

DISTRICT OF COLUMBIA

STATE ADVISORY PANEL ON SPECIAL EDUCATION

2010 - 2011 ANNUAL REPORT

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

July 1, 2011



The District of Columbia State Advisory Panel on Special Education

July 1, 2011

The Honorable Vincent C. Gray, Mayor

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

The Honorable Kwame Brown, Chair

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

DeShawn Wright, Deputy Mayor of Education

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

Hosanna Mahaley, State Superintendent of Education

Office of the State Superintendent of Education (OSSE) 810 First Street, NE – 9th Floor Washington, DC 20002

Ted Trabue, President

District of Columbia State Board of Education 441 4th Street, NW Suite 723 North Washington, DC 20001 Dear Mayor Gray, Councilmember Brown, Deputy Mayor of Education Wright, State Superintendent of Education Mahaley and State Board of Education President Trabue:

The State Advisory Panel on Special Education ("Panel") is pleased to deliver its 2010-2011 Annual Report.

The Panel's primary responsibility is to provide policy guidance with respect to special education and related services for children with disabilities in the State. The Panel serves as an advisory body to the Mayor, and the Office of the State Superintendent of Education (OSSE), the District's State Education Agency (SEA), on matters pertaining to the education of children and youth with disabilities served by public and private agencies in the District of Columbia. A summary of our activities, findings and recommendations are included in this report.

The Panel commends the continued budgetary and organizational support by the District's leadership for the OSSE as the State Education Agency (SEA) for the District. As the OSSE enters its fifth 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 agency. The Panel has worked closely with the staff of the OSSE's Division of Special Education (OSSE-DSE), and commends the positive forward progress that the staff of OSSE-DSE has made this year in policy formation, monitoring, training and transportation. It is clear that these positive efforts are creating stability in a long unstable system of state special education. For too long special education has been both underfunded and inappropriately funded in our city. The Panel urges the city leadership to continue to strengthen the OSSE and provide resources and funding to this agency to ensure continued growth, significant education reform and improved regulation and oversight.

The Panel is pleased to report that progress has been made on several recommendations contained in the 2009-2010 report.

Four areas of great progress are: 1) Policy formation, 2) Training and Professional Development, 3) Monitoring and 4) Transportation. OSSE has finalized and issued several crucial guidance, policies and regulations including Certificates of Approval for Nonpublic Special Education Schools and Programs Serving Students with Disabilities funded by the District of Columbia and Special Education Rates regulations, Extended School Year Services (ESY), and Special Education Transportation Services policies; Child Count Procedural, Prohibition on Mandatory Medication, Related Services and Significant Cognitive Disability Guidance, Early Childhood Transition Guidelines, Least Restrict Environment Toolkit and issued IDEA Part B Notice of Procedural Safeguards. By providing clarity in these areas of policy, OSSE has established necessary parameters for the complexity of LEAs in our District to follow. These steps are immensely needed and the Agency should be commended. In the area of training and professional development, the efforts have been widespread. The Panel has been increasingly

pleased and impressed with the wide-array of training efforts and programs put on by the OSSE Training & Technical Assistance Unit (TTA). During the period of October 2010-June 2011, OSSE trainings have attracted over 1700 participants. The Panel members have heard great praise from teachers and administrators from all the LEAs for these trainings and professional development. In the area of Monitoring, the Panel was pleased to see that finally the SEA has a system and process in place to routinely monitor both LEAs and Nonpublic Schools. Now that the SEA has a systematic method and expectations in place for monitoring, the focus should be on quality monitoring visits and follow-up. In the area of Transportation, the Panel has been pleased to finally see significant improvement; the specifics of the improvements are detailed in Section V. D. of this report.

While these improvements should be lauded, the job of providing an effective special education continuum in the state special education system with 54 LEAs and as of April 2011 approximately 2300 students Nonpublic placements continues to be a daunting one. The Panel is concerned about consistency and stable leadership to continue the forward progress. 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.

We ask each of you to visit and 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 that of general education to include adequate funding for special education, (2) parent and community engagement and communication, and (3) monitoring, transition and placement.

The delivery of special education and related services remains a critical challenge for the District of Columbia. We 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 developmental stages of reforms and to leverage the expertise of the District of Columbia's many local institutional resources (universities, non-governmental organizations) as you develop and continued to implement the next stages of the education reform strategy.

We would like to commend Assistant Superintendent of Special Education Tameria Lewis and her staff for providing the Panel with regular and 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 initiatives, and their efforts to improve special education services in oversight, training, and monitoring. The Panel looks forward to enhancing this collaboration and institutionalizing these improvements within the OSSE; along with establishing a firm and cemented relationship between the Panel and the OSSE special education staff. It is of particular note that in 2009 the US Department of Education (US DOE) – Office of Special Education Programs (OSEP) put Washington DC in the critical category of "needs intervention" under IDEA, which the city has received for the fourth consecutive year. This determination allowed the US DOE to withhold Part B funding until the Secretary of Education determines that DC has sufficiently addressed the critical areas. However, in June 2010 OSSE received notification that due to the substantial efforts of OSSE to improve critical areas, DOE would not withhold funds, but instead direct the use of funds in a particular manner. As part of the Corrective Action Plan (CAP) of 2010, OSSE took significant steps to ensure compliance of all LEAs; one key improvement made in the CAP was a tracking system to allow the SEA to accurately examine and track noncompliance identified to ensure that LEAs are notified of all noncompliance and to enable OSSE to more thoroughly analyze trends and areas to target for assistance.

While clearly our system is far from adequate, this significant ruling allowed OSSE to continue forward progress with necessary funding; and they have taken advantage of this status to make significant advances.

Another highlight of the year is the award to OSSE of Race to the Top Funding in 2010. The Panel strongly urges the state to utilize some of this funding in the critical area of special education.

The Panel had another productive year identifying and examining issues facing our students receiving special education services and supports in the District of Columbia. We focused our monthly meetings to learn more intimately about various areas within special education services, which are described in detail in Section IV. 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.

We have offered what we believe are concrete, actionable recommendations to improve outcomes for our students who receive special education services and their families and caregivers.

It has become apparent that the work of the Panel must not be in a vacuum from year to year; therefore, it will be vital for the 2011-2012 Panel to build upon the work of this year and continue to focus on key areas within special education that require ongoing external examination and attention. The State Advisory Panel for Special Education is made up of volunteers who are either individuals with disabilities, parents of children with disabilities, or very proactive community advocates, government and nonprofit stakeholders who have had many years of special education involvement. Therefore, we believe that the Panel brings a unique insight into the Special Education concerns of the citizens of the District of Columbia. It has been an honor for me to serve with the members of the Panel, who have devoted so much volunteer time and energy on behalf of our students who receive special education services. I encourage you, our city leadership and your staff to continue to support the work of the Panel, to recognize the Panel's importance in policy formation, to continue to mandate active participation by all District agencies because their input is so important. I urge you to consider the Panel as a resource and sounding board whenever possible. Our members willingly share their extensive experience and expertise, which could help to shape special education policies and service delivery systems that meet all of the community needs.

I came to this position by credit that I am a parent of two children with special needs who need to access the District's special education services. I am a District resident and a lifelong citizen of our city. It is my hope that the work of this Panel provides insight and awareness to the needs of special children like mine, so that there will be continued reform of Special Education in this city.

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 <u>all</u> 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 cementing this relationship in order to improve outcomes for our students receiving special education services. Several DC Agency and community based organization representatives have been dedicated members - their expertise is invaluable for the work of the Panel.

The Panel has made a commitment to holding meetings which allow the various key stakeholders in special education to come together; our meetings attract representatives from DCPS, RSA, Early Stages, public charter schools, The Arc of DC, OSSE agencies and many others for a place to have informed discussions on DC Special Education issues. 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 establishment of OSSE as the SEA five years ago began a marathon race to build from the ground up a functioning special education system with appropriate monitoring, policy and support in place for all LEAs in the District. We would be remiss if we did not applaud and gratefully thank the dedicated staff members at OSSE Department of Special Education – they have worked tirelessly to create the scaffolding of this new structure and the work is far from over – but they have certainly left a tremendous mark to date, Tameria Lewis, and her leadership staff: Amy Maisterra, Melanie Byrd, Yuliana Del Arroyo, Gregory Ellis, Jerri Johnston-Stewart, Elisabeth Morse, Sreeja Nair, Yvonne Smith, and Chandra Williams, as well as, Desirée Brown, 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 of Special Education, for bringing commendable passion and intelligence to improving the state of special education in the District of Columbia; it is with great sadness that the Panel acknowledges Ms. Lewis' resignation, as her leadership has brought about more change in a few short years, than many tried for decades. We hope that it will be the greatest honor to Ms. Lewis that her work will continue after she is gone. <u>All</u> the staff listed 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 also lost a dedicated member, Ms. Anne Gay, who passed away in January 2011. Ms. Gay's commitment to DC special education stretched over several decades and she will be missed, not only on the Panel, but also throughout the DC special education community.

Because of the leadership, commitment, and contributions of all these talented individuals, 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.

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I. OVERVIEW

This 2011 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, 2010 through June 30, 2011.

According to the official Child Count data, conducted on December 1, 2010 by each LEA and certified to OSSE there are 11,947 students in DC special education.

This Panel focused not only on compliance of federal and state requirements, but examined its unique role in the state education functions in Washington, DC. Since the District of Columbia must act as a City and a State, it must ensure rich, supportive and quality learning environments and activities at the local level as well as promulgate State level policies and procedures that will enable all children, with their diverse learning needs, to succeed. The State Advisory Panel is constantly examining opportunities to increase its visibility and accountability to the citizens and appropriate agencies of the District of Columbia. During the 2010-11 terms, the Panel and its members have made a concentrated effort to be very active participants in City Council hearings and citywide education-focused events. These have included the Inclusive Schools Week, the Transition Stakeholder Forum, and OSSE policy hearings. We believe that our students' educational experiences and personal futures should be founded on progressive, data-driven policies. It is also critical that we have successful coordination of educational and related services across public agencies and among educators and service providers. This is important if we are to ensure appropriate prevention and intervention strategies as well as effective communication among the home, school and providers. There must be knowledgeable leadership and adequate staff from the classroom to the highest level of administration.

The purpose of this report is to provide policymakers, educators, parents, and the general public with an overview of the major concerns and issues raised and reviewed by the members of the Panel during the 2010-11 terms and to provide recommendations and benchmarks for future, necessary improvement in Special Education, which can be used by succeeding panels.

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

As detailed in the Mayor's Order 2004-187, the purpose of the District of Columbia's State Advisory Panel on Special Education ("the Panel") is to serve as an advisory body to the Mayor, the District of Columbia Public Schools and the Office of the State Superintendent of Education (OSSE - formerly the State Education Office) 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, 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.)

Ш. **SCHEDULE OF MEETINGS**

The Panel is required to convene at least four (4) meetings each calendar year. The schedule of meetings for school year 2010-2011 was as follows:

Meeting Date	Time	Location		
September 18, 2010 ¹	9:00 - 3:00	Early Stages Center 1125		
		New Jersey Avenue, NW		
		Washington, DC 20001		
October 21, 2010	5:30 – 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		
November 18, 2010	5:30 – 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		
December 16, 2010 ²	5:30 - 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		
January 20, 2011	5:30 – 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		
February 17, 2011	5:30 – 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		

¹ New Member Orientation and Annual Retreat ² Meeting cancelled

March 17, 2011	5:30 – 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		
May 19, 2011	5:30 - 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		
June 16, 2011	5:30 - 7:30	Office of the State		
		Superintendent of		
		Education		
		810 First Street, NE – 3 rd		
		Floor Conference Room		
		Washington, DC 20002		

IV. ACTIVITIES AND ACCOMPLISHMENTS

A. PRIORITIES

The Panel launched its 2010-11 activities and efforts on Saturday, September 18, 2010, with the SAP new member orientation and annual planning retreat. The retreat's purpose was to review the prior year's work while creating an agenda for 2010-11 work.

The following topics were discussed in an effort to determine the goals of the SAP for 2010 – 2011:

1. Transportation

- Travel Training
- 2. Related Services
 - Access
 - Arbitrary Removal of Students
 - Contracting Issues
 - Coordination
 - Quality
- 3. Data Systems
 - LEAs Affected
 - OLAMS, SLEDS, SEDS
 - Data Sharing
- 4. Policies
 - Coordinated Comments
 - Create list of policy's to recommend to OSSE
- 5. State Performance Plan
- 6. Parent Involvement
- 7. Professional Development
- 8. Corrective Action Plan
- 9. Placement Options
 - Continuum
 - Early Childhood
 - Self Contained Classrooms
 - Supplementary Services (Assistive Technology)
- **10. Secondary Transition**
- 11. Certificate versus Diploma

12. Charter School

- Alternative Settings
- Discipline (Behavior Management)
- Disproportionality
- Removal of Students

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13. C to B Transition

SAP 2010 – 2011 Goals

The following is a summation of the goals (Categories 1 - 4) identified by retreat attendees of the SAP for 201--11. These Goals were approved by vote of the Panel at the October 21, 2010 meeting.

- 1. Policies
- 2. Parent & Community Engagement
- 3. Transition
- 4. Transportation

B. PANEL ACTIVITIES

The Panel requested and received presentations from the following agencies, organizations and individuals on a variety of topics, and were active participants in various citywide events and hearings:

- Panel members were active participants in the 2010 Transition Stakeholders Community Forum
- Panel member, Liz Rihani, represented the Panel at the OSSE Early Childhood Summit on October 25, 2010.
- Update on the Annual Performance Report (APR) & Indicators Panel received a review and had discussion on the upcoming APR and indicators.
- Overview of the submission of the Annual Performance Report (APR) and review of the indicators for reporting by OSSE
- Report on the OSSE structure for monitoring systems to include: LEA, Nonpublic, Secondary Transition and Part C; and the status of the State Complaint system
- Chair Molly Whalen, filed testimony on the OSSE hearings of ESY and COA.
- OSSE Annual LEA determination letters Panel received ongoing updates and status reports on the LEA monitoring process
- The Panel organized, communicated and participated in the District of Columbia Inclusive Schools Week (December 6-10) including presentation and public viewing of the video, "I am Norm" video at the Wilson Building.
- Status of Blackman Jones and Petties Cases Tameria Lewis, Assistant State Superintendent of Special Education
- Report on OSSE Special Education Survey to parents

- The Panel sent written correspondence (October 2010) to DOT-OSSE regarding concerns in the public transportation of special education students. Director Michael Kovalcik and his staff attended the Panel's March meeting and presented an extensive report on the status and improvements in the system.
- The Panel created "SAP recommended Quality Points for Special Education" to be included in the annual report and disseminated to LEAs.
- Update and status report on the OSSE Training and Technical Assistance Unit
- Update and discussion of the forthcoming proposed regulations: Nonpublic Certificates of Approval and Tuition Rates- Tameria Lewis, Assistant State Superintendent of Special Education
- Members of the Panel attended the Early Intervention Workgroup organized by the ARC of DC.
- The Panel organized a "Transition Discussion" panel for the February meeting, on the panel were: Kim Morrison, Supervisor, Family Coordination Unit, OSSE-DSE; Heather Elliott, Deputy Director, DCPS Early Stages; Matthew Bachand, Senior Director, DCPS-OSE, and Joshua Wayne, Director, Non-Public Unit, DCPS-OSE. Invited, but did not attend: representative from DDS-RSA.
- Hosanna Mahaley, the new State Superintendent of Education was invited to and attended the Panel's March meeting.

V. REPORTS AND RECOMMENDATIONS

A. Policies

If improving educational results for children with disabilities is an essential element of our national policy of ensuring equality opportunity and full participation for individuals with disabilities, the members of the Panel's Policy workgroup believe that tracking the proposed and enacted national and local policies and procedures was essential.

This year, the policy work group focused on all of the proposed policies by OSSE-DSE as an ever changing, short-staffed department developed them. In addition, it reviewed local and national policies, which might influence the delivery of services to students with disabilities. These included non-public rules as well as transportation policies and proposals regarding the certificates of approval for nonpublic Special Education Schools and Programs Serving Students with Disabilities. Members tracked and attended DC Council hearings and deliberations.

In response to the turnover of leadership on the City Council, as well as, the major DC Government officials, the workgroup discerned a need for the development and dissemination of a basic informational tool or "fact manual" for the governmental officials specifically, but which would serve to educate members of the media and public as well. This tool will include updated foundational information regarding IDEA, current information on the structure, roles and responsibilities of the State Education Agency (OSSE), and Local Education Agencies (including DCPS public charter schools.) To remain current, the information will need to be web-based, and utilize alerts when there are major personnel changes; however, the workgroup suggests marketing this information via various established networks and platforms.

The workgroup plans to finalize this product in the first quarter of the 2011-2012 school year after local agencies personnel changes have stabilized.

Recommendations:

1. Monitoring

OSSE should refine its policies and procedures regarding the dissemination of information, but continue to conduct focused monitoring of school districts on serving students with disabilities in the LRE and continue to provide professional development and technical assistance for school districts on meeting the needs of students with disabilities in integrated settings. While the Panel was informed that such monitoring visits were occurring, it did not receive a summary report of the findings, which precluded the Panel's ability to ascertain the effectiveness of the efforts or the major deficits that continue.

2. Early Communication regarding Policy Development

OSSE needs to explore more dynamic methods of communication, outreach and training to the special education stakeholders; with a special focus on parental rights, support and system-wide understanding, utilizing advanced technological communication and training methods (website, emails, webinars, social media, etc.,) however, it must continue in-person communication and trainings to ensure that all stakeholders are properly informed in a timely manner.

3. Personnel Needs and Changes

Wherever possible, there should be a concerted effort to stabilize the personnel, which serves the systems. There should be a broader outreach when searching for personnel so that more local stakeholders feel included in the process.

B. Parent & Community Engagement

Efforts continue to be made by the OSSE in the area of community engagement. OSSE held regular state advisory group meetings to seek input on key decisions. OSSE held regular quarterly LEA Special Education Meetings to provide updates and solicit feedback, as well as changed the language for public hearings to make it more understandable for the public. OSSE's expanded webpage, including a link for parent and community resources, has remained current. In addition, OSSE has created workgroups on the two key issues of Secondary Transition and Least Restrictive Environment (LRE), as well as created a workshop for English Language Learners regarding rights under IDEA.

However, parent involvement in these initiatives continues to be minimal, and the area of parent & community outreach continues to be a challenge and concern. The District's special education system continues to be challenged by the lack of understanding of parental and student rights, and system knowledge not just by parents but by providers and school staff as well. Too many parents still do not know the various options for special education in our city, including LRE, the continuum of service and inclusion practices. Of particular concern is addressing low income, homeless and new immigrant populations. The various arms of communication and coordination are too scattered and sporadic to make a long lasting impact, regardless of the population. The "brand" of DC special education still needs improvement – too many parents still do not trust DC special education.

Recommendations:

1. Develop more dynamic methods of communication, outreach and training to the special education stakeholders; with a special focus on parental rights, support and system-wide understanding, utilizing advanced technological communication and training methods (website, email list serves, webinars, etc.,) as well as in-person

communication and trainings. Determine feasibility of creating a list serve directly from OSSE's Special Ed website to communicate hearings, trainings, and outreach directly to individuals, rather than relying on various external sources to communicate them to individuals.

2. Develop training for parents in Special Populations such as low-income, homeless, new immigrants, etc. Focus should be on families understanding their rights under a variety of federal laws such as McKinney-Vento, IDEA, etc. Transportation for Special Populations to and from trainings, IEPs, etc., should be addressed. Transportation is difficult for many families in this population, many of whom live in shelters. These families should be empowered by their rights under federal laws that coordinate with IDEA.

3. Continue to ensure that all new policies, procedures and directives that are produced by OSSE are written in language, which is easy for parents and average stakeholders to understand and can be competently reviewed and critiqued without the need for an extensive legal or policy background. Procedural Safeguards, etc., should be further simplified.

4. Continue efforts to review materials for public comment in advance of posting dates that may enhance the possibility of general public comprehension and participation.

5. Frequently communicate with all LEAs the importance of what a "quality" special education system should include within the system, within each school, and within each individual classroom. Initial emphasis should be placed on collaboration and qualified staff. "Quality" collaboration includes all parties working as partners, such as agencies, providers, parents, schools and both special education and non-special education students. The collaboration goal is for all parties to treat one another with respect and improve the quality of life for the students. A "quality" qualified staff includes ensuring only certified professionals provide evaluations at both the system and school level, ensuring continuous professional development for both special education and non-special education educators at the school level, ensuring qualified teachers teach in synch with IEPs at the classroom level, and ensuring immediate replacement of staff who are not highly skilled at the system, school and classroom level. (See "Quality Points" Appendix A)

6. OSSE should make organizational relationships a focus of parent education, so that families have a better understanding of how agencies work together during transitions (EI, ES, DCPS, DDS-RSA, etc.). OSSE needs to develop a greater expectation that all agencies are present "at the table" so that transitions can be seamless, timely and in the best interests of children.

C. Transition

During the SAP's 2010-11 year, the Transitions Working Group focused our attention on three transition processes: Part C to Part B, transitions to and from non-public schools, and the transition from school to post-school services. The following recommendations are based on a transition panel discussion held at the SAP meeting on February 17, 2011, as well as from discussions at other meetings and events.

Recommendations:

Part C to Part B

- OSSE should continue to evaluate the effectiveness of the new Early Intervention Part C to Part B "Accelerated Process." A critical piece of this process is the timeliness of communication between OSSE Early Intervention and DCPS Early Stages regarding children's cases.
- 2. OSSE should continue to work with DCPS and other LEAs to create more viable programs and sites of service for very young students with special needs, both in mainstream classrooms and in specialized settings.

Non-public to Public

- OSSE should establish a "transition plan" as part of a child's IEP that would map a student's entry into and expectation of exit from a non-public setting. The expectation that the goal is for a student to return to a less restrictive setting should be clear from the time the student enters a non-public school.
- 2. Students in the non-public settings should be afforded the same opportunities in vocational training and post school support as other DCPS students, i.e. ready access to VR counselors, programs, etc.
- 3. Consideration should be given to the development of "transition" programs within the public setting to ease the transition of students from non-public settings e.g. transition classrooms within the public schools.

School to Work

The Transition Working Group references recommendations 6 and 7 from the SAP 2009-2010 Annual Report (reflected here as recommendations 1 and 2).

- OSSE should continue to conduct focused monitoring of school districts on writing appropriate secondary transition plans and continue to provide professional development and technical assistance for school districts on helping students with disabilities transition from school to post-school activities.
- 2. OSSE should also provide informational materials and presentations for parents and high-school aged students on secondary transition, including what to expect during the transition process and how to work with schools to ensure appropriate transition assessments, goals and services are provided.
- 3. Make career exploration part of the curriculum for children from the beginning of their educational experience. Through teacher preparation, curriculum development and parent involvement, the expectation becomes that that each child with a disability will have a meaningful adult work life.
- 4. Vocational training for students with disabilities should include work experience in a variety of settings, starting with chores in the classroom for young students and expanding to community-based work experiences for older students. Young adults leaving school are showing interest in and expectations for employment that is not limited to the "traditional" kinds of jobs that people with disabilities have often been relegated to. These expectations should be encouraged and strengthened.
- 5. Vocational evaluations should include narrative information and performance data on community based or other work experiences. All vocational assessment information must be provided to adult service entities for efficiency and to ensure that valuable information is not lost.
- 6. Develop the relationships with and the means to contract with adult service providers for work experience and vocational evaluations.
- 7. OSSE should establish a "transition roadmap" document/checklist for youth with disabilities to help them organize and prepare for the workplace.

Other Transition Recommendations

 OSSE should help LEAs develop and implement a systematic way to communicate about students' IEP goals/related service needs as students move from one school to another, especially as it relates to a student's movement from elementary to middle school, and middle to high school, regardless of the LEA.

D. Transportation

The Panel's focus on Transportation this year was to communicate with the Director of Student Transportation, Division of Transportation, early in the Fall 2010 with significant concerns reported to the Panel from various schools and parents. The concerns ranged from poor customer service at the Parent Call Center, to safety and well-being of students on busses in hot weather and in non-functioning busses. Most of the polling of parents by the Panel occurred after ESY service in summer 2010 and during the initial start of the school year in the fall 2010.

Mr. Michael Kovalcik and Ms. Kelly Brinkley from the Division of Transportation (DOT) addressed the Panel directly at their March 17, 2011 meeting. The presentation is Appendix E.

The Panel was pleased to receive an in-depth and transparent response to our concerns from DOT. It was clear that considerable focus on making this area of special education functional and compliant for special education students has been made a priority. The leadership's emphasis on parent communication, IEP review, consolidation of routes and monitoring of arrivals/departures, extensive driver and attendant training and improved fleet utilization led the Panel to believe that this area of concern was finally being addressed in a systematic and professional manner.

In fact, for the first time in this Panel's last four annual reports, the Panel is able to provide positive comments about the state of Transportation for the city's special education students. As historical background, in May 2010, the judge in the Petties Case (1995) authorized conditional transition of control of DOT back to OSSE with supervision from Special Master David Gilmore. It is expected by the end of the 2011 fiscal year, that OSSE will receive full authority over DOT.

The Panel welcomes this transition development and will continue to expect OSSE to provide ongoing progress reports on the transition, as well as updates on the performance metrics of transportation services required by the court.

Facts:

Over 3600 students are transported daily, on 680 routes to 253 schools. 42% of these students attend non-public schools, 43% attend DCPS, and 15% attend PCS. 74% of the total student ridership has a daily ride time of 60 minutes or less. The busses are run out of 4 terminals, and the fleet includes 827 busses, 50-55% of which have GPS systems. In March 2011, DOT was able to report 87% on-time arrival, which is based on at +/- 10 minutes.

DOT has planned and enacted ongoing meetings with schools, a mix of charters, DCPS and non-publics, to open communication about concerns and to allow for creative problem solving.

Recommendations:

- 1. Establish, maintain, and deliver a more complete, accurate outreach strategy to parents, which includes a single point access for real-time transportation information, integrated into the OSSE website, for all students receiving special education services in the DC. Also ensure that all parents have names, emails and phone contact for Parent Call Center management.
- 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.

E. Miscellaneous Reports & Recommendations

[NOTE: The following report/recommendations are repeated from the 2009-10 SAP Report as the Panel did not receive updated information in this area, and continues to believe that this area should be monitored.]

The Panel discussed state testing of students in correctional institutions, particularly New Beginnings. The Panel has a special interest in this population because students in special education are incarcerated and involved in the justice system at significantly higher rates than their non-disabled peers. The Panel learned that only a small number of students at New Beginnings qualify to participate in the DC-CAS. Data was not available regarding the participating rate of students residing in other correctional facilities. Thus, the Panel is not positive that structures exist to ensure quality education for this vulnerable population and believes that this is clearly an area, which needs to be addressed as an unmet or inadequately met need.

Recommendations:

- 1. Develop, implement, or augment OSSE's monitoring processes on the academic progress of students in correctional facilities.
- 2. Develop and implement a transparent system, which assesses the academic effectiveness of correctional programs including the programs for students with special needs.

APPENDIX A

State Advisory Panel Quality Points

SAP members were charged to create an unofficial list of "quality points" for special education across System, School, and Classroom. Common themes emerged, and the following chart was created. Recommendation: this Quality Point Chart should be disseminated to LEAs and providers in the city.

SAP quality points for special education - Nov 2010

 SAP members were asked to create special education "quality points" across System, School, Classroom. Common themes among responses are highlighted here. Common themes - Quality Special Education SYSTEM <u>collaboration</u> between agencies/providers/schools/parents, all working as partners, valuing the other in a respectful way <u>qualified evaluators and support services</u> – identify/acquire best services and supports for the child, regardless of whether public or not, ensuring only certified professionals provide evaluations and services <u>transitions</u> – seamless transitions at all ages, with particular thought on postsecondary education/independent living <u>intervention</u> – aggressive intervention to achieve/maintain/assess highest level of inclusion; all DCPS 	 Common themes - Quality Special Education SCHOOL <u>collaboration</u> – create ownership so staff/building employees embrace all students; include students/families/staff in decisions, each valuing the other with the goal of improving quality of life of the student; commitment to inclusion; educate regular ed students so they are better supporters of disabled classmates; incorporate full time service providers into daily life of classrooms/schools <u>gualified staff</u> – continuous professional development; provide special ed topics to regular ed teachers and vice versa; willingness of school to immediately replace staff who are not highly skilled; enforce accountability <u>dynamic/individualization</u> – measure progress against IEP, make adjustments as needed; students should "flow" within school where they'll benefit most, whether special ed or not
thought on postsecondary education/independent living intervention – aggressive intervention to 	<u>dynamic/individualization</u> – measure progress against IEP, make adjustments as needed; students should "flow" within school where they'll benefit most, whether special ed or not <u>communication</u> – strong communication; track/communicate diagnostic testing schedule/results; track/communicate IEP schedule and final IEP documents Common themes - Quality Special Education CLASSROOM <u>qualified staff</u> – highly qualified teachers/aides who use organized lessons/strategies in sync with IEPs; teachers who
 capture percentage of IEP goals accomplished (child to child) and use as a measure of IEP quality. Risk – would this metric "dumb down" goals to increase likelihood of IEP success? 	teacher to go "off script" when teachable moments arise; appropriately challenging curriculum with combo of in-class and pull-out therapies; time to meet with school counselor to further opportunity for learning appropriate behaviors/actions

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.

Panel Members:

Molly L. Whalen - Chair/ Parent

Roy Albert-Rehabilitation Services Administration (RSA) Mary Bladel – Parent JaSent Brown – State Representative for McKinney-Vento **Stephanie Byrd** – District of Columbia Public Schools Teacher Julie Camerata – DC Public Charter School Cooperative (DC Public Charter Schools) Laurie Ellington – Department of Mental Health Loren Ganoe – Child and Family Services Agency Rochanda Hiligh-Thomas - Parent Julia Howell-Barros – Parent Kim Y. Jones – Advocates for Justice in Education, Inc. (Community Services Provider) Martha Kent – Parent Maurice Rawles – Department of Youth Rehabilitation Services Karla Reid-Witt – Parent Elizabeth Rihani– Parent Genevieve "Genni" Sasnett-St. John's Community Services (Community Services Provider) Senora D. Simpson – Parent **Clifford Thorne** – Parent Peter Weber – Parent

Ad Hoc members:

Anne Chambers-Gay – DC Association for Special Education (DCASE) Shawn Ullman– University Legal Services (ULS)

For Additional Information, Please Contact:

Amy Maisterra, Interim Assistant Superintendent of Special Education Division of Special Education Office of the State Superintendent of Education (OSSE) 810 First Street, NE – 5th Floor Washington, DC 20002 Phone: (202) 741-5525 Fax: (202) 741-0227 Amy.Maisterra@dc.gov

APPENDIX C

Data on Students Receiving Special Education Services:

Data by Disability Category

DC Special Education Students by Disability Category ^[1]						
Primary Disability	Total Number	Percentages (%)				
Autism	521	4.36%				
Developmental Delay	742	6.21%				
Emotional Disturbance	1,569	13.13%				
Hearing Impaired	52	0.44%				
Mental Retardation	933	7.81%				
Multiple Disabilities	1,419	11.88%				
Orthopedic Impairment	20	0.17%				
Other Health Impairment	975	8.16%				
Specific Learning Disability	4,658	38.99%				
Speech or Language Impairment	1,011	8.46%				
Traumatic Brain Injury	28	0.23%				
Visual Impairment	19	0.16%				
Total	11,947	100.00%				

^[1]These statistics are based on child counts conducted on December 1, 2010 by each LEA and certified to OSSE. These data were submitted by OSSE to OSEP on February 1, 2011.

Number of students by certain age group and individual age							
Age group Age No. of Students Total by Age group							
	Age 3	193					
3-5 years old	Age 4	358	957				
	Age 5	406					
	Age 6	452					
	Age 7	494					
C 11 years ald	Age 8	622	2 060				
6-11 years old	Age 9	735	3,960				
	Age 10	843					
	Age 11	814					
	Age 12	847					
	Age 13	932					
12 17 years old	Age 14	942	5,818				
12-17 years old	Age 15	972	5,010				
	Age 16	1054					
	Age 17	1071					
	Age 18	652					
18-21 years old	Age 19	334	1,212				
	Age 20	151	1,616				
	Age 21	75					
Total 3-21 year olds in the District of Columbia as of December 1, 2010 - 11947							
Total 6-21 year olds in the District of Columbia as of December 1, 2010 - 10990							

Data by Number of Student by certain age group and individual age

¹These statistics are based on childcounts conducted on December 1, 2010 by each LEA and certified to OSSE. These data were submitted by OSSE to OSEP on February 1, 2011.

3-5 year olds	
District of Columbia Public Schools	573
Independent Charters	165
District Charters	26
Only attending a special education programseparate class	157
Only attending a special education programseparate school	31
Not attending a special education programhome	4
Not attending a special education programservice provider	
location	1
Only attending a special education programresidential facility	0
Total 3-5 year olds	957

¹These statistics are based on childcounts conducted on December 1, 2010 by each LEA and certified to OSSE. These data were submitted by OSSE to OSEP on February 1, 2011.

6-21 year olds	
District of Columbia Public Schools	5,318
Independent Charters	1,851
District Charters	636
Separate School	2,885
Residential Facility	193
Correctional Facilities	92
Homebound/Hospital	5
State School	5
Parentally placed in private schools	5
Total 6-21 year olds	10,990

6-21 year olds

¹These statistics are based on childcounts conducted on December 1, 2010 by each LEA and certified to OSSE. These data were submitted by OSSE to OSEP on February 1, 2011.

EDUCATIONAL ENVIRONMENT AND AGE CATEGORY OF CHILDREN WITH DISABILITIES AGES 6 -21 BY DISABILITY

¹These statistics are based on child counts conducted on December 1, 2010 by each LEA and certified to OSSE. These data were submitted by OSSE to OSEP on February 1, 2011.

DISABILITY	(A) RC80 – INSIDE THE REGULAR CLASS 80% OR MORE OF THE DAY	(B) RC79TO40 - INSIDE THE REGULAR CLASS 40% THRU 79% OF THE DAY	(C) RC39 – INSIDE THE REGULAR CLASS LESS THAN 40% OF THE DAY	(D) SS – SEPARATE SCHOOL	(E) RF - RESIDENTIAL FACILITY	(F) HH - HOMEBOUN D/HOSPITAL	(G) CF - CORRECTIONAL FACILITIES	(H) PPPS - PARENTALL Y PLACED IN PRIVATE SCHOOLS
AUTISM	2%	2%	15%	4%	2%	-	-	-
DEVELOPMENTAL DELAY	3%	3%	3%	-	-	-	-	-
EMOTIONAL DISTURBANCE	7%	9%	18%	25%	60%	20%	46%	-
HEARING IMPAIRMENT	1%	-	1%	-	-	-	1%	-
MENTAL RETARDATION	2%	5%	30%	12%	6%	20%	8%	-
MULTIPLE DISABILITIES	7%	10%	11%	24%	16%	20%	11%	40%
ORTHOPEDIC IMPAIRMENT	-	-	-	-	-	-	-	-
OTHER HEALTH IMPAIRMENT	10%	10%	4%	6%	4%	40%	7%	-
SPECIFIC LEARNING DISABILITY	56%	55%	16%	24%	13%	-	27%	60%
SPEECH OR LANGUAGE	11%	6%	1%	3%	-	-	1%	-
TRAUMATIC BRAIN INJURY	-	-	-	-	-	-	-	-
VISUAL IMPAIRMENT	-	-	-	-	-	-	-	-
GRAND TOTAL	100%	100%	100%	100%	100%	100%	100%	100%

Please note that numbers may not total 100% due to rounding.

State Advisory Panel on Special Education

APPENDIX D

Commendation for Tameria Lewis

Molly L. Whalen, Chair

June 16, 2011

Ms. Tameria Lewis Assistant State Superintendent Division of Special Education Office of the State Superintendent of Education (OSSE) Government of the District of Columbia 810 First Street, NE - 5th Floor Washington, DC 20002

Dear Tami;

On behalf of the members of the State Advisory Panel on Special Education (SAP), it is with great sadness that I express our farewell to you.

Your support and service to the state of special education in Washington DC during the past several years has been invaluable to keeping positive and forward momentum in education reform. You have always shown great intelligence and commitment to the betterment of the education of our city's children with special needs, and great camaraderie in working with and supporting parents. For many of us on the SAP you have been a guiding star for knowledge and understanding of special education; please know that your efforts will not only not be forgotten but will be the reason that our city's special education system will continue to improve.

While we collectively wish you well in your new position, it is certainly Washington DC's loss.

With great fondness, and much gratitude, we wish you the best of luck in your future endeavors.

Sincerely,

Molly J. Whale

Molly L.Whalen, Chair State Advisory Panel on Special Education

cc: State Advisory Panel members

APPENDIX E

OSSE Department of Transportation Presentation

Special Education Transportation: Meeting Expectations in a Sustainable Way

Focusing on the Past, Present and Future

Government of the District of Columbia Office of the State Superintendent of Education (OSSE) Division of Transportation- Special Education Services

March 17, 2011





Division of Transportation - Past

On March 17, 1995, in

Nikita Petties, et al. v. The District of Columbia, et al.

Judge Friedman issued a preliminary injunction against the District of Columbia ("the City") to make timely payments to private placement and service providers for all special education services within 14 days. The Court ordered the City to comply with statutory obligations including the Individuals with Disabilities Education Act (IDEA).



Division of Transportation - Past

On June 23, 2003, in a subsequent court order, the District of Columbia Government and the Plaintiffs agreed to the appointment of the Transportation Administrator (TA).

The Transportation Administrator was given all requisite authority related to the transportation operation that would otherwise reside with the City.



Roles & Responsibilities of Transportation Administrator

The roles and responsibilities of the Transportation Administrator were designated as follows:

- Transform the District of Columbia Public School's Division of Transportation (DOT) into an entity that fulfills its mission of providing safe, timely and efficient transportation services to eligible special education students in compliance with the Court Order;
- Accomplish this goal in a manner that ensures that DOT will continue to effectively carry out its mission once public management over the function is restored to the District of Columbia.

Major Milestones



October 1, 2009 - OSSE operates the Department of Student Transportation jointly under the Transportation Administrator's direction and supervision in accordance with the existing terms of the *Petties* Order.

On January 8, 2010, the Transportation Administration provided a delegation of authority that allowed OSSE to perform day-to-day operations and functions including HR, management of staff, procurement of materials and services, authorization of payments, discipline of employees and union contract negotiations.

Major Milestones



On May 5, 2010, Judge Paul L. Friedman determined that the District of Columbia was providing safe, timely and appropriate transportation services to special education students and thought it was appropriate to transition DOT management back to the District of Columbia.

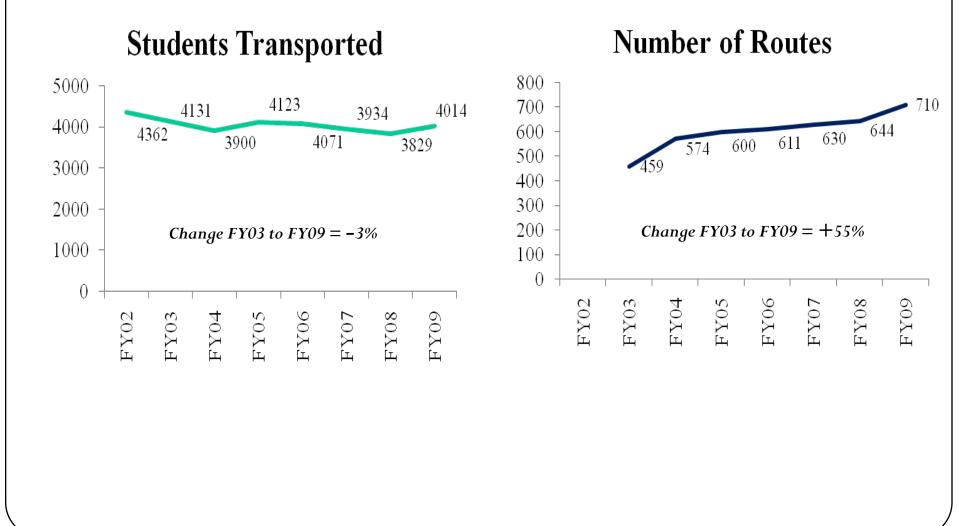




The transition period is expected to end this fiscal year. The Supervising Court Master and all powers and authorities that he possesses will be restored to the District of Columbia permanently ending the 8 year old court case.



Historical Transportation Data



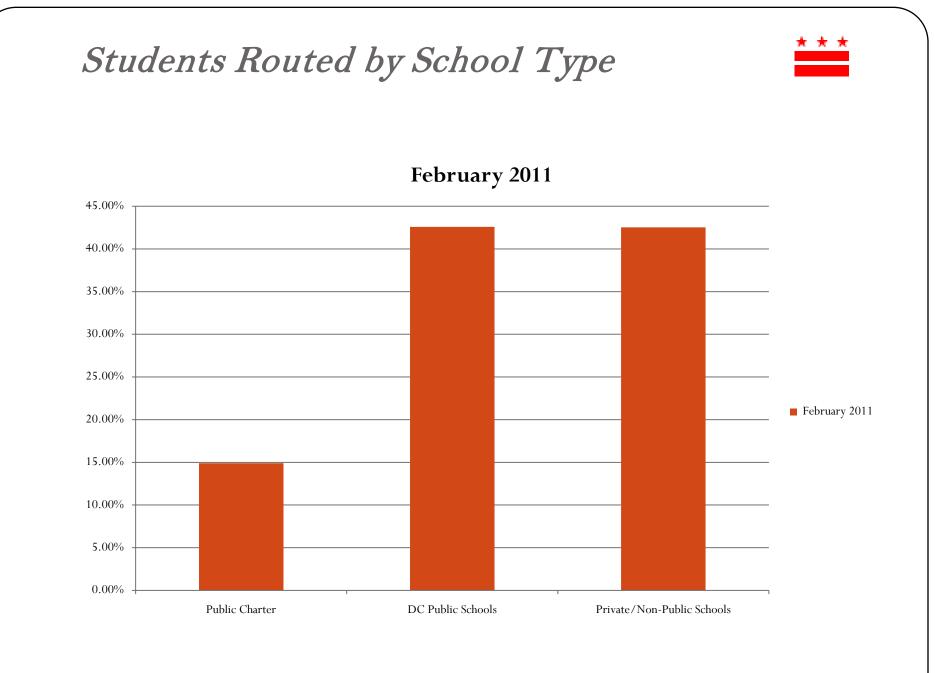
Division of Transportation Today



As of February 2011, DOT transported 3,671 students to 253 different schools on 689 Routes.

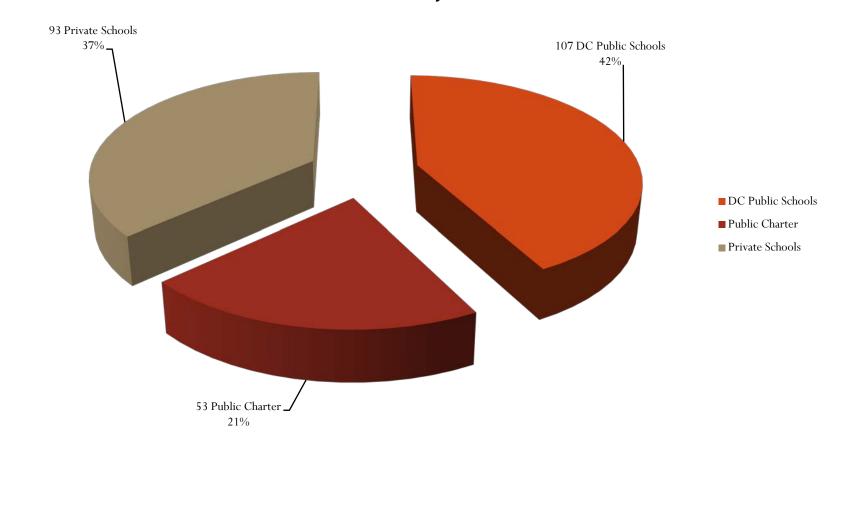
- 42.58% students attend DC Public Schools.
- 42.52% students attend nonpublic schools.
- 14.9% students attend public-charter schools.

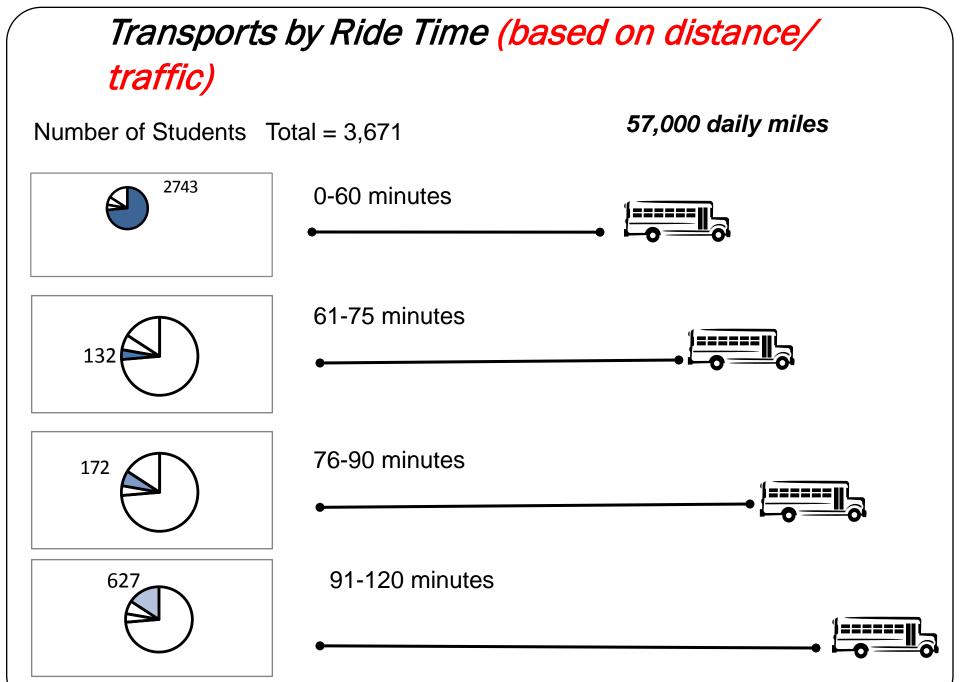
118 routes (17.1%) operated have 3 or fewer students.

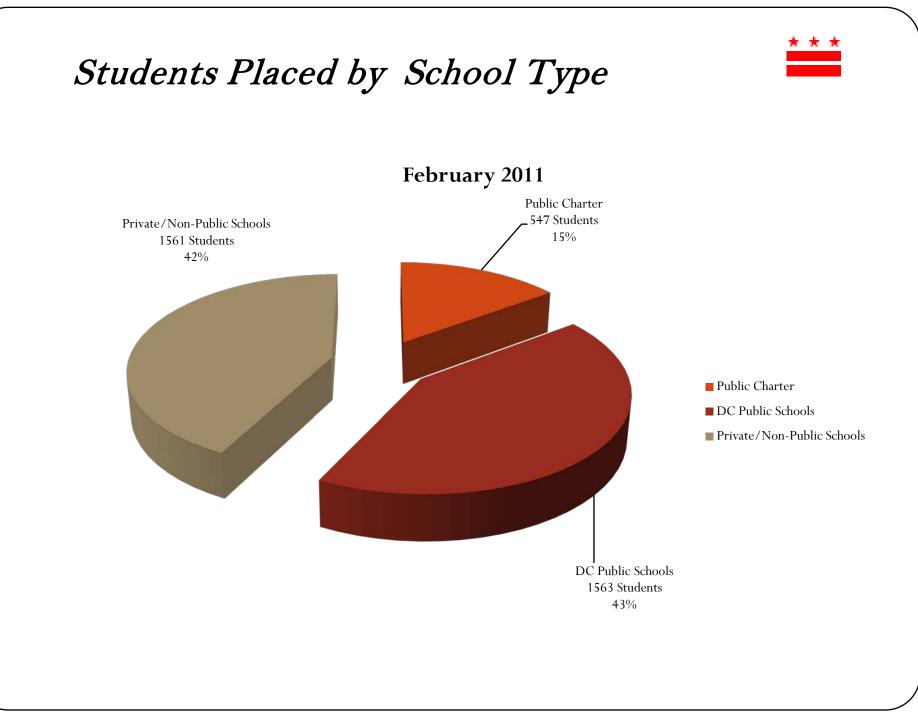


Schools Served by Type

February 2011







		School (Top 16 Schools based on the number of students transported)	SEDS Code	Student Count
Schools & Students in DC	٧	ST COLETTA OF GREATER		
		WASHINGTON INC	1047	225
		SHARPE HEALTH SCHOOL	312	99
		ACCOTINK ACADEMY	1049	96
		PROSPECT	486	84
		ROCK CREEK ACADEMY	5072	82
		MAMIE D LEE	265	80
to see a		HIGH ROADS UPPER SCHOOL DC	5097	77
Legend Charter Schools		LAB UPPER & MIDDLE	9963	76
STUDENTS		HAMILTON CENTER AT HAMILTON	567	70
 1-5 6-15 		KINGSBURY DAY SCHOOL	1070	65
 6-25 		IVYMOUNT SCHOOL	1070	64
26-50			1051	
51-100		HIGH ROADS ACADEMY OF PG COUNTY LANHAM	1171	56
101-219			11/1	50
Non-public Schools		PHILLIPS SCHOOL OF CONTEMPORARY ED (MD)	1012	55
STUDENTS ● 1-5		``´´´	1013	55
● 6-15		TYLER	330	54
		SCHOOL FOR ARTS IN LEARNING	50.47	-
26-50 51-100		LOWER	5047	50
		EPISCOPAL CENTER	1223	48
		FOUNDATION SCHOOL OF PG		
DCPS Schools STUDENTS		COUNTY	1081	48
o 1-5		HIGH ROADS OF PG COUNTY		
 6-15 16-25 		(UPPER)	5036	48
26-50]
51-100		cles: School Locations		
101-219	Blue	e = DCPS Schools		
SMD-SPED	Red	= Charter Schools		
Count_	Green = Non-Public Schools			
0-6				
7 - 15 16 - 25	Neighborhoods: Student Locations			
26 - 39	· · ·	Darker concentrations indicate a greater		
40 - 58			SICALCI	
	dens	sity of special ed. students		



DOT Policy Areas In Need of Focus & Review

- Non-conforming calendars (public schools & charters v. nonpublic)
- Revised Fleet Maintenance Contracts
- Improved Fleet Utilization
- Increased Options During SHO/IEP Development
- GPS Bus Tracking and Route Monitoring
- Increased Oversight of Time, Attendance, and Pay Status (e.g., AWOL, Overtime, Regular Pay, etc.)
- Cross-training of Attendants and Drivers
- Use of Alternative Vehicles (e.g., retro-fit vans and small buses)
- Parent Communication

