



DISTRICT OF COLUMBIA

STATE ADVISORY PANEL ON SPECIAL EDUCATION

2008 - 2009 ANNUAL REPORT

**Findings, Analysis and Recommendations:
A Review of Education Programs and Services for
Students with Disabilities in the District of Columbia**

July 1, 2009

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The District of Columbia State Advisory Panel on Special Education

July 1, 2009

The Honorable Adrian M. Fenty, Mayor

District of Columbia
The John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

The Honorable Vincent C. Gray, Chair

Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 504
Washington, DC 20004

Victor Reinoso, Deputy Mayor for Education

Office of the Deputy Mayor for Education
1350 Pennsylvania Avenue, NW
Suite 303
Washington, DC 20004

Kerri L. Briggs, Ph.D. Acting State Superintendent of Education

Office of the State Superintendent of Education
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Suite 350 North
Washington, DC 20001

Lisa Raymond, President

District of Columbia State Board of Education
441 4th Street, NW
Suite 723 North
Washington, DC 20001

Dear Mayor Fenty, Councilmember Gray, Deputy Mayor for Education Reinoso, Acting State Superintendent of Education Briggs and State Board of Education President Raymond:

The State Advisory Panel on Special Education is pleased to deliver its 2008-2009 Annual Report.

The Panel's primary responsibility is to ensure that state educational policies reflect input from relevant constituencies and that federal, state and local educational policies and laws are enforced across all Local Education Agencies (LEAs) in the District of Columbia. A summary of our activities, findings and recommendations are included.

In the 2007 – 2008 Annual Report, the Panel commended the passage of the *Public Education Reform Amendment Act of 2007*; which provided support for long overdue reforms, especially the separation of the State Education Agency (SEA) and LEA at DC Public Schools (DCPS). As the Office of the State Superintendent of Education (OSSE) enters its second year as the SEA, it is apparent that this change in governance structure allows for a stronger and more effective policy formulation and oversight role for the OSSE. The Panel urges the city leadership to continue to strengthen the OSSE and provide resources to this agency to allow for continued growth, education reform and regulation.

The Panel is pleased to report that progress has been made on several recommendations in last year's report, specifically in the areas of staffing key leadership roles, data collection and reporting, mediation, training, monitoring and the expansion of Student Support Teams. The Panel commends former State Superintendent Deborah Gist for her endeavors to build OSSE from the ground up; these advances in such a short period of time are admirable .

We would ask each of you, however, to revisit our recommendations as you proceed with the Education Reform agenda. We continue to believe that close attention needs to be paid to the Panel's recommendations on (1) the alignment of special education reform with general education reform, (2) professional development and training, and (3) programs for our youth with disabilities in the juvenile justice and correctional system.

The delivery of special education and related services remains a critical challenge for the District of Columbia. We continue to urge you not only to ensure that it remains a top priority, but also to ensure that our educational system has the requisite resources to direct and implement these reforms. We also encourage you to engage families, caregivers, administrators, teachers and service providers at the earliest stages of developing reforms and to leverage the expertise of the District of Columbia's many local institutional resources (universities, non-governmental organizations) as you develop and implement your reform strategy.

Since OSSE is undergoing a change at the leadership helm with the departure of Deborah Gist as State Superintendent and the arrival of Dr. Kerri Briggs to replace her, the Panel welcomes the opportunity to forge a close working relationship with the new superintendent, as we enjoyed with her predecessor. We would like to commend Assistant Superintendent for Special Education Tameria Lewis and her staff for providing the Panel with regular, comprehensive updates. They have been frank and forthcoming as we discuss challenging issues within special education as they solicited the Panel's opinions on special education reform initiatives. In addition, they have sought our input on how best the OSSE, in its new role, can improve special education services in oversight, training and other responsibilities. We look forward to enhancing this collaboration and institutionalizing these improvements within the OSSE.

The Panel had another productive year identifying and examining issues facing our students receiving special education services and supports in the District of Columbia. This year, we focused our monthly meetings to learn more intimately about various areas within special education services, which are described in detail in Section III. This year the monthly meetings of the Panel afforded an opportunity for members to be apprised of varying supports offered by community based or government organizations regarding special education and related services.

In order to bridge the gap between the Panel's yearly reports, we have included updates and continued recommendations under the four areas of focus in the 2007- 2008 Annual Report: Transition, Transportation, Monitoring OSSE and Legislative Affairs. We have offered what we hope are concrete, actionable recommendations to improve outcomes for our students who receive special education services.

It has become apparent that the work of the Panel must not be in a vacuum from year to year – in moving forward it will be vital for the 2009-2010 Panel to build upon the work of the preceding year focusing on key areas within special education that require external examination and attention. More than 50% of the Panel is parents of children with disabilities or individuals with disabilities and all members serve voluntarily. This offers a powerful and unique voice in our city's special education community – it should be one that OSSE and all the LEAs take advantage of and listen to. It is our hope that the city leaders will more often tap this group for insight, reference and vision.

It has been an honor for me to serve with the members of the Panel, who have devoted so much time and energy on behalf of our students who receive special education services, most of which are volunteer time. I would encourage you and your staff to continue to support the work of the Panel, to recognize the Panel's importance in policy formation, to continue in the critical role as participants as District agencies, and to consider the Panel as a resource and sounding board. Its members can share their extensive experience and expertise when it comes to special education policies and service delivery.

Please continue to call on the State Advisory Panel on Special Education. We are ready to assist in the continued pursuit of quality special education services and supports for every student in our city who require these services and for the parents and caregivers of our city's students to look to a District of Columbia public education as valued and advantageous in their journey for their children with disabilities or special needs.

Respectfully submitted,

Molly L. Whalen, *Chair*

District of Columbia

State Advisory Panel on Special Education

ACKNOWLEDGEMENTS

The members of the State Advisory Panel on Special Education (Panel) thank all of the individuals and groups who worked with the Panel over the past year - for the contribution of their time, support and commitment to addressing the needs of children with disabilities in the District of Columbia. Our work and the development of this report would not be possible without the contributions of many dedicated people. We appreciate the contribution of stakeholders and practitioners who made presentations and shared invaluable resources with the Panel.

The state of special education in the District of Columbia is one of progress and positive change. While the Panel must highlight that not all needs have been addressed, we also acknowledge that there are many areas in which progress has been made. The amount of challenging work completed by the Office of the State Superintendent of Education (OSSE) and its partners has been remarkable. The OSSE has briefed and consulted with the Panel during this time of continued reform, and we look to strengthen this relationship in order to improve outcomes for our students receiving special education services. Representatives from the District of Columbia Public Charter Schools and Board shared with the Panel their insights, challenges and success in the system. Several DC Agency and community based organization representatives have been dedicated members - their expertise is invaluable for the work of the Panel. One area that the Panel hopes will improve is DCPS's level of active representation and consistent involvement with the Panel. We encourage the Office of the Mayor and the City Council to explore additional ways in which the expertise of the Panel can be drawn upon in interagency collaborations.

The Panel especially wishes to acknowledge Desirée Brown, Yuliana Del Arroyo, Gregory Ellis, Amy Maisterra, Dennis Martin, Elisabeth Morse, Tammie Picklesimer, Chandra Williams and other members of the District of Columbia Office of the State Superintendent of Education staff. A special appreciation must be extended to Tameria Lewis, Assistant Superintendent for Special Education, for her passion, commitment and patience in her partnership with the Panel and in her commendable dedication to improving the state of special education in the District of Columbia. All provided invaluable support and resources to the Panel including scheduling meetings, staffing support for the Panel and attending to numerous details in enabling our work throughout the year.

The Panel would like to express a special appreciation to the Chairs and Vice Chairs of the previous year's workgroups for their concerted efforts in finalizing this report: Kim Alfonso and Karen Wills-Henry for the Transition section; Brenda Brown and Margaret Ernst for the Transportation section; Arthur Ginsberg for the Legislative section; and Julie Camerata and Senora Simpson for the Monitoring section. Because of their leadership, commitment, and contributions during the past year, the Panel has been able to move a step closer to its goals in providing improved educational opportunities to children with disabilities in the District of Columbia.

The 2008-2009 State Advisory Panel on Special Education:

Kim Alfonso
Cecelia Arce
Corola Cerezo-Allen
Brenda Brown
Desirée Brown*
Julie Camerata
Margaret M. Ernst
Antonia Fisher (Ad Hoc
Member)

Arthur Ginsberg
Phil Heinrich
Doreen Hodges
Julia Howell-Barros
Kim Y. Jones
Tameria Lewis
Juan Martinez
Randall Moore
Richard Nyankori

Sam Reheard
Senora D. Simpson
Salandia Thomas
Clifford Thorne
Molly L. Whalen
Karen Wills-Henry

*(partial term, 2008-Feb 2009)

TABLE OF CONTENTS

	page
I. Overview	1
II. Purpose, Function and Composition of the State Advisory Panel on Special Education	3
III. Activities and Accomplishments.....	6
IV. Reports and Recommendations.....	11
 Appendix A	
Students Receiving Special Education Services: Breakdown by Disability	21
 Appendix B	
State Advisory Panel on Special Education Membership.....	23

I. OVERVIEW

This 2009 annual report of the State Advisory Panel on Special Education for the District of Columbia is respectfully submitted to the Mayor and Council of the District of Columbia. The Individuals with Disabilities Education Act (IDEA), §1412 (a) (21), requires that the state establish and maintain an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the state. The State Advisory Panel for the District of Columbia is appointed by the Mayor and is composed of members from the public and private sectors – including parents of children with disabilities, advocates, representatives of state agencies and educators - representing a wide variety of perspectives and interests related to the education of children with disabilities. Throughout the year, Panel members meet to discuss, review and analyze issues relevant to the education of children and youth with disabilities in the District of Columbia. This report summarizes the activities and recommendations of the District’s State Advisory Panel for the period of time from July 1, 2008 through June 30, 2009.

Thompson, Cobb, Bazilio & Associates, PC (TCBA) was retained by the Office of the State Superintendent of Education (OSSE) to conduct a full census-type audit of the October 6, 2008, student enrollment for students attending District of Columbia Public Schools (DCPS), public charter schools, Oakhill, and the Pre-K Incentive program under OSSE. As part of this audit, TCBA found that there were 5, 838 students receiving special education services in the District of Columbia Public Schools (DCPS) and 2,582 students receiving special education services in Public Charter Schools (See Table 1 of Enrollment Audit). Additionally, TCBA reported that there were 2,538 students receiving special education services in nonpublics and surrounding county schools—private day and residential programs for whom DCPS pays tuition (See Table 4 of Enrollment Audit). The numbers above do not reflect residency. Of the total enrollment of students in pre-school, pre-kindergarten, kindergarten, grades 1 through 12, non-grade level and adult programs in the District of Columbia, roughly 11.4% of the population is receiving special education services in DCPS and Public Charter schools.

(11.4% is 8,420—total of DPCS and PCS—divided by total enrollment of 74,082).

This Panel approached its work this term not only with a focus on compliance of federal and state requirements, but also on the unique state of education in Washington, DC, which must act as a city and a state in ensuring rich, supportive and quality learning environments and activities, as well as policies, that enable all children, with their diverse learning needs, to succeed. The State Advisory Panel is consistently examining opportunities to increase its visibility and accountability to the citizens and appropriate agencies of the District of Columbia. During the 2008-09 term the Panel and its members have made a concentrated effort to be active participants in City Council hearings, city-wide education-focused events, such as Inclusive Schools Week and the Transition Stakeholder Forum, and serving on focus group efforts in advising OSSE in policy making, such as the new Inclusion Policy. We believe that our students’ educational experiences and personal futures should be founded on progressive, data-driven policies, successful coordination of educational and related services across public agencies and

among educators and service providers, appropriate prevention and intervention strategies, effective communication among the home, school and providers, and knowledgeable and adequate leadership and staff from the classroom to the highest level of administration.

This report is an attempt to help policymakers, educators, parents and the general public better understand the major concerns and issues raised and reviewed by the members of the Panel during the 2008-09 terms and provide benchmarks for future work. It provides a description of the Panel activities with conclusions and recommendations for future, necessary improvements in special education. The report is published by the Office of the State Superintendent of Education (OSSE) and is available at the OSSE website: <http://osse.dc.gov>.

II. PURPOSE, FUNCTION AND COMPOSITION OF THE STATE ADVISORY PANEL ON SPECIAL EDUCATION

Purpose and Functions

*Mayoral Order 2007 – 246 November 13, 2007 states the following:

The Advisory Panel shall serve as an advisory body to the Mayor, the District of Columbia Department of Education, and the District of Columbia Office of the State Superintendent of Education, in its capacity as the State Education Agency (SEA) on matters pertaining to the education of children and youth with disabilities served by public and private agencies of the District of Columbia.

The primary functions of the Panel include:

- Advising on unmet needs within the District in the education of children with disabilities;
- Commenting publicly on any legislation, rules or regulations proposed by the state regarding the education of children with disabilities;
- Providing advice on systemic and other issues affecting the coordination and delivery of special education and related services to children and youth with disabilities;
- Advising on developing evaluations and reporting on data to the United States Department of Education in the implementation of IDEA;
- Providing advice in developing corrective action plans to address findings identified in federal monitoring reports;
- Advising on the development and implementation of policies relating to the coordination of services for children with disabilities, including advising on eligible students with disabilities in adult prisons; and
- Preparing an annual report of its activities and recommendations on or by July 1 of each calendar year, and submitting it to the Mayor, the District of Columbia Public Schools, and the Office of the State Superintendent of Education (formerly the State Education Office), other appropriate District government officials and the public.

Composition of the Panel

The Mayor's order further delineates the composition of the Panel as follows:

- The Panel consists of *at least 21* voting members who are appointed by the Mayor;
- The members appointed to the Panel demonstrate interests in issues affecting special education, or the coordination and delivery of special education and related services to children and youth with disabilities;
- A majority of the members are individuals with disabilities, or parents of children and youth with disabilities;

- The members appointed by the Mayor to the Panel consist of:
 - Parents or guardians of children with disabilities who reside in the District;
 - Individuals with disabilities who reside in the District;
 - Teachers who reside in the District;
 - Representatives of institutions of higher education that prepare special education and related services personnel;
 - District education officials;
 - Representatives of public, public charter and private schools;
 - Representatives of District government agencies involved with financing or delivery of services to persons with disabilities;
 - Representatives of business, community, or vocational organizations in the District concerned with the provision of transition services to children with disabilities;
 - Representatives of the service provider community who serve children and youth with disabilities in the District of Columbia;
 - Administrators of programs for children with disabilities; and
 - Representatives of District juvenile and adult corrections agencies.

(See Appendix B for a complete list of Panelists and their area of representation.)

Schedule of Meetings

The Panel is required to convene at least four (4) meetings each calendar year. The schedule of meetings for school year 2008-2009 was as follows:

Meeting Date	Time	Location
October 18, 2008 <i>**SAP Annual Strategy Retreat**</i>	9:00am-4:00pm	OSSE Offices, 51 N. Street, NE
October 30, 2008	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
November 20, 2008	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
December 18, 2008	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
January 15, 2009	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
February 26, 2009	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
March 19, 2009	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
April 23, 2009	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
May 21, 2009	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE
June 18, 2009	5:30 – 7:30pm	OSSE Offices, 51 N. Street, NE

III. ACTIVITIES AND ACCOMPLISHMENTS

A. *Priorities*

The Panel launched its 2008-09 activities with its annual retreat on October 18, 2008. Participants reviewed the work of the Panel in the previous term, received an historical perspective from veteran Panel members, and came to general consensus around the Panel's focuses and areas of concentrations for the term. The group participated in a general discussion of strengths, weaknesses, opportunities and threats in the area of special education in the District of Columbia, and the following items simply highlight and capture the Retreat's participants' ideas and opinions directed at overall functions of OSSE.

IMPLEMENTATION OF TRAINING FOR STAFF AND ADMINISTRATION:

- To include focus on effective inclusion
- To develop a continuum of services and to create successful transition from each stage; school to school, grade to grade, etc.
- To create a real system of professional development that includes site visits of quality programs, including non-public sites, coaching & mentoring, experiencing differentiated learning, instructing teachers on not only how to do it, but how to implement it, development of best practice models.

PROMOTE REFORM IN SCHOOLS/SYSTEM:

- Focus on achieving higher concentration of least restrictive environment in IEPs
- Training on the best role for special education coordinators
- Organize training forums by SAP focusing on 2-3 communities to discover their IEP and Inclusion programs and provide ways to improve,
- Site visits to SAMS to promote integration across the system;
- Expand knowledge of parents about training on how to advocate effectively and IEP process.

PROMOTE COMMON SENSE DECISION MAKING FOR REFORM ACROSS THE SYSTEM:

- Improve customer service of people who interact with parents, including IEP education, cultural competence, technological opportunities, language differences, and collaborative outreach;
- Promote necessity of staff positions at DCPS, OSSE and Mayor's Office whose responsibility is to focus on parent/community involvement and engagement;
- Stop focusing majority of staff time on what legal/court orders dictate, and begin to spend energies making changes and reforms to get to the INTENT of the cases.

OTHER:

- Recruit active participants and members of the Panel, from DCPS, Charter Schools, including teachers and principals;
- The Panel can serve as a conduit for publicizing vacancies in OSSE.

In addition, it has become apparent that the work of the Panel must not be in a vacuum from year to year.

The Panel acknowledges the importance of assessing progress from year-to-year in improving outcomes for our students receiving special education services. To this end, the Panel revisited the four areas of review (listed below) and the attendant recommendations outlined in its 2008 Annual Report and has provided a status update and recommendations for the coming school year.

- 1. MONITORING THE OSSE** - With the passage of the *Public Education Reform Amendment Act of 2007*, there is now a statutory distinction between the State Education Agency (SEA), now the OSSE and the Local Education Agency (LEA) at DCPS. The Panel identified the importance of monitoring the progress of this emerging agency, since it is the lead agency overseeing and monitoring the education system of the District of Columbia. Not only is the Panel monitoring the OSSE as an emerging agency and its progress BUT it is also monitoring how the OSSE discharges its obligations. -desiree brown 6/28/09 11:08 AM f
- 2. TRANSITION** - Transition services allow students who receive special education services to move successfully from K-12 settings to post-secondary education, employment and independent living in the community. These services provide the knowledge and skills that are critical for the students to achieve their goals. The Panel reviewed transition service delivery to identify gaps or trends, with a focus on transition to post-secondary education, employment and independent living.
- 3. TRANSPORTATION** - Transportation costs for students with disabilities are a substantial financial burden for the District of Columbia, while the quality of transportation services remains a challenge despite significant investment. Though some advances have been made, the Panel reviewed transportation services to recommend to the OSSE methods to improve the quality of service, reduce costs and exit the *Petties* case.
- 4. LEGISLATIVE AFFAIRS** - With the advent of new City Council members and the welcomed, yet rapidly unfolding, special education reform agenda, the Panel felt it was important to review and comment, whenever appropriate, on proposed legislation effecting students with disabilities. In addition, the Panel seeks to deepen its relationships with City Council members and staff in order to serve as a resource for them on special education issues.

B. 2008-09 Panel Activities

(review monthly agendas for speakers & actions & involvement)

The Panel requested and received presentations from the following agencies, organizations and individuals on a variety of topics:

- ICSIC update and related projects: Laura Kessler, ICSIC Coordinator, Office of the Deputy Mayor of Education
- Public Charter School Discussion: Eileen M. Ahearn, Ph.D. *National Association of State Directors of Special Education*; Ariana Quinones Miranda, *Friends of Choice in Urban Schools*; Carolyn Trice, *Public Charter School Board*; Yuliana Del Arroyo, *OSSE*; Sam Reheard, *KIPP DC*; Monica Lesperance, *Elsie Whitlow Stokes PCS*; Robyn Pretlow, *Capital City PCS*; Julie Camerata, *LAMB PCS/DC Special Education Co-operative*
- Overall status of OSSE and special education reform: Deborah Gist, State Superintendent of Education
- Alternative Dispute Resolution (ADR) programs for IEP sessions: Leila Peterson, SchoolTalk
- Read Aloud accommodations issue: Elissa Salas, DCPS; Tami Lewis, OSSE
- Special Education serves for incarcerated youth: Shari Franklin & Makuti Lee, Oak Hill Academy
- Update on the Developmental Disabilities Reform Act (DDRA) legislation: Tina Campanella, Executive Director, Quality Trust; Mary Lou Meccariello, Executive Director, The Arc of DC; Bob Williams, Special Assistant to the Director, Department on Disability Services
- SAMS status updates, trainings and site-visits: Margaret Ernst & Arthur Ginsburg
- Creation of OSSE Policy on Inclusion: Tammie Picklesimer, Tami Lewis, OSSE
- Status of Blackman Jones and Petties Cases: Tami Lewis, OSSE
- Update on 5-year Strategic Plan for OSSE: Tami Lewis, OSSE
- Change in Placement Unit Activity updates: Amy Maisterra and Yuliana Del Arroyo, OSSE
- OSSE Training and Professional Development update: Chandra Williams and staff, OSSE
- OSSE Monitoring update: Dennis Martin, OSSE

The Panel and its members were active participants and involved in planning and implementation of the following:

- SAMS site visit and participation in trainings, November 18, 2008, and December 2009
- DC Inclusive Schools Week, including presenting city-wide celebration, facilitating two parent sessions for viewing of film, “Including Samuel” and participating in planning meetings, December 1-5, 2008
- DC Council Hearing on Inclusion, December 12, 2008, testimonies
- OSSE & SAP sponsored Parent & Caregiver Information Session on Read Aloud, March 30, 2009

- Accommodations
- “Moving Forward Together” Transition Stakeholder Forum (SAP co-sponsored), June 6, 2009

2008-09 Panel Activities - listed chronologically by date of occurrence

The Panel requested and received presentations from the following agencies, organizations and individuals on a variety of topics:

- Interagency Collaboration and Services Integration Commission (ICSIC) update and related projects: Laura Kessler, ICSIC Coordinator, Office of the Deputy Mayor of Education
- Public Charter School Discussion: Eileen M. Ahearn, Ph.D. National Association of State Directors of Special Education (NASDSE); Ariana Quinones Miranda, Friends of Choice in Urban Schools (FOCUS); Carolyn Trice, Public Charter School Board; Yuliana Del Arroyo, OSSE; Sam Reheard, Knowledge Is Power Program (KIPP DC); Monica Lesperance, Elsie Whitlow Stokes Public Charter School; Robyn Pretlow, Capital City Public Charter School; Julie Camerata, Latin American Montessori Bilingual Public Charter School /DC Special Education Co-operative
- Status of OSSE and Special Education Reform: Deborah Gist, State Superintendent of Education
- Alternative Dispute Resolution (ADR) programs for Individualized Education Plans (IEP) sessions: Leila Peterson, SchoolTalk
- Read Aloud accommodations issue: Elissa Salas, DCPS; Tami Lewis, OSSE
- Special Education services for incarcerated youth: Shari Franklin & Makuti Lee, Oak Hill Academy
- Update on the Developmental Disabilities Reform Act (DDRA) legislation: Tina Campanella, Executive Director, Quality Trust; Mary Lou Meccariello, Executive Director, The Arc of DC; Bob Williams, Special Assistant to the Director, Department on Disability Services
- SAMS status updates, trainings and site-visits: Margaret Ernst & Arthur Ginsburg, Panel members
- Creation of OSSE Policy on Inclusion: Tammie Picklesimer, Tami Lewis, OSSE
- Status of Blackman Jones and Petties Cases: Tami Lewis, OSSE
- Update on 5-year Strategic Plan for OSSE: Tami Lewis, OSSE
- Change in Placement Unit Activity updates: Amy Maisterra and Yuliana Del Arroyo, OSSE
- OSSE Training and Professional Development update: Chandra Williams and staff, OSSE
- SSE Monitoring update: Dennis Martin, OSSE

Panel provided OSSE with guidance for the State Performance Plan (SPP) regarding *Indicators 3A. Participation and performance of children with IEPs on statewide assessments 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; Indicator 4A. Rates of suspension and expulsion: Percent of districts identified by the State as*

having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater; 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)); and 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))

The Panel and its members were active participants and involved in the planning and implementation of the following:

1. SAMS site visit and participation in trainings, November 18, 2008, and December 2009
2. District of Columbia Inclusive Schools Week, including presenting city-wide celebration, facilitating two parent sessions for viewing of film, “Including Samuel” and participating in planning meetings, December 1-5, 2008
3. DC Council Hearing on Inclusion, December 12, 2008, testimonies
4. OSSE & SAP sponsored Parent & Caregiver Information Session on Read Aloud Accommodations, March 30, 2009
5. “Moving Forward Together” Transition Stakeholder Forum (SAP co-sponsored), June 6, 2009
6. Workgroup on Early Intervention
7. Workgroup on Components and Facilities of Inclusive Classrooms/Schools

Panel members were invited to attend conferences and workshops that offered opportunities for them to learn about specific topics and areas related to special education. The conferences/workshops included the following:

- OSEP Leadership Conference, Washington, D.C.
- National Council for Independent Living, Washington, D.C.

Members attending the conferences shared their experiences and highlighted lessons learned during the regular Panel meetings.

IV. REPORTS AND RECOMMENDATIONS

A. Monitoring OSSE

Background

In each of the past three (3) Annual Reports, the Panel has recommended that the District of Columbia provide a clear and transparent delineation of SEA and LEA monitoring and implementation functions. We believe that the separation of these functions enhances accountability as well as public understanding of the roles and responsibilities of the SEA and the multiple LEAs. We are encouraged that these functions have now been separated but implementation of the requirements will determine the success of the functions.

Status of SY 2007-2008 Recommendations

The 2007-2008 annual report made seven (7) recommendations to the OSSE. Below are both the recommendations and their implementation status as of May 2009. We are including our 2009-2010 recommendations based on the status of the earlier recommendations, which in our view, have not been fully implemented or represent gaps or present needs.

1. Develop and disseminate a mission statement and management plan to accomplish the mission. OSSE developed and distributed a mission/vision statement in the Fall of 2008. It was distributed to LEAs but was not formally disseminated to the broader community stakeholders.

Recommendation for SY 2009 – 2010:

The mission vision statement should be made available on the OSSE website and readily available for the public through as many mechanisms as possible. It should also be distributed through the state parent center, the PTI Parent Center and AJE, DCPS Parent Resource Centers, and local organizations and should be available in all the following languages: English, Spanish, Chinese, French, Amharic, Vietnamese, Korean, used in DC.

2. Create and enforce state-level policies and procedures for the delivery of special education services. OSSE developed two policies during the 2008 -2009 period. These were “Policies and Procedures for Placement Review” and the “Least Restrictive Environment Policy.”

Recommendations for SY 2009 – 2010:

OSSE should fast track the development of policies, procedures and guidance necessary ensure that all of the LEAs are compliant In addition, OSSE should create and enforce clear consequences for non-compliance with federal and state policies.

OSSE developed a compliance monitoring tool and began implementing it with the charter LEAs in February 2009.

Recommendations for SY 2009 – 2010:

Provide the SAP with early and regular progress reports regarding implementation of the monitoring tools. Develop and implement effective communication strategies, which inform all stakeholders of the monitoring process, procedures, and outcomes of monitoring visits.

3. The OSSE and its partners, including the State Advisory Panel, should develop a comprehensive system of personnel development in order to ensure special education teacher quality and informed general educators and families.

The SAP was informed by the OSSE Training and Professional staff of their efforts to produce a training calendar for LEAs.

Recommendation for SY 2009 – 2010:

Begin the development and implementation of such a system

4. Create an organizational chart and engage the State Advisory Panel in the redesigning of how the OSSE's Office of Special Education functions
OSSE has posted a staff directory on its website.

Recommendation for SY 2009 – 2010:

Post the organizational chart with brief position descriptions for each position.

5. Conduct an ongoing assessment of the OSSE's effective and appropriate use of Federal funding.

The SAP has not been informed of the status of this important State function; OSSE should provide monthly reports to the SAP on how the Federal funding is being used.

Recommendations for SY 2009 – 2010:

There continues to be a need for SAP to be assured that there is effective and appropriate use of Federal funding since this function has been cited as a problem by OSEP.

6. Develop and implement an effective communication strategy for the OSSE's Office of Special Education. These strategies should include:

- a. Clear delineation of the OSSE role vis-à-vis DCPS and the Public Charter School Board
- b. A public information campaign to include process and procedures for access, etc

- c. A helpline for parents and stakeholders
- d. Linkage with the Ombudsman's office
- e. Posting of the office's organizational chart and staff directory on the OSSE website

The SAP has not been informed of the progress of this recommendation

Recommendation for SY 2009 – 2010:

There continues to be a need for effective communication strategies for the OSSE Department of Special Education to the public to the Panel, and to all LEAs regarding the schools that have been selected to be monitored and what the results are. The Panel should be provided with regular progress reports on all accomplishments to date. Of importance is the progress of the new monitoring effort after completion of the first stage.

B. Transition

Background

The Transition workgroup's strategic goal was to ensure that all DC students with disabilities or special needs have functioning transition plans that will enable them to leave high school connected to the services they need in order to be prepared for post-secondary education, employment and independent living. A transition-focused Individualized Education Program (IEP) is critical to the success of a student. Students should take part in developing their own transition-focused IEP. Individuals with Disabilities Education Act defines transition services as the coordinated set of activities designed in an outcome oriented process that promotes movement from school to post-school activities (such as vocational training, employment, college, adult services, independent living and community participation). Based on each student's needs and interests, these activities include the development of objectives for employment and other aspects of adult living to be achieved through instruction, related services, and community experiences and, for some, the acquisition of daily living skills. Beginning when students are 14, (DCMR 3009.3 and .4. 16 is requirement, 14 is best practice), the IEP must include a statement of school and post school goals, so that attention becomes focused on planning for this transition. No later than age 16, students should begin to receive the actual transition services that would lead to the achievement of these goals.

The OSSE developed a Focused Monitoring System with the focus areas being graduation and dropout rates with emphasis on the collaboration with transition services. The OSSE is currently developing a state data collection system that will adequately track 618 data including graduation and drop-out data, information necessary in reporting on this indicator. It is imperative that we impress upon the LEAs to focus on transition since it has not been a priority. The Mayor must make it a priority to the LEAs or we will not see the change that is necessary.

Work Group Findings

The Office of the State Superintendent of Education (OSSE) gathered and analyzed data for the development of the Annual Performance Report (APR) for the 2007 – 2008 school year through the collaborative efforts of District of Columbia stakeholders – parents, community groups, teachers, administrators, related service providers, school system personnel, other government agencies, the state advisory panel, state office representatives and the parent training advisory council. Based on information from the District of Columbia Part B State Annual Performance Report (APR) for 2007 for the following indicators, the District of Columbia has improved over 2007 even though the city is still tracking behind on the performance of youth who have disabilities in DCPS. However, the Annual Performance Report for 2007 indicates that several indicators exceeded their target for FFY 2007.

The indicators that the Panel recommend continuous monitoring to ensure progress are the following:

Indicator 1-Graduation Rate: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the District of Columbia graduating with a regular diploma. The graduation rate for students with IEPs should be the same as for all DCPS students.

The graduation rate was reported in the following format. The number of graduates with IEPs receiving a regular diploma in comparison to the number of graduates plus the number of all student who received certificates of IEPs plus number of students who dropped out plus number who reached maximum age. The target for FFY 2007 was for 43 percent of youth with IEPs graduating from high school will receive a standard diploma. The actual target data is 53.2%. This represents an increase of 14.2% from 39% reported in FFY 2006. The District exceeded its target for the FFY 2007.

Indicator 2- Dropout Rate: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the District of Columbia dropping out of high school.

The dropout rate was reported in a different format than the prior year's SAP Report. The percentage reported in the Part B State Annual Performance Report (FFY 2007) is the following: The measurement is the total number of students with IEPs dropping out of grades 7 – 12 in comparison to the total membership in grades 7 – 12. The target for FFY 2007 was a dropout rate for students with disabilities will decrease to 6.8 percent. The actual target data is 2.9%. This rate indicates an improvement from the 2006 – 2007. rate of 9.4% and demonstrates that the State met and exceeded its target of 6.3% for FFY 2007.

Indicator 13-Transition Services: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

This was measured as the percentage of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post secondary goals in comparison to the number of youth with an IEP age 16 and above. The target was for 100% of students to meet this goal. The actual target data is 29.15%.

Indicator 14-Postsecondary Placement Rate: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of post-secondary school, or both, within one year of leaving high school.

This was measured as the percentage 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 both, within one year of leaving high school divided by the number of youth's assessed who had IEPs and are no longer in secondary school. The target for FFY 2007 was 60% of students. The actual target data is 76%. The State exceeded the target of 60% as a result of focused efforts to conduct systematic surveys of exiters.

Challenges/Issues:

High school completion corresponds strongly to future education, employment and earning potential. Students receiving non-standard diplomas continue to find access to post-secondary education or jobs limited. Significant difficulties in securing jobs, accessing post-secondary education, living independently and fully participating in communities continue.

Specific challenges to resolving these issues continue to be:

- Parents and students lack information regarding importance/necessity of earning Carnegie Education Units. To graduate, every District of Columbia student must complete 23.5 - 26 Carnegie Education Units successfully, regardless of the program in which the student is enrolled.
- The purpose of Special Education is to provide meaningful access to the general curriculum using a multifaceted approach. Students with disabilities must receive instruction consistent with the DC Learning Standards. Individualized Education Program (IEP) teams or student support teams in the case of 504 eligible students shall determine appropriate accommodations and curricular modifications where necessary. However; general education teachers are often not comfortable with the application of accommodations and modifications in their classrooms.
- All stakeholders are often not part of developing an effective transition plan which leads to a break in services between the school and adult serving agencies. Parental participation in planning and decision-making is sometimes limited and there is often a lack of student's voice in the transition process.

Accomplishments

1. OSSE has established collaboration with National Dropout Prevention Center for Students with Disabilities, the National Post-School Outcomes Center and the National Secondary Transition Technical Assistance Centers. As a result they have held face to face meetings, participated in regional monthly meetings and will be attending the National Secondary Transition Conference in May.
2. DCPS held a large transitional conference in May, 2009 and a citywide conference in June at UDC to address the issues of transitions.
3. In order to ensure that general and special education teachers receive professional development in methods of “differentiated instruction,” including accommodations and modifications to give students with disabilities access to the general education curriculum that will enable them to earn the Carnegie Education Units necessary for a diploma, DCPS held large scale trainings and individual trainings for LEAs.
4. DC State Transition team (made up of representatives from OSSE, DCPS, DDS, Potsdam Institute for Applied Research, and parent representative) attended the Secondary Transition State Planning Institute held in Charlotte, NC from May 12-14, 2009. The purpose of the institute was to provide professional development on school completion strategies, other secondary transition education services, post-school outcome data collection and use within a continuous improvement process, including tools for analyzing data over time and across priorities. The team walked away from the institute having developed a draft DC State Transition Plan, with emphasis being placed on two main focus areas.
They are:
 - A. Student-Focused Planning and Student Development
 - B. Interagency Collaboration
5. Meeting held on June 3, 2009 to provide LEA’s with an overview of the reporting requirements for indicators 13 and 14.
Listed below are the persons in attendance.
Julie Camerata, Executive Director of the DC Charter School Cooperative
Pamela Dishman, Non-Public Manager (DCPS)
Melanie Smallwood, Program Director, Transition Services (DCPS)
Carolyn Trice, Program Manager (DCPCSB)
Chandra Williams, Director of Training and Technical Assistance (DC OSSE)

It will be necessary to conduct a number of training sessions district-wide.

Accomplishments & Recommendations for SY 2009-2010

The 2007-2008 annual report made 13 recommendations to the OSSE. Below are the previous and new recommendations and their implementation status as of June 2009. Included are the Panel's 2009-2010 recommendations based on the status of the earlier recommendations.

1. Clarify state graduation requirements and appropriate use of alternative diploma options.
Information on new requirements placed on OSSE website and brochures will be

distributed to parents.

Recommendation for SY 2009 - 2010: Continue to place new requirements on OSSE website.

2. Develop policy and procedure to inform parents and students of the requirements of 23.5 - 26 Carnegie Education Units to receive a diploma.

Recommendation for SY 2009 - 2010: Develop a plan to ensure that by the end of the seventh grade year parents and students will be informed of the requirement to earn Carnegie Education Units to receive a diploma. (Note: CEU - measures of the amount of time-hours-a student has studied a subject)

3. Continue to provide training for LEAs on effective strategies for dropout prevention for students with disabilities and links to state and national resources. Training for all LEAs on Dropout Prevention was scheduled to be provided on June 17, 2009 by the OSSE's Training and Technical Assistance Department.

Recommendation for SY 2009 - 2010: Develop a series of training workshops for LEA.

4. Increase the number of dually certified teachers at the secondary level. These are educators with certification in special education and core content. The OSSE develop alternate methods of teacher qualifications.

Recommendation for SY 2009 - 2010: Since this is outside the purview of the OSSE's Training and Technical Assistance Department, they should work closely with the DC Office of Educator Licensing and Accreditation to ensure that this becomes a priority and is addressed.

5. Transition services need to be developed and implemented by the IEP team in cooperation with counselors, vocational instructors, related service providers and other key stakeholders.

Recommendation for SY 2009 - 2010: Develop a transition services plan that will involve and be implemented by the IEP team.

6. Develop a policy that mandates that LEAs attend at least one transition meeting per year. LEAs can voluntarily attend transition meetings and many have never attended a transition meeting.

Recommendation for SY 2009 - 2010: Develop a policy that mandates that LEAs attend at least one transition meeting per year.

7. Family training and involvement in planning are significant factors that lead to positive outcomes. Parents and students must be trained regarding the purpose and importance of the transition plan.

Recommendation for SY 2009 - 2010:

Train all members of the IEP team on the use of new transition plans by implementing intensive training sessions in the summer for families and yearly transition fairs.

8. Students have the right to have full participation and input in the process of transitioning from high school to post-secondary education and employment.

Recommendation for SY 2009 - 2010:

1. LEA's should encourage all students in the use of self-advocacy skills.
2. Work with and train LEAs on the value/benefit of student-led IEPs

9. In the past not all students 16 and above had IEP goals and transition services in place.

Based on the Indicator 13, the target was for 100% of students to have IEP goals and transition services, however only 39% of the student achieved the goal.

Recommendation for SY 2009 - 2010:

Develop and implement a plan to ensure that 100% of IEPs of students 16 and above will have coordinated, measurable, annual IEP goals and transition services that will reasonably enable students meet their post-secondary goals.

C. Transportation

Background

Each day the District of Columbia Public School (DCPS) transportation system transports 4,000 students who have Individualized Education Plans (IEPs) that provide school transportation as a related service. This is accomplished via 697 bus routes to 232 schools throughout the metropolitan area. In addition to the yellow bus operation, a moderately small token and fare card program for special needs students who independently travel to and from school via public transportation is managed.

Currently there are 1,700 District of Columbia employees operating and administering the transportation program, managed by David Gilmore, serving as the court-appointed transportation administrator. For a breakdown of local funding for special education transportation and how funding has shifted from FY2008 to FY 2009, see Table 1.

Table 1: Funding for Special Education Transportation, FY 2008

Table 1: Funding for Special Education Transportation, FY 2008-FY 2009 (adjusted for inflation to equal 2009 dollars)			
	FY 2008 Revised Budget (in millions)	FY 2009 Final Budget (in millions)	Percent Change from FY 2008
Special Education Transportation	\$74.7*	\$75.6	1.2
<p>* In FY 2008, special education transportation was not listed in a separate budget chapter. This estimate represents the inflation-adjusted sum of Special Education Transportation and Special Education Transportation – Administration listed on p. D-11 of the FY 2008 approved budget.</p> <p>Source: DC Fiscal Policy Institute</p>			

Status of 2007-2008 Recommendations

Since the issuance of the State Advisory Panel on Special Education 2008 Annual Report, the court-appointed administrator for Transportation, David Gilmore, reported dramatic improvements to the DCPS transportation system including, but not limited to, an average 95.41% of routes delivery of special needs children to school on time (not later than 10 minutes before bell time) daily, a driver and attendant absenteeism decrease from 22% to 6%, a decrease in accidents and a dramatic decrease in service complaints.

Specifically in regards to the issue of alternative routing options, Mr. Gilmore has indicated that this concept is out of the purview of the transportation program to implement and is fraught with its own complications, as history has shown. In addition, the closing of schools at the beginning of this school year resulted in a reduction of the ability to tier routes from 77 to 52, adding 25 new routes to the system. Also, in the second week of this school term, the percentage of special needs students transported to non-public schools exceeded those transported to DC public schools for the first time in the history of the DCPS transportation system, and has remained so to this day. Together, these events have resulted in the dramatic increase in routes.

Recommendations for 2009-2010:

Because transportation services for Special Education, in the DCPS system, is a continuous work in progress, presenting the opportunity for dramatic achievements and continuing challenges, the Panel expects further involvement in both monitoring implementation of improvement plans and identifying additional priority areas for action. This includes OSSE’s support and monitoring of its LEAs in continuing to improve the economics of special education transportation by identifying appropriate placements in or close to the District and, most importantly, strengthening programming for special education services in the District of Columbia public schools and public charter schools. In June, 2009, OSSE reported to the Panel that OSSE staff is coordinating with the court appointed administrator for Transportation, David Gilmore, for the eventual transition of

transportation services to OSSE. The Panel welcomes this development and has asked OSSE to provide ongoing progress reports on the transition, as well as updates on the performance metrics of transportation services from Mr. Gilmore.

Recommendation #1

Build on existing recruitment and retention plan to include bilingual transportation personnel.

Recommendation #2

Establish, maintain, and deliver a more complete, accurate outreach strategy to parents that includes a single point access for real-time transportation information, integrated into the District of Columbia Public Schools (DCPS) website, for all students receiving special education services in the District of Columbia.

Recommendation #3

Promote, advance, and support strategies for greater independent mobility for students receiving special education services, including developing and implementing travel training IEP goals, and ensuring that those who will have input into the creation of IEPs understand the importance of also providing appropriate transportation.

D. Legislative Affairs

State Advisory Panel on Special Education

Report from Legislative Affairs Committee

April 2009

The State of Special Education and the Strategy for Inclusion

The State Advisory Panel feels strongly that our legislative leaders should continually be educated on the issues facing special education students in Washington, DC. To that end, Molly Whalen, Chair of the State Advisory Panel on Special Education testified before the Committee of the Whole of the Council of the District of Columbia on Friday December 12, 2008.

Ms. Whalen presented passionate testimony in support of the effort of Inclusion of Students in our Public Schools. Members of the Legislative Affairs Committee joined Ms. Whalen that morning to support her during her effort. Ms. Whalen stated in her testimony that “Special Education is not a program or a place, and inclusive schooling is not a policy that schools can dismiss—inclusion means to me that my children can be at their neighborhood school in their classroom and be successful”.

Recommendation for FY 2009 – 2010:

Continue to educate our legislative leaders on the issues surrounding special education through testifying, writing white papers and scheduling meetings with council members on specific issues.

APPENDIX A

Students Receiving Special Education Services: Breakdown is categorized by Disability

The breakdown by disability category for District of Columbia Public Schools (DCPS) is:

Disability	Number of Students	Percentage of Students
Autism	303	3.60%
Deaf Blindness	0	0.00%
Developmental Delay	411	4.88%
Emotional Disturbance	1,355	16.09%
Hearing Impaired	56	0.67%
Mental Retardation	877	10.42%
Multiple Disabilities	726	8.62%
Orthopedic Impairment	27	0.32%
Other Health Impairment	369	4.38%
Specific Learning Disability	3,555	42.23%
Speech and Language Impairment	700	8.31%
Traumatic Brain Injury	20	0.24%
Visual Impairment	20	0.24%
Undetermined *	0	0.00%
Total	8419	100%**

The breakdown by disability category for District of Columbia Public Charter Schools (DCPCS) is:

Disability	Number of Students	Percentage of Students
Autism	59	2.63%
Deaf Blindness	0	0.00%
Developmental Delay	86	3.83%
Emotional Disturbance	137	6.10%
Hearing Impaired	1	0.04%
Mental Retardation	135	6.01%
Multiple Disabilities	324	14.42%
Orthopedic Impairment	0	0.00%
Other Health Impairment	153	6.81%
Specific Learning Disability	1,066	47.44%
Speech and Language Impairment	280	12.46%
Traumatic Brain Injury	5	0.22%
Visual Impairment	1	0.04%
Undetermined *	0	0.00%
Total	2,247	100%**

The combined totals of DCPS and DCPCS students by disability category are:

Disability	Number of Students	Percentage of Students
Autism	362	3.39%
Deaf Blindness	0	0.00%
Developmental Delay	497	4.66%
Emotional Disturbance	1,492	13.99%
Hearing Impaired	57	0.53%
Mental Retardation	1,012	9.49%
Multiple Disabilities	1,050	9.84%
Orthopedic Impairment	27	0.25%
Other Health Impairment	522	4.89%
Specific Learning Disability	4,621	43.32%
Speech and Language Impairment	980	9.19%
Traumatic Brain Injury	25	0.23%
Visual Impairment	21	0.20%
Undetermined *	0	0.00%
Total	10,666	100%**

* Undetermined indicates an obsolete disability code, or a code not recognized by the U.S. Department Of Education (DOE) was reported.

** Percentages may not add to exactly 100% because of rounding.

Data reported to U.S. DOE in December 2008 by the Office of the State Superintendent's in the Individuals with Disability Education Act (IDEA) Part B Annual Performance Report. DCPS data includes students in private placements.

APPENDIX B

Members of the Panel consist of representatives from both public and private sectors who by virtue of their position, interest and training can contribute to the education of children with disabilities. A majority (51%) of the members of the Panel must be individuals with disabilities or parents of children with disabilities.

Executive Committee:

Molly L. Whalen, Chair/ Parent

Kim Alfonso, Vice Chair/Parent/Columbia Lighthouse for the Blind

Brenda Brown, Vice Chair/Parent

Panel Members:

Cecilia Arce – Parent

Desirée Brown – Parent

Julie Camerata – DC Public Charter School Cooperative (DC Public Charter Schools)

Corola Cerezo-Allen – Parent

Margaret M. Ernst, Parent

Arthur Ginsberg – St. John’s Community Services (Community Services Provider)

Doreen Hodges – Parent

Julia Howell-Barros, Parent

Kim Y. Jones – Advocates for Justice in Education, Inc. (Community Services Provider)

Tameria Lewis – Office of the State Superintendent of Education (SEA Representative)

Juan Martinez – Teacher (DC Public Charter Schools)

Randall Moore – Department of Youth Rehabilitation Services (State Juvenile Agency)

Richard Nyankori, District of Columbia Public Schools (DCPS Representative)

Sam Reheard, Knowledge Is Power Program – KIPP (DC Public Charter Schools)

Senora D. Simpson – Parent

Salanda Thomas – Parent

Clifford Thorne – Parent

Karen Wills-Henry – Parent

Ad Hoc members:

Antonia Brathwaite-Fisher – Georgetown University Center for Child & Human Development

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