation facilities, and other locations designed to reach as many parents or guardians of preschool children who may be eligible for special education and related services as possible.

Early Stages continues to distribute to primary referral sources the three main outreach documents described in the December 2016 Report: Frequently Asked Questions, Developmental Milestones, and Social Emotional Development. All documents have been translated into the primary languages spoken in the District and posted to the Early Stages website. They also are distributed, city-wide, to medical professionals, child care staff, public schools and public charter schools, public libraries, social service agencies, and other types of primary referrers and community organizations.

Paragraph 308(c): The District shall develop, publish, and distribute tailored printed materials targeted at primary referral sources to inform them of the preschool special education and related services available from DCPS, the benefits and cost-free nature of these services, and how to make a referral. These materials shall be used in conjunction with regular contacts with primary referral sources to increase the usefulness of the materials.

Early Stages continues to use the handouts, tailored materials, professional development trainings, and quarterly newsletter described in the December 2016 Report in conjunction with outreach and regular contacts with primary referrers.

Paragraph 308(d): The District shall ensure that Early Stages outreach staff (e.g., the Child Find Field Coordinators) contact primary referral sources or a staff member in the primary referral source's office who are instrumental in making referrals at least once a month until a referral relationship is established and then every three months thereafter. The initial meeting shall be face-to-face whenever possible when pursuing referrals from new referral sources and then less frequently thereafter, using the method of contact preferred by the referral sources (e.g., e-mail, texting, or telephone calls).

Early Stages continues to build and maintain relationships with primary referrers using the approach described in the December 2016 Report, which includes tracking and monitoring outreach via the Early Stages database. In addition, the DCPS child find team strengthens referral source relationships by targeting referrers with whom Early Stages has a referral relationship but who are not referring as anticipated (e.g., those who received training from Early Stages within the last year but have not referred). Each ward-based Child Find Field Coordinator (CFFC) selects three of these referrers every six months to target for a needs assessment with the goal of understanding and resolving any barriers to referral. This work has resulted in additional professional development trainings (e.g., on how to communicate with parents), targeted training and technical assistance on screening, parent workshop support, and, during the current fiscal year, produced referrals from 29 organizations that had not referred to the program.

Paragraph 308(e): The District shall accept both oral and written referrals at the start of the eligibility determination process, make multiple attempts using different forms of communication (e.g., telephone, postal mail, and e-mail) to contact the parent or guardian of a referred child, and, upon obtaining consent of the parent or guardian, provide feedback to the referral source regarding the outcome of the referral in a timely manner.

The processes for facilitating and responding to referrals remains consistent with the information reported in December 2016. Families are engaged using a due diligence procedure that requires a minimum of three communication attempts in two or more modalities, all of which must begin no later than ten (10) business days from the referral date. The ten-business-day requirement was included in revisions to DCMR §3005.2(c). OSSE amended §3005.2(c) by striking the phrase “and be completed no later than five (5) days prior to the deadline for the initial evaluation” to ensure consistency with existing law. This amended language is consistent with the original intent in the proposed rulemaking but clarifies the requirement. This amendment is effective as of July 13, 2018.

The amendments in the final rulemaking to 5-E DCMR Chapter 30 considered comments received on topic areas in OSSE's June 26, 2017 Advanced Notice of Proposed Rulemaking (ANPR), which was published on OSSE's website to provide stakeholders an opportunity to provide advanced comment on proposed amendments to a new Chapter 30. OSSE decided to move forward with a shorter final rulemaking to address and clarify the critical gaps identified through public comments and plans to issue another Notice of Proposed Rulemaking in fall 2018 that provides a comprehensive update to the regulatory framework governing the education of children with disabilities that also considers the comments received from the ANPR and the proposed rulemaking.

This timeline will allow for sufficient time to appropriately position stakeholders to implement the comprehensive overhaul of the foundational regulations governing the provision of special education and related services to children with disabilities in the District. OSSE plans to include a public hearing session for parents and families to provide comments on the future rulemaking and to conduct additional public engagement to ensure clarity within the LEA community regarding the intents and impacts of these regulations.

OSSE has also collaborated with multiple parties in an ongoing effort to implement the Enhanced Special Education Services Amendment Act of 2014, allowing the legislation to go into effect as of July 1, 2018. For example, to ensure readiness to implement the requirements, OSSE has worked to update its IDEA Part B special education data system to ensure compliance with the new evaluation requirements set forth in DC law and has aligned its monitoring tools to ensure that its system of supervision under IDEA is appropriately aligned to the new timelines.

Moreover, in winter 2017 and spring 2018, OSSE conducted training, which was mandatory for all LEAs, regarding the upcoming transition to the new law. This training series also covered the specific, enhanced requirements for 3-5 year olds established by the Court's Order. In addition to this comprehensive training, OSSE provided additional notification and guidance to all LEAs in June 2018 regarding the effectiveness date of the new evaluation requirements. OSSE is currently reviewing feedback provided from plaintiffs on the training series and child find materials. OSSE also scheduled an in-person meeting to address LEA questions in July 2018, and made additional technical assistance available throughout the summer, including tailored assistance to charter LEAs receiving C-B transition students as well as quarterly Early Childhood Transition working groups, ensuring that LEAs had every opportunity to prepare for the transition.

In response to requests by plaintiffs, OSSE also updated the IDEA Part B special education data system to include more specific referral source options for school staff to select when recording a student referral for evaluation. Specifically, the following have been added to the current list of options, which includes Part C referrals: medical professionals and "other." The existing list of options already included child care provider and community-based organization, which encompasses child development facilities and community and advocacy organizations.

In March 2018, Early Stages began sending an initial letter to families being scheduled for evaluations that provides additional context for parent engagement efforts, further improving communication between families and Early Stages staff. Early Stages also continues to engage relevant third parties to assist in the evaluation process and provide feedback to third-party referrers as described in the December 2016 Report. The Early Stages database ensures that this feedback occurs by generating reminders for Child Find Field Coordinators (CFFCs) to initiate communication at defined points in the process (*i.e.*, receipt of referral, screening, and case closure). Feedback to referrers is tailored on a case-by-case basis to the core aspects of each child's referral and evaluation.

Paragraph 308(f): The District shall assign each family served by Early Stages a single staff member to act as its "case manager" throughout the screening, evaluation, eligibility determination, and IEP process to ensure that families have the necessary information to understand the purposes and functions of all aspects of the Early Stages process and procedures.

Early Stages continues to assign a dedicated Family Care Coordinator to each child find (Part B) family and an Evaluation Coordinator to each transition (Part C) family whose child is recommended to complete the Early Stages evaluation process. The role of the dedicated staff member remains the same as described in the December 2016 report.

As reported in February 2018, OSSE restructured the service coordination model for Part C to Part B transitions, such that a single Part C service coordinator is assigned to each family throughout the duration of the transition or extended IFSP process. OSSE is conducting trainings and regular monthly meetings with the service coordination teams, including more in-depth transition training, extended IFSP option trainings, and a joint workshop with Early Stages to prepare for the children with an Extended IFSP who must exit. Strong Start continues to improve this model to ensure consistency throughout the referral, initial evaluation, IFSP development, and transition process.

OSSE further developed an SOP to ensure consistency in transition notification to charter LEAs, among others. This safeguard was pursued, in part, in response to a request for further clarity identified in defendants' Supplemental Memorandum. This SOP requires service coordinators to contact the LEA within three business days after a family communicates the intent to access a free and appropriate public education at the LEA. Documentation of the family's intent to discontinue Early Intervention services and to receive FAPE through an IEP is maintained in the child's Part C services record.

Paragraph 308(g): The District shall maintain a central location that: accepts formal and informal referrals; conducts initial meetings, screenings, assessments, eligibility determinations, IEP development, and offers of placement; and permits parents to register their child with DCPS.

Early Stages continues to maintain two locations: 1125 New Jersey Avenue NW and 4058 Minnesota Avenue NE. All of the services described in paragraph 308(g) are still available at each location as explained in the December 2016 Report.

Paragraph 308(h): The District shall regularly assess the need for and, as necessary, open additional satellite sites to perform the same functions in other wards or use a mobile evaluation unit that is able to perform these functions at multiple locations throughout the District as more children are located who may be in need of preschool special education.

Early Stages continues to monitor trends in caseload assignments and initial eligibility timeliness as described in the December 2016 report and remains appropriately staffed and located.

During the 2017-18 school year, DCPS began a pilot program to shift the responsibility for evaluations of preschool-age children enrolled in DCPS elementary schools to the schools in which they are enrolled. This program, which aligns with existing DCPS procedures for older children and the evaluation process for charter schools PK3-12, is being launched across all DCPS schools for school year 2018-2019. It is designed to increase school-level accountability, reduce timelines, and allow Early Stages to focus its child find efforts on preschool-age children who are not already enrolled in District schools. Early Stages will continue to perform all the functions it currently performs, including accepting and confirming referrals from any source and providing updates to referrers about child outcomes.

Paragraph 308(i): The District shall conduct regular screenings of preschool-age children in each ward of the District, and especially in wards in which children experience multiple risk factors.

Early Stages continues to facilitate and promote regular developmental screening across the District and target organizations in every ward for training and technical assistance to support screening efforts as described in the December 2016 Report. For school year 2018-19, DCPS is requiring that developmental screening for all PK3 and PK4 children be completed within 45 days of the start of school or the first day the child attends school for all children newly enrolling in all DCPS schools. Previously, this requirement was limited to Title 1 schools as part of the Head Start Schoolwide model. The Early Stages child find team and other central office staff within the Early Childhood Division are supporting all schools in the continued implementation of this work.

Paragraph 308(j): The District shall use existing data (e.g., medical records and reports of prior assessments) at the time of referrals to the extent possible, especially for children from Part C to Part B services, to eliminate unnecessary and duplicative screenings and assessments for eligibility determination purposes.

The analysis of existing data remains an IDEA and state-level requirement of the special education evaluation process for all LEAs, and compliance is ensured via the State's Special Education Data System (SEDS). To reinforce these requirements, the mandatory OSSE Child Find and Initial Evaluation professional development sessions described above included guidance to LEAs related to the importance of analyzing a broad range of existing data, including health records, data from early childhood settings, and early intervention data, as applicable.

Effective June 1, 2018, Strong Start implemented the use of the Battelle Developmental Inventory, Second Edition (BDI-2) instead of the Bayley Scales of Toddler Development (Bayley), as the assessment tool for children who are transitioning to Part B. At the time of transition, the most recent BDI-2 evaluation report (conducted within the past six months), along with information from the Assessment, Evaluation and Programming System (AEPS) will be submitted to Early Stages to assist with determining eligibility for the Part B program.

The decision to transition from the use of the Bayley to the BDI-2 was made in consultation with Early Stages leadership and clinical teams. The BDI-2 effectively evaluates a child's functional developmental skills and allows for parent reporting which is essential when evaluating children under the age of three. For transition purposes, the BDI-2 continues to yield the score information previously provided by the Bayley, which are beneficial to Part B programs to assist in making an IDEA Part B services eligibility determination.

In addition, OSSE is currently reviewing and revising its guidance related to students transitioning from Part C to B, including clarification on the use of existing data during the part B eligibility determination process and other procedural matters of importance to the Court. OSSE anticipates the release of clarifying guidance to LEAs during the 2018-19 school year.

The internal policies of Early Stages remain the same as described in the December 2016 report, for both child find and Part C transition referrals.

Paragraph 308(k): The District shall accept all children exiting Part C who have identified disabilities or significant developmental delays as presumptively eligible for Part B in order to ensure that they do not experience a disruption in services. Presumptively eligible for preschool education means that the information available at the time of the referral of a child—when he or she is nearly three years old and is about to transition from Part C to Part B—shall be presumed to be sufficient to make a decision about the child's eligibility for Part B special education services, unless indicated otherwise by the Part B IEP Team. The Part B IEP Team may find, after reviewing the information available at the time of the referral of the child, that additional data is needed in order to make an eligibility determination. If the Part B IEP Team finds that additional data is needed in order to make an eligibility determination, the child may not begin receiving Part B services prior to an evaluation to determine the child's eligibility for such services. In all cases, including where the existing data are sufficient and where the Part B IEP Team determines that additional data are needed, defendants shall ensure that the Part B eligibility determination is completed prior to the child's third birthday, so that children eligible for Part B special education and related services experience no disruption in the receipt of services.

The District continues to operate in alignment with this requirement. Programmatically, there have been no changes since December 2016 in how Early Stages works with OSSE's Strong Start program to provide a smooth transition for Part C enrolled children into the Early Stages eligibility process.

Early Stages has, however, updated how information related to eligibility determinations for children exiting Part C is entered by DCPS providers into the Special Education Data System (SEDS), which facilitates accurate internal monitoring of the presumptive eligibility rule. Providers are now required to describe their review of a child's Part C record in a SEDS module as opposed to entering a separate report related to the review in SEDS. Because of this change, SEDS now clearly reflects when an evaluation team proceeded directly to an eligibility meeting based on Part C data versus when additional assessments were required. During fiscal year (FY) 2018, 85% of Part B eligibility determinations were completed with existing data, with the most common reason for an additional assessment being a concern about speech articulation, a delay that is addressed in Part B but not Part C.

As noted above, the mandatory Child Find and Initial Evaluation professional development sessions conducted by OSSE clarified requirements related to paragraph 308(k). Additionally, Strong Start has created and filled the new position of Clinical Manager; this individual along with the Strong Start Director and the Service Coordination Manager meets monthly with DCPS Early Stages leadership to discuss the transition process overall and a variety of more specific service and process related topics (e.g., interpretation of Strong Start progress reports and evaluation tools) and transition with the goal of enhancing the appropriate use of IDEA Part C information to inform the transition process.

Paragraph 308(l): The District shall maintain a reliable data-sharing system between Part C and Part B to ensure that Early Stages receives an ongoing monthly report of all children who will be aging out of Part C within the following six months in order to ensure timely transition meetings.

Early Stages and Strong Start continue to work together to ensure timely transition meetings for Part C children in the ways described in the December 2016 Report. Effective August 1, 2018, the invitation to the transition conference serves as each transitioning student's referral date, beginning the evaluation timeline. OSSE is reviewing and revising existing guidance to incorporate this revised practice. Notification from Strong Start continues to be received monthly by Early Stages through a secure file transfer site, acting as a backstop to ensure all students receive a timely transition. OSSE is taking a two-pronged approach to ensuring that LEAs have the supports in place to ensure that the monthly notification list is appropriately utilized as a safeguard for students referred through the transition conference notice mechanism. First, OSSE is developing guidance specifically tailored for DCPS to enhance their use of the monthly notification list as a safeguard for smooth and effective transition. Second, OSSE is developing guidance for all LEAs, in conjunction with the DCMR changes discussed above, on how to conduct communications with families in the C-B transition context that constitute reasonable efforts to obtain consent.

In addition, OSSE has developed an enhanced data review protocol for monitoring transitions from the State level to ensure that they are smooth and effective. On July 30, 2018, OSSE notified charter LEAs that the State will provide the special education coordinator at each LEA with notice of 3-5 year old students with an IEP or Extended IFSP who are transitioning into their LEAs. Additionally, to ensure the timely delivery of services, OSSE's Part B, 619 coordinator is providing direct outreach to Charter LEAs to identify and provide needed technical assistance. OSSE is reviewing enrollment data weekly through the start of school to ensure LEAs receive ongoing notification of transitioning students in a timely manner. Through this approach, OSSE continues to provide technical assistance to charter LEAs regarding the transition process and service delivery implementation requirements.

Paragraph 308(m): The District shall maintain a reliable database system for tracking children through the Child Find process: from referral to eligibility determination and, if eligible, IEP development, placement, and provision of identified services.

All data collection, integrity, maintenance, and support processes originally described in the December 2016 report remain in place. In addition, as shared in meetings with plaintiffs' counsel, during the 2016-17 school year, OSSE introduced a Unified Data System Error (UDE) Report. The UDE process provides LEAs access to real-time reporting of current and historical data anomalies and is supported by guidance (e.g., actions and timeframes for resolving anomalies) and ongoing technical assistance from OSSE.

In addition, OSSE continues to make the Qlik Related Services Management Report (RSMR) available to LEAs. This tool provides student level and aggregate related service data to LEA service providers and administrative staff, which allows LEAs to make more informed decisions around staffing needs, scheduling, and accountability for service delivery. LEAs continue to provide OSSE with feedback indicating that the Qlik RSMR is a well-received enhancement to the existing related services logging module in SEDS.

In May 2017, OSSE further implemented the Qlik Early Access Tool to ensure compliance with the requirement for tracking students through the child find and evaluation processes. This tool

provides LEAs with access to student records for completion of the evaluation process during a summer term in which access would typically be delayed until the start of the next school year.

The OSSE LEA Data Management Policy issued in December 2017 remains in effect, clarifying OSSE and LEA data management roles and responsibilities as part of the District's ongoing efforts to ensure valid, reliable, and timely data collection and reporting.

Paragraph 308(n): The District shall maintain a reliable system for tracking the number and type of placements available for preschool special education and related services throughout the year and expanding the number and types of placement as needed.

The District continues to comply with these requirements as described in the December 2016 Report.

Paragraph 309(a): The District shall develop and apply consistent operational definitions for each of the numeric benchmarks.

The District has developed operational definitions, also referred to as "business rules," for each of the numerical benchmarks. These definitions serve as the basis for the annual and monthly figures reported under the Court's Order and were initially provided to plaintiffs along with the data underlying the calculations in the August 2017 Report. As stated above, the District has conducted ongoing review of all relevant business rules and underlying data systems to enhance reporting and continued accuracy.

Additionally, in response to a request by plaintiffs, OSSE provided plaintiffs the standard operating procedure (SOP) that staff use for determining whether an LEA's efforts to contact a parent are reasonable under OSSE policy. The SOP ensures consistency and reliability in practices over time and supports adherence to consistent standards for new staff members. In response to plaintiffs' request that LEAs be made aware of these standards, OSSE has made the SOP available on the agency's Child Find and Initial Evaluation Resources webpage and communicated its availability to LEAs serving pre-Kindergarten students.

Paragraph 309(b): The District shall understand and ensure that its staff understand the purpose of the benchmarks and the IDEA requirements so that it can comply with them.

As previously reported, OSSE issued guidance to all LEAs through an August 30, 2017 Dear Colleague Letter, which clarifies relevant reporting requirements and definitions.

OSSE also continues to host monthly data manager and special education coordinator meetings to keep key staff abreast of requirements and available resources in these areas. During the 2016-17 and 2017-18 school years, OSSE further conducted a monthly webinar support series covering the following relevant technical assistance areas: UDE procedures, child count, data systems and reports availability, early access to students with disabilities data for child find and evaluation, logging and oversight of related service provision through the RSMR, managing quality data and compliance, overview of child find requirements for LEAs, preparing for the revised initial evaluation timeline, student enrollment procedures, student transfer of records procedures,

extended school year (ESY) service provision, and end of school year and start of school year data system training.

The mandatory Child Find and Initial Evaluation professional development sessions described above likewise included instruction regarding child find requirements, DL case benchmarks, and the OSSE Model Child Find Policy, which was implemented with accompanying LEA Child Find Guidance in January 2018. In particular, these sessions reinforced OSSE's expectations around logging related service delivery in SEDS, which was intended, in part, to address documentation issues identified in defendants' Supplemental Memorandum. These issues likewise were the subject of LEA training provided by OSSE in October 2017, and February 2018. All LEA resources related to child find and timely evaluation procedures remain available through a consolidated resource page on the OSSE website. Furthermore, OSSE continues to make available a Special Education Parent Information Brochure, providing clarifying information on the role of Response to Intervention (RTI) in the special education process; this resource is also available on the consolidated resource website.

OSSE additionally held its second annual Start of School Summit on June 12, 2018, for all key LEA points of contact. The summit was designed to deliver key information to support seamless transition from the end of the 2017-18 school year to the beginning of the 2018-19 school year. Sessions included the following relevant technical assistance areas: enrollment audit training, preparing to serve students with disabilities with special focus on child find resources, Qlik Early Access App training, quality data and data outcomes training, and early childhood special education and transition guidelines training. All trainings were offered again in August 2018 to ensure school staff hired during the summer months are able to attend.

Also, as noted above, OSSE has provided several updates to LEAs beginning in June 2018 and throughout the summer, in order to ensure their readiness to implement the new evaluation timeline effective July 1, 2018. In addition to these efforts to support all LEAs, OSSE meets monthly with DCPS Early Stages to address procedural questions, receive feedback, review data, and continuously refine practices to ensure a smooth and effective transition. This process informs OSSE's development of guidance and technical assistance for all LEAs with pre-K programs.

Finally, as previously reported, OSSE adjusted its child find focused monitoring approach for the 2017-18 school year to include a review of each LEAs' child find policies, including screening procedures for three- to five-year-olds. Through this monitoring, OSSE required LEAs with identification rates of lower than 8.5 percent and/or identified gaps in policies to update their policies and confirm the completion of turnkey training for all staff before the beginning of the 2018-2019 school year. OSSE identified fifteen (15) LEAs serving three to five-year-olds with identification rates of lower than 8.5 percent or identified gaps in policies. Of these fifteen (15) LEAs, all are required to complete turnkey training for all staff and thirteen (13) are additionally required to conduct policy updates. OSSE continues to monitor these LEAs for completion of corrective actions.

Paragraph 309(c): The District shall improve its data collection policies so that reporting can be accurate.

As noted above in response to paragraph 308(m), OSSE has in effect an LEA data management policy to support accurate, timely, and complete reporting. To further ensure compliance with this requirement, the District has implemented a system of support for LEA data points of contact. Each LEA data point of contact is assigned an OSSE data liaison, who provides continuous and LEA specific technical assistance to support correction of data errors and compliance with reporting requirements. OSSE continues to improve data collection practices and accuracy by auditing all data and flagging errors through the unified data error (UDE) and correction process. OSSE continues to convene monthly LEA Data Management meetings to provide LEA data points of contact with technical assistance on data quality, data system enhancement training, and structured time to meet with assigned OSSE data liaisons to resolve LEA specific concerns.

As an additional measure to ensure agency understanding of compliance requirements, OSSE executes a cross-divisional work-group to review data and consider strategies and practices for improvement. This work includes OSSE leadership from Part B and C programs; The Division of Data, Assessment, and Research; and the Division of Teaching and Learning. These meetings are ongoing and include consultation with LEA counterparts to receive input, support ongoing planning, and ensure follow-up. OSSE additionally executes a cross-divisional policy focused team to inform coordination efforts undertaken by the larger OSSE work group. The policy focused team also has collaborated with DCPS to respond to practice-based questions regarding compliance with IDEA and Court requirements and is engaged in the OSSE policy revisions discussed above.

The revisions to the Early Stages database described in the February 2018 report remain in place—namely, (1) establishing the correct date of referral for every child based on the date each case is first opened to ensure that all third-party referrals to Early Stages immediately start the evaluation timeline and (2) reviewing referral dates in SEDS weekly as part of ongoing quality assurance processes. Additionally, Early Stages completed substantial structural revisions within the database to ensure that all calculated fields related to referral and consent dates as well as their relevant timelines were functioning correctly under the new evaluation timeline of July 1, 2018.

Paragraph 309(d): The District shall collect the necessary data to indicate when all services begin, including special education and related services.

The District continues to collect these data, which have served as the basis for the District's reporting. OSSE is currently reviewing Plaintiffs' request for school staff to record the start of specialized instruction services in SEDS, including the technical and programmatic requirements necessary to implement with fidelity. As noted above, the District has reviewed the business rule definitions with due diligence to clarify that Stage 5 enrollment data is used to measure a student's start date of specialized instruction. The District believes that the designation of Stage 5 enrollment accurately reflects the date upon which a student begins receiving specialized instruction, as it is the date upon which the student is first physically in attendance in his or her assigned class to receive special education services.