

**District of Columbia**  
**Part B State Annual Performance Report (APR) for FFY 2009 (SY 2009-2010)**  
**Overview of the Annual Performance Report Development:**

The District of Columbia Office of the State Superintendent of Education (OSSE), as the State Education Agency (SEA) for the District of Columbia, is responsible for ensuring Local Educational Agency (LEA) compliance with the Individuals with Disabilities Education Act (IDEA, at 20 U.S.C. § 1400, et seq.).

OSSE's Division of Special Education (DSE) is responsible for overseeing the development and promulgation of state policy governing special education; monitoring LEAs for compliance with IDEA as well as other federal and local regulations and court-ordered consent decrees; allocation and administration of IDEA grant funds to LEAs and other public agencies; provision of training and technical assistance to LEAs; and investigation and resolution of state complaints relating to special education. OSSE also administers the District's due process hearing system, through the Student Hearing Office (SHO), in a reporting line separate from the DSE.

DSE is also responsible for the regulation of nonpublic placements under local statute. This includes setting rates for nonpublic schools; budgeting for, processing, and paying the invoices from nonpublic schools; monitoring the quality of nonpublic schools serving District children; taking corrective action against schools not meeting District standards; and issuing Certificates of Approval (COA) to nonpublic special education schools.

The Division also houses the District of Columbia Early Intervention Program (DC EIP) Unit. OSSE, through DC EIP, serves as the lead agency for IDEA Part C early intervention services in the District of Columbia. As such, DSE is responsible for ensuring the delivery of high quality services to children with disabilities birth through 21.

The District's Part B State Performance Plan (SPP) serves as a road map that outlines performance goals and annual targets that ensure accelerated reform. Progress in key performance areas is reviewed and reported on annually via the Annual Performance Report (APR). This annual data collection and review process allows OSSE to make data-based decisions that ensure the appropriate allocation of resources to areas of greatest need. The SPP and the APR are the critical levers for assisting OSSE in meeting its special education reform goal as outlined in its five-year strategic plan, which is to "ensure students with disabilities receive an excellent education and life-skills training to become well-educated, independent, and productive members of their community."<sup>1</sup>

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<sup>1</sup> The District of Columbia State-Level Education Strategic Plan, Fiscal Years 2009-2013:  
<http://www.osse.dc.gov/seo/frames.asp?doc=/seo/lib/seo/osse20strategic20plan2011-05-08.pdf>

OSSE ensures that stakeholders and the public are engaged in its activities through monthly meetings of the State Advisory Panel on Special Education (SAP), quarterly meetings with LEA representatives, expansion of OSSE's special education web page, a weekly newsletter to LEAs and other stakeholders from OSSE, and frequent focus groups on specific topics central to the reform efforts. Together, these tools create a feedback loop which allows for continuous improvement at both the state and local levels.

The FFY 2009 APR was prepared using instructions forwarded to OSSE by the U.S. Department of Education, Office of Special Education Programs (OSEP). Instructions were drawn from several documents:

- OSSE's FFY 2008 Compliance Determination letter and response table (June 2008)
- OSEP's General Instructions for the State Performance Plan (SPP) and Annual Performance Report (APR)
- OSEP's State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table
- OSEP's Optional APR Templates

OSSE staff and contractors collected data and made calculations for each of the indicators. Technical assistance was provided by several federal contractors – most notably the Mid South Regional Resource Center. OSSE leadership discussed each of the requirements, reviewed calculations and discussed improvement activities.

On January 20, 2011 OSSE presented revised/proposed targets for FFY 2010 – FFY 2012 to the SAP. The SAP was provided an opportunity to comment on the targets before, during and after this meeting. The SAP provided input regarding Indicators 1, 2, 3, 4, 5, 8, 14, 18 and 19. Following the SAP meeting, OSSE used the stakeholder input to finalize targets.

#### Data Sources

Indicator 1: The data used in reporting this indicator are aligned with ESEA standards and were supplied to OSSE via spreadsheets completed by the District of Columbia Public Schools (DCPS) and the Public Charter School Board (PCSB). These data are the same as reported by the OSSE under the ESEA.

Indicator 2: The data used in reporting this indicator are aligned with ESEA standards and were supplied to OSSE via spreadsheets completed by DCPS and the PCSB. These data are the same as reported by the OSSE under the ESEA.

Indicator 3: The data for this indicator were based on the results of the DC-CAS, the statewide assessments in reading/language arts and mathematics and the DC-CAS Alt, a portfolio-based assessment used to measure achievement of students with the most significant cognitive disabilities on alternate achievement standards. The data were calculated by the OSSE Office of Assessments and Accountability and are the same data as reported for ESEA purposes.

Indicator 4: OSSE used data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Subject to Disciplinary Removal) to report on Indicator 4.

Indicator 5: Educational environments data were collected at the same time as the December 1, 2009 Child Count. IEP information from SEDS was used to calculate percent of time in the regular classroom. Charter schools were given the option of reporting all environments data via enrollment spreadsheets submitted to the OSSE.

Indicator 8: OSSE used a paper-and-pencil, slightly-modified version of the 26-item National Center for Special Education Accountability Monitoring (NCSEAM) Part B K-12 survey. A few items were modified in order to increase the readability of the survey and to make the survey appropriate for parents of children age 3 to 5. OSSE contracted with Mountain Plains Regional Resource Center (MPRRC) for assistance with the data collection, data analysis, and report-writing for this indicator.

Indicator 9: OSSE used its Fall October 5, 2009 Enrollment and October/December 1, 2009 Child Count data for the Indicator 9 FFY 2009 SPP/APR submission.

Indicator 10: OSSE used its Fall October 5, 2009 Enrollment and October/December 1, 2009 Child Count data for the Indicator 10 FFY 2009 SPP/APR submission.

Indicator 11: OSSE used its Special Education Data Systems (SEDS) to collect data for this indicator. Data were collected for the entire reporting year (July 1, 2009 – June 30, 2010).

Indicator 12: The State's business processes for Part C to B transition currently includes aligning data from three data systems: the Part C data system (Early Steps and Stages), the Special Education Data System (SEDS) and the Early Stages database.

Indicator 13: OSSE completes a random sampling of at least 100 IEPs from all LEAs of youth aged 16 and above to be reviewed for secondary transition content. The random sample is based on SEDS data of all youth aged 16 and above enrolled in DC LEAs.

Indicator 14: OSSE used census data for this indicator. OSSE collected exiting information for all students who graduated or left school in FFY 2008 and provided this information to its contractor to complete the survey.

Indicator 15: OSSE used data from its Quality Assurance and Monitoring tracking logs, the Blackman Jones Database, and SEDS to report on this indicator.

Indicator 16: OSSE used data from its Quality Assurance and Monitoring State Complaint tracking logs to report on this indicator.

Indicator 17: OSSE used its web-based Case Management System (Docketing System), the Student Hearing Office's ability to capture, analyze, review and report on due process cases.

Indicator 18: OSSE used its web-based Case Management System (Docketing System), the Student Hearing Office's ability to capture and report on resolution sessions.

Indicator 19: OSSE used its web-based Case Management System (Docketing System), the Student Hearing Office's ability to capture and report on mediations.

Indicator 20: OSSE used data reported to EdFacts, DAC and Indicators 1-19 to report on this indicator.

As a relatively new state education agency, OSSE is pleased to note that it made tremendous progress in FFY 2009. Key initiatives that were completed include:

- Maintenance of a Placement Oversight Unit and implementation of a change in placement policy designed to decrease over-reliance on separate placements and ensure appropriate referrals, which continued to maintain an overall diversion rate of 40%<sup>2</sup> in its second year of operation;
- Refinement of the LEA grant application process and a reimbursement system which proactively assists LEAs in managing funding;
- Continued implementation and refinement of the Special Education Data System (SEDS), including training of nonpublic staff;
- Issuance of regulations that mandated use of SEDS by all LEAs;
- An executed Memorandum of Agreement (MOA) with the Public Charter School Board (PCSB) to ensure timely and accurate data feeds between the PCSB student information system and SEDS;
- Development and production of a Related Services Management Report (RSMR) to allow LEAs to proactively manage related service delivery and prevent lapses;
- Development and implementation of a child count policy to ensure accurate child count data;
- On-site monitoring of seven LEAs, with issuance of letters of finding and required corrective actions as warranted;
- Implementation of a comprehensive training and technical assistance plan for all LEAs, with additional on-site coaching and technical assistance provided to LEAs upon request or referral;
- Continued implementation of a Response to Intervention (RTI) initiative pilot program, designed in partnership with national experts in academic and behavior intervention and support, which is demonstrating a significant impact;

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<sup>2</sup> The diversion rate reflects the percentage of students for which a change in placement to a more restrictive setting was initially considered by the IEP team, but placement into a nonpublic school was subsequently diverted once the LEA received technical assistance, and other supportive resources from OSSE.

- Continued implementation of an electronic docketing system for the Student Hearing Office (SHO) which supports effective management of the due process hearing system and timely provision of hearings and issuance of hearing officer decisions;
- Development of community forums and attendance at local conferences to ensure that LEAs, parents, and the community were kept abreast of progress and current activities; and
- Creation of foundational policies designed to align local practice with federal requirements.

OSSE recognizes that sustainable reform requires proactive problem solving to address many systemic challenges. OSSE is pleased to note that the data collected for this reporting period reflects a much higher degree of accuracy in reporting from LEAs in the District of Columbia than in prior reporting years. This report incorporates the most comprehensive collection of data possible at present using multiple data collection methods, and is a significant improvement over previous years. It is our expectation, however, that OSSE must continue to improve its data collection for performance reporting in future reporting years. As barriers are identified, OSSE will continue to improve its data collection procedures and work with LEAs to improve data accuracy and reliability.

This report is designed to provide a comprehensive update on SEA efforts to meet both federal and local objectives for all students with disabilities to achieve at high levels and receive timely and effective support. Together with the SPP, this report will be published on the OSSE website at <http://osse.dc.gov/seo/site/default.asp>

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: FAPE in the LRE****Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.  
(20 U.S.C. 1416 (a)(3)(A))**Measurement:**

States must report using the graduation rate calculation and timeline established by the Department under the ESEA. Measurement for youth with IEPs should be the same measurement for all youth.

$$\frac{\text{\# of graduates with IEPs receiving a regular diploma}}{\text{\# of graduates with IEPs receiving a regular diploma} + \text{\# of 9}^{\text{th}} \text{ grade students who dropped out in SY 2005-2006} + \text{\# of 10}^{\text{th}} \text{ grade students who dropped out in SY 2006-2007} + \text{\# of 11}^{\text{th}} \text{ grade students who dropped out in SY 2007-2008} + \text{\# of 12}^{\text{th}} \text{ grade students who dropped out in SY 2008-2009}}$$

# of graduates with IEPs receiving a regular diploma + # of 9<sup>th</sup> grade students who dropped out in SY 2005-2006 + # of 10<sup>th</sup> grade students who dropped out in SY 2006-2007 + # of 11<sup>th</sup> grade students who dropped out in SY 2007-2008 + # of 12<sup>th</sup> grade students who dropped out in SY 2008-2009

FFY	Measurable and Rigorous Target
2008	66.23 percent of youth with IEPs graduating from high school will receive a regular diploma.

**Actual Target Data for FFY 2008: 94.23%**

For Indicator 1, the SEA must examine data for the year before the reporting year and compare the results to the target. Using the above graduation calculation formula, the 2008-2009

graduation rate for students with disabilities is 94.23%. The data are presented in the following calculation:

$$\frac{359}{359 + 1 + 5 + 8 + 8} = 94.23\%$$

The State met its FFY 2008 target for Indicator 1 of 66.23%.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009 (SY 2009-2010):**

The actual target data of 94.23% represents significant progress from the State's FFY 2007 reported data of 68.19%.

In FFY 2009, OSSE began to focus on the proper development and implementation of secondary transition plans, engaged a group of community stakeholders to form a Community of Practice around secondary transition and conducted numerous professional development and training sessions for LEAs to increase knowledge and skills related to increased secondary teaching and learning and preparing students for graduation and postsecondary options. Specifically, OSSE hosted trainings on developing measurable annual goals and objectives for transition services utilizing SEDS; integrating best practices for addressing the needs of students with disabilities into professional learning and teaching activities; determining student progress at the secondary level; implementing an effective Response to Intervention (RTI) framework in secondary schools; developing and implementing research-based secondary school reading interventions; identifying programs and activities that will help students reach their post secondary school goals by linking graduation, dropout, secondary transition, and post-school outcomes to drive student improvement; and providing technical assistance on the 15 Strategies for Dropout Prevention from the National Dropout Center.

OSSE believes that its dedication to the allocation of resources in this area and its diligence in engaging community stakeholders contributed to the progress in graduation, dropout and postsecondary outcomes. While OSSE acknowledges that the State must continue to support LEAs in achieving excellence in teaching and learning at the classroom level in order to provide every student with increased opportunities to succeed after high school, OSSE is encouraged by the upward trend in graduation, dropout and postsecondary outcomes results.

OSSE used the "leaver rate" methodology created by the National Center for Education Statistics (NCES) for determining graduation rate in SY 2008-2009. The calculation for determining the graduation rate for SY 2008-2009 was: (total number of graduates in SY 2008-2009) / (total number of graduates with IEPs receiving a regular diploma + total number of 9<sup>th</sup> grade students who dropped out in SY 2005-2006 + total number of 10<sup>th</sup> grade students who dropped out in SY 2006-2007 + total number of 11<sup>th</sup> grade students who dropped out in SY

2007-2008 + total number of 12<sup>th</sup> grade students who dropped out in SY 2008-2009). Below is a chart which provides the raw data used in this calculation:

<b># of graduates with IEPs receiving a regular diploma</b>	359
<b># of 9<sup>th</sup> grade students who dropped out in SY 2004-2005</b>	1
<b># of 10<sup>th</sup> grade students who dropped out in SY 2005-2006</b>	5
<b># of 11<sup>th</sup> grade students who dropped out in SY 2006-2007</b>	8
<b># of 12<sup>th</sup> grade students who dropped out in SY 2007-2008</b>	8

This is the second year that OSSE used the graduation rate calculation used for Title I adequate yearly progress (AYP) determinations.

#### **Data Source:**

The data used in reporting this indicator are aligned with ESEA standards and were supplied to OSSE via spreadsheets completed by the District of Columbia Public Schools (DCPS) and the Public Charter School Board (PCSB). These data are the same as reported by the OSSE under the ESEA.

OSSE's Division of Elementary and Secondary Education calculated disaggregated graduation rates for the first time for the class of 2009. Because of weaknesses in the current method of graduation rate calculation, OSSE believes that these disaggregated rates may not accurately or reliably reflect the graduation rate, in particular for the students with disabilities subgroup. For instance, the current graduation rate methodology does not take into consideration whether students are retained, and only looks at dropouts in grades 9-12, excluding from the dropout calculation any ungraded students. The reported graduation rate of 94.23% for the students with disabilities subgroup is, while an accurate calculation using available data, not a number that OSSE believes has full veracity.

In December 2010, OSSE released guidance regarding the use of the adjusted-cohort method for determining the graduation rate in the District of Columbia. This guidance/policy can be found at

[http://newsroom.dc.gov/show.aspx?agency=seo&section=2&release=20924&year=2010&file=file.aspx%2frelease%2f20924%2fDistrict of Columbia Adjusted Cohort Graduation Rate Guidance December 2010.pdf](http://newsroom.dc.gov/show.aspx?agency=seo&section=2&release=20924&year=2010&file=file.aspx%2frelease%2f20924%2fDistrict%20of%20Columbia%20Adjusted%20Cohort%20Graduation%20Rate%20Guidance%20December%202010.pdf).



In September 2011, OSSE will report a graduation rate using the adjusted-cohort method that will meet USDE's requirements in this area. This method will significantly improve the accuracy and reliability of graduation rate data in the District of Columbia. To date, OSSE has released an initial policy guidance document on this new method and will begin data collection and validation in February 2011.

**Discussion of District Graduation Requirements:**

Under current District law, all students must have a graduation plan by the beginning of ninth grade.<sup>3</sup> Graduation plans must be completed with the assistance and signed approval of a school counselor. The purpose of the graduation plan is to outline the projected course-load required for high school completion. To graduate with a regular diploma, a student must complete twenty-four (24) Carnegie Units.<sup>4</sup> Students with disabilities who do not achieve a regular diploma are eligible to receive a Certificate of Individual Educational Program (IEP) Completion. In order to raise State standards for achievement, OSSE has engaged stakeholders to develop and implement new graduation requirements for all students. OSSE's graduation requirements policy is currently in draft form, but is expected to be released by June, 2011.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

The DSE revised its FFY 2009 and FFY 2010 targets to align with OSSE's Elementary and Secondary Education ESEA targets pertaining to graduation. Revised targets are included in OSSE's revised SPP dated January 31, 2011.

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
<b>Issuance of Secondary Transition Policy:</b> On January 5, 2010, OSSE issued a Secondary Transition Policy that clarified what is expected of LEAs in regard to preparing students with disabilities for postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, and/or community participation upon graduating or exiting high school.	FFY 2009 (SY 2009-2010)	Chief of Staff, Policy Unit

<sup>3</sup> 5 DCMR §2203.1

<sup>4</sup> 5 DCMR § 2203.2

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
<b>Establishment of a State Secondary Transition Community of Practice:</b> The DSE sent a team of directors and key staff along with community stakeholders to an OSEP-sponsored conference on secondary transition planning in May, 2010. This conference served as a vehicle to initiate a District-wide secondary transition planning team led by the DSE's Director of Training and Technical Assistance.	July 2010	Director, TTA Unit

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
<b>Completion of Secondary Transition Monitoring Pursuant to OSSE's Memorandum of Agreement with OSEP:</b> Pursuant to OSSE's MOA with OSEP, the Quality Assurance and Monitoring (QAM) unit began regular monitoring of 100 IEPs of students with disabilities aged 16 or older to ensure compliance with requirements related to secondary transition content.	Ongoing through June 30, 2013	Director, QAM Unit
<b>Implementation of a Training Series to Support Secondary Success:</b> The DSE's Training and Technical Assistance (TTA) Unit facilitated a robust training series in SY 2009-2010 which will continue annually through 2013. This LEA training series includes trainings specifically designed to ensure the success of students in secondary grades. Specifically, the training series includes the following training content: <ul style="list-style-type: none"> <li>• Developing measurable annual goals and objectives for transition services utilizing SEDS</li> <li>• Integrating best practices for addressing the needs of students</li> </ul>	Ongoing through June 30, 2013	Director, TTA Unit

<p>with disabilities into professional learning and teaching activities</p> <ul style="list-style-type: none"> <li>• Determining student progress at the secondary level</li> <li>• Implementing an effective Response to Intervention (RTI) framework in secondary schools</li> <li>• Developing and implementing research-based secondary school reading interventions</li> <li>• Identifying programs and activities that will help students reach their post secondary school goals by linking graduation, dropout, secondary transition, and post-school outcomes to drive student improvement</li> <li>• Providing technical assistance on the 15 Strategies for Dropout Prevention from the National Dropout Center</li> </ul>		
<p><b>Completion and Implementation of a State Action Plan:</b> This Community of Practice has met 3 times to continue the work related to ensuring that student's with opportunities can access a regular or alternate diploma and are well-prepared for transition to life beyond high school. The team is also in the process of developing a State Action Plan and will implement the plan upon completion.</p>	<p>Ongoing through June 30, 2013</p>	<p>Director, TTA Unit DSE Leadership Team</p>
<p>Refinement of SEDS to facilitate best practice and compliance related to required secondary transition content</p>	<p>FFY 2010</p>	<p>Director, Data Unit and Policy Unit</p>
<p>Creation of guidance aligned with release of updated SEDS content</p>	<p>FFY 2010</p>	<p>Director, Data Unit and Policy Unit</p>

**Part B State Annual Performance Report (APR) for FFY 2009**

**Monitoring Priority: FAPE in the LRE**

**Indicator 2:** Percent of youth with IEPs dropping out of high school.  
(20 U.S.C. 1416 (a) (3) (A))

**Measurement:**

The total number of students with IEPs dropping out grades 7-12 divided by the total enrollment in grades 7-12.

Total # of dropouts (students with IEPs) from grades 7-12

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Total enrollment in grades 7-12

The dropout rate is calculated from data pulled from grade seven through grade twelve. A dropout is defined as any student who was in attendance on the date of the official count of one school year and not in attendance on the official date the of the following school year. Students may have left school for any one of the following reasons:

- No show/ Nonattendance
- Whereabouts unknown
- Work
- Voluntary (e.g. marriage, military, hardship)
- Adult education that is not part of the District instructional program

FFY	Measurable and Rigorous Target
2008	The percent of youth with IEPs dropping out of high school will decrease to 6.6 percent.

**Actual Target Data for FFY 2008: 2.32%**

Using the above measurement, the 2008-2009 District dropout rate for students with disabilities is 2.32%. The data are presented in the following calculation:

$$\frac{106}{4560} \times 100 = 2.32\%$$

The State met its FFY 2008 target for Indicator 2 of 6.6%.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009 (SY 2009-2010):**

The actual target data of 2.32% represents significant progress from the State's FFY 2007 reported data of 5.03%.

In FFY 2009, OSSE began to focus on the proper development and implementation of secondary transition plans, engaged a group of community stakeholders to form a Community of Practice around secondary transition and conducted numerous professional development and training sessions for LEAs to increase knowledge and skills related to increased secondary teaching and learning and preparing students for graduation and postsecondary options. Specifically, OSSE hosted trainings on developing measurable annual goals and objectives for transition services utilizing SEDS; integrating best practices for addressing the needs of students with disabilities into professional learning and teaching activities; determining student progress at the secondary level; implementing an effective Response to Intervention (RTI) framework in secondary schools; developing and implementing research-based secondary school reading interventions; identifying programs and activities that will help students reach their post secondary school goals by linking graduation, dropout, secondary transition, and post-school outcomes to drive student improvement; and providing technical assistance on the 15 Strategies for Dropout Prevention from the National Dropout Center.

OSSE believes that its dedication to the allocation of resources in this area and its diligence in engaging community stakeholders contributed to the progress in graduation, dropout and postsecondary outcomes. While OSSE acknowledges that the State must continue to support

LEAs in achieving excellence in teaching and learning at the classroom level in order to provide every student with increased opportunities to succeed after high school, OSSE is encouraged by the upward trend in graduation, dropout and postsecondary outcomes results.

#### **Data Source:**

OSEP requires OSSE to use State-level dropout data for the year before the reporting year. The data used in reporting this indicator are aligned with ESEA standards and were supplied to OSSE via spreadsheets completed by the District of Columbia Public Schools (DCPS) and the Public Charter School Board (PCSB). These data are the same as reported by the OSSE under the ESEA. The total enrollment in grades seven through twelve was extracted from the Annual Public School Enrollment Audit, an independent audit of enrollment conducted by a contracted vendor on October 5, 2008. The data used in the calculations are as follows:

	<b>Enrollment</b>	<b>Dropouts</b>
<b>7<sup>th</sup> grade students with IEPs</b>	865	5
<b>8<sup>th</sup> grade students with IEPs</b>	814	8
<b>9<sup>th</sup> grade students with IEPs</b>	1161	25
<b>10<sup>th</sup> grade students with IEPs</b>	657	16
<b>11<sup>th</sup> grade students with IEPs</b>	474	21
<b>12<sup>th</sup> grade students with IEPs</b>	589	31
<b>Total students with IEPs</b>	<b>4560</b>	<b>106</b>

#### Discussion Regarding Definition of “Dropout”:

According to the District of Columbia Consolidated State Application Accountability Workbook Plan submitted to the United States Department of Education (USDE) on March 2, 2009, OSSE currently defines dropouts based on the criterion established by the National Center for Educational Statistics (NCES) and as reported in the Common Core of Data. The NCES does not have different standards for students with IEPs. The District of Columbia Consolidated State Application Accountability Workbook Plan can be found at:

[http://osse.dc.gov/se/frames.asp?doc=/seo/lib/se/Accountability\\_Workbook\\_final\\_6\\_24\\_09.pdf](http://osse.dc.gov/se/frames.asp?doc=/seo/lib/se/Accountability_Workbook_final_6_24_09.pdf)

Because of weaknesses in the current method of graduation rate and dropout calculation, OSSE believes that these disaggregated rates may not accurately or reliably reflect the dropout rate, in particular for the students with disabilities subgroup. While the dropout calculation includes ungraded students, contrary to the graduation rate calculation, OSSE believes that the actual numbers of dropouts for students in grades 7 – 12 are more precise than numbers used in Indicator 1. However, the reported dropout rate of 2.32% for the students with disabilities

subgroup is, while an accurate calculation using available data, not a number that OSSE believes has full veracity.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
<b>Issuance of Secondary Transition Policy:</b> On January 5, 2010, OSSE issued a Secondary Transition Policy that clarified what is expected of LEAs in regard to preparing students with disabilities for postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, and/or community participation upon graduating or exiting high school. The policy specifically outlines LEA responsibilities that correspond to a student's decision to pursue a program leading to an IEP Certificate of Completion (as opposed to a regular diploma). OSSE requires LEAs to include a statement in the student's IEP that explains why a regular diploma is not appropriate. LEAs must also ensure that the student's parents have been fully informed of such a decision.	FFY 2009 (SY 2009-2010)	Chief of Staff, Policy Unit
<b>Establishment of a State Secondary Transition Community of Practice:</b> The DSE sent a team of directors and key staff along with community stakeholders to an OSEP-sponsored conference on secondary transition planning in May, 2010. This conference served as a vehicle to initiate a District-wide secondary transition planning team led by the DSE's Director of Training and Technical Assistance.	July 2010	Director, TTA Unit DSE Leadership Team

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
<b>Completion of Secondary Transition Monitoring Pursuant to OSSE's Memorandum of Agreement with OSEP:</b> Pursuant to OSSE's MOA with OSEP, the Quality Assurance and Monitoring (QAM) unit began regular monitoring of 100 IEPs of students with disabilities aged 16 or older to ensure compliance with requirements related to secondary transition content.	Ongoing through June 30, 2013	Director, QAM Unit
<b>Implementation of a Training Series to Support Secondary Success:</b> The DSE's Training and Technical Assistance (TTA) Unit facilitated a robust training series in SY 2009-2010 which will continue annually through 2013. This LEA training series includes trainings specifically designed to ensure the success of students in secondary grades. Specifically, the training series includes the following training content: <ul style="list-style-type: none"> <li>• Developing measurable annual goals and objectives for transition services utilizing SEDS</li> <li>• Integrating best practices for addressing the needs of students with disabilities into professional learning and teaching activities</li> <li>• Determining student progress at the secondary level</li> <li>• Implementing an effective Response to Intervention (RTI) framework in secondary schools</li> <li>• Developing and implementing research-based secondary school reading interventions</li> <li>• Identifying programs and activities that will help students reach their post secondary school goals by</li> </ul>	Ongoing through June 30, 2013	Director, TTA Unit



linking graduation, dropout, secondary transition, and post-school outcomes to drive student improvement <ul style="list-style-type: none"> <li>• Providing technical assistance on the 15 Strategies for Dropout Prevention from the National Dropout Center</li> </ul>		
<b>Completion and Implementation of a State Action Plan:</b> This Community of Practice has met 3 times to continue the work related to ensuring that student's with opportunities can access a regular or alternate diploma and are well-prepared for transition to life beyond high school. The team is also in the process of developing a State Action Plan and will implement the plan upon completion.	Ongoing through June 30, 2013	Director, TTA Unit DSE Leadership Team
Refinement of SEDS to facilitate best practice and compliance related to required secondary transition content	FFY 2010	Director, Data Unit; Policy and QAM Units
Creation of guidance aligned with release of updated SEDS content	FFY 2010	Director, Data Unit; Policy and QAM Units

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
The State must review the FFY 2007 target reflected in the SPP and revise it, as appropriate.	OSSE reviewed its FFY 2007 target reflected in the SPP and determined that the FFY 2007 target of 6.8% indicated on page 11 of the SPP is correct. The target listed on page 11 of OSSE's FFY 2007 APR of 6.6% was a typographical error.

**Part B State Annual Performance Report (APR) for FFY 2009**

**Monitoring Priority: FAPE in the LRE**

**Indicator 3:** Participation and performance of children with IEPs on statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

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

**Measurement:**

- A. AYP Percent =  $\left[ \frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$ .
- B. Participation rate percent =  $\left[ \frac{\text{(\# of children with IEPs participating in the assessment)}}{\text{(total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math)}} \right]$ . The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
- C. Proficiency rate percent =  $\left[ \frac{\text{(\# of children with IEPs enrolled for a full academic year scoring at or above proficient)}}{\text{(total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right]$ .

FFY	Measurable and Rigorous Target
2009	<p>A. At least 50% of the districts with a disability subgroup that meets the State's minimum "n" size will meet the State's AYP targets for the disability subgroup.</p> <p>B. At least 95% of children with IEPs will participate in the math assessment; and at least 95% of children with IEPs will participate in the reading assessment.</p> <p>C. At least 73.69% of children with IEPs will demonstrate proficiency against grade level, modified and alternate academic achievement standards in reading; and at least 73.69% of children with IEPs will demonstrate proficiency against grade level, modified and alternate academic achievement standards in math.</p>

**Actual Target Data for FFY 2009:**

FFY 2009	Measurable and Rigorous Targets									
	Districts Meeting AYP for Disability Subgroup (3A)		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)			
Targets for FFY 2009 (2009-2010)			Reading		Math		Elem Reading	Elem Math	Sec Reading	Sec Math
	50%		95%		95%		60.53%	55.21%	57.69%	55.41%
Actual Target Data for FFY 2009 (2009-2010)	#	%	#	%	#	%	%	%	%	%
	1	4.76	5530	92.79	5508	92.42	15.85	18.31	13.02	14.53

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009 (SY 2009-2010):**

OSSE's FFY 2009 actual target data of 4.76% for Indicator 3A represents slippage from OSSE's FFY 2008 reported data of 13.33%. OSSE did not meet its FFY 2009 target of 50% for Indicator 3A.

OSSE's FFY 2009 actual target data of 92.79% for reading and 92.42% for math for Indicator 3B represents slippage from OSSE's FFY 2008 reported data of 93.39%. OSSE did not meet its FFY 2009 target of 95% for reading and did not meet its FFY 2009 target of 95% for math.

OSSE is unable to determine whether there was progress or slippage for the actual target data of 15.85% for elementary reading and 13.02% for secondary reading; and 18.31% for elementary math and 14.53% for secondary math for Indicator 3C, because in its FFY 2008 APR, OSSE combined the calculation for elementary and secondary reading and math and in the current APR, OSSE has separated elementary and secondary data to align with Elementary and Secondary data and targets. OSSE did not meet its FFY 2009 target of 60.53% for elementary reading and did not meet its target of 57.69% for secondary reading; did not meet its FFY 2009 target of 55.21% for elementary math and did not meet its target of 55.41% for secondary math.

In FFY 2009, many initiatives were implemented to improve AYP proficiency. At the SEA level, OSSE instituted data improvements and offered numerous professional development opportunities regarding best practice for instruction and teaching students in the least restrictive environment to ensure access to the general education curriculum. In addition to professional development sessions offered by OSSE's DSE, OSSE Division of Elementary and Secondary Education provided trainings on assessment guidelines on accommodations for students with disabilities, participation in the alternate assessment, test administration, assessment score interpretation and using longitudinal data.

At the LEA level, the District's largest LEA offered Saturday School for students who had not previously achieved proficiency and required additional assistance to reach the proficient level. The LEA also provided technical assistance for teachers managing DC-CAS Alt portfolios to more accurately reflect students reaching desired levels.

#### **Data Source:**

The data for this indicator were based on the results of the DC-CAS, the statewide assessments in reading/language arts and mathematics and the DC-CAS Alt, a portfolio-based assessment used to measure achievement of students with the most significant cognitive disabilities on alternate achievement standards. The data were calculated by the OSSE Office of Assessments and Accountability and are the same data as reported for ESEA purposes.

#### **A. AYP**

##### **Clarification of Definitions for Indicator 3A:**

The minimum number of students ("n" size) for an LEA to be included in this indicator is 25, based on the *District of Columbia Office of the State Superintendent Accountability Plan*. This "n" size aligns with Adequate Yearly Progress (AYP) data used for accountability reporting under Title I of the ESEA. In FFY 2009, 21 LEAs met the "n" size of 25 for this Indicator. Twenty-eight

LEAs were excluded from the calculation because they did not meet the “n” size; 11 LEAs were excluded because they did not administer the State assessment due to the grades of students served in the LEA. OSSE notes that the number of LEAs counted in this Indicator differs from LEAs counted in other indicators (e.g. Indicators 4, 9 and 10) because this Indicator takes into account all charter school LEAs regardless of whether the charter school LEA has chosen the District of Columbia Public Schools as their LEA for special education purposes.

This calculation only takes into account AYP assessment targets for reading/language arts and mathematics proficiency, not targets for graduation or other elements of AYP. The definition of meeting the state’s AYP target for the disability sub-group is found in section 1111(b)(2)(C) of Title I of the ESEA. The data derived for this analysis is found at:

<http://www.nclb.osse.dc.gov/reportcards.asp>.

#### LEAs Making AYP

	FFY 2009
# of LEAs with the minimum “n” size of students with disabilities	21
No. of LEAs that met AYP	1
Percent of LEAs that met AYP	4.76%

#### B. Participation

The calculation provides separate reading/language arts and mathematics participation rates, inclusive of all grades assessed (3-8 and high school) on the DC-CAS and DC-CAS Alt, for all students with IEPs, including students not participating in assessments and those not enrolled for a full academic year.

#### Calculation

FFY 2009	Reading	Math
a. # of children with IEPs in assessed grades	5960	5960
b. # of children with IEPs in regular assessment with no accommodations	1041	1035
c. # of children with IEPs in regular assessment with accommodations	4067	4051
d. # of children with IEPs in alternate assessment against grade level	0	0

<b>achievement standards</b>		
<b>e. # of children with IEPs in alternate assessment against alternate achievement standards *</b>	422	422
<b>Totals b. through e.</b>	5530	5508
<b>Overall = [(b+c+d+e) divided by (a)]</b>	92.79%	92.42%

### C. Proficiency

#### Calculation

##### Reading Proficiency

<b>Year</b>	<b>School Level</b>	<b>Total Reading: Proficiency (DC CAS and DC CAS Alternate)</b>	<b>Total Reading: Advanced (DC CAS and DC CAS Alternate)</b>	<b>Reading Proficiency Actual Target Data</b>
<b>2009</b>	Elementary	325	186	511/3223 = 15.85%
	Secondary	275	61	336/2581 = 13.02%
	<b>All Students with IEPs</b>	Elementary – 3223 Secondary – 2581 Total – 5804		

##### Math Proficiency

<b>Year</b>	<b>School Level</b>	<b>Total Math: Proficiency (DC CAS and DC CAS Alternate)</b>	<b>Total Math: Advanced (DC CAS and DC CAS Alternate)</b>	<b>Math Proficiency Actual Target Data</b>
<b>2009</b>	Elementary	386	204	590/3223 = 18.31%
	Secondary	318	57	375/2581 =

				14.53%
	<b>All Students with IEPs</b>	Elementary – 3223 Secondary – 2581 Total – 5804		

**Public Reporting Information:**

OSSE's public reported related to State-wide assessments can be found at:

[http://www.osse.dc.gov/seo/frames.asp?doc=/seo/lib/seo/pdf/DCCAS ALT Public Reporting.pdf](http://www.osse.dc.gov/seo/frames.asp?doc=/seo/lib/seo/pdf/DCCAS_ALT_Public_Reporting.pdf)

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

The DSE revised its FFY 2009 and FFY 2010 targets to align with OSSE's Elementary and Secondary Education ESEA targets pertaining to elementary and secondary proficiency. Revised targets are included in OSSE's revised SPP dated January 28, 2011.

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
All LEAs received a copy of the core professional development calendar outlining training offerings for administration, teaching staff, and support personnel (offerings were be aligned to QAM calendar activities).	October 2009	Director, TTA Unit
Training and support was provided to all general and special education teachers as well as support staff on the creation and use of the item-skills analysis for the DC-CAS and DC-CAS Alt assessments in English and math (e.g. "Making Sense of State Exam Results") was provided to all LEAs.	November 2009	Director, TTA Unit; TTA staff
Professional development workshops were conducted on strategies to increase parent involvement around the issue of literacy. Participants learn to plan, implement and report on family literacy activities.	FFY 2009	Director, TTA Unit; TTA staff; contractors

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Professional development workshops were conducted on strategies to increase student attendance. Workshop participants learned to convene an attendance committee, create an attendance plan, and develop a system that would track student attendance, and thereby help to ensure that every student is in school every day.	April 2009	Director, TTA Unit; TTA staff; contractors
Offer professional development for school administrators and key instructional staff in the use of item-analysis to guide and improve instruction and suggest appropriate remediation. TTA will lead participants through the use of item analysis to identify patterns in student performance across subgroups, as well as to isolate recurring instructional factors in performance levels. TTA will use the information gleaned from the data from the training and support sessions to assist in developing meaningful opportunities for state and LEA sponsored professional development.	January 2010	Director, TTA Unit; TTA staff; contractors
Offer all LEAs training in comprehensive testing accommodations and modifications. An accompanying comprehensive accommodations manual will be provided to all LEAs.	January 2010	Director, TTA Unit; TTA staff; contractors
Provide leadership, coordination, and support for personnel who provide special education to students with disabilities in incarcerated youth programs, with an emphasis on effective literacy instruction and transition.	March 2010	Director, TTA Unit; TTA staff; contractors



CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Provide all administrators an opportunity to meet with TTA staff to take a close look at individual school performance data to discuss where the LEAs are with respect to meeting AYP.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff
Professional development workshops were conducted on interpreting data (e.g. "So What Does This All Mean?"). As a result, attendees learned how to identify sources of student data, and based on the data, isolate area(s) of deficiency, create goals and/or determine the appropriateness of existing goals, create interim assessments to determine instructional effectiveness, and track student progress over time.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Ongoing professional development opportunities are offered to teachers, paraprofessionals, and support staff on lesson-planning and the use of UDL. Participants learn to plan lessons using information about student competencies and deficiencies.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Work in conjunction with QAM to analyze data both at the LEA and school level to determine appropriate technical assistance, and provide resources for increasing the participation and improving the performance of students with disabilities on statewide assessments.	Ongoing through June 30, 2013	Director, TTA Unit; Director, QAM Unit
Increase training and support for LEAs in the RTI Pilot. Selected schools and/or LEAs within the District will receive ongoing training and support in implementing RTI. The support will begin with a summer 2009 "Boot Camp" that has been designed to introduce all teaching and administrative personnel to the tenets of RTI while assisting personnel in transitioning into the first	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

days of school armed with tools to assist in school-wide intervention. Training and resources will be funded by OSSE. In addition to training and technical support offered by TTA, all participating campuses will receive training from nationally recognized experts in academic and behavioral interventions.		
Provide professional development in reading training and technical assistance with a focus on needs of special education teachers.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide an ongoing <i>Leadership Training</i> series aimed at assisting school leaders to build capacity, develop and articulate their vision and mission, shape school culture, achieve data sophistication, and develop and support master teachers (as well as parent and community outreach initiatives).	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: FAPE in the LRE****Indicator 4A: Rates of Suspension and Expulsion**

Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.  
(20 U.S.C. 1416 (a) (3) (A); 1412(a) 22))

**Measurement:**

Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.

The state defines ‘significant discrepancy’ as the suspension and expulsion of any child with a disability for 10 or more cumulative days in a school year by an LEA with a qualifying subgroup at a rate that is higher than the equivalent rate for non-disabled peers.

FFY	Measurable and Rigorous Target (4A)
2009	0% of LEAs will have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

**Definition of Significant Discrepancy and Methodology**

OSSE defines ‘significant discrepancy’ as the suspension and expulsion of any child with a disability for ten or more cumulative days in a school year by an LEA with a qualifying subgroup at a rate that is higher than the equivalent rate for non-disabled peers. A qualifying subgroup is defined as an LEA with a minimum “n” size of 40 children with disabilities.

In its analysis, the State compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA, with a qualifying subgroup, compared to the rates for nondisabled children in the same LEA.

OSSE used the following comparison methodology to determine whether significant discrepancies occurred: the rates of suspensions and expulsions of greater than ten days in a school year for children with IEPs in each LEA, with a qualifying subgroup, are compared to the rates for nondisabled children in the same LEA. Twenty-nine (29) LEAs were excluded from the calculation because they did not meet the minimum “n” size of 40 children with disabilities.

**Actual Target Data for FFY 2009 (using 2008-2009 data): 42.86%**

OSSE used data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Subject to Disciplinary Removal) to report on Indicator 4A.

**LEAs with Significant Discrepancy in Rates for Suspension and Expulsion**

Year	Total Number of LEAs (with a qualifying subgroup)	Number of LEAs that have Significant Discrepancies	Percent
FFY 2008	14	6	42.86%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred in FFY 2009 (using 2008-2009 data):**

The actual target data of 42.86% remained the same from the State’s FFY 2008 (using 2007-2008 data) reported data of 42.86%. OSSE did not meet its FFY 2009 target of 0%.

In FFY 2008, OSSE provided multiple professional development opportunities to LEAs to increase knowledge of IDEA requirements pertaining to positive behavior supports, functional behavioral assessments, manifestation determinations and deescalating student behaviors. OSSE’s TTA unit also planned discussions with the Department of Mental Health to review alternative approaches for addressing the needs of students who lack social competency skills and experience severe emotional difficulties. Additionally, the TTA unit assisted LEAs in writing school-wide discipline goals for school improvement plans which consisted of an element to specifically contemplate the behavioral challenges of students with disabilities. Finally, in FFY 2008, OSSE began monitoring for compliance with discipline related regulations, specifically, if the student’s IEP contained documentation that the IEP considered strategies, including positive behavioral interventions and supports, and other strategies to address behavior if the child’s record indicated behavioral concerns; and if the student’s IEP included a behavioral intervention plan and/or goals and objectives to address social/emotional needs, if necessary.

In FFY 2009, OSSE continued training and technical assistance opportunities and expanded its on-site monitoring to include a review of student IEPs, including a review of behavior intervention plans and documentation of functional behavioral assessments and manifestation determination meetings. LEAs received findings of noncompliance if these behavioral supports were not included in student IEPs, if necessary. Findings of noncompliance were issued to LEAs with noncompliance in these areas and OSSE will report on the correction of this noncompliance in its FFY 2010 APR due February 1, 2012.

Additionally, through the creation of OSSE's Placement Oversight Unit, the Unit has been able to provide technical assistance to LEAs regarding the appropriate development of IEPs, the use of positive behavioral interventions and supports, while concurrently communicating clear expectations regarding the obligation all LEAs have to meet LRE requirements. This process has assisted tremendously in ensuring timely guidance and support to IEP Teams considering a change in placement of a child with a disability to a more restrictive environment (nonpublic placement). Moreover, although this process is intended to ensure that students are receiving education in the least restrictive environment, an additional benefit observed is the acquisition, by LEA staff, of greater knowledge of obligatory procedures in regard to discipline.

Three years worth of data collected through the Unit's work has revealed that behavior/discipline still remains an area of concern within the LEAs. Behavior challenges continue to lead the list of reasons for nonpublic placement. That said, in many cases, OSSE has observed lack of effective behavioral support planning, including functional behavior assessments, and behavior intervention plans that were strength-based and designed to specifically address the students' areas of behavioral difficulty. Additionally, in a number of cases, OSSE has observed the lack of effective utilization of appropriate supplementary aides and services (i.e. dedicated aides, behavioral specialist) that would assist a student in accessing the general education curriculum. To that end, OSSE has recommended in various instances that the LEA seek professional development in the area of behavioral support, more specifically the use of positive behavior supports.

OSSE notes that only one LEA of the 6 LEAs identified in FFY 2008 (using 2007-2008 data) as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs was found to have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2009 (using 2008-2009 data).

### **Review of Policies, Procedures, and Practices for LEAs Identified with Significant Discrepancies in FFY 2008 (using 2007-2008 data)**

For each of the 6 LEAs that the State identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY

2008 (using 2007-2008 data), the State requested the submission of the LEA's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA. Of the 6 LEAs of whom the request was made, OSSE received responses for 5 LEAs. The sixth LEA closed at the conclusion of the 2009-2010 school year.

The State conducted a review of these LEAs' policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA. For this review, a cross-disciplinary panel from OSSE's DSE collaboratively reviewed policies, procedures and practices relating to specific regulatory requirements for the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Based on this review, the State determined that 4 of the 5 LEAs had policies, procedures or practices that were in compliance with Part B requirements, and 1 LEA was not in compliance with Part B requirements. The State notified LEAs regarding the results of the review, and related findings of noncompliance, in January, 2011. Within the written notification of the findings of noncompliance, the LEA is required to revise its policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA. OSSE will report on the correction of this noncompliance in its FFY 2010 APR due February 1, 2012.

OSSE is confident that its process to review policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards is sound. Particularly given that the one LEA found to have noncompliance based on the review for FFY 2008 (using 2007-2008 data) was the only LEA of the 6 LEAs identified in FFY 2008 (using 2007-2008 data) to be identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2009 (using 2008-2009 data).

#### **Review of Policies, Procedures, and Practices for LEAs Identified with Significant Discrepancies in FFY 2009 (using 2008-2009 data)**

OSSE used the same process to review policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards for LEAs found to have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2008 (using 2007-2008 data) as it did for LEAs found to have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2009 (using 2008-2009 data).

For each of the 6 LEAs that the State identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2009 (using 2008-2009 data), the State requested the submission of the LEA's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA.

The State conducted a review of these LEAs' policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA. For this review, a cross-disciplinary panel from OSSE's DSE collaboratively reviewed policies, procedures and practices relating to specific regulatory requirements for the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Based on this review, the State determined that 2 of the 6 LEAs had policies, procedures or practices that were in compliance with Part B requirements, and 4 LEAs were not in compliance with Part B requirements. The State notified the LEAs regarding the results of the review, and related findings of noncompliance, in April, 2011. Within the written notification of the findings of noncompliance, the LEA is required to revise its policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA. OSSE will report on the correction of this noncompliance in its FFY 2010 APR due February 1, 2012.

OSSE notes that in FFY 2008, the State made two findings of noncompliance based on on-site monitoring record reviews for discipline related requirements. The LEA was issued the findings of noncompliance and corrected the two findings of noncompliance within one-year of the written notification of the noncompliance. OSSE verified the correction of noncompliance as described in Indicator 15. Additionally, in FFY 2008, OSSE made 39 findings of noncompliance related to discipline to three LEAs through dispute resolution processes. Thirty-eight of the 39 findings were corrected within the one-year timeline and the remaining finding was subsequently corrected.

**Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):**

Statement from the Response Table	State's Response
In the FFY 2009 APR, the State must report correction of this noncompliance by describing the review, and if appropriate, revision of policies, procedures and practices	For LEAs identified with significant discrepancies in FFY 2007, OSSE conducted a review of policies, procedures and practices relating to the development and

relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA, for LEAs identified with significant discrepancies in FFY 2007, as required in 34 CFR §300.170(b).	implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA in January 2011 and findings of noncompliance were subsequently issued in January 2011. OSSE will report on the correction of noncompliance related to these findings in its FFY 2010 APR due February 1, 2012.
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**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Provide training and Technical Assistance to all LEAs on IDEA and basic requirements.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide professional development to Student Support Teams from all LEAs regarding addressing behavioral and academic concerns that could potentially lead to suspension and expulsions. (e.g. Positive Behavior Supports, Functional Behavior Assessment (FBA) training.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Conduct professional development workshops on compliance issues related to student behavior (i.e. manifestation processes for students with disabilities, Deescalating Student Behavior)	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Consult with national experts to further the skill set of LEA staff and understanding of students who experience severe emotional difficulties. OSSE consulted with national experts during its annual Special Education Symposium.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Partner with LEAs and the Department of Mental Health to review alternative	Ongoing through June	Director, TTA Unit; TTA staff; Department of Mental Health



approaches for addressing the needs of students who lack social competency skills, experience severe emotional difficulties; writing school-wide discipline goals for school improvement plans.	30, 2013	
Research other State models for addressing the behavioral needs of students with disabilities utilizing research tools, participation in webinars and conference calls with other States.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; technical assistance providers
Continue to provide technical assistance with the use of SEDS as a data collection tool to support the PBIS initiative.	Ongoing through June 30, 2013	Director, TTA Unit; Director, Data Unit
Survey LEAs to determine needs for more intensive behavioral supports and subsequent training including, but not limited to, Crisis Prevention Institute training.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff
Partner with QAM to provide training for LEAs on alternatives to suspension and train LEA staff on how to write appropriate positive behavior goals for IEPs.	Ongoing through June 30, 2013	Director, TTA Unit; Director, QAM Unit
Provide bi-weekly technical assistance sessions with targeted LEAs participating in the RTI model to promote the integration of positive behavior supports as a form of tiered intervention.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide technical assistance sessions for targeted LEAs on how to collect data to inform the FBA process and development of BIPs.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
In conjunction with QAM, develop a LEA survey to determine potential need for more intensive supports and subsequent training from other agencies.	Ongoing through June 30, 2013	Director, TTA Unit; Director, QAM Unit
Provide trainings to all LEAs to determine factors which contribute to significant discrepancies in the rates of suspension and expulsion of students with disabilities.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide trainings and continuous technical assistance sessions to help LEAs	Ongoing through June	Director, TTA Unit; TTA staff; contractors

analyze data on suspension and expulsion rates and correction of any significant discrepancies.	30, 2013	
Continue to consult with national experts to increase the SEA and LEA staff skill set and understanding of students who experience severe emotional difficulties.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

**Part B State Performance Plan (SPP) for 2005-2012****Monitoring Priority: FAPE in the LRE**

**Indicator 4B:** Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Measurement:**

Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

**Overview of Issue/Description of System or Process:**

OSSE defines 'significant discrepancy' as the suspension and expulsion of any child with a disability in any racial/ethnic category for ten or more cumulative days in a school year by an LEA with a qualifying subgroup at a rate that is higher than the equivalent rate for non-disabled peers in the same racial/ethnic category. A qualifying subgroup is defined as a group with a minimum "n" size of 40 children with disabilities.

In its analysis, the State compares the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in any racial ethnic/category in each LEA, with a qualifying subgroup, compared to the rates for nondisabled children in the same racial/ethnic category in the same LEA.

OSSE used the following comparison methodology to determine whether significant discrepancies occurred: the rates of suspensions and expulsions of greater than ten days in a school year for children with IEPs in any racial/ethnic category in each LEA, with a qualifying subgroup, are compared to the rates for nondisabled children in the same racial/ethnic category in the same LEA. Twenty-nine (29) LEAs were excluded from the calculation because they did not meet the minimum “n” size of 40 children with disabilities.

Based on the data, OSSE identified 6 LEAs with a significant discrepancy by race/ethnicity for this reporting period. The LEAs were required to provide OSSE with written policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. In the future, OSSE will also request that LEAs found to have significant discrepancies provide information on each of the students that were suspended for more than 10 school days and will review the files for compliance with IDEA requirements. For the current review, all LEAs were not required to use the State’s Special Education Data System (SEDS) therefore OSSE determined that the requirement to submit student files from FFY 2008 was overly burdensome for LEAs.

For each of the 6 LEAs that the State identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2009 (using 2008-2009 data), the State requested the submission of the LEA’s policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA.

The State conducted a review of these LEAs’ policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA. For this review, a cross-disciplinary panel from OSSE’s DSE collaboratively reviewed policies, procedures and practices relating to specific regulatory requirements for the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Based on this review, the State determined that 2 of the 6 LEAs had policies, procedures or practices that were in compliance with Part B requirements, and 4 LEAs were not in compliance with Part B requirements. The State notified the LEAs regarding the results of the review, and related findings of noncompliance, in April, 2011. Within the written notification of the findings of noncompliance, the LEA is required to revise its policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA. OSSE will report on the correction of this noncompliance in its FFY 2010 APR due February 1, 2012. OSSE will verify all correction of noncompliance consistent with OSEP Memo 09-02.

#### **Baseline Data for FFY 2009 (using FFY 2008 data):**

42.86%

**Discussion of Baseline Data:**

Of the 14 LEAs that met the State's "n" size, six LEAs were found to have significant discrepancies by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs. These six LEAs were the same LEAs that were found to have significant discrepancies in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs using FFY 2008 data.

OSSE believes that LEAs do not yet have a systematic process in place to collect, analyze and appropriately provide interventions and supports to address the identified student's behavioral challenges.

**4B(a). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspension and Expulsion:**

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies by Race or Ethnicity	Percent
FFY 2009 (using 2008-2009 data)	14	6	42.86%

**4B(b). LEAs with Significant Discrepancy, by Race or Ethnicity, in Rates of Suspensions and Expulsions; and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.**

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and	Percent

		<b>procedural safeguards.</b>	
<b>FFY 2009 (using 2008-2009 data)</b>	14	4	28.57%

### Review of Policies, Procedures, and Practices

For each of the 6 LEAs that the State identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in FFY 2008, the State requested the submission of the LEA's policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA.

The State conducted a review of these LEAs' policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that these policies, procedures, and practices comply with IDEA. For this review, a cross-disciplinary panel from OSSE's DSE collaboratively reviewed policies, procedures and practices relating to specific regulatory requirements for the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Based on this review, the State determined that 2 of the 6 LEAs had policies, procedures or practices that were in compliance with Part B requirements, and 4 LEAs were not in compliance with Part B requirements. The State notified the LEAs regarding the results of the review, and related findings of noncompliance, in April, 2011. Within the written notification of the findings of noncompliance, the LEA is required to revise its policies, procedures and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure that these policies, procedures and practices comply with IDEA. OSSE will report on the correction of this noncompliance in its FFY 2010 APR due February 1, 2012. OSSE will verify all correction of noncompliance consistent with OSEP Memo 09-02.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2009 (2009-2010)</b>	<b>0% (Baseline data set in FFY 2009.)</b>

<b>2010</b> (2010-2011)	0% of LEAs will have a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.
<b>2011</b> (2011-2012)	0% of LEAs will have a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.
<b>2012</b> (2012-2013)	0% of LEAs will have a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

**Improvement Activities/Timelines/Resources (through 2012):**

<b>IMPROVEMENT ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Provide training and Technical Assistance to all LEAs on IDEA and basic requirements.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide professional development to Student Support Teams from all LEAs regarding addressing behavioral and academic concerns that could potentially lead to suspension and expulsions. (e.g. Positive Behavior Supports, Functional Behavior Assessment (FBA) training.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Conduct professional development workshops on compliance issues related to student behavior (i.e. manifestation processes for students with disabilities, De-escalating Student Behavior)	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Consult with national experts to further	Ongoing	Director, TTA Unit; TTA staff;

the skill set of LEA staff and understanding of students who experience severe emotional difficulties. OSSE consulted with national experts during its annual Special Education Symposium.	through June 30, 2013	contractors
Partner with LEAs and the Department of Mental Health to review alternative approaches for addressing the needs of students who lack social competency skills, experience severe emotional difficulties; writing school-wide discipline goals for school improvement plans.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; Department of Mental Health
Research other State models for addressing the behavioral needs of students with disabilities utilizing research tools, participation in webinars and conference calls with other States.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; technical assistance providers
Continue to provide technical assistance with the use of SEDS as a data collection tool to support the PBIS initiative.	Ongoing through June 30, 2013	Director, TTA Unit; Director, Data Unit
Survey LEAs to determine needs for more intensive behavioral supports and subsequent training including, but not limited to, Crisis Prevention Institute training.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff
Partner with QAM to provide training for LEAs on alternatives to suspension and train LEA staff on how to write appropriate positive behavior goals for IEPs.	Ongoing through June 30, 2013	Director, TTA Unit; Director, QAM Unit
Provide bi-weekly technical assistance sessions with targeted LEAs participating in the RTI model to promote the integration of positive behavior supports as a form of tiered intervention.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide technical assistance sessions for targeted LEAs on how to collect data to inform the FBA process and development of BIPs.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
In conjunction with QAM, develop a LEA survey to determine potential need for more intensive supports and subsequent	Ongoing through June 30, 2013	Director, TTA Unit; Director, QAM Unit



training from other agencies.		
Provide trainings to all LEAs to determine factors which contribute to significant discrepancies in the rates of suspension and expulsion of students with disabilities.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide trainings and continuous technical assistance sessions to help LEAs analyze data on suspension and expulsion rates and correction of any significant discrepancies.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Continue to consult with national experts to increase the SEA and LEA staff skill set and understanding of students who experience severe emotional difficulties.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: FAPE in the LRE****Indicator 5:** Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 14116(a)(3)(A))

**Measurement:**

- A. Percent = [# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students age 6 through 21 with IEPs)] times 100.
- B. Percent = [# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.
- C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students age 6 through 21 with IEPs)] times 100.

FFY	Measurable and Rigorous Targets
2009	<ul style="list-style-type: none"> <li>A. Increase the number of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day to 14.5%.</li> <li>B. Reduce the percent of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day to 13%.</li> <li>C. Reduce the percent of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements to 26%.</li> </ul>

**Actual Target Data for FFY 2009:**

- A.  $3796 / 10,688 \times 100 = 35.52\%$
- B.  $1268 / 10,688 \times 100 = 11.86\%$
- C.  $3096 / 10,688 \times 100 = 28.97\%$

**Percent of Children with IEPs in Various Categories**

	<b>5A</b>	<b>5B</b>	<b>5C</b>
<b>Target</b>	14.5%	13%	26%
<b>Total number of Children with IEPs</b>	10,688	10,688	10,688
<b>Number of Children with IEPs in This Category</b>	3796	1268	3096
<b>Percentage of Children with IEPs in this Category</b>	35.52%	11.86%	28.97%
<b>Met Target</b>	Yes	Yes	No

**Data Source:**

Educational environments data were collected at the same time as the December 1, 2009 Child Count. IEP information from SEDS was used to calculate percent of time in the regular classroom. Charter schools were given the option of reporting all environments data via enrollment spreadsheets submitted to the OSSE.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred in FFY 2009:**

OSSE's FFY 2009 actual target data of 35.52% for Indicator 5A represents significant progress from OSSE's FFY 2008 reported data of 17.9%. OSSE met its FFY 2009 target of 14.5% for 3A.

OSSE's FFY 2009 actual target data of 11.86% for Indicator 5B represents significant progress from OSSE's FFY 2008 reported data of 28.2%. OSSE met its FFY 2009 target of 13% for 5B.

The State's FFY 2009 actual target data of 28.97% for Indicator 5C represents slippage from the State's FFY 2008 reported data of 22.8%. OSSE did not meet its FFY 2009 target of 26% for 5C.

In FFY 2009, the District accelerated its rate of progress related to Indicators 5A and 5B, the percent of children with IEPs served inside the regular class 80% or more of the day and the percent of children with IEPs served inside the regular class less than 40% of the day, respectively. However, the District did not meet its target for Indicator 5C, the percent of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements.

Meeting the target for Indicator 5C continues to be a significant challenge for the District of Columbia. However, it is believed that one reason for the slippage from FFY 2008 to FFY 2009 relates to the efforts OSSE has undertaken to ensure more accurate data collection and reporting. The Division has invested a significant amount of resources in building the capacity of LEAs to understand data requirements and accurately collect and report on 618 data. To

accomplish this goal, OSSE mandated the use of SEDS for all LEAs as of December, 2009 and has continued to conduct a robust series of data-related trainings in FFY 2009 through the present. In addition, OSSE executed a Memorandum of Agreement with the Public Charter School Board to ensure timely and accurate data feeds from the charter LEA student information system, issued an LEA data management policy, developed several new data management tools, and developed consistent methods for collecting and validating LEA submissions, including the requirement that LEA leaders must certify all data submissions. Improved data entry results in a more refined understanding of the practices within any system, and it is believed that these data are the most accurate reflection of least restrictive environment (LRE) data to date.

One of the reasons for the continued lack of progress in this area can be partly attributed to the LEAs' lack of understanding and implementation of inclusive best practices. A related issue is that smaller LEAs have not utilized their resources to effectively provide a continuum of services to meet the needs of their special education population. OSSE continues to emphasize to each LEA that the IEP teams must consider a continuum of services in order to make appropriate decisions regarding programming and placement in the LRE and to ensure the provision of FAPE to all students with disabilities.

OSSE also continued to refine its LEA monitoring framework to ensure that LRE considerations were included in the course of on-site reviews. During the FFY 2009 period, three on-site monitoring visits were conducted based on IDEA requirements and criteria from the Special Conditions placed on OSSE by OSEP including LRE.

In addition, OSSE has continued to implement a robust training series in FFY 2009 designed to improve LEA practice and give staff the tools needed to ensure that students are appropriately supported in the LRE. These trainings were intentionally aligned with all State level policies issued to date. The Division's TTA Unit has continued to implement its Response to Intervention (RTI) pilot in three LEAs. One LEA had progress of 30% gains in reading based on intervention from this pilot. The other two LEAs are slowly making progress based on Aimswebs progress monitoring data.

Through the creation of OSSE's Placement Oversight Unit, OSSE has been able to provide assistance to LEAs regarding the obligation all LEAs have to meet LRE requirements. This process has assisted tremendously in ensuring timely guidance and support to IEP Teams considering a change in placement of a child with disability to a more restrictive environment (nonpublic placement). In FFY 2009, the Placement Oversight Unit diverted 36.7% of cases where LEAs sought State-level assistance regarding placements in highly restrictive settings. Such efforts were shared with the public, through a symposium on *Strategies for Achieving Success in the Least Restrictive Environment*, on September 1, 2010. In addition, over the past two years of placement policy implementation, the OSSE has also observed a reduction in the amount of placement requests presented to the agency, from 132 in FFY 2008 to 90 in FFY 2009. Data obtained by the Unit's Placement Tracker suggests that the reduction in placement requests may be due to the LEAs becoming more accustomed to the policy and placement

process established by OSSE and/or the LEAs' utilization of OSSE Training and Technical Assistance.

Additionally, OSSE is currently in the finalization stage of the District's first Least Restrictive Environment Toolkit, which is scheduled to be released at the end of January 2011. The toolkit is a comprehensive guide which contains information and best practices to ensure that students with disabilities receive an excellent education. The guide provides LEAs with a framework to improve their inclusionary practices and efficiently serve students placed in local, charter, nonpublic, residential, and surrounding schools. It is aimed to provide educators, school professionals and others with meaningful strategies, to connect with the full range of diverse learners who exist in the classroom. Moreover, OSSE has also developed a Parent Brochure to assist parent in understanding LRE and the placement process in the District of Columbia. The Parent Brochure is scheduled to be released early 2011.

**Revisions, with Justifications, to Proposed Targets and Improvement Activities for FFY 2010:**

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Review the data reports and LRE assessment survey administered by QAM. The LRE survey will reveal and prioritize LEAs' areas of need. TTA will provide targeted training and technical assistance to LEAs based on findings of noncompliance.	October 2009	Director, TTA Unit; Director, QAM

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Continue rollout of the pilot program on responsiveness to intervention (RTI) in targeted LEAs. This pilot program is specifically designed to improve student achievement by providing high quality core reading instruction in general education classrooms paired with excellent interventions to supplement classroom instruction for those students who are in need of additional instructional support.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

Develop a brochure on LRE that will be posted on the OSSE website. This brochure will be used as a resource tool for parents, teachers and administrators on providing a free appropriate public education for students in their least restrictive environment.	June 2012	Director, TTA Unit; TTA staff
Provide training and technical assistance on the IEP process to assist school staff on the implementation of LRE for students with disabilities as stated on their IEP. In addition, OSSE will develop a Special Education Resource Manual to guide LEAs through the IEP process. The Special Education Resource Manual will be made available on the OSSE website.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors
Provide LEAs with a professional development resource toolkit, which will contain researched-based resources on the topic of LRE. The toolkit will contain guidance documents covering the following: positive behavior supports, assistive technology, UDL, differentiated instruction, collaboration, effective inclusive practices, parent involvement, RTI.	September 2011	Director, TTA Unit; TTA staff
Continue to provide ongoing technical assistance to LEAs in change in placement team recommendations and the Statewide RTI pilot program.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

**Part B State Performance Plan (SPP) for 2005-2012**

**Monitoring Priority: FAPE in the LRE**

**Indicator 7:** Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

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

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

**Measurement:**

Outcomes:

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

Progress categories for A, B and C:

- a. Percent of preschool children who did not improve functioning =  $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers =  $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it =  $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers =  $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .

comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

**Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):**

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:**

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

**Overview of Issue/Description of System or Process:**

During FFY 2009, the OSSE Training and Technical Assistance department provided training on the selected assessment tool (the Battelle Developmental Inventory), how to complete the Child Outcomes Summary Form (COSF) forms and how to submit the data forms. OSSE also provided guidance on data submission requirements. These approaches were implemented to address data quality.

The OSSE Training and Technical Assistance department also provided training on early-childhood literacy, numeracy, and child behavior and classroom management in order to address program quality and to ensure that teachers and school personnel possessed the necessary knowledge and skills to effectively instruct preschool students and provide opportunities for improved social-emotional skills, acquisition and use of knowledge and skills and use of appropriate behaviors.

In FFY 2009, the OSSE collected outcome data through LEA submission of COSFs. OSSE uses census data for this indicator. That is, OSSE will collect data from all children who enter the



preschool program. Fourteen (14) LEAs provided OSSE with data. Data were submitted on a quarterly basis yet OSSE incurred challenges during the data collection process. First, there was turnover in the data specialist position that oversaw the data collection and recording, which made it difficult to track data submissions over time. Second, forms were not clearly marked with entry, interim or exit. Thus, the data specialist could not ascertain whether the data was duplicative entry data or interim/exit data. Third, there were inconsistencies in how the COSF forms were completed between LEAs and between staff within an LEA. Much of the data was either incomplete or inaccurate and was discarded.

Because of these challenges, OSSE determined that data collected last year is not valid or reliable and cannot offer baseline data at this time.

Though there were technical and qualitative concerns that arose during the data collection process, the OSSE made important steps towards establishing baseline data and improving outcomes for DC students.

As OSSE worked to obtain valid and reliable data, it also worked with LEAs to increase the quality of instruction in the three childhood outcome areas. OSSE sponsored an Early Childhood Professional Development Series for LEAs that addressed specific topics that relate to early childhood outcomes. Trainings in phonological awareness, phonics, vocabulary, preskills for alphabetic principles, prewriting, and early numeracy addressed acquisition and use of knowledge and skills; trainings in Response to Intervention (RTI) in a preschool setting and in managing student behavior addressed development of positive social-emotional skills; trainings in developmentally appropriate instruction and in explicit instruction addressed ability to use appropriate behaviors to meet needs.

Over seven hundred individuals received training during the 26 specific Early Childhood trainings offered in FFY 2009. The series was led by three experts in education: Vicki Gibson, Ph.D., Connie Colbaugh, and Brenda Van Gorder. Dr. Gibson is an international and national consultant, author, speaker, and trainer. Dr. Gibson is the author of the following programs: *We Can Early Childhood Curriculum*; *I Can Draw Pre-Writing Program*; *Letter, Sounds, and Strokes Phonics Program*; and the *We Can Manage the Early Childhood Classroom*.

Connie Colbaugh is senior consultant and coach for Educational Implementation Services of Cambium Learning Group. She provides professional development and classroom demonstrations for teachers, coaches and administrators in districts throughout the nation and in American Samoa. She regularly presents at national institutes on classroom management strategies, effective instructional practices and appropriate independent practice to support student achievement in both general education and special education classrooms.

Brenda Van Gorder is an instructor for the Special Education Department, teaching the Legal & Policy Foundations of Special Education course. Brenda has worked in the special education field for 25 years as a teacher and administrator. Brenda is currently the Director of Preschool

Services for the Granite School District, and prior to that was the State and Federal Compliance Officer for Special Education at the Utah State Office of Education.

**Baseline Data from FFY 2009:** OSSE is unable to provide baseline data from FFY 2009. OSSE will provide baseline data in its FFY 2010 APR due February 1, 2012.

<b>FFY</b>	<b>Measurable and Rigorous Targets</b>
<b>2010</b>	OSSE will set targets after baseline data have been established.
<b>2011</b>	OSSE will set targets after baseline data have been established.
<b>2012</b>	OSSE will set targets after baseline data have been established.

**Improvement Activities/Timelines/Resources (through 2012):**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Childhood Outcomes Summary Forms (COSF) Training	October 27, 2009	Director, TTA Unit; TTA staff
Developmental Milestones of Preschool Children - Are They on Track?	October 28, 2009	Director, TTA Unit; TTA staff; contractors
Battelle Developmental Inventory (BDI) Training (OSSE purchased BDI kits and LEAs who selected Battelle were provided Battelle kits at no cost).	December 7, 2010	Director, TTA Unit; TTA staff; contractors
Struggling Pre-Kindergartners: Laying the Foundation for Success	December 9, 2009	Director, TTA Unit; TTA staff; contractors
Early Literacy: Phonological Awareness and Phonics	December 17, 2009	Director, TTA Unit; TTA staff; contractors

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Response to Intervention (RTI) in a Preschool Setting	January 6, 2010	Director, TTA Unit; TTA staff; contractors
Early Literacy: Vocabulary Development	January 20, 2010	Director, TTA Unit; TTA staff; contractors
Early Numeracy Skills for Preschool Teachers	January 28, 2010	Director, TTA Unit; TTA staff; contractors
Struggling Pre-Kindergartners: Laying the Foundation for Success	February 17, 2010	Director, TTA Unit; TTA staff; contractors
Early Literacy: Phonological Awareness and Phonics	February 24, 2010	Director, TTA Unit; TTA staff; contractors
Early Literacy: Vocabulary Development	March 24, 2010	Director, TTA Unit; TTA staff; contractors
TTA provided focused technical assistance to LEAs to address IEP development, data collection/entry, and IEP accommodations/modifications when it was requested by specific LEAs.	June 2010	Director, TTA Unit; TTA staff
Consult the NECTAC and ECO on a monthly basis with questions related to this indicator.	March 2010	Director, TTA Unit; Director, Data Unit

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Conduct training and provide technical assistance for all LEAs on the use of the Childhood Outcomes Summary Form (COSF) assessment instrument to include collecting, scoring, and reporting the data.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff
Consult with National Early Childhood Technical Assistance Center (NECTAC) and the Early Childhood Outcomes Center (ECO) on questions related to this indicator.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; Director, Data Unit
Implement a professional development	Ongoing	Director, TTA Unit; TTA staff

schedule on specific early literacy and numeracy instructional approaches for all LEAs.	through June 30, 2013	
Create and provide each LEA with a training and technical assistance resource manual on Early Childhood Outcomes, and post related training modules for LEAs to use as a resource guide.	June 2012	Director, TTA Unit; TTA staff
Conduct training and provide continued technical assistance for all LEAs on the use of the COSF assessment instrument to include collecting, scoring and reporting the data.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff
Provide all LEAs with the Early Childhood Transition manual following completion and issuance of the Early Childhood Transition policy.	June 2012	Director, TTA Unit; TTA staff
Provide professional development to all LEAs on specific early literacy and numeracy instructional approaches for all LEAs.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
In its FFY 2009 APR, the State must report the entry data collected during FFY 2009 (fall 2009 through June 30, 2010).	As described above, OSSE is unable to report the entry data collected during FFY 2009.
OSEP could not determine if the State used sampling to collect data for this indicator. If the State intends to collect data for this indicator through sampling, the State must submit its sampling methodology for this indicator as soon as possible to ensure that its data will be valid and reliable. If the State does not intend to sample, but intends to use census data, the State must inform OSEP and	OSSE intends to use census data for this indicator and will revise its SPP accordingly.

revise its SPP accordingly.	
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**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: FAPE in the LRE**

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

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

**Measurement:**

Percent = # of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total # of respondent parents of children with disabilities times 100.

FFY	Measurable and Rigorous Targets
2009	71.0% of parents with a child receiving special education services will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

**Actual Target Data for FFY 2009:  $686 / 828 \times 100 = 82.9\%$**

**Percent of Parents Who Report that the School Facilitated Their Involvement**

	FFY2009
Total number of Parent respondents	828
Number who reported school facilitated their involvement	686
Percentage who reported school facilitated their involvement	82.9%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

The actual target data of 82.9% represents progress from OSSE's FFY 2008 actual target data of 78.6%. OSSE met its measurable and rigorous target of 71%.

In FFY 2009, the survey was distributed to all parents of children receiving special education services in the District. A total of 11,382 surveys were distributed and 828 were returned for a response rate of 7.3%.

This response rate represents a significant improvement over the response rate achieved in FFY 2005 (1.4%) and it represents a slight improvement over the 7.0% response rate achieved in FFY 2006 and is similar to the 7.5% response rate obtained in FFY 2008.

**Note:** *In FFY 2007, OSSE contracted with a local vendor to print and distribute the parent surveys to more than 10,000 parents with a child or children receiving special education services in the District of Columbia. In addition, OSSE contracted with the Mountain Plains Regional Resource Center (MPRRC) to analyze the parent survey to help inform the special education reform efforts in the District of Columbia. Unfortunately, due to major miscommunications and misunderstandings between OSSE and the local vendor, the surveys were not delivered in time to parents nor returned to OSSE in time for MPRRC to analyze the parent surveys and complete a report for OSSE in regards to Indicator 8. Therefore, OSSE was unable to respond to Indicator 8 for FFY 2007.*

The purpose of the Parent Survey is to assist OSSE in determining the extent to which schools are facilitating parent involvement. The survey data will assist OSSE and the LEAs in improving parent involvement and will result in positive outcomes for parents as well as improved outcomes for children.

OSSE used a paper-and-pencil, slightly-modified version of the 26-item National Center for Special Education Accountability Monitoring (NCSEAM) Part B K-12 survey. A few items were modified in order to increase the readability of the survey and to make the survey appropriate for parents of children age 3 to 5. OSSE contracted with Mountain Plains Regional Resource Center (MPRRC) for assistance with the data collection, data analysis, and report-writing for this indicator.

In FFY 2009, OSSE translated the letter and survey into Spanish, the majority home language of families for whom English is a second language. OSSE also made edits to the cover letter to improve information regarding the ability for parents to access the Language Line for translation support. In November 2010, the Parent Survey was mailed to all parents of students (age 3-21) who received special education services during the 2008-09 school year. Surveys were sent to 11,382 parents. Surveys were sent to parents and local education agencies bundled by school locations (some schools have several locations) with individual student

packets to be distributed to parents. Packets to parents included a self-addressed, postage-paid return envelope. Parents were not asked to provide student identifiable information.

Students whose primary home language is Spanish were encouraged to utilize a toll free Language Line services. The Language Line Services provides professionally trained and tested language interpreters who do not interpret word-for-word, but meaning-for-meaning. Each time an OSSE staff member utilized the Language Line Services, for any of our 170 languages, he encountered a professional interpreter who was proficient in both languages, had general knowledge and intimate familiarity with both cultures, had the ability to express thoughts clearly and concisely in both languages and had general knowledge of the subject to be interpreted.

The District continues to prioritize parent involvement in order to increase student achievement. Although aggressive outreach efforts were made, several factors might have contributed to a response rate that is lower than DSE aims to achieve. These factors include:

- Student mobility across and out of the District of Columbia public school system
- Surveys lost or not taken home by students
- Mailing address changes
- Potential parental suspicion of the purpose of the survey

**Data Source:**

OSSE used a paper-and-pencil, slightly-modified version of the 26-item National Center for Special Education Accountability Monitoring (NCSEAM) Part B K-12 survey. A few items were modified in order to increase the readability of the survey and to make the survey appropriate for parents of children age 3 to 5. OSSE contracted with Mountain Plains Regional Resource Center (MPRRC) for assistance with the data collection, data analysis, and report-writing for this indicator.

The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. Parents of students from each racial/ethnic category, each primary disability category and each grade level responded to the survey. 77% of respondents reported having a child that is Black/African American, 12% reported having a child that is White, 9% reported having a child that is Hispanic or Latino, <1% reported having a child that is American Indian and 1% of respondents reported having a child that is Asian/Pacific Islander (these data are reported in the attached parent satisfaction survey). This demographic breakdown is very similar to the demographic breakdown of the FFY 2009 student population of District of Columbia public schools and public charter schools: African Americans/Blacks made up 83% of the student population; Hispanics made up 10% of the student population; Whites made up 5.5% of the student population; Asian/Pacific Islander made up 1.5% of the student population; and American Indians made up less than .1% of the student population. Thus, OSSE is confident of the validity, reliability, and representativeness of the data.



To arrive at the percent of parents who report that the school facilitated their involvement, a “percent of maximum” scoring procedure was used. Each survey respondent received a percent of maximum score based on their responses to all 26 items. A respondent who rated their experiences with the school a “1” (Very Strongly Agree) on each of the 26 items received a 100% score; a respondent who rated their experiences with the school a “6” (Very Strongly Disagree) on each of the 26 items received a 0% score. A respondent who rated their experiences with the school a “3” (Agree) on each of the 26 items received a 60% score. (Note: a respondent who **on average** rated their experiences a “3” (e.g. a respondent who rated 7 items a “3,” 9 items a “2” and 9 items a “4,”) would also receive a percent of maximum score of 60%). A parent who has a percent of maximum score of 60% or above was identified as one who reported that the school facilitated his/her involvement. A 60% cut-score is representative of a parent who, on average, agrees with each item; as such, the family member is agreeing that the school facilitated their involvement.

#### **Discussion of Improvement Activities Completed for FFY 2009 (SY 2009-2010):**

As indicated in Display 8-2, the percentage of parents who reported that the school facilitated their involvement increased from FFY 2005 to FFY 2006. As previously noted, data were not reported in the FFY 2007 APR. OSSE executed the development and dissemination of the parent survey in FFY 2008. In review of the improvement activities proposed in FFY 2007, DSE:

- Consulted with Mid South Regional Resource Center to identify ways to enhance the survey rate of return;
- Met with the OSSE Office of Procurement to clarify the scope of work to designate vendors and to develop a mechanism for survey dissemination; and
- Created an internal process to identify and address barriers that may pose a challenge with timelines.

The parents who completed the survey in FFY 2009 were more likely to say the school facilitated their involvement than parents who completed the survey in previous years. Possible reasons for maintaining high levels of parental satisfaction with school facilitated involvement are:

1. DSE training and technical assistance to LEAs regarding parental involvement;
2. Increased efforts by LEAs to involve parents in school-based activities; and
3. SEA communications with the school system via weekly agency-wide LEA newsletters.

#### **Percent of Parents Who Report that the School Facilitated Their Involvement, Results Over Time**

	<b>FFY2005</b>	<b>FFY2006</b>	<b>FFY2007*</b>	<b>FFY2008</b>	<b>FFY2009</b>
Total number of Parent respondents	151	722		799	828

Number who reported school facilitated their involvement	103	563		628	686
Percentage who reported school facilitated their involvement	68.2%	78.0%		78.6%	82.9%

*\* Survey as not administered in FFY 2007.*

**School's Performance in Developing Partnerships with Parents:** An overwhelming majority (94%) of the parents surveyed indicated that they participated equally with their child's teachers and other professionals in planning of their child's educational program.

**Teachers and Administrators:** Satisfaction with teachers and administrators was high, with 95% of the respondents agreeing that they were shown respect for their culture and how it was of value as it relates to their child's education.

**My Child's School:** An overwhelming majority (95%) of the respondents indicated that their child's school had personnel available to answer questions but only 70% reported that they were offered training about special education related issues.

**Services:** The majority of respondents (89%) agreed that their child's IEP is fully implemented, and that the child receives the correct amount of specialized instruction on his/her IEP and receives it on time (84%).

**Hearing Office Decisions and Settlement Agreement:** More than half (57%) of the surveys received a response regarding having made a due process complaint with 76% indicated that the case was heard without delay.

**Outcomes:** With 95% of parents responding to the question regarding their child's progress; 91% agree that they receive regular updates.

**Revisions, with Justification, to Proposed Targets and Improvement Activities for FFY 2009:**

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Develop a LEA communication plan that will strengthen outreach efforts.	FFY 2009	Assistant Superintendent

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
OSSE reviewed the parent survey and timelines with the State Advisory Panel and announced the parent survey requirements in the LEA newsletter to ensure completion.	August 2009	Assistant Superintendent
Translate the letter and survey into Spanish, the majority home language of families for whom English is a second language. OSSE also made edits to the cover letter to improve information regarding the ability for parents to access the Language Line for translation support.	October 2010	Assistant Superintendent

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Distribute the Parent Survey prior to the end of the school year and extend the survey period.	Ongoing through June 30, 2013	Assistant Superintendent
Offer the survey in the language spoken in the home and continue utilizing the District of Columbia Language Access Line to assist with the completion of the survey.	Ongoing through June 30, 2013	Assistant Superintendent
Utilize parent and community based resources to encourage the completion of the survey (i.e. Parent Training and Information Centers and DC Parent Resource Centers).	Ongoing through June 30, 2013	Assistant Superintendent
Offer the survey in the language spoken in the home and continue utilizing the District of Columbia Language Access Line to assist with the completion of the survey.	Ongoing through June 30, 2013	Assistant Superintendent

\*A copy of the Parent Survey is attached as a separate document.

**Part B State Annual Performance Report (APR) for FFY 2009**

**Monitoring Priority: Disproportionate Representation**

**Indicator 9:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

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

**Measurement:**

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

**Data Source:**

OSSE used its Fall October 5, 2009 Enrollment and October/December 1, 2009 Child Count data for the Indicator 9 FFY 2009 SPP/APR submission.

**Definition of “Disproportionate Representation” and Methodology**

OSSE has adopted a weighted risk ratio of .25 for under-representation and 2.5 for over-representation for determining if LEAs have disproportionate representation for Indicator 9. The weighted risk ratio compares the chance, or risk, of children of a particular racial/ethnic group being identified for special education with the chance of children of all other racial/ethnic groups being identified for special education, taking into account the racial/ethnic composition of the student population in the District of Columbia. That is, the weighted risk ratio negates any effect on risk caused by a large or small percent of students being of a particular racial/ethnic group. The District of Columbia’s weighted risk ratio limits of .25 to 2.5 means that the OSSE will investigate cases in which a particular racial/ethnic group is less than one quarter or more than two and one half times as likely as all other racial/ethnic groups to be identified for special education, based on each racial/ethnic group’s proportion of all students in the District of Columbia.

OSSE reviewed data related to the following required racial/ethnic groups: Black/African American, White, Hispanic or Latino, American Indian and Asian/Pacific Islander.

**Minimum group size for inclusion:**

OSSE determined that an LEA must have at least 40 students with disabilities in order for an LEA to be included in this indicator. In addition, within LEAs of 40 or more students with disabilities, at least five students of a single race/ethnicity are required for weighted risk ratio analysis for that particular race/ethnicity. In FFY 2009, 17 LEAs in the District of Columbia had 40 or more students with disabilities. (Twenty-six LEAs were excluded due to “n” size.)

**Step One: States must provide the number of districts identified with disproportionate representation of racial and ethnic groups in special education and related services.**

Using the criteria established above, OSSE identified 3 LEAs (which met the n size of 40 students with disabilities) as meeting the data threshold for disproportionate representation.

**Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification**

OSSE determined that 1 of the 3 LEAs (which met the n size of 40 students with disabilities) that met the data threshold for disproportionate representation had disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.

OSSE made its annual determination that the disproportionate representation of racial and ethnic groups in special education in related services was, or was not, the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a) through a self-assessment process. The OSSE Disproportionate Representation Self-Assessment document is designed to support LEAs in reviewing their data and practices as they relate to Part B requirements for child find, evaluation and eligibility in order for OSSE to make the determination as to whether the LEA’s disproportionate representation is the result of inappropriate identification. The self-assessment guides LEAs through this process via a facilitated review of quantitative and qualitative data including a review of policies, procedures and practices; a review of student files; and staff interviews particularly focused on regular education teachers and staff that are responsible for referring students to the special education program.

LEAs were required to submit a copy of file review checklists, staff interview answers and disproportionate representation questions to OSSE. OSSE reviewed the submitted documents and determined whether the LEA’s disproportionate representation was based on inappropriate identification and identified findings of noncompliance based on data included in the file review checklists and LEA disproportionate representation questions.

Of the three LEAs with disproportionate representation of racial and ethnic groups in special education and related services, one of the three was found to have disproportionate representation of racial and ethnic groups in special education and related services that was the

result of inappropriate identification. Based on the file review, OSSE found widespread noncompliance in the LEA's initial eligibility practices.

OSSE notified the LEA in writing of the findings of noncompliance in February 2011 and the LEA has one year from the date of the notification to correct the noncompliance. The LEA is required to correct student-level noncompliance by reconvening IEP meetings for certain students and is also required to submit documentation to OSSE regarding students who will be referred for special education and related services in the coming months. OSSE will report on the correction of noncompliance in the FFY 2010 APR due February 1, 2012.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
FFY 2009	0%

**Actual Target Data for FFY 2009:**

5.88%
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**Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification**

<b>Year</b>	<b>Total Number of Districts</b>	<b>Number of Districts with Disproportionate Representation</b>	<b>Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification</b>	<b>Percent of Districts</b>
<b>FFY 2009 (2009-2010)</b>	17	3	1	5.88%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

OSSE did not achieve its measurable and rigorous target of 0%. The actual target data of 5.88% represents slippage from OSSE's FFY 2008 actual target data of 0%.

OSSE believes that the slippage from FFY 2008 is the result of an increased level of specificity and rigor in determining if disproportionate representation was the result of inappropriate identification. For the first time, LEAs were required to review student level files. Additionally,

OSSE more closely examined related requirements for child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311 and included additional interview questions for general education staff responsible for early intervening services and referring students to special education.

OSSE provided training to LEAs regarding disproportionate representation in April 2010 and was pleased to present Dr. Perry Williams, OSEP's Disproportionality Expert as the keynote speaker.

**Correction of FFY 2008 Findings of Noncompliance (if State did not report 0%):**

In FFY 2008, OSSE reported 0% for Indicator 9. Therefore, OSSE did not issue any findings of noncompliance for Indicator 9 in FFY 2008.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Developed a specific LEA training to address LEA policies, procedures, and practices related to disproportionate representation, entitled "Addressing Disproportionality and Over-Representation in the District of Columbia."	April 2010	OSSE Quality Assurance & Monitoring staff, OSSE Training & Technical Assistance staff & OSEP
The Disproportionality Self-Assessment will be incorporated into the 2009-2010 LEA self assessment process introduced in March, 2010.	December 2010	OSSE Quality Assurance and Monitoring staff
The self-assessment tool includes: data verification, a review of compliance indicators related to identification, referral, evaluation, and eligibility determinations. In addition, the tool includes general education instructional delivery, school-wide interventions, assessment practices, discipline, co-planning and co-teaching, and professional development.	December 2010	OSSE Quality Assurance and Monitoring staff

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources

Continue to refine the data collection process to ensure that SEDS collects all data required for federal reporting purposes.	Ongoing	OSSE Data Team and contractors
Continue to provide user training on all modifications/improvements to the SEDS.	Ongoing	OSSE Data Team and contractors
Provide technical assistance to facilitate the self-review and provide on-site technical assistance to LEAs to address identified inappropriate policies, procedures and practices.	Ongoing through June 30, 2013	OSSE Training & Technical Assistance staff and contractors



**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Disproportionate Representation**

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

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

**Measurement:**

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

**Data Source:**

OSSE used its Fall October 5, 2009 Enrollment and October/December 1, 2009 Child Count data for the Indicator 10 FFY 2009 SPP/APR submission.

**Definition of “Disproportionate Representation” and Methodology**

OSSE has adopted a weighted risk ratio of .25 for under-representation and 2.5 for over-representation for determining if LEAs have disproportionate representation for Indicator 10. The weighted risk ratio compares the chance, or risk, of children of a particular racial/ethnic group being identified with a specific disability with the chance of children of all other racial/ethnic groups being identified with that same specific disability, taking into account the racial/ethnic composition of the student population in the District of Columbia. That is, the weighted risk ratio negates any effect on risk caused by a large or small percent of students being of a particular racial/ethnic group. The District of Columbia’s weighted risk ratio limits of .25 to 2.5 means that the OSSE will investigate cases in which a particular racial/ethnic group is less than one quarter or more than two and one half times as likely as all other racial/ethnic groups to be identified with a specific disability, based on each racial/ethnic group’s proportion of all students in the District of Columbia.

OSSE reviewed data related to the following required racial/ethnic groups: Black/African American, White, Hispanic or Latino, American Indian and Asian/Pacific Islander and the following disabilities categories: autism, specific learning disability (SLD), emotional disturbance (ED), multiple disabilities (MD), other health impaired (OHI), mental retardation (MR), speech or language impairment (SLI), deaf/blind, visually impaired (VI), deafness, hearing impairment, OI, traumatic brain injury (TBI).

**Minimum group size for inclusion:**

OSSE determined that an LEA must have at least 40 students with disabilities in order for an LEA to be included in this indicator. In addition, within LEAs of 40 or more students with disabilities, at least five students of a single race/ethnicity are required for weighted risk ratio analysis for that particular race/ethnicity. In FFY 2009, 17 LEAs in the District of Columbia had 40 or more students with disabilities. (Twenty-six LEAs were excluded due to “n” size.)

**Step One: States are to provide the number of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories (see Table below).**

Using the criteria established above, OSSE identified 7 LEAs (which met the n size of 40 students with disabilities) as meeting the data threshold for disproportionate representation.

**Step Two: Determining if Disproportionate Representation is the Result of Inappropriate Identification:**

OSSE determined that 2 of the 7 LEAs (which met the n size of 40 students with disabilities) that met the data threshold for disproportionate representation had disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.

OSSE made its annual determination that the disproportionate representation of racial and ethnic groups in specific disability categories was, or was not, the result of inappropriate identification as required by 34 CFR §§300.600(d)(3) and 300.602(a) through a self-assessment process. The OSSE Disproportionate Representation Self-Assessment document is designed to support LEAs in reviewing their data and practices as they relate to Part B requirements for child find, evaluation and eligibility in order for OSSE to make the determination as to whether the LEA’s disproportionate representation is the result of inappropriate identification. The self-assessment guides LEAs through this process via a facilitated review of quantitative and qualitative data including a review of policies, procedures and practices; a review of student files; and staff interviews particularly focused on regular education teachers and staff that are responsible for referring students to the special education program.

LEAs were required to submit a copy of file review checklists, staff interview answers and disproportionate representation questions to OSSE. OSSE reviewed the submitted documents and determined whether the LEA’s disproportionate representation was based on inappropriate identification and identified findings of noncompliance based on data included in the file review checklists and LEA disproportionate representation questions.

Of the seven LEAs with disproportionate representation of racial and ethnic groups in specific disability categories, two of the seven were found to have disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate

identification. Based on data obtained in staff interviews and record reviews, OSSE found that the LEA does not consider all disability categories equally for all students.

OSSE notified one LEA in writing of the findings of noncompliance in February 2011 and the second LEA in April 2011. The LEAs have one year from the date of the notification to correct the noncompliance. The LEAs are required to correct student-level noncompliance by reconvening IEP meetings for certain students and is also required to submit documentation to OSSE regarding students who will be referred for special education and related services in the coming months. OSSE will report on the correction of noncompliance in the FFY 2010 APR due February 1, 2012.

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
FFY 2009	0%

**Actual Target Data for FFY 2009:**

11.76%
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**Districts with Disproportionate Representation of Racial and Ethnic Groups in Specific Disability categories that was the Result of Inappropriate Identification**

<b>Year</b>	<b>Total Number of Districts</b>	<b>Number of Districts with Disproportionate Representation</b>	<b>Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification</b>	<b>Percent of Districts</b>
FFY 2009 (2009-2010)	17	7	2	11.76%

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

OSSE did not achieve its measurable and rigorous target of 0%. The actual target data of 11.76% represents slippage from OSSE's FFY 2008 actual target data of 0%.

OSSE believes that the slippage from FFY 2008 is the result of an increased level of specificity and rigor in determining if disproportionate representation was the result of inappropriate identification. For the first time, LEAs were required to review student level files. Additionally, OSSE more closely examined related requirements for child find, evaluation, and eligibility requirements in 34 CFR §§300.111, 300.201 and 300.301 through 300.311 and included additional interview questions for general education staff responsible for early intervening services and referring students to special education.

OSSE provided training to LEAs regarding disproportionate representation in April 2010 and was pleased to present Dr. Perry Williams, OSEP's Disproportionality Expert as the keynote speaker.

**Correction of FFY 2008 Findings of Noncompliance (if State reported more than 0% compliance):**

In FFY 2008, OSSE reported 0% for Indicator 10. Therefore, OSSE did not issue any findings of noncompliance for Indicator 10 in FFY 2008.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Developed a specific LEA training to address LEA policies, procedures, and practices related to disproportionate representation, entitled "Addressing Disproportionality and Over-Representation in the District of Columbia."	April 2010	OSSE Quality Assurance & Monitoring staff, OSSE Training & Technical Assistance staff & OSEP
The Disproportionality Self-Assessment will be incorporated into the 2009-2010 LEA self assessment process introduced in March, 2010.	December 2010	OSSE Quality Assurance and Monitoring staff

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
The self-assessment tool includes: data verification, a review of compliance indicators related to identification, referral, evaluation, and eligibility determinations. In addition, the tool includes general education instructional delivery, school-wide interventions, assessment practices, discipline, co-planning and co-teaching, and professional development.	December 2010	OSSE Quality Assurance and Monitoring staff

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Continue to refine the data collection process to ensure that SEDS collects all data required for federal reporting purposes.	Ongoing	OSSE Data Team and contractors
Continue to provide user training on all modifications/improvements to the SEDS.	Ongoing	OSSE Data Team and contractors
Provide technical assistance to facilitate the self-review and provide on-site technical assistance to LEAs to address identified inappropriate policies, procedures and practices.	Ongoing through June 30, 2013	OSSE Training & Technical Assistance staff and contractors

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / Child Find**

**Indicator 11:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

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

**Measurement:**

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

**State-established timeline:** The District of Columbia established timeline for evaluations is 120 days from referral to eligibility determination.

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

FFY	Measurable and Rigorous Target
2009	100%

**Actual Target Data for FFY 2009:**

75.43%
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**Method Used to Collect Data:**

OSSE used its Special Education Data Systems (SEDS) to collect data for this indicator. Data were collected for the entire reporting year (July 1, 2009 – June 30, 2010).

**Children Evaluated Within 60 Days (or State-established timeline):**

a. Number of children for whom parental consent to evaluate was received	<b>1351</b>
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	<b>1019</b>
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	<b>75%</b>

Account for children included in (a) but not included in (b): There were 332 children included in (a) but not included in (b). For these children, evaluations were not completed within the State-established timeline. Also, 50 children did not receive an evaluation within the State-established timeline, however were excluded from the numerator and the denominator because of exceptions outlined in 34 CFR §300.301(d) (the parent of the child repeatedly failed or refused to produce the child for the evaluation or a the child enrolled in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability).

Indicate the range of days beyond the timeline and provide reasons for the delays: The range of days beyond the third birthday for a student to have an IEP developed and implemented is 1 – 452 days. The reasons for delay include LEAs not having adequate resources (evaluators) to conduct timely evaluations (81 cases); difficulty coordinating evaluations and eligibility meetings with parents (50 cases); technical errors in using the database to record proper date of evaluation (12 cases); weather delays (6 cases); parent repeated failed to make the child available or the parent refused to respond to request for consent to evaluate however LEA did not provide adequate documentation for OSSE to subtract students from the calculation (27 cases); and LEA failure to appropriately track timeline (81 cases). The reason for the delay is unknown in 75 cases.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009:**

The actual target data of 75.43% represents progress from OSSE's FFY 2008 actual target data of 66.56%. OSSE did not meet its FFY 2009 target of 100%.

In FFY 2009, OSSE completed a number of initiatives to improve evaluation timelines. First, the State made SEDS usage mandatory for all LEAs. The system makes it possible for the SEA and LEAs to directly monitor the progress of evaluation timeliness. OSSE also developed an LEA Performance and Planning Report to assist LEAs in monitoring progress toward evaluation

timeliness and planning for upcoming evaluation deadlines. Further, OSSE conducted multiple training sessions regarding proper methods to evaluate students, appropriate use of assessments and accurate eligibility determinations. Finally, OSSE developed and implemented a rigorous monitoring system to identify and correct noncompliance in a timely manner. On-site monitoring and database monitoring regarding evaluation timelines and evaluation related requirements were completed in FFY 2009.

On June 1, 2009, the U.S. Department of Education, Office of Special Education Programs (OSEP) determined the District of Columbia to need intervention in meeting the requirements of the Individuals with Disabilities Education Act (IDEA). One specific factor affecting this determination was the state's failure to meet longstanding Special Conditions imposed on its FFY 2008 grant under Part B of the IDEA related to timely initial evaluations and reevaluations.

In order to improve compliance with timely evaluations and reevaluations, OSSE is required to report to OSEP the percent of initial evaluations and reevaluations provided to children with disabilities whose evaluation deadlines fell within the reporting period that were conducted in a timely manner. OSSE is also required to report on the percent of initial evaluations and reevaluations that were provided for children whose initial evaluation and reevaluations had become overdue in a prior reporting period (backlog). For each quarterly reporting period, the level of compliance for timely evaluations must increase until 95% of initial evaluations and reevaluations are completed in a timely manner.

Each quarter, OSSE reviews data in SEDS to report to OSEP on compliance with initial evaluation and reevaluation timeline requirements. Data are reviewed from all LEAs. Following the review of data, OSSE issues written findings of noncompliance to each LEA that did not achieve 100% compliance for evaluation timelines.

To demonstrate correction of the LEA's noncompliance related to timely evaluations, the LEA must provide student level correction and ensure future LEA compliance. Student level correction is demonstrated when the student receives the evaluation, although late. The LEA must also ensure that future initial evaluations and reevaluations are conducted in a timely manner. This is accomplished by demonstrating that the LEA has met full compliance (100% timely) via the following quarterly review.

**Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance):**  
Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 66.56%

In FFY 2008, OSSE made 317 findings of noncompliance through dispute resolution processes regarding evaluations. Three hundred fourteen (314) of these findings related directly to untimely evaluations. (The remaining three pertained to the LEA refusing to agree to conduct an evaluation after a parent request.) OSSE did not make any findings of noncompliance regarding evaluation timelines through database or on-site monitoring in FFY 2008.



1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	314
2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	309
3. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	5

**Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):**

4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	5
5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	5
6. Number of FFY 2008 findings <u>not</u> verified as corrected [(4) minus (5)]	0

**Verification of Correction (either timely or subsequent):**

100% of findings of noncompliance made in FFY 2008 for this indicator were timely or subsequently corrected.

**Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:**

OSEP Memo 09-02, issued on October 17, 2008, provided guidance regarding the correction of previously identified noncompliance. Specifically, OSEP Memo 09-02 established that States must ensure that any noncompliance is corrected as soon as possible, but in no case more than one year from identification. OSEP provided additional guidance regarding the verification of correction of noncompliance at the 2010 OSEP IDEA Part B and Part C Data Meetings, June 22-24, 2010. The data on verification of correction of noncompliance for Indicator 11 findings for FFY 2008 was based on the most current guidance available, OSEP Memo 09-02. OSSE has responded to OSEP's additional guidance by changing its policies and practices regarding the verification of correction of noncompliance; however, because this additional guidance was issued at the end of FFY 2009, not all of the findings OSSE is reporting as corrected for FFY 2008 findings of noncompliance for Indicator 11 reflect the additional guidance or amended practices.

Beginning in FFY 2009, for correction of noncompliance, OSSE ensures that the LEA has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, by ensuring that each LEA has completed the required action (e.g. completed the evaluation although late). Additionally, OSSE deems that noncompliance is

corrected when the LEA can demonstrate that it is correctly implementing the specific regulatory requirement for all students with disabilities. Specifically, OSSE corrects the findings of noncompliance when the LEA demonstrates, in a subsequent database pull, that it has achieved 100% compliance for initial evaluation timelines.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Develop and issue Part B Initial Evaluation/Re-evaluation Policy to LEAs	January 2009	Chief of Staff
Issue Revised Charter Regulations (DCMR 5-3019) clarifying Charter LEA obligations related to timely evaluation, reevaluation, and IEP development/implementation	December 2010	Assistant Superintendent
Conduct a series of LEA trainings on the IEP process and effective IEP development during FFY 2009-2010	October 2009- May 2010	Director, TTA Unit; TTA staff
Direct LEAs with significant noncompliance to use a portion of their IDEA allocation to address backlog of initial evaluations and reevaluations	December 2010	Assistant Superintendent; Director, QAM Unit

<b>CONINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Continue to provide training, technical assistance, and professional development to LEAs found noncompliant with Indicator 11 requirements.	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff
Continue to evaluate LEAs compliance to this indicator through data collection and focused monitoring and impose corrective action plans on LEAs found out of compliance.	Ongoing through June 30, 2013	Director, QAM Unit; QAM staff; Director, Data Unit; Data staff

<b>ADDED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Initiate quarterly LEA meetings to review obligations and performance data related	Ongoing through June	Assistant Superintendent

to timely evaluation, reevaluation, and IEP development	30, 2013	
Initiate issuance of LEA Planning and Performance Reports to assist LEAs with accessing their data related to evaluations and reevaluations to enhance overall management of special education processes.	Ongoing through June 30, 2013	Director, Data Unit; Data staff
Issue evaluation/reevaluation findings for MOA reports	Ongoing through June 30, 2013	Director, QAM Unit; QAM staff
Issue evaluation/reevaluation findings for quarterly database reviews	Ongoing through June 30, 2013	Director, QAM Unit; QAM staff
Require LEAs that must complete a self-assessment to examine practices in initial evaluations and reevaluations and, if appropriate, develop an action plan.	Ongoing through June 30, 2013	Director, QAM Unit

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

<b>Statement from the Response Table</b>	<b>State's Response</b>
The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in future submissions to OSEP demonstrating that the State is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c).	OSSE reviewed its improvement activities and determined that two improvement activities should be deleted and also revised its improvement activities to add activities to align with OSSE's corrective action plan to enable the State to move toward compliance with the timely initial evaluation requirements in 34 CFR §300.301(c).
Because the State reported less than 100% compliance for FFY 2008, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.	OSSE reported on the status of the correction of noncompliance for 314 findings of noncompliance for this indicator made through dispute resolution processes in FFY 2008.
The State must continue to provide progress	OSSE provided the required progress reports to

reports as specified in the MOA.	OSEP on January 11, 2010, April 1, 2010, July 2, 2010, October 1, 2010 and January 10, 2010 as specified in the MOA.
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**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 12:** Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

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

**Measurement:**

- a. # of children who have been served in Part C and referred to Part for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.
- e. # of children who were referred to Part C less than 90 days before their third birthdays.

Account for children included in a but not included in b, c, d, or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a – b – d – e)] times 100.

FFY	Measurable and Rigorous Target
2009	100%

**Actual Target Data for FFY 2009:**

30.25%
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**Method Used to Collect Data:**

The State implemented a two phase plan to collect and report data for this indicator. The first phase included completing a direct pull from existing data systems and conducting a manual confirmation from Part C files. The second phase included a record review for each of the students who did not have an IEP developed and implemented by their third birthdays, in order to determine the reason for delay. Data for the entire reporting period (July 1, 2009 – June 30, 2010) were included.

The State's business processes for Part C to B transition currently includes aligning data from three data systems: the Part C data system (Early Steps and Stages), the Special Education Data System (SEDS) and the Early Stages database.

In order to account for the list of children who were referred for Part B services, the State received from Part C a list of children:

- Who received Part C services;
- Who turned 3 between 7/1/2009-6/30/2010;
- Whose parent signed a consent to transfer records to Part B;
- Who was referred to Part B for services; and
- Who was referred to Part B greater than 45 days before the third birthday.

**Actual State Data (Numbers)**

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	182
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	2
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	49
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	9
e. # of children who were referred to Part C less than 90 days before their third birthdays.	9
# in a but not in b, c, d, or e.	113
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays	30%

Percent = [(c) / (a-b-d-e)] * 100	
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Account for children included in a, but not in b, c, d, or e: 113 children who were served in Part C and referred to Part B for Part B eligibility determination did not have IEPs developed and implemented by their third birthdays.

Indicate the range of days beyond the third birthday and the reasons for the delays: the range of days beyond the third birthday for a student to have an IEP developed and implemented is 1 – 572 days. The reasons for delay include LEAs not having adequate resources (evaluators) to conduct evaluations; a lack of understanding regarding the requirement to conduct evaluations by a child's third birthday rather than applying the State-established timeline for initial evaluations (120 days); difficulty coordinating evaluations and eligibility meetings with parents; and inadequate systems for communication between Part C and Part B.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

The actual target data of 30.25% represents progress from OSSE's FFY 2008 actual target data of 8%. OSSE did not meet its FFY 2009 target of 100%.

OSSE regained significant ground after the slippage that occurred in FFY 2008. OSSE believes that the myriad of improvement activities that occurred in FFY 2009 and continued into FFY 2010 had significant impact on compliance with this indicator. First, OSSE developed an Early Transition Policy that clarifies roles and responsibilities in the Early Childhood Transition Process. Part C and Part B agencies are to bring their agency-specific procedures in line with the OSSE Early Childhood Transition Policy in order to ensure interagency cooperation and compliance. Part C and Part B instituted weekly meetings to align their transition practices in a way that facilitates compliance. These revised procedures clarify specific roles and actions for each agency at all transition steps. Further, data sharing between Part C and Part B is now feasible and occurring, as both data systems are able to export and import data in a common format.

Next, an Early Childhood Transition Summit was held that involved all Part B, Part C and community stakeholders (Early Intervention Providers and representatives from the SEA). During this session, strengths and areas for growth were determined and a focus group was appointed to develop next steps. The summit and the ensuing focus group meetings provided transparency to the interagency planning process.

Other factors impacting compliance included the implementation of the Special Education Data System (SEDS), the continuity of which has yielded valid and accurate data. Training on the new data system has been conducted and OSSE can ascertain that the data entered reflects accurate

numbers. Also, OSSE has improved the quality of monitoring visits and data reviews and has revised its tracking of compliance correction. This allows OSSE to provide LEAs ongoing information regarding their level of compliance, targeted Training and Technical Assistance around the compliance measure from the Quality Assurance and Monitoring team and ongoing Training and Technical assistance from the Training and Technical Assistance Division.

In FFY 2009, OSSE included Part C to Part B transition items in its on-site monitoring tools for both Part C and Part B monitoring. In FFY 2009, three LEAs were monitored using the revised monitoring tool. However, while the LEAs were monitored in FFY 2009, findings of noncompliance for these LEAs were not issued until FFY 2010. OSSE will report of the correction of noncompliance identified in FFY 2010 in its FFY 2010 APR due February 1, 2012. The revised monitoring process/protocol has better identified and tracked noncompliance and subsequent corrections of noncompliance. The identification of noncompliance has been accompanied by targeted training and technical assistance, making the correction process more transparent. Additionally, in November 2010, a focused monitoring protocol was developed. This protocol identifies both child/student and agency/LEA level areas of noncompliance. It consists of document reviews, child/student record reviews and multiple interviews (parents and Part C and Part B staff administrators). Agencies that are out of compliance must submit and complete corrective action plans. OSSE will begin using its Part C to Part B transition focused monitoring tool in May 2011.

**Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2008 APR):**

In FFY 2008, OSSE made two findings of noncompliance for Indicator 12 through dispute resolution processes. Both findings were timely corrected.

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
The State did not submit valid and reliable data and the State must provide the required data for FFY 2008 in the FFY 2009 APR.	After a review of data that were submitted in FFY 2008, OSSE has determined that the data submitted for Indicator 12 in its FFY 2008 APR due February 1, 2010 was valid and reliable. While, at the time of submission, OSSE indicated that "it is not clear whether the reported decrease in compliance is due to truly decreased performance or whether it results from inaccuracies in data collection and



	reporting,” OSSE conducted a thorough review of the data and determined that the reported decrease was due to decreased performance. As described above, OSSE has implemented numerous improvement activities to address the FFY 2008 decreased performance.
The State must report on the status of correction of noncompliance reflected in its revised FFY 2008 data.	In FFY 2008, OSSE made two findings of noncompliance for Indicator 12 through dispute resolution processes. Both findings were timely corrected.
If the State does not report 100% compliance in the FFY 2009 APR, the State must review its improvement activities and revise them, if necessary.	OSSE reviewed its improvement activities and revised them by adding improvement activities to ensure that the State is in compliance with early childhood transition requirements in 34 CFR §300.124(b).

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable):**

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Develop and Issue Early Childhood Transition Policy	March 2010	Chief of Staff
Revise DCEIP transition meeting invitation to ensure language aligned with regulatory and indicator requirements (i.e. “potentially eligible”)	August 2010	Director, DCEIP
Create internal APR B-12 work team to review FFY2008 APR and identify challenges and root causes related to B-12 data collection and reporting	September 2010	Chief of Staff; Director, DCEIP

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
Conduct a thorough review of C and B data systems to ensure ongoing functionality that aligns with reporting requirements, including capturing reasons for delay	September 2010	Chief of Staff; Director, Quality Assurance & Monitoring
Host an Early Childhood Transition Summit for Part B and Part C stakeholders to identify areas of confusion/challenges to timely and compliant ECT in the District	October 2010	Chief of Staff; Director, Quality Assurance & Monitoring
Develop guidance document regarding ECT policy based on feedback from Early Childhood Transition Summit	January 2011	Chief of Staff
Create file review tool to identify noncompliance for related requirements in the area of Part C to Part B transition (Part B)	August 2010	OSSE Quality Assurance & Monitoring staff
Conduct on-site monitoring visits to three LEAs	June 2010	OSSE Quality Assurance & Monitoring staff
Issue findings of noncompliance to LEAs related to Part C to Part B transition	August 2010	OSSE Quality Assurance & Monitoring staff
Hire Part C dedicated monitor	September 2010	Director, Quality Assurance & Monitoring
An Infant/Toddler/Preschool Early Intervention Leadership team will be fully implemented for all District of Columbia early intervention program coordinators and the preschool LEA Part B early intervention coordinators. The team will focus on transition conference issues, improved communication amongst programs, and opportunities to brainstorm state issues. OSSE's Early Childhood Specialist will facilitate the workgroup.	January 2011	Chief of Staff; Director, DCEIP
OSSE will reexamine alignment between referral definitions in Part C and Part B programs.	July 2010	Director, DCEIP; Director Quality Assurance & Monitoring

COMPLETED ACTIVITIES		
Improvement Activities	Timelines	Resources
OSSE is currently developing and will implement a comprehensive process to allow it to issue and track findings and verify correction of noncompliance associated with indicator 12.	August 2010	OSSE Quality Assurance & Monitoring staff

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
OSSE will continue to work with local agencies to ensure early childhood transition meetings are held no less than 90 days prior to the child's third birthday.	Ongoing through June 30, 2013	Director, DCEIP
OSSE will continue to provide training opportunities to LEAs and other public agencies to encourage parents to register their children and initiate the referral process at the early childhood transition meeting. These training sessions will take place annually during the summer months.	Ongoing through June 30, 2013	Director, DCEIP; Director, Training and Technical Assistance Unit
OSSE will continue to examine ways to more effectively integrate Part C and Part B data systems.	Ongoing through June 30, 2013	Director, DCEIP; Director, Data Unit; Chief of Staff
The Early Childhood Specialist will meet with local preschool early intervention programs on a monthly basis to review data and discuss areas where targets are not being met and request appropriate action to move towards improvement on this indicator.	Ongoing through June 30, 2013	Director, DCEIP

ADDED ACTIVITIES		
Improvement Activities	Timelines	Resources
Develop LEA training series on ECT aligned with needs identified through internal workgroup and stakeholder summit, including additional guidance to LEAs to timely initiate process of providing PWN and, as appropriate, obtaining parental consent	Ongoing through June 30, 2013	Chief of Staff; Director, DCEIP

Hold parent transition orientation sessions to assist parents with effectively navigate the transition process	Ongoing through June 30, 2013	Director, DCEIP
Develop ECT focused monitoring tools	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff
Train LEAs on focused monitoring process and tools	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff
Conduct focused monitoring related to Part C to Part B transition	Ongoing through June 30, 2012	OSSE Quality Assurance & Monitoring staff

**Part B State Performance Plan (SPP) for 2005-2012****Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 13:** Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

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

**Measurement:**

Percent =  $\left[ \frac{\text{(\# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority)}}{\text{(\# of youth with an IEP age 16 and above)}} \right] \times 100$ .

**Overview of Issue/Description of System or Process:**

As a result of a determination by the U. S. Department of Education that the District of Columbia "needs intervention" for the third consecutive year based in part on the District's noncompliance in the area of secondary transition, OSSE was required to complete a random sampling of at least 100 IEPs from all LEAs of youth aged 16 and above to be reviewed for secondary transition content for five quarterly reporting periods. (OSSE selected the IEPs equitably among LEAs based on the percentage of students with disabilities in this age range served by each LEA, relative to the total number of students with disabilities in the age range in the District of Columbia.)

On March 3, 2010, OSSE outlined the secondary transition monitoring process in the context of the MOA at its second quarterly LEA Meeting, providing LEAs with an overview of the process

and related timeframes and tools. These materials were then posted on OSSE's web page:  
<http://www.osse.dc.gov/seo/cwp/view,a,1222,Q,564126,PM,1.asp>

On March 4, 2010, OSSE sent all affected LEAs individualized reminders regarding the upcoming secondary transition monitoring activities. This notification provided LEAs with:

- an overview of the monitoring selection process;
- the number of student records that would be reviewed; and
- additional resources for the LEA to review, including the monitoring tools and related OSSE policy.

Monitoring of the IEPs for secondary transition content began on Wednesday, March 10, 2010. OSSE completed the monitoring process and notified LEAs of findings of noncompliance on March 19, 2010. Monitoring reports issued on March 19, 2010 provided written notification to LEAs to correct identified noncompliance as soon as possible and in no case later than one year from identification. The secondary transition section of the comprehensive monitoring tool was utilized to complete the MOA required review of a random sample of 100 IEPs of youth aged 16 and above for IEP secondary transition content.

OSSE conducted its second round of secondary transition monitoring of 100 randomly selected IEPs on June 4, 2010 and issued monitoring reports with findings of noncompliance on June 15, 2010.

**Baseline Data from FFY 2009:  $6 / 200 \times 100 = 3\%$**

**Discussion of Baseline Data:**

Of the 200 IEPs reviewed in FFY 2009 for secondary transition content, three percent of IEPs reviewed included the required secondary transition content.

Identified patterns of noncompliance related to the secondary transition review in March 2010 and June 2010 included:

<b>Secondary Transition Compliance Item</b>	<b>% Compliant for Second Reporting Period (March 2010)</b>	<b>% Compliant for Third Reporting Period (June 2010)</b>
STR 1: There is an appropriate measureable postsecondary goal that addresses education OR training after high school.	31%	37%
STR 2: There is an appropriate measureable postsecondary goal that addresses employment after high school.	37%	37%
STR 3: If needed, there is an	58%	68%

appropriate measureable postsecondary goal that addresses independent living.		
STR 4: Postsecondary goal(s) are updated annually.	62%	65%
STR 5: Postsecondary goal(s) are based on age appropriate transition assessments.	16%	27%
STR 6: There are transition services in the IEP that will assist the student to meet postsecondary goal(s).	61%	58%
STR 7: Transition services include courses of study that will enable the student to meet postsecondary goal(s).	60%	61%
STR 8: There is evidence that the student was invited to the IEP meeting.	24%	15%
STR 9: If appropriate, there is evidence that a representative of any participating agency was invited to the IEP team meeting WITH the prior consent of the parent or student who has reached the age of majority.	24%	81%
Total Number of Files with ALL Items Compliant	0%	6%

	Second Reporting Period (March 2010)	Third Reporting Period (June 2010)
Number of LEAs Reviewed	11	7
Number of LEAs in Compliance	0	0
Item with Lowest Level of Compliance	STR 5: Postsecondary goal(s) are based on age appropriate transition assessments.	STR 8: There is evidence that the student was invited to the IEP meeting.
Item with Highest Level of Compliance	STR 4: Postsecondary goal(s) are updated annually.	STR 9: If appropriate, there is evidence that a representative of any participating agency was invited to the IEP team meeting WITH the prior consent of the parent or

		student who has reached the age of majority.
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<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> (2005-2006)	<b>100%</b>
<b>2006</b> (2006-2007)	<b>100%</b>
<b>2007</b> (2007-2008)	<b>100%</b>
<b>2008</b> (2008-2009)	<b>States not required to report on Indicator 13 in FFY 2008.</b>
<b>2009</b> (2009-2010)	100% of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.
<b>2010</b> (2010-2011)	100% of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.
<b>2011</b>	100% of youth with IEPs aged 16 and above with an IEP that includes



<b>(2011-2012)</b>	appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.
<b>2012</b> <b>(2012-2013)</b>	100% of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

**Improvement Activities/Timelines/Resources (through 2012):**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Issue secondary transition policy	January 2010	OSSE superintendent and policy committee
Develop monitoring tool	February 2010	OSSE Quality Assurance & Monitoring staff and technical assistance providers
Convene first Community of Practice for secondary transition meeting	July 2010	OSSE staff and community stakeholders
Provide LEAs with guidance to support correction of noncompliance identified in March 2010	April 2010	OSSE Quality Assurance & Monitoring staff & OSSE Training & Technical Assistance staff

<b>CONTINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Provide ongoing technical assistance and support	Ongoing through June 30, 2013	OSSE Training & Technical Assistance staff and contractors
Conduct professional development and training activities	Ongoing through June 30, 2013	OSSE Training & Technical Assistance staff and contractors
Collect monitoring data quarterly	Ongoing through June 30, 2013	OSSE Quality Assurance and Monitoring staff
Convene Community of Practice for secondary transition meetings	Ongoing	OSSE staff and community stakeholders

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 13:** Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

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

**Measurement:**

Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.

**Baseline (actual target data for FFY 2009), targets and improvement activities are in the State's revised State Performance Plan because Indicator 13 was revised to include a new measurement.**

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

<b>Statement from the Response Table</b>	<b>State's Response</b>
The State must continue to provide progress reports as specified in the MOA.	OSSE provided the required progress reports to OSEP on January 11, 2010, April 1, 2010, July 2, 2010, October 1, 2010 and January 10, 2010 as specified in the MOA.

**Part B State Performance Plan (SPP) for 2005-2012**

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 14:** Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

**Measurement:**

A. Percent enrolled in higher education =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$

B. Percent enrolled in higher education or competitively employed within one year of leaving high school =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$

C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment =  $\left[ \frac{\text{(\# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment)}}{\text{(\# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)}} \right] \text{ times } 100.$

## **Overview of Issue/Description of System or Process:**

### **Definitions**

The following definitions are specific to OSSE's Part B Indicator 14:

Competitive employment means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Higher Education means youth have been enrolled on a full- or part-time basis in a community college (2-year program), or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.

Some Other Employment means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

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

Respondents are youth or their designated family member who answer the survey or interview questions.

Leavers are youth who left school by graduating with a regular or modified diploma, aging out, left school early (i.e., dropped out), or who were expected to return and did not.

### **Sample Selection**

OSSE used census data for this indicator. OSSE collected exiting information for all students who graduated or left school in FFY 2008 and provided this information to its contractor to complete the survey.

OSSE contracted with Potsdam Institute for Applied Research (PIAR) at the State University of New York (SUNY) Potsdam to conduct phone interviews with former students or their designated family member (i.e., parent or grandparent). Youth were contacted after being out of school for at least one year.

### **Response Rate and Representativeness**

As seen in Table 1, Response Rate Calculation, 973 youth left the state during the 2008-09 school year. Interviews were conducted with 227 youth or their family members. The response rate was  $227/914 = 25\%$ . OSSE notes that while 914 students were contacted, 15

of the 914 declined to participate in the survey. Therefore, OSSE evaluated certain data (e.g. the NPSO Response Calculator) based on 899 respondents rather than 914.

Table 1 Response Rate Calculation

Number of leavers in the state	973
- subtract the number of youth ineligible (those who had returned to school or were deceased)	-59
Number of youth contacted	914
Number of completed surveys	227
Response rate: 227 /914 x 100	25%

OSSE calculated representativeness of the respondent group on the characteristics of disability type, ethnicity and gender in order to determine whether the youth who responded to the interviews were similar to, or different from, the total population of youth with an IEP who exited school in 2008-09.

Differences between the Respondent Group and the Target Leaver Group of  $\pm 3\%$  are important. Negative differences indicate an under-representativeness of the group and positive differences indicate over-representativeness. In the Response Calculator, red is used to indicate a difference exceeding the  $\pm 3\%$  interval.

Representativeness									
	Overall I	LD	ED	MR	All Othe r	Femal e	Mal e	Minorit y	ELL
Target Leaver Totals	899	528	154	96	121	308	591	880	461
Response Totals	227	143	23	25	36	85	142	221	0
Target Leaver Representatio n		59 %	17 %	11%	13%	34%	66%	98%	0%
Respondent Representatio n		63 %	10 %	11%	16%	37%	63%	97%	0%
Difference		4%	-7%	0.3 %	2.4%	3%	-3%	-0.5%	0%
Note: positive difference indicates over-representation, negative difference indicates under-representation. A difference of greater than +/-3% is highlighted in red. We encourage users to also read the Westat/NPSO paper Post-School Outcomes: Response Rates and Non-response Bias, found on the NPSO website at <a href="http://www.psocenter.org/collecting.html">http://www.psocenter.org/collecting.html</a> .									

### **Selection Bias**

The under-representativeness could be attributed the fact that these groups of youth (youth with emotional disabilities and youth who have dropped out), in general, are difficult populations to reach. Since the State was overrepresented in other categories OSSE will identify different strategies to encourage survey responses from youth in these categories.

### **Missing Data**

Our overall response rate was 25%, which means out of 973 students who left school in 2008-2009, OSSE is missing post-school outcome information for 75% of former students in the sample. OSSE found that LEAs did not typically update contact information for students after initial entry into the program unless the student moved from one LEA to another. OSSE will continue to inform LEAs of the responsibility to collect contact information annual and specifically prior to students exiting. Additionally, OSSE will continue to provide parent and student fliers for distribution.

### **Baseline Data from FFY 2009:**

There were a total of 227 respondents.

- 1 = 52 respondent leavers were enrolled in “higher education”.
- 2 = 50 respondent leavers were engaged in “competitive employment” (and not counted in 1).
- 3 = 18 of respondent leavers were enrolled in “some other postsecondary education or training” (and not counted in 1 or 2).
- 4 = 5 of respondent leavers were engaged in “some other employment” (and not counted in 1, 2, or 3).

Thus,

$$A = 52 / 227 = 23\%$$

$$B = 52 + 50 / 227 = 45\%$$

$$C = 52 + 50 + 18 + 5 / 227 = 55\%$$

### **Discussion of Baseline Data:**

Based on the reported data, 23% of respondents indicated that they are enrolled in higher education; 45% are enrolled in higher education or competitively employed; and 55% are enrolled in higher education, competitively employed, enrolled in some other postsecondary education or training or engaged in some other employment. OSSE further analyzed these data and found that while a greater percentage of students who graduated with a diploma are engaged in some form of higher education or some other postsecondary education or training, for both youth who graduated with a diploma and youth who graduated with a certificate of completion the percentage of youth who are engaged in some activity is identical (68%). Conversely, only 24% of students who dropped out are engaged in some postsecondary activity.



OSSE also notes that of youth with emotional disabilities, only 35% of youth are engaged in some postsecondary activity, while 42% of youth with multiple disabilities are engaged, 48% of youth with intellectual disabilities (formerly mental retardation) are engaged, 50% for both youth with autism and hearing impairments are engaged in some postsecondary activity, 57% for both youth with speech/language impairments and other health impairments are engaged, 60% of youth with specific learning disabilities are engaged and 100% of youth with visual impairments are engaged in some postsecondary activity.

OSSE recognizes very large discrepancies in youth engaged in postsecondary activities by race/ethnicity. Eighty-three percent of white youth were engaged in some postsecondary activity and 73% of Hispanic/Latino youth were engaged in some postsecondary activity, while only 53% of Black/non-Hispanic youth were engaged in some postsecondary activity.

Finally, OSSE found that more female youth are engaged in postsecondary education (37%) as opposed to male youth (27%); and male youth are more engaged in employment (26%) as opposed to female employment (22%).

<b>FFY</b>	<b>Measurable and Rigorous Target</b>
<b>2005</b> <b>(2005-2006)</b>	56%
<b>2006</b> <b>(2006-2007)</b>	60%
<b>2007</b> <b>(2007-2008)</b>	64%
<b>2008</b> <b>(2008-2009)</b>	States were not required to report on Indicator 14 in FFY 2008.
<b>2009</b> <b>(2009-2010)</b>	New baseline data were established in FFY 2009.
<b>2010</b> <b>(2010-2011)</b>	14A: 25% of youth who are no longer in secondary school enrolled in higher education within one year of leaving high school. 14B: 47% of youth who are no longer in secondary school enrolled in higher education or competitively employed within one year of leaving high school. 14C: 58% of youth who are no longer in secondary school enrolled in higher education or in some other postsecondary education or training program; or

	competitively employed or in some other employment within one year of leaving high school.
<b>2011 (2011-2012)</b>	<p>14A: 26% of youth who are no longer in secondary school enrolled in higher education within one year of leaving high school.</p> <p>14B: 49% of youth who are no longer in secondary school enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>14C: 61% of youth who are no longer in secondary school enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>
<b>2012 (2012-2013)</b>	<p>14A: 27% of youth who are no longer in secondary school enrolled in higher education within one year of leaving high school.</p> <p>14B: 51% of youth who are no longer in secondary school enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>14C: 64% of youth who are no longer in secondary school enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>

#### **Improvement Activities/Timelines/Resources (through 2012):**

In FFY 2009, OSSE began to focus on the proper development and implementation of secondary transition plans, engaged a group of community stakeholders to form a Community of Practice around secondary transition and conducted numerous professional development and training sessions for LEAs to increase knowledge and skills related to increased secondary teaching and learning and preparing students for graduation and postsecondary options. Specifically, OSSE hosted trainings on developing measurable annual goals and objectives for transition services utilizing SEDS; integrating best practices for addressing the needs of students with disabilities into professional learning and teaching activities; determining student progress at the secondary level; implementing an effective Response to Intervention (RTI) framework in secondary schools; developing and implementing research-based secondary school reading interventions; identifying programs and activities that will help students reach their post secondary school goals by linking graduation, dropout, secondary transition, and post-school outcomes to drive student improvement; and providing technical assistance on the 15 Strategies for Dropout Prevention from the National Dropout Center.

OSSE believes that its dedication to the allocation of resources in this area and its diligence in engaging community stakeholders contributed to the progress in graduation, dropout and postsecondary outcomes. While OSSE acknowledges that the State must continue to support

LEAs in achieving excellence in teaching and learning at the classroom level in order to provide every student with increased opportunities to succeed after high school, OSSE is encouraged by the upward trend in graduation, dropout and postsecondary outcomes results.

ADDED ACTIVITIES		
Improvement Activities	Timelines	Resources
<p><b>Completion of Secondary Transition Monitoring Pursuant to OSSE's Memorandum of Agreement with OSEP:</b> Pursuant to OSSE's MOA with OSEP, the Quality Assurance and Monitoring (QAM) unit began regular monitoring of 100 IEPs of students with disabilities aged 16 or older to ensure compliance with requirements related to secondary transition content.</p>	Ongoing through June 30, 2013	Director, QAM Unit; QAM staff
<p><b>Implementation of a Training Series to Support Secondary Success:</b> The DSE's Training and Technical Assistance (TTA) Unit facilitated a robust training series in SY 2009-2010 which will continue annually through 2013. This LEA training series includes trainings specifically designed to ensure the success of students in secondary grades. Specifically, the training series includes the following training content:</p> <ul style="list-style-type: none"> <li>• Developing measurable annual goals and objectives for transition services utilizing SEDS</li> <li>• Integrating best practices for addressing the needs of students with disabilities into professional learning and teaching activities</li> <li>• Determining student progress at the secondary level</li> <li>• Implementing an effective Response to Intervention (RTI) framework in secondary schools</li> <li>• Developing and implementing research-based secondary school reading interventions</li> <li>• Identifying programs and activities</li> </ul>	Ongoing through June 30, 2013	Director, TTA Unit; TTA staff; contractors

<p>that will help students reach their post secondary school goals by linking graduation, dropout, secondary transition, and post-school outcomes to drive student improvement</p> <ul style="list-style-type: none"> <li>• Providing technical assistance on the 15 Strategies for Dropout Prevention from the National Dropout Center</li> </ul>		
<p><b>Completion and Implementation of a State Action Plan:</b> This Community of Practice has met 3 times to continue the work related to ensuring that student's with opportunities can access a regular or alternate diploma and are well-prepared for transition to life beyond high school. The team is also in the process of developing a State Action Plan and will implement the plan upon completion.</p>	<p>Ongoing through June 30, 2013</p>	<p>Director, TTA Unit; DSE Leadership team</p>
<p>Provide parent and student fliers for distribution.</p>	<p>Ongoing through June 30, 2013</p>	<p>Director, TTA Unit; Chief of Staff</p>
<p>Remind LEAs of obligation to update contact information prior to end of school year.</p>	<p>Ongoing through June 30, 2013</p>	<p>Director, TTA Unit; Assistant Superintendent</p>

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 15:** General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

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

**Measurement:**

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

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

FFY	Measurable and Rigorous Target
2009	100%

**Actual Target Data for FFY 2009:**

1122 / 1102 x 100 = 98%

**Describe the process for selecting LEAs for Monitoring:**

The goal of OSSE's Monitoring and Compliance System is to ensure that LEAs are meeting the requirements of both federal and local regulations. In alignment with federal regulations and OSSE's Vision, OSSE's monitoring approach is outcome oriented. However, if noncompliance is identified through any of OSSE's monitoring activities, **OSSE will require the LEA to correct the**

**noncompliance as soon as possible but in no case later than one year after the identification of the noncompliance.**

Contrary to the notion that monitoring is an annual on-site process, OSSE employs a number of monitoring activities to ensure compliance with federal and local regulations and improve educational results and functional outcomes for students with disabilities. Monitoring activities include: database reviews, on-site compliance monitoring, record reviews, on-site focused monitoring, dispute resolution activities, LEA self-assessments, Phase I and Phase II grant applications, and audit findings reviews.

**Database Reviews:** In accordance with the MOA and with APR reporting requirements, OSSE reviews data in the Special Education Data System (SEDS) and in the Blackman/Jones Database to identify noncompliance and assess progress toward federal and local targets for special education. Pursuant to the Blackman/Jones Consent Decree and Title 5, Section 5019 of the District of Columbia Municipal Regulations, all LEAs (including independent charter LEAs) are required to input data into the SEDS. Data for MOA reporting is reviewed quarterly for all LEAs. (Only LEAs serving students 15 years and older are monitored for secondary transition requirements.)

**On-site Compliance Monitoring:** Twice per year, OSSE conducts on-site compliance monitoring for a selection of LEAs. This process includes record reviews and interviews to identify noncompliance and assess progress toward federal and local targets for special education. LEAs are selected for an on-site compliance monitoring visit based on the consideration and evaluation of the following factors:

- Information provided in the LEA's previous self-assessment;
- Information provided in the LEA's most recent Phase I and Phase II Grant Application;
- Level of compliance on the prior year's APR Indicators 9, 10, 11, 12 and 13;
- Level of compliance on data reported in OSSE's MOA reports;
- Number of HODs/SAs not timely implemented;
- Number of State complaints filed against the LEA in the past year;
- Number of students in the LEA placed in a more restrictive setting during the past school year;
- Timely submission of data (programmatic and fiscal) to OSSE;
- Number of requests for reimbursement not approved by OSSE;
- Number of students served by the LEA;
- Date of last on-site monitoring visit; and
- Other Information available to OSSE.

**Nonpublic Monitoring:** OSSE is committed to ensuring that students educated in nonpublic settings are placed in the least restrictive environment; are receiving proper positive behavior supports; and are receiving appropriate services, including specialized instruction and transition services. Pursuant to D.C. Code §38-2561.07, nonpublic schools, applying for a Certificate of

Approval (COA), shall receive an evaluation including an on-site inspection of the operations and facilities of the school or program. OSSE shall conduct an on-site inspection at least once during the period of the COA and may schedule other inspections as deemed necessary. The LEA responsible for the student placed in the nonpublic school is responsible for ensuring that the nonpublic school is compliant with federal and local rules and regulations. Therefore, should noncompliance be identified during a nonpublic review, the responsible LEA will receive notice of the findings of noncompliance and be accountable for correcting the noncompliance as soon as possible but in no case later than one year from the identification of noncompliance.

**Record Reviews:** Record reviews entail an examination of student level records that document the level of implementation of Individualized Education Programs (IEPs), financial and accounting records, or any other record that may contain information necessary for federal or local reporting. The majority of record reviews conducted by OSSE will occur through database reviews, on-site compliance monitoring, and required audit activities. OSSE reserves the right to review records if information is not available in databases or at any such time that a review may be necessary.

**On-site Focused Monitoring:** Focused monitoring purposefully selects priority areas to examine for compliance and results while not specifically examining other areas for compliance in order to maximize resources, emphasize important variables, and increase the probability of improved results. OSSE intends to begin on-site focused monitoring during the 2010-2011 school year for selected LEAs during the scheduled on-site compliance monitoring visit. OSSE may choose to conduct an on-site focused monitoring visit in lieu of an on-site compliance monitoring visit if the LEA has demonstrated that it is in compliance with the regulatory requirements described in the Compliance Monitoring Areas. During FFY 2009, OSSE did not conduct focused monitoring visits.

**Dispute Resolution Activities:** The State complaint and due process processes are designed to resolve disputes between LEAs and parents (or organization or individual in the case of State complaints). In the fact finding stages of each of these processes, the investigator or hearing officer may identify noncompliance by the LEA. In the case of State complaints, findings of noncompliance are identified in the Letter of Decision. In the case of due process complaints, findings of noncompliance are identified in the HOD. Although OSSE may not issue an additional written finding of noncompliance, the Letter of Decision or HOD serves as the written notice of the finding of noncompliance.

**LEA Self-Assessments:** The LEA self-assessment is a process by which LEAs assess their own performance and progress toward compliance with IDEA Part B. The self-assessment is designed to guide LEAs through a collaborative analysis and planning process to engage stakeholders in developing targeted improvement activities in the areas that the LEA is most in need. The self-assessment tool is based on the compliance monitoring tool used by OSSE for on-site monitoring visits thus LEAs can prepare for future on-site monitoring as well as clearly identify areas of noncompliance in student files and LEA policies and procedures. Through the

self-assessment process, LEAs will develop a self-improvement plan that must be submitted to OSSE two months after receiving the self-assessment documents each year. LEAs identified for an on-site monitoring visit will not be required to complete a self-assessment in the year of the OSSE visit. LEAs did not complete self-assessments in FFY 2009.

***Phase I and Phase II Grant Applications:*** Grant applications submitted by LEAs include important assurances by the LEA that the LEA is in compliance with IDEA Part B regulations. In signing the assurances contained in the Phase I Application, LEAs attest that students within the LEA are receiving a free appropriate public education and that the LEA is properly using IDEA funds. Should an LEA not be able to provide these assurances, or a date by which the LEA will be in compliance, OSSE may not be able to timely distribute funds to the LEA.

***Audit Findings Review:*** LEAs that spend \$500,000 or more in federal funds are required to receive an A-133 single audit and submit a copy of the management letter to OSSE within 30 days of receipt. Additionally, the District of Columbia Public Charter School Board (PCSB) requires all public charter schools in the district to receive an annual audit regardless of level of expenditures. Any noncompliance identified through audits must be corrected in accordance with the audit report.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2009:**

While OSSE did not achieve its measurable and rigorous target of 100%, the actual target data of 98% represents significant progress from OSSE's FFY 2008 reported target data of 65.6%. OSSE notes that OSEP determined that OSSE's FFY 2008 target data were not valid and reliable because the data were based only on findings of noncompliance from complaint investigations and due process hearings. Data provided in the FFY 2009 APR include findings of noncompliance made through due process hearings and on-site monitoring. (No findings of noncompliance were identified during FFY 2008 through complaint investigations.)

OSSE is committed to a monitoring system that identifies noncompliance using methods that support the ultimate goal of improving educational results and functional outcomes for all students with disabilities. While monitoring activities must, by federal law, examine compliance issues, OSSE has very deliberately structured its monitoring approach in such a way that the broader themes of IDEA – inclusivity, quality of education, and teamwork – are emphasized. A key feature of OSSE's Monitoring and Compliance System is the direct linkage between monitoring activities and technical assistance. The Division of Special Education's Training and Technical Assistance Unit (T&TA) works directly with the Quality Assurance and Monitoring Unit to identify specific compliance areas that warrant general and targeted technical assistance. OSSE offers a multitude of training opportunities for LEAs to increase their knowledge of, and compliance with, IDEA Part B requirements and to discover methods to improve outcomes for students with disabilities.



Since the conclusion of OSEP's Verification Visit in November 2009, OSSE has taken significant steps to ensure that it uses all the components of its general supervision system to timely identify and notify LEAs of noncompliance and the LEA's responsibility to ensure that all noncompliance is corrected as soon as possible and in no case later than one year after the date of OSSE's identification of the noncompliance. First, OSSE hired a Director of Compliance & Monitoring (also referred to as the Director of Quality Assurance & Monitoring) in February 2010. Beginning in February 2010, under the leadership of the Director of Compliance & Monitoring, OSSE conducted a thorough review of the monitoring system and its ability to timely identify and notify LEAs of noncompliance.

As a result of this review, OSSE created a compliance monitoring system and incorporated off-site record reviews and database monitoring into its general supervision system. Additionally, OSSE created a tracking system to allow the SEA to accurately examine and track noncompliance identified in all areas to ensure that LEAs are timely notified of all noncompliance and to enable OSSE to more thoroughly analyze timelines, trends and areas to target for technical assistance.

OSSE's 2010-2011 Monitoring Manual and training design clarifies how the State will use all components of its general supervision system, including data the State receives through its on-site monitoring, LEA self-assessments, the statewide database, State complaints, and due process hearings, to timely identify and notify LEAs of noncompliance and the responsibility to ensure that all such noncompliance is corrected as soon as possible and in no case later than one year after the date of the State's identification of the noncompliance (i.e., written notification to the LEA of the noncompliance).

The updated manual and training also outline the process for identification and correction of noncompliance in accordance with OSEP Memorandum 09-02. Specifically, the process ensures that when the State collects or receives information indicating noncompliance, the State will: (1) make a finding of noncompliance; or (2) verify whether the data demonstrate noncompliance and then issue a finding if the State concludes the data do demonstrate noncompliance; or (3) verify that the LEA has corrected the noncompliance, using both prongs of OSEP Memorandum 09-02 (examining updated data to ensure the LEA is correctly implementing the specific regulatory requirements) before determining that the LEA has corrected student level and LEA level noncompliance.

OSSE has also taken significant steps to ensure that it will ensure the correction of noncompliance by verifying that each LEA with noncompliance is correctly implementing the specific regulatory requirements and that each individual case of noncompliance has been corrected unless the child is no longer within the jurisdiction of the LEA, and that it will review updated data, which may be from subsequent on-site monitoring or data collected with the database, when determining whether an LEA is correctly implementing the specific regulatory requirements. Beginning in February 2010, under the leadership of the Director of Compliance

& Monitoring, OSSE began a thorough review of the monitoring system and its ability to adequately verify the correction of noncompliance.

Based on this review, OSSE revised its Monitoring Manual, trained staff and LEAs on the requirements in OSEP Memo 09-02, developed a monitoring tool which outlines student level and LEA level findings and required corrections and created a tracking system which tracks student level and LEA level findings.

Results of OSSE's increased capacity to identify and correct noncompliance will be evident in OSSE's FFY 2010 and FFY 2011 APRs due February 1, 2011 and February 1, 2012 respectively.

**Note: For this indicator, report data on the correction of findings of noncompliance the State made during FFY 2008 (July 1, 2008 through June 30, 2009) and verified as corrected as soon as possible and in no case later than one year from identification.**

**Timely Correction of FFY 2008 Findings of Noncompliance (corrected within one year from identification of the noncompliance):**

7. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) (Sum of Column a on the Indicator B15 Worksheet)	<b>1122</b>
8. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	<b>1102</b>
9. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	<b>20</b>

**FFY 2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):**

10. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	<b>20</b>
11. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	<b>20</b>
12. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	<b>0</b>

**Actions Taken if Noncompliance Not Corrected**

All findings of noncompliance issued in FFY 2008 have been verified as corrected.

**Verification of Correction for findings of noncompliance reported in the FFY 2009 APR (either timely or subsequent):**

OSEP Memo 09-02, issued on October 17, 2008, provided guidance regarding the correction of previously identified noncompliance. Specifically, OSEP Memo 09-02 established that States must ensure that any noncompliance is corrected as soon as possible, but in no case more than one year from identification. OSEP provided additional guidance regarding the verification of correction of noncompliance at the 2010 OSEP IDEA Part B and Part C Data Meetings, June 22-24, 2010. The data on verification of correction of noncompliance that OSSE submitted in the FFY 2008 APR was based on the most current guidance available, OSEP Memo 09-02. OSSE has responded to OSEP's additional guidance by changing its policies and practices regarding the verification of correction of noncompliance; however, because this additional guidance was issued at the end of FFY 2009, not all of the data OSSE is reporting in the FFY 2009 APR reflect the additional guidance or amended practices. Additionally, 1114 of the 1122 findings of noncompliance from FFY 2008 were from dispute resolution processes. Pursuant to OSEP guidance, States must decide, on a case-by-case basis, whether it is appropriate to apply both "prongs" of verification of correction of noncompliance outlined in OSEP Memo 09-02 to findings made through dispute resolution processes. Therefore, although OSSE did not verify correction of FFY 2008 findings based on OSEP's most recent guidance, the majority of the corrections of noncompliance would satisfy current guidance based on the nature of the findings.

Pursuant to OSEP Memorandum 09-02 dated October 17, 2008 (OSEP Memo 09-02), OSSE must account for all instances of noncompliance. In determining the steps that the LEA must take to correct the noncompliance and document such correction, OSSE may consider a variety of factors. For any noncompliance concerning a child-specific requirement that is not subject to a specific timeline requirement, OSSE must also ensure that the LEA has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA. In addition, OSSE must ensure that each LEA has completed the required action (e.g. completed the evaluation although late).

Thus, OSSE makes both student level and LEA level findings of noncompliance within on-site monitoring reports. Noncompliance is corrected when the LEA can demonstrate that it is correctly implementing the specific regulatory requirement for all students with disabilities. The monitoring report details student level and LEA level corrective actions required to assist the LEA in correctly implementing the specific regulatory requirement.

After the LEA has certified correction of student level and LEA level noncompliance, OSSE will verify the correction of noncompliance.

- To verify the correction of student level citations, OSSE will select a sample of the original student files reviewed to verify that the required action has been completed. The number of files sampled will be proportionate to the number of files reviewed. For example, OSSE may review five student files for LEAs serving 70 or fewer students with disabilities and 15 student files for LEAs serving 71+ students with disabilities. Correction of noncompliance will be complete when the LEA can demonstrate that it is

correctly implementing the specific regulatory requirement. Additionally, OSSE will select a sample of student files that were not originally reviewed or generate a report from SEDS to verify correction of noncompliance. The number of files sampled will be proportionate to the number of files reviewed. For example, OSSE may review five student files for LEAs serving 70 or fewer students with disabilities and 15 student files for LEAs serving 71+ students with disabilities. Correction of noncompliance will be complete when the LEA can demonstrate that it is correctly implementing the specific regulatory requirement, meaning the file review revealed 100% compliance with the specific regulatory requirement.

- For LEA level noncompliance, OSSE will review documents submitted by the LEA that evidence the completion of required corrective actions and will select a sample of student files that were not originally reviewed or generate a report from SEDS to verify correction of noncompliance. The number of files sampled will be proportionate to the number of files reviewed. For example, OSSE may review five student files for LEAs serving 70 or fewer students with disabilities and 15 student files for LEAs serving 71+ students with disabilities. Correction of noncompliance will be complete when the LEA can demonstrate that it is correctly implementing the specific regulatory requirement, meaning the file review revealed 100% compliance with the specific regulatory requirement.

Monitoring reports outline specific student level and LEA level corrective actions that must be taken to correct any identified noncompliance. Following the LEA's submission of documentation of correction of noncompliance, OSSE verifies the correction of noncompliance and notifies the LEA of the verified correction. OSSE notes that while the LEA may complete the required actions listed for student level and LEA level findings of noncompliance, verification of correction requires OSSE to confirm that the LEA is correctly implementing the specific regulatory requirement related to each finding. This includes areas for which the LEA may not have been required to submit additional LEA level corrective actions. While no additional submissions are required for these areas, should any noncompliance be found during the additional file review, evidence of continued noncompliance will prohibit OSSE from verifying that the LEA is correctly implementing regulatory requirements.

OSSE has also taken significant steps to ensure that it will ensure the correction of noncompliance by verifying that each LEA with noncompliance is correctly implementing the specific regulatory requirements and that each individual case of noncompliance has been corrected unless the child is no longer within the jurisdiction of the LEA, and that it will review updated data, which may be from subsequent on-site monitoring or data collected with the database, when determining whether an LEA is correctly implementing the specific regulatory requirements. For database reviews, the LEA must achieve 100% compliance in the following review in order for OSSE to verify the correction of noncompliance.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
QAM will incorporate the improvement activities and feedback we receive from the various offices within OSSE to help inform our work and focused monitoring.	March 2010	OSSE Quality Assurance & Monitoring staff

<b>CONTINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Provide ongoing technical assistance and support	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff & OSSE Training & Technical Assistance staff
Conduct professional development and training activities	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff & OSSE Training & Technical Assistance staff

<b>ADDED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Collect monitoring data	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff
Monitor and update Indicator 15 tracking system	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff and technical assistance providers

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

<b>Statement from the Response Table</b>	<b>State's Response</b>
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<p>The State did not submit valid and reliable data and the State must provide the required data in the FFY 2009 APR.</p> <p>The State provided a plan to collect and report valid and reliable data beginning with the FFY 2009 APR. The State must provide the required data in the FFY 2009 APR.</p>	<p>OSSE is providing the required data in the FFY 2009 APR. OSEP concluded that OSSE did not provide valid and reliable data in the FFY 2008 APR because the OSSE provided data based only on findings of noncompliance from complaint investigations and due process hearings. The data provided in the FFY 2009 APR include data from complaint investigations, due process hearings and on-site monitoring conducted in FFY 2008.</p>
<p>The State must continue to provide progress reports as required by the MOA.</p>	<p>OSSE provided the required progress reports to OSEP on January 11, 2010, April 1, 2010, July 2, 2010, October 1, 2010 and January 10, 2010 as specified in the MOA.</p>

**PART B INDICATOR 15 WORKSHEET**

<b>Indicator/Indicator Clusters</b>	<b>General Supervision System Components</b>	<b># of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)</b>	<b>(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)</b>	<b>(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification</b>
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
2. Percent of youth with IEPs dropping out of high school.				
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings			
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
7. Percent of preschool children with IEPs who demonstrated improved outcomes.				
	Dispute Resolution: Complaints, Hearings	1	1	1
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	2	2
4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of	Dispute Resolution: Complaints, Hearings	3	39	38

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.				
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution: Complaints, Hearings	9	436	430
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	3	3
	Dispute Resolution: Complaints, Hearings	2	72	71
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
10. Percent of districts with disproportionate representation of	Dispute Resolution: Complaints, Hearings	2	55	54



Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
racial and ethnic groups in specific disability categories that is the result of inappropriate identification.				
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	8	317	309
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	1	2	2
13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	1	1	1
	Dispute Resolution: Complaints, Hearings	1	38	38

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance: Data	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	2	2
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance: Hearing Officer Determination Implementation	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	6	154	151
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
<b>Sum the numbers down Column a and Column b</b>			1122	1102
<b>Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.</b>			<b>(b) / (a) X 100 =</b>	98%

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 16:** Percent of signed written complaints with reports issued that were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.

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

**Measurement:**

Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times 100

FFY	Measurable and Rigorous Target
FFY 2009	100%

**Actual Target Data for FFY 2009:  $4 + 2 / 7 \times 100 = 85.7\%$** **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

While OSSE did not achieve its measurable and rigorous target of 100%, the actual target data of 85.7% represents significant progress from OSSE's FFY 2008 actual target data of 0%.

On February 1, 2010 OSSE hired a new Director of Quality Assurance & Monitoring who, in addition to other duties, is responsible for the oversight of the State Complaint Office. Since February 1, 2010, the director has developed letter templates, which have been approved by OSSE's Office of General Counsel (OGC), for each of the steps in the State complaint process. The development and subsequent OGC approval of these letters has created a system by which State complaints are received, all parties notified and the initiation of the investigation within

one week of the receipt of the complaint. Further, OSSE contracted with an independent dispute resolution expert to draft responses to overdue complaints, aid in the investigation of new complaints and provide one-on-one assistance to the OSSE State complaint investigator.

The director has also enforced internal deadlines of State complaint processes, arranged weekly meetings with the State complaint investigator, conducted an audit of State compliant files, refurbished the State complaint files, implemented a new numbering system and created tracking sheets. Because of the improvements in the State complaint system, since February 1, 2010, all State complaint timelines have been met.

The improvements in the State Complaint Office continued in FFY 2010 with the hiring of a new State Complaints Manager in September 2010. The State Complaints Manager continues to process complaints, manage investigations and issue Letters of Decision in a timely manner.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Promulgate a new State Complaint Policy to adopt written procedures for the investigation and resolution of any complaint alleging that a public agency has violated a requirement of IDEA.	November 2009	OSSE superintendent and policy committee
Creation and dissemination of a new model State Complaint Form to assist in filing a State Complaint.	November 2009	OSSE Assistant Superintendent for Special Education
Develop a State Complaint tracking system.	March 2010	OSSE Director of Quality Assurance & Monitoring
Recruit and hire a highly qualified candidate to serve as Director of Quality Assurance and Monitoring to direct and manage all general supervision functions, including monitoring and complaint resolution activities.	February 2010	OSSE Assistant Superintendent for Special Education
Hire a State Complaint Manager.	September 2010	OSSE Director of Quality Assurance & Monitoring staff and OSSE Assistant Superintendent for Special Education

CONTINUING ACTIVITIES		
Improvement Activities	Timelines	Resources
Provide ongoing training and technical assistance to the State Complaint Office personnel.	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff and technical assistance providers

ADDED ACTIVITIES		
Improvement Activities	Timelines	Resources
Monitor and update State Complaint tracking system.	Ongoing through June 30, 2013	OSSE Quality Assurance & Monitoring staff

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2009 APR, demonstrating that the State is in compliance with the timely complaint resolution requirements in 34 CFR §300.152.	OSSE reviewed its improvement activities and determined that the completion of activities November 2009 – September 2010 significantly moved the State toward compliance with the timely complaint resolution requirements in 34 CFR §300.152. OSSE revised its improvement activities to add an ongoing activity to monitor and update its State Complaint tracking system in order to track the timeliness of all outstanding complaints.

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 17:** Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

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

**Measurement:**

Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100

FFY	Measurable and Rigorous Target
FFY 2009	100%

**Actual Target Data for FFY 2009:  $184 + 92 / 282 \times 100 = 97.8\%$** **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

While OSSE did not achieve its measurable and rigorous target of 100%, the actual target data of 97.8% represents progress from OSSE's FFY 2008 actual target data of 89.27%.

Since the OSSE developed and implemented its web-based Case Management System (Docketing System), the Student Hearing Office's ability to capture, analyze, review and report on due process cases has steadily increased and improved. The Student Hearing Office utilizes its electronic case management system to track and document the number of Due Process Hearing Requests that are filed, required timelines and corresponding results. During FFY 2009, the Student Hearing Office diligently and consistently monitored and reviewed its data collection capability to ensure the accuracy of its data. This monitoring and review encompasses weekly and monthly internal reporting on data entry and data accuracy,

additional training and monitoring of the accuracy and consistency of system users, and periodic system reviews. The office has also continued to target reports on extensions of timelines and pre-hearing and hearing data to ensure that the management of due process cases and case timelines adhere to internal and external requirements.

In continuation of the reform mode that OSSE has maintained since its assumption of the responsibilities of the Student Hearing Office, considerable resources and efforts have been dedicated to the due process hearing system. These resources and efforts have allowed the Student Hearing Office to realize continued and substantial improvements in the service delivery of the office; some of these resources and efforts include: new Hearing Officers, Periodic Hearing Officer Trainings, the procurement of a highly qualified Chief Hearing Officer, updates to the office case management system, and most importantly, a continued, dedicated focus on compliance with federal, judicial, and State guidelines.

OSSE has continued to commit considerable time and resources to support its Hearing Officers. To that end, the OSSE and the Student Hearing Office has conducted four (4) trainings for Hearing Officers. These trainings have covered IDEA, District, and Judicial guidance and case law in the area of special education administrative due process hearings. Additionally, the OSSE has continued to utilize the services of a nationally recognized expert in special education administrative due process hearing and the Chief Hearing Officer to assist the OSSE and the Student Hearing Office in providing technical assistance to its cadre of Hearing Officers.

OSSE also developed and implemented a Hearing Officer Evaluation Work Plan and Matrix. This tool was designed to evaluate Hearing Officers, improve the hearing system, and if necessary, to remediate or eliminate performance issues for individual Hearing Officer. Its two-fold purpose was to facilitate professional development throughout the contract year for individual Hearing Officers and the cadre of Hearing Officers as a whole, and to provide data on the performance of individual Hearing Officers and to determine the continued suitability of the individual to serve as a Hearing Officer.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Improve and realize efficiencies in the performance of tasks for both the SHO staff and Hearing Officers by auto populating demographic and contact information of due process hearing parties and streamlining the process by which due process complaint issues and “relief” requests are entered and refined.	August 2010	Student Hearing Office personnel and contractors
Include limited “read-only” access to case and scheduling data for parties to a particular case consistent with the requirements of FERPA and the IDEA.	August 2010	Student Hearing Office personnel and contractors

<b>CONTINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Include the implementation of an electronic filing capability to allow parties to directly file data, documents, and/or actions into a case.	January 2012	Student Hearing Office personnel and contractors

<b>ADDED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Utilize electronic tools to manage timelines.	Ongoing through June 30, 2013	Student Hearing Office personnel and contractors
Evaluate and train hearing officers.	Ongoing through June 30, 2013	Student Hearing Office personnel and contractors



**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
<p>The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2009 APR, demonstrating that the State is in compliance with the due process hearing timeline requirements in 34 CFR §300.515.</p>	<p>OSSE reviewed its improvement activities and revised them by adding two improvement activities to ensure that the State is in compliance with due process hearing timeline requirements in 34 CFR §300.515.</p>

**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / General Supervision****Indicator 18:** Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

**Measurement:**

Percent = [(3.1(a) divided by 3.1) times 100]

FFY	Measurable and Rigorous Target
FFY 2009	11%

**Actual Target Data for FFY 2009:**  $679 / 1397 \times 100 = 48.6\%$ **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

OSSE achieved and exceeded its measurable and rigorous target of 11%. Additionally, the actual target data of 48.6% represents significant progress from OSSE's FFY 2008 actual target data of 24.4%.

Much of the State's progress is due to reform of early resolution process at the District of Columbia's largest LEA. As previously reported to OSEP, for much of FFY 2008, based on an agreement in the Blackman/Jones class action lawsuit, the LEA waived resolution sessions with agreement from the parent. During FFY 2008, the LEA focused on increasing capacity to timely implement hearing officer determinations and settlement agreements (HODs and SAs) in order to be able to more proactively resolve due process complaints in FFY 2009.

In FFY 2009, the LEA began to hold resolution sessions as required. Additionally, the LEA trained case managers and provided additional central office resources to encourage resolution

session agreements. The success of this venture is demonstrated through an emergent trend in the decline of the number of HODs issued. From July 2008 to June 2009 there was an average of 79 HODs issued per month whereas from July 2009 to May 2010 there was an average of 26 HODs issued per month.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Requiring hearing officers to manage each assigned due process complaint consistent with standard and best legal practices, including the conduct of status and pre-hearing conferences.	October 2009	Director, SHO Unit
Requiring hearing officers, upon assignment to a due process hearing request, to inform all parties that they are required to notify the assigned hearing officer of the outcome of the resolution process.	November 2009	Director, SHO Unit
Mandating that an order closing a case that was resolved during the resolution session and/or the resolution session "period" must clearly state whether the case was resolved due to a settlement agreement.	November 2009	Director, SHO Unit

<b>CONTINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Requiring hearing officers, upon assignment to a due process hearing request, to issue a memorandum to all parties requesting information on resolution session activities and immediate notification of any action that results in an adjustment to the 30-day resolution period.	Ongoing through June 30, 2013	Director, SHO Unit
Enhancing cooperation and communication between LEAs and the SHO to ensure that the SHO receives timely notice and consistent data on the	Ongoing through June 30, 2013	Director, SHO Unit; Director, QAM Unit

resolution of due process hearing requests that occur during the resolution period.		
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**Part B State Annual Performance Report (APR) for FFY 2009****Monitoring Priority: Effective General Supervision Part B / General Supervision****Indicator 19:** Percent of mediations held that resulted in mediation agreements.

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

**Measurement:**

Percent = [(2.1(a)(i) + 2.1(b)(i) divided by 2.1] times 100

FFY	Measurable and Rigorous Target
FFY 2009	30%

**Actual Target Data for FFY 2009:**  $2 + 1 / 5 \times 100 = 60\%$ **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

The actual target data of 60% represents slippage from OSSE's FFY 2008 actual target data of 90%. OSSE achieved and exceeded its measurable and rigorous target of 30%.

In FFY 2009, OSSE witnessed a significant increase in the number of resolution sessions held and agreements resulting from resolution sessions. OSSE believes that the decrease in mediation agreements is partly attributed to the significant increase in resolution sessions and agreements resulting from resolution sessions. OSSE also notes that in FFY 2009 the number of mediations fell below 10 therefore the actual target data may be skewed due to the small number of mediations held.

During FFY 2009, OSSE developed a mediation form in order for parents and public agencies to easily request mediation. On May 18, 2010 OSSE provided training to LEAs on all dispute resolution processes including mediation and introduced the new mediation form to LEAs. On

November 3, 2010 OSSE provided training to parents on dispute resolution processes including mediation as an alternative method of dispute resolution. Additionally, the Director of the Student Hearing Office and the Director of Quality Assurance and Monitoring established and implemented procedures to allow parties to resolve disputes through mediation. This included the development of the mediation form, agreement for standard mediation timelines, a pipeline for mediation requests to be forwarded to mediators (hearing officers with training in effective mediation techniques) and the scheduling of bi-monthly meetings between the Director of the Student Hearing Office and the Director of Quality Assurance and Monitoring to ensure the effective implementation of mediation procedures.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
OSSE will ensure that mediation procedures are established and implemented to allow parties to resolve disputes involving any matter, including matters arising prior to the filing of a due process complaint.	May 2010	Director of the Student Hearing Office and the Director of Quality Assurance & Monitoring

<b>CONTINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
OSSE will take steps to ensure that the parents of students with disabilities are aware of the availability of mediation as a tool for the timely resolution of disputes.	Ongoing through June 30, 2013	Student Hearing Office staff and Quality Assurance & Monitoring staff
Conducting a multifaceted public relations campaign to inform parents, students and stakeholders of the processes and procedures of mediation.	Ongoing through June 30, 2013	Student Hearing Office staff and Quality Assurance & Monitoring staff
Publishing the resumes and qualifications of OSSE's mediators.	June 2011	Student Hearing Office staff
Providing parents, students and stakeholders with survey tools to provide OSSE with information that can be used to train and evaluate its mediators.	June 2012	Student Hearing Office staff

**Part B State Annual Performance Report (APR) for FFY 2009**

<b>Monitoring Priority: Effective General Supervision Part B / General Supervision</b>
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**Indicator 20:** State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

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

**Measurement:**

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement. States are required to use the “Indicator 20 Scoring Rubric” for reporting data for this indicator (see Attachment B).

FFY	Measurable and Rigorous Target
2009	100%

**Actual Target Data for FFY 2009: 88.42%**

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**

The actual target data of 88.42% represents progress from OSSE’s FFY 2008 actual target data of 87.73%. OSSE did not meet its FFY 2009 target of 100%.

OSSE is reporting “complete data” and “passed edit checks” for its FFY 2009 exiting data. This determination may be different than information reported to OSEP from the Data Accountability Center (DAC) because, on its face, OSSE did not submit complete data or pass edit checks. On November 1, 2010 OSSE submitted exiting data as required. The data submitted was missing the race/ethnicity for only three of 1195 students. Prior guidance from the Partner Support Center encouraged OSSE to submit as much data across all categories as possible where a further analysis would highlight the proportion of children missing partial information while allowing the U.S. Department of Education to receive as much information as possible. Later guidance from DAC indicated that it this was not the method to pass “complete” and “edit checks.” DAC indicated that OSSE should have excluded the three students in totality rather than submit information for the three students with missing race/ethnicity data. OSSE believes that it is a better practice to submit data for the three students on the due date and submit any updated information on race/ethnicity as it becomes available.

In FFY 2009, OSSE invested a significant amount of resources in building the capacity of LEAs to understand data requirements and accurately collect and report on 618 data. To accomplish this goal, OSSE mandated the use of SEDS for all LEAs as of December, 2009 and has continued to conduct a robust series of data-related trainings in FFY 2009 through the present. In addition, OSSE executed a Memorandum of Agreement with the Public Charter School Board to ensure timely and accurate data feeds from the charter LEA student information system, issued an LEA data management policy, developed several new data management tools, and developed consistent methods for collecting and validating LEA submissions, including the requirement that LEA leaders must certify all data submissions. Improved data entry results in a more refined understanding of the practices within any system and OSSE believes that the steps it has taken toward instituting sound tools and training for data collection and reporting is aiding LEAs in a multitude of improved practices.

In FFY 2010 OSSE is undertaking a host of directed activities to improve LEA data, its quality, and accountability. The underpinning of all practices is through training and the district intends to train on a variety of topics ranging from practices as well as how to more effectively use the data system. Moreover, the district intends to implement and assign unique student identifiers (USIs) for all of its enrolled system. This will ensure that natural movement of children within the district will not impact their services while allowing for longitudinal tracking for when SLED is online. In an effort to better support LEAs, a data calendar is being developed to increase awareness of reporting responsibilities and deadlines which in turn will encourage an increase in response rates. The OSSE is also implementing a data note process to a) increase accountability within an LEA and b) to allow for an explanation for changes in numbers which the state can in turn use in its data submission.



**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009:**

<b>COMPLETED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
OSSE mandated the use of SEDS for all LEAs.	December 2009	Assistant Superintendent; DSE Policy Unit
Executed an MOA with PCSB to ensure timely and accurate data feeds.	Spring 2010	Assistant Superintendent
LEAs trained on new version of SEDS.	August 2009	Director, Data Unit

<b>CONTINUING ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Data Management Committee identified Data Stewards, individuals with subject matter expertise in areas not only of IDEA reporting, but in areas where IDEA overlaps with other Federal reporting requirements. Questions from LEAs can be routed to the Data Steward specializing in any IDEA or related reporting requirement.	Ongoing through June 30, 2013	Director, Data Unit and Data staff
In addition, the Department of Monitoring and Compliance has assigned selected staff members each a limited number of LEAs. It is the responsibility of these individuals to proactively contact LEAs prior to upcoming data requests, to obtain answers to any questions from LEAs, and to follow up with LEAs who are having difficulties completing their data submissions in a timely manner.	Ongoing through June 30, 2013	Director, QAM Unit and QAM staff

<b>ADDED ACTIVITIES</b>		
<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
Develop and implement data collection communication and deployment process.	Ongoing through June 30, 2013	Director, Data Unit; DSE Leadership Team

Revise and implement OSSE data verification process.	Ongoing through June 30, 2013	Director, Data Unit
Develop and implement system to request data notes from LEAs.	Ongoing through June 30, 2013	Director, Data Unit
Develop and disseminate data calendar.	Ongoing through June 30, 2013	Director, Data Unit; Chief of Staff

**Additional Information Required by the OSEP APR Response Table for this Indicator:**

Statement from the Response Table	State's Response
The State must review its improvement activities and revise them, if necessary, to ensure they will enable the State to provide data in the FFY 2009 APR, demonstrating that the State is in compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).	OSSE reviewed its improvement activities and revised them by adding four improvement activities to ensure that the State is in compliance with timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b).

## Part B Indicator 20 Data Rubric

Part B Indicator 20 - SPP/APR Data			
APR Indicator	Valid and reliable	Correct calculation	Total
1	0		1
2	0		0
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	0	0	0
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		<b>Subtotal</b>	<b>36</b>
<b>APR Score Calculation</b>	<b>Timely Submission Points</b> - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.		5
	<b>Grand Total</b> – (Sum of the subtotal and Timely Submission Points) =		41.00

### Part B Indicator 20 - 618 Data

Table	Timely	Complete Data	Passed Edit Check	Responded to Date Note Requests	Total
Table 1 – Child Count Due Date: 2/1/10	1	1	1	1	4
Table 2 – Personnel Due Date: 11/1/10	1	0	0	N/A	1
Table 3 – Ed. Environments Due Date: 2/1/10	1	1	1	1	4
Table 4 – Exiting Due Date: 11/1/10	1	1	1	N/A	3
Table 5 – Discipline Due Date: 11/1/10	1	1	0	N/A	2
Table 6 – State Assessment Due Date: 2/1/11	1	NA	NA	N/A	1
Table 7 – Dispute Resolution Due Date: 11/1/10	1	1	1	N/A	3
				<b>Subtotal</b>	18
<b>618 Score Calculation</b>			<b>Grand Total</b> (Subtotal X 2.143)=		38.57

### Indicator #20 Calculation

A. APR Grand Total	41.00
B. 618 Grand Total	38.57
C. APR Grand Total (A) + 618 Grand Total (B) =	79.57
Total N/A in APR Total N/A in 618	0
	0
<b>Base</b>	<b>90.00</b>
D. Subtotal (C divided by Base*) =	0.884
E. Indicator Score (Subtotal D x 100) =	88.42

## Attachment A

### Parent Survey – Indicator 8

<div> <div> <div>★ ★ ★</div> <div> <div></div> <div>Office of the State Superintendent of Education</div> <div>DISTRICT OF COLUMBIA</div> <div>MAYOR ADRIAN M. FENTY</div> </div> </div> <div>School's Effort to Partner with Parents</div> </div>	Very Strongly Agree	Strongly Agree	Agree	Disagree	Strongly Disagree	Very Strongly Disagree
<b>School's Performance in Developing Partnerships with Parents</b>						
1. I participate equally with my child's teachers and other professionals in planning my child's educational program.	1 2 3 4 5 6					
2. I am asked for my opinion about how well the special education services my child receives are meeting my child's needs.	1 2 3 4 5 6					
3.. Teachers are available to speak with me at parent teacher conferences or upon my request.	1 2 3 4 5 6					
4. My child's teacher and related services providers (for example, speech and language therapist) are present at meetings.	1 2 3 4 5 6					
5. In my meetings with the school, we discuss services and changes in services that my child may need.	1 2 3 4 5 6					
6. In my meetings with the school, we discuss whether my child needs services beyond the regular school year (Extended School Year).	1 2 3 4 5 6					
7. I receive written notice that my child would not receive services in the general education classroom.	1 2 3 4 5 6					
8. I receive information regarding my child's progress through progress notes and IEP report cards .....	1 2 3 4 5 6					
9. My child's evaluation report is written in terms I can understand.	1 2 3 4 5 6					
10. Other written information about my child is easy to understand.	1 2 3 4 5 6					
11. I am given the opportunity to participate in Manifestation Determination Review meetings if behavioral issues arise.	1 2 3 4 5 6					
<b>Teachers and Administrators...</b>						
12. Ask me what I think about the recommendations that are being discussed about my child's IEP and placement.	1 2 3 4 5 6					
13. Are sensitive to the needs of students with disabilities and their families.	1 2 3 4 5 6					
14. Encourage me to participate in making decisions regarding my child's services.	1 2 3 4 5 6					
15. Answer any questions I have about decisions made regarding my child and his/her services and provide me with necessary documents related to these decisions.	1 2 3 4 5 6					
16. Show respect for my culture and how I value it as it relates to my child's education.	1 2 3 4 5 6					
<b>My Child's School...</b>						

17. Has a person on staff who is available to answer questions.	1	2	3	4	5	6
18. Communicates regularly with me regarding my child's progress on IEP goals.	1 Very Strongly Agree	2 Strongly Agree	3 Agree	4 Disagree	5 Strongly Disagree	6 Very Strongly Disagree
19. Gives me choices regarding services that address my child's needs.	1	2	3	4	5	6
20. Offers me training about special education issues.	1	2	3	4	5	6
22. Lets parents know how to request services for their children.	1	2	3	4	5	6
23. Offers parents a variety of ways to communicate with teachers including having an interpreter available when necessary.	1	2	3	4	5	6
24. Gives parents the help they may need to play an active role in their children's education.	1	2	3	4	5	6
<b>School's Effort to Partner with Parents</b>						
<b>My Child's School -continued</b>						
25. Provides information on agencies that can assist my child in the transition from one school to another and from school to work.	1	2	3	4	5	6
26. Explains what options parents have if they disagree with a decision of the school, including by providing me with a copy of the parents' procedural safeguards manual.	1	2	3	4	5	6
<b>Services</b>						
27. My child's IEP is fully put into practice.	1	2	3	4	5	6
28. My child receives the correct amount of specialized instruction on his/her IEP and receives it on time.	1	2	3	4	5	6
29. My child receives the correct amount of related services (for example, speech and language therapy) on his/her IEP and receives them on time.	1	2	3	4	5	6
30. My child receives the correct transportation stated on his/her IEP and receives it on time.	1	2	3	4	5	6
31. My child receives the correct transition services stated on his/her IEP.	1	2	3	4	5	6
32. My child's assessments occur on time.	1	2	3	4	5	6
33. I am happy with the quality of my child's specialized instruction.	1	2	3	4	5	6
34. I am happy with the quality of my child's related services.	1	2	3	4	5	6

35. My child transitioned from early intervention (Birth to 3) to preschool special education without a break in services	1	2	3	4	5	6
<b>Hearing Officer Decisions and Settlement Agreements</b>						
36. When I made a due process complaint, my child's school tried to resolve the dispute.	1	2	3	4	5	6
37. When I made a due process complaint, a Hearing Officer heard the case without delay.	1	2	3	4	5	6
38. When I won my due process hearing or settled the case, the school system did what it was supposed to do.						
<b>Outcomes</b>						
39. I receive regular updates on my child's progress.	1	2	3	4	5	6
40. My child enjoys school.	1	2	3	4	5	6
41. I feel that my child is making good progress towards his/her IEP goals.						
42. I feel that my child will be academically successful.	1	2	3	4	5	6
43. My Child's Race/Ethnicity ( <i>circle one</i> ): <div style="display: flex; justify-content: space-between;"> <div> 1 Black or African American  2 Hispanic or Latino </div> <div> 3 White  4 American Indian or Alaskan Native </div> <div> 5 Asian or Pacific Islander </div> </div>						
44. My Child's Primary Disability ( <i>circle one</i> ): <div style="display: flex; justify-content: space-between;"> <div> 1 Autism  2 Deaf-blindness  3 Deafness  4 Developmental Delay  5 Emotional Disturbance </div> <div> 6 Hearing Impairment  7 Mental Retardation  8 Multiple Disabilities  9 Orthopedic Impairment  10 Other Health Impairment </div> <div> 11 Specific Learning Disability re-alpha  12 Speech/Language Impairment  13 Traumatic Brain Injury  14 Visual Impairment Including Blindness </div> </div>						
45. My Child's Grade ( <i>circle one</i> ):    Preschool    K    1    2    3    4    5    6    7    8    9    10    11    12						
46. My Child's Age ( <i>circle one</i> ):    3    4    5    6    7    8    9    10    11    12    13    14    15    16    17    18    19    20    21						
47. In the past year, have you been involved with any Due Process hearings, complaints, mediations, or dispute resolutions with the District?	1 Yes		2 No		3 Don't know	
48. If yes, what was the problem that caused the dispute?						
49. My Child's School: _____						
50. My child's school is a ( <i>circle one</i> ) <div style="display: flex;"> <div style="margin-right: 10px;"> 1 School within the District of Columbia Public Schools  2 Public Charter School </div> </div>						



3 Nonpublic or private school

51. My Name, address and telephone number (optional): \_\_\_\_\_