

New Jersey Department of Education Office of Special Education Programs



Part B Annual Performance Report #5 (FFY 2008: July 1, 2009 – June 30, 2010)

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Office of Special Education Programs
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Overview to State Performance Plan and Annual Performance Report Development FFY 2009

Description of the Process the State Used to Develop the SPP/APR

How the State obtained “broad input” from stakeholders related to new indicators and revisions to the SPP

Stakeholder Meeting

A meeting was conducted on January 14, 2011 to report on NJOSEP’s progress/slippage in relation to each of the SPP indicators; to obtain input and recommendations from stakeholders for targets for the two year extension of the SPP process; and to review baseline data and set targets for Indicator # 14 Post School Outcomes. Kristin Reedy, Director of the Northeast Regional Resource Center, and David Phillips, for NERRC, facilitated target setting activities with the group.

NJOSEP staff distributed a list of all SPP indicators and copies of the parent survey in English and Spanish. A power point presentation provided targets, and target data for FFY 2009 and trend data for used during target setting activities.

The agenda for the January 14, 2011 stakeholder meeting is provided below:

New Jersey Department of Education Office of Special Education Programs State Performance Plan/Annual Performance Report Stakeholder Meeting January 14, 2011 Agenda

- 9:30 a.m. Welcome, Introductions and Review of Agenda
Peggy McDonald, Manager, Bureau of Program Accountability
Melanie O’Dea, Acting Manager, Bureau of Program Development
John Worthington, Acting Manager, Bureau of Policy & Planning
Kristen Reedy, Director, Northeast Regional Resource Center (NERRC)
- 9:45 a.m. Review of Progress toward Targets and Discussion of SPP Targets for Two Year Extension
- | | |
|--------------|--------------------------------------------------|
| Indicator 16 | Complaint Timelines |
| Indicator 17 | Due Process Timelines |
| Indicator 18 | Hearing Requests Resolved by Resolution Sessions |
| Indicator 19 | Mediation Agreements, Range Setting Discussion |
- John Worthington, Acting Manager, Bureau of Policy & Planning*

- 10:30 a.m. Review of Progress toward Compliance Targets and Discussion of SPP Targets for Two Year Extension
 Indicator 4B Suspension/Expulsion - Race and Ethnicity
 Indicator 9 Disproportionality - Child with a Disability
 Indicator 10 Disproportionality - Eligibility Category
 Indicator 11 Child Find
 Indicator 12 Early Childhood Transition
 Indicator 13 Secondary Transition
 Indicator 15 Identification and Correction of Noncompliance
Peggy McDonald, Manager, Bureau of Program Accountability
- 11:30 a.m. Review of Progress toward Targets and Discussion of SPP Targets for Two Year Extension
 Indicator 8 Parent Involvement
Peggy McDonald, Manager, Bureau of Program Accountability
- 12:00 p.m. Lunch
- 12:30 p.m. Review of Progress toward Targets and Discussion of SPP Targets for Two Year Extension
 Indicator 5 School Age LRE
 Indicator 3 Assessment
 Indicator 4A Suspension/Expulsion

 Indicator 1 Graduation Rates
 Indicator 2 Drop Out Rates
 Indicator 14 Post School Outcomes
Peggy McDonald, Manager, Bureau of Program Accountability
Kristen Reedy, Director, Northeast Regional Resource Center (NERRC)
- 2:00 p.m. Indicator 7 Preschool Outcomes
Barbara Tkach, 619 Coordinator

The following organizations/agencies were represented at the January 14, 2011 stakeholder meeting:

- Disability Rights New Jersey
- New Jersey Association of Pupil Personnel Administrators
- New Jersey Department of Health and Senior Services
- New Jersey Juvenile Justice Commission
- New Jersey Association of Pupil Services Administrators
- New Jersey Principal and Supervisors Association
- New Jersey Coalition for Inclusive Education
- New Jersey School Boards Association
- New Jersey Department of Children And Families, Office of Education
- Statewide Parent Advocacy Network

10 members of the State Special Education Advisory Council participated in the stakeholder meeting, including 4 parent members and 1 student representative.

Dissemination of the SPP/APR to the Public
How and when the State will report annually to the public on ---
The State's Progress and/or Slippage in Meeting the
"Measurable and Rigorous Targets found in the SPP"

Consistent with the requirements established in the Individuals with Disabilities Education Act (IDEA 2004), NJOSEP made New Jersey's FFY 2008 State Performance Plan/Annual Performance Report available to the public as indicated below.

The NJOSEP will use the same mechanisms to report annually to the public on the FFY 2009 SPP/APR regarding the State's progress/slippage in meeting the measurable and rigorous SPP targets.

Public Means, including posting on the Website of the State education agency: The SPP and APR were posted on the New Jersey Department of Education's website immediately following their submission to USOSEP on February 1, 2010, upon the submission to USOSEP. The SPP and APR were posted at: <http://www.nj.gov/education/specialed/info/spp/>.

The SPP and APR will be posted on the New Jersey Department of Education's website immediately after the submission to USOSEP on February 1, 2011, and again in April 2011, following the submission to USOSEP with any requested clarifications. The SPP/APR will be posted at: <http://www.nj.gov/education/specialed/info/spp/>.

NJOSEP also posted the USOSEP response to the SPP/APR FFY 2008 submission that included USOSEP's determination regarding the State's compliance with the requirements of Part B of the IDEA. The USOSEP's response to the NJDOE's SPP/APR FFY 2009 submission will again be posted at: <http://www.nj.gov/education/specialed/info/spp/>.

Distribution to the Media: With regard to the FFY 2008 SPP/APR submission, the Governor's Office issued a press release regarding USOSEP's determination of NJOSEP's performance. Annually, upon submission to the USOSEP, NJOSEP makes the SPP/APR available to the media through the NJDOE website and refers to the press to the SPP/APR website when press inquiries are relevant to the SPP indicators.

Distribution to public agencies: As reflected in the February 2010 minutes of the State Special Education Advisory Council, the Council was informed of the posting of the SPP/APR on the NJDOE website (see minutes at: <http://www.nj.gov/education/sseac/minutes/2009/02.pdf>). As reflected in the June 2011 minutes of the SSEAC, the Council was informed of the USOSEP determination regarding the FFY 2007 SPP/APR submission and the posting of the determination letter from the USOSEP (see minutes at: <http://www.nj.gov/education/sseac/minutes/2009/02.pdf>). The SPP/APR is referenced in correspondence regarding the NJDOE self-assessment/monitoring process, monitoring reports, targeted reviews for specific SPP indicators, and data collections specific to SPP indicators.

With regard to the FFY 2008, NJOSEP will distribute a memo to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will provide information regarding the posting of the SPP/APR, the federal determination regarding the State's implementation of IDEA; the

requirement for State determinations of local districts; and the requirements for annual public reporting of local districts performance and the posting of local district profiles.

Dissemination to the Public

**Description of how and when the State will Report Annually to the Public on:
*The Performance of Each Local Educational Agency Located in the State on the Targets in the SPP***

Public Means, including posting on the Website of the State Educational Agency: NJOSEP posted the 2008-2009 local district profiles on June 1, 2010 and notified USOSEP of the posting (see <http://www.state.nj.us/education/specialed/sppi0809> for district profiles).

NJOSEP will prepare a profile of each local education agency that details its performance in relation to the SPP targets for FFY 2009. The profile will be posted on the NJDOE website at: <http://www.state.nj.us/education/specialed/sppi0910>.

As required by 300.602(b)(1)(i)(A), the State will report the annual performance of each LEA as soon as possible but no later than 120 days following the submission of the APR.

Distribution to the Media: The local district profiles will be made available to the Media, through the posting on the NJOSEP website at: <http://www.nj.gov/education/specialed/> and <http://www.state.nj.us/education/specialed/sppi0910>.

Distribution through public agencies: NJOSEP will distribute a mailing to school districts, agencies, organizations and individuals concerned with special education, in accordance with the NJDOE's mass mailing procedures. The memo will announce the posting of the profiles of each local education agency on the NJOEP website.

Indicator # 1: Graduation Rates

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

Overview of the Annual Performance Report Development:

NJOSEP staff reviewed the revisions to this indicator with the stakeholders on January 14, 2011. Specifically, the stakeholders were informed that the calculation of graduation rates for all students will be changing in accordance with the revised Title I regulations under No Child Left Behind.

NJOSEP staff explained that NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate for graduates of 2010-2011, **to be reported in 2012**. The stakeholders were informed last year that NJDOE submitted a proposal for peer review to the USDOE, Office of Elementary and Secondary Education Programs, regarding the methodology and timelines to be used during the transition period. USDOE subsequently approved the NJDOE methodology and timeline for the transition period. The NJOSEP will establish a new baseline and revise targets when the Title I adjusted cohort graduation rate goes into effect for 2010-2011 graduates.

Stakeholders were also informed that a graduation rate of 94.3% for the 2008-2009 school year was reported for all students in the state's Consolidated State Performance Report (CSPR) submitted in FFY 2010. The CSPR did not include a graduation rate for students with disabilities. Instead, in the FFY 2009 APR, the NJOSEP is reporting graduation data for students with disabilities, using SY 2008-2009 data from NJOSEP's federal Report of Children with Disabilities Exiting Special Education. The reporting of these data is consistent with instructions in the Part B FFY 2009 SPP/APR Measurement Table. The methodology used to calculate the graduation rate is the same as the methodology used in prior years (see below). Using this calculation and the established SPP target, NJOSEP staff informed stakeholders that New Jersey achieved a graduation rate of 80.43%, exceeding the FFY 2008 graduation target for students with disabilities of 79% by 1.43%.

Monitoring Priority: FAPE in the LRE

1. **Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.

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

Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.

According to the Part B Measurement above, states are required to report using the same data used for reporting to the Department under Title 1 of the Elementary and Secondary Education Act (ESEA). **New Jersey's Consolidated State Performance Report (CSPR), Part I, submitted in FFY 2010, reported a graduation rate for all students (94.3%), but did not report a graduation rate for students with disabilities.**

NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012. On December 21, 2009, NJDOE submitted a proposal for peer review to USDOE, Office of Elementary and Secondary Education Programs regarding the methodology and timelines to be used during the transition period. USDOE subsequently approved the NJDOE methodology and timeline for the transition period.

NJDOE will establish a new baseline and revise targets when the Title I adjusted cohort graduation rate goes into effect for 2010-2011 graduates.

Because New Jersey is not yet reporting an adjusted cohort graduation rate, the graduation rate

for students with disabilities, reported in the FFY 2009 SPP/APR, was calculated as reported previously in the New Jersey SPPs/APRs submitted from FFY2005 to FFY 2008. This graduation rate has been calculated using data from SY 2008-2009 and is being used to determine progress in relation to the previously established SPP target for FFY2008.

Methodology used to determine the graduation rate for youth with IEPs.

Data are collected annually through the Report of Children with Disabilities Exiting Special Education to determine the graduation rate of students with disabilities. Data regarding the number of students with disabilities who graduate are collected by dividing the total number of students with disabilities ages 17 – 21 graduating by the total number of students with disabilities graduating plus the number of dropouts for the current year and the total number of students with disabilities who dropped out (ages 14 – 16) within the three year cohort for the students.

Description of the conditions youth must meet in order to graduate with a regular diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular diploma. If there is a difference explain why.

There is only one State-endorsed high school diploma in New Jersey for all students, including students with disabilities. In order to graduate with a State-endorsed diploma in New Jersey, students must satisfy several requirements. Students must participate in a course of study consisting of a specified number of credits in courses designed to meet all of New Jersey’s Core Curriculum Content Standards. State regulations at *N.J.A.C. 6A:8-5.1(a)1* delineate minimum required credit totals for language arts, mathematics, science, social studies, health and physical education, visual or performing arts, world languages, technological literacy and career education. Methods for meeting the minimum credit requirements are also set forth at *N.J.A.C. 6A:8-5.1*.

Local attendance and other locally established requirements must also be met in order to receive a State-endorsed diploma, as well as all statutorily mandated graduation requirements. In addition, students must satisfy the statewide assessment requirements in order to receive a State-endorsed diploma.

State law requires that students with IEPs must meet all of the graduation requirements detailed above, unless exempted from a specific requirement through the IEP process. In such an instance, the student must satisfy graduation standards through alternate proficiencies as specified in his or her IEP.

FFY	Measurable and Rigorous Target
2008 (2008-2009)	79% of students with IEPs will graduate with a regular diploma.

Actual Target Data for FFY 2008:

80.43% of students with IEPs graduated with a regular diploma in SY 2008-2009. New Jersey **exceeded** the target for Indicator #1: Graduation for FFY 2008 by 1.43%.

Actual Numbers Used in the Calculation:

14,234 total graduates divided by (14,234 (graduates) + 1961 (2008-2009 dropouts) + 1502 (three-year cohort of dropouts)) x 100 = **80.43%**

Report of Progress/Slippage

Description of the results of the calculations and comparison of the results to the SPP target:

Consistent with the directions in the SPP/APR Measurement Table, the data reported in the APR for FFY 2009 due February 1, 2011 represents students who graduated in SY2008-2009 in comparison to the established target for 2008-2009 (FFY 2008).

The graduation rate of students with disabilities for SY 2008-2009 exceeded the target of 79% for FFY 2008 by 1.43%.

Discussion of data and progress or slippage toward the targets:

The data reveal that the statewide graduation rate for students with disabilities has improved by 4.63% from the data reported in FFY 2005 (80.43% minus 75.8%). NJOSEP continues to make progress with regard to increasing graduation rates. Specifically, NJOSEP exceeded its target of 79% of students with IEPs graduating with a regular diploma.

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

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are noted by the symbol *.**

The following activities are relevant to the indicators linked to transition, specifically Indicators 1, 2, 13, and 14.

Establishment of Adjusted Cohort Graduation Rate: During the transition period, NJOSEP staff will collaborate with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Meetings will be scheduled to review progress in establishing the adjusted cohort graduation rate according to the new requirements.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14. Specifically, N.J.A.C. 6A: 14 requires that beginning with the IEP in place for the school year when the student will turn age 14, or younger if determined appropriate by the IEP team, and updated annually, the IEP must include:

- a statement of the student's strengths, interests, and preferences;
- identification of a course of study and related strategies and/or activities that are consistent with the student's strengths, interests, and preferences and are intended to assist the student in developing or attaining postsecondary goals related to training, education, employment and, if appropriate, independent living;
- as appropriate, a description of the need for consultation from other agencies that provide services to individuals with disabilities including, but not limited to, the Division of Vocational Rehabilitation Services in the Department of Labor; and
- as appropriate, a statement of any needed interagency linkages and responsibilities.

(Activity 2009-2010)**

Self-Assessment/Monitoring: The NJOSEP special education monitoring system is aligned with SPP indicators. Districts are selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education or through random selection. The monitoring system links compliance, data and programs and services by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets. Following the review conducted through self-assessment, districts are encouraged to address areas of concern prior to onsite monitoring by a monitoring team. Districts are required to develop activities for continuous improvement in areas where their data do not meet state SPP targets.

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. Each district identified for self-assessment reviews their

graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2009-2010)****

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2009-2010 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities.

Additionally, individualized technical assistance sessions were offered to all districts participating in the Indicator 13 review. Teams from thirteen of the 73 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Suggested improvements were provided to session participants based upon documentation reviewed during the technical assistance session along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. The data collection form used to review files for compliance with Indicator 13, modeled on the revised NSTTAC checklist, served as a guide for the discussion. Teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. **(Activity 2009-2010)****

State Level Capacity Building: NJOSEP, through its "transition-related" initiatives, has emphasized the importance of linking school experiences to post-school education, employment, self-advocacy and independence. The development and implementation of these initiatives are frequently conducted in collaboration with other offices/units within the Department of Education as well as agencies outside of the Department. This focus is reflected in the activities listed below.

a. Statewide Technical Assistance and Training: To promote knowledge of effective practices for transition from school to adult life for students with disabilities, NJOSEP organized and provided statewide trainings and provided technical assistance on a proactive and on a request basis. Technical assistance was provided for school districts, other offices within the Department of Education, other agencies, professional organizations, and parent organizations to clarify regulatory requirements and policy, share promising practices and resources, and provide guidance on transition program development and an improvement planning process.

During the 2009-2010 school year, a statewide proactive training was conducted on secondary transition. Over 100 educators and parents from secondary programs attended this proactive session. This training initiative provided information that addressed both compliance requirements as well as best practices in transition planning. **(Activity: 2009-2010)****

b. Student Leadership "Dare to Dream" Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSEP organized and conducted five Student Leadership "Dare to Dream" conferences for students with disabilities in the spring of 2010. These conferences were held regionally throughout the state on college campuses. More than 1,800 high school students, parents, and school personnel were provided training and

guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2009-2010)****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSEP continued to support implementation of regulations adopted by the New Jersey State Board of Education on March 2, 2005 that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences.

A major benefit of this regulation is the flexibility provided in the assignment of staff to these positions thereby increasing local school districts' capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Career and Technical Education, in consultation with NJOSEP, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career education, and career orientation to effective transition planning and program development. **(Activity: 2009-2010)****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with significant disabilities, NJOSEP continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI). **(Activity: 2009-2010)*****

d.1. Administrators' Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September 2009. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were 150 administrators or their designees. **(Activity: 2009-2010)*****

d.2. Regional Trainings: During the 2009-2010 school year one day and two day staff training sessions were conducted regionally on the topics of *Introduction to (CBI)*, *Job Coach Training*, *Using Community-Based Instruction to Teach Social Skills*, *Supporting Job Coaches*, and *Job Development in Career Exploration for Students with Disabilities*. The training titled *Introduction to Community-Based Instruction* was directed to teachers, paraprofessionals and child study team members who are new to the practice of CBI. Topics included: strategies for selecting training environments, partnering with employers, and strategies for teaching in the community. *Job Coach Training* provided strategies for on-site job coaching for paraprofessionals or other educators who serve as job coaches. Topics addressed included: analyzing work and social demands of workplaces; assessing student skills, support needs, and progress; coordinating the implementation of needed supports so that students can be successful in their work environment; and how and when to alter or fade supports. *Using Community-Based Instruction to Teach Social Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: how to teach social skills in community settings, arrange opportunities for students to practice social skills with community members, and coordinate CBI with in-school instruction on social behavior. *Supporting Job Coaches* was designed for teachers and administrators who hire, supervise, and train job coaches and focused on issues and strategies to promote quality performance of job coaches. Topics addressed included: hiring job coaches, job responsibilities, training needs, on-site and field supervision suggestions, common pitfalls of job coach use, and coordination of responsibility among different personnel related to CBI. *Job*

Development in Career Exploration for Students with Disabilities provided training on how to locate and establish worksites for students with disabilities, ages 16-21, by creating partnerships with community businesses. Strategies included how to approach and communicate with businesses through warm and cold contacts using business-friendly promotional/sales techniques. A total of 294 educators attended one or more of these training sessions from 83 secondary programs. Additional technical assistance was provided, upon request, to participating programs. **(Activity: 2009-2010)****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education Programs, organized and participated in an interagency parent training initiative with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 400 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2009-2010)****

f. Interagency Collaboration - Councils/Committees: To assist in the service coordination across state departments and agencies, and share the education perspective with others, representatives of the NJDOE, Office of Special Education Programs participated on the following statewide councils and committees:

- New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Rehabilitation Council
- New Jersey Department of Human Services, Commission for the Blind and Visually Impaired State Rehabilitation Council
- New Jersey Department of Community Affairs, Commission on Recreation for People with Disabilities
- New Jersey State Agency Directors Forum
- New Jersey Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
- Governor's Task Force on Adults with Autism

(Activity: 2009-2010)**

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL): To promote self-advocacy for students and families, NJOSEP continued to support the Centers for Independent Living. NJOSEP entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending September 30, 2009, the *Promoting Self-Advocacy* project assisted over 1,154 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 4,622 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by district/school/teacher requests to CILs staff to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2009-2010)****

h. Post-School Outcome Technical Assistance: In April 2010, NJOSEP conducted a technical session for the 75 school districts (Cohort IV) selected for participation in the post-school outcomes data collection. Districts were required to identify students with disabilities who have exited during the 2008-09 school year. This includes 2009 graduates, students who will be aging out of school and students who have dropped out, including students who have moved, but not known to be continuing. The districts were required to collect contact information on all exiters and to notify the students and their parents that they will be contacted within a year to determine the student's post-school status. A copy of the survey was disseminated to the school district representatives. Staff from the districts conducted follow-up interviews with former students between April and August, 2010 and forwarded all surveys to NJOSEP. Throughout the year assistance was provided to all districts participating in the study. In addition, individualized technical assistance was provided to selected districts through on-site meetings and progress monitoring to improve response rates. NJOSEP's technical assistance contributed to the 75.6% statewide response rate for cohort IV districts. Study results will be disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2009-2010)*****

i. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconferences: To promote understanding of topics related to transition among parents of students with disabilities, NJOSEP collaborated with the Statewide Parent Advocacy Network to organize and provide two statewide teleconferences titled *A Family's Guide to Community-Based Instruction for Students with Disabilities*, and *Structured Learning Experiences: A Collaborative Approach Among Educators, Parents, Students and the Workplace*. The presentation on Community-Based Instruction (CBI) included the following topics: definition of CBI, reasons for teaching in the community, support for schools that provide CBI, and family members' role in supporting CBI. 53 parents, school administrators, and educators participated in the CBI teleconference. The presentation on Structured Learning Experiences (SLE) included the following topics: definition of SLE, responsibilities of school districts, students, parents, and employers, and benefits for students who participate in SLE. 39 parents, school administrators, and educators participated in the SLE teleconference. Both presentations are available for download on the web at www.spannj.org/resources/index.htm#Transition. **(Activity: 2008-2009, 2009-2010)**

j. Interagency Collaboration – The Office of Special Education Programs collaborated with the New Jersey Division of Vocational Rehabilitation Services and developed *Guidelines for School Personnel Working with Transition Students*. In addition, *A Myths & Facts* document was developed on Vocational Rehabilitation Services and disseminated to the districts. **(Activity: 2009-2010)**

k. Interagency Collaboration – The NJ Division of Developmental Disabilities (DDD) in collaboration with the Office of Special Education Programs and the Family Support Center of New Jersey developed a document titled *Myths & Facts* that provides comprehensible information concerning DDD services for youth in transition and addresses common misconceptions. This resource is also available on the DDD website. **(Activity: 2009-2010)**

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 2: Drop-Out Rates

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

Overview of the State Performance Plan Development:

NJOSEP staff reviewed the revisions to this indicator with the stakeholders on January 14, 2011. Specifically, the stakeholders were informed that the calculation of dropout rate for all students will be changing in accordance with the revised Title I regulations under No Child Left Behind. By the 2010-11 school year, states must report using the dropout data used in the ESEA graduation calculation.

NJOSEP staff explained that NJDOE is currently in a **transition period** preparing to meet the new reporting requirements for the adjusted cohort graduation rate for graduates of 2010-2011, **to be reported in 2012**. The stakeholders were informed that the USDOE approved the NJDOE proposal regarding the methodology and timelines to be used during the transition period. The NJOSEP will establish a new baseline and revise targets for dropout rate when the Title I adjusted cohort graduation rate goes into effect for 2010-2011 graduates.

Stakeholders were informed that for this APR, the NJDOE is required to report the dropout rate for the 2008-2009 school year. NJOSEP indicated that the Consolidated State Performance Report (CSPR) reported a dropout rate for students with disabilities. However, because New Jersey is in a transition period, NJDOE also calculated a dropout rate for students with disabilities using SY 2008-2009 data from NJOSEP's federal Report of Children with Disabilities Exiting Special Education. The data were analyzed according to the calculation methodology previously reported in the New Jersey State Performance Plan and Annual Performance Reports. This dropout rate was used to determine progress in relation to the SPP target for FFY 2008. New Jersey met the target for dropout for FFY 2008.

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.

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

<p>Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA. According to the Part B Measurement above, states are required to report using the same data used for reporting to the Department under Title 1 of the Elementary and Secondary Education Act (ESEA). New Jersey's Consolidated State Performance Report (CSPR), Part I, reported drop-out for students with disabilities using the annual event school dropout rate for students leaving school in a single year determined in accordance with the National Center for Educational Statistics (NCES) Common Core of Data (CCD) for the previous year. For the FFY 2009 APR, data from SY 2008-2009 are to be used to compare to the SPP target.</p>

<p><u>NJDOE's dropout rate for students with disabilities, as reported in the CSPR, was 2.8%.</u> NJDOE is currently in a transition period preparing to meet the new reporting requirements for the adjusted cohort graduation rate in 2010-2011, to be reported in 2012. USDOE has approved the NJDOE methodology and timeline for the transition period.</p>

<p><u>NJDOE will establish new baseline and revise targets for dropout rate when the Title I adjusted cohort graduation rate goes effect in 2010-2011.</u> Because New Jersey has not yet adopted an adjusted cohort graduation rate, the dropout rate</p>

for students with disabilities was also calculated as previously reported in the New Jersey State Performance Plan and Annual Performance Reports. This dropout rate has been calculated using data from NJOSEP's federal Report of Children with Disabilities Exiting Special Education for SY 2008-2009 and is being used to determine progress in relation to the established SPP target for FFY2008.

NJDOE's dropout rate for students with disabilities, as reported in the Exiting Report for SY 2008-2009 was 4.43%.

The calculation used to /determine drop-out rate for youth with IEPs

Data are collected annually through the Report of Children with Disabilities Exiting Special Education to determine the dropout rate of students with disabilities. On the exiting table, the number of students with disabilities that dropped-out for a given year is collected for students ages 14-21. This number is then divided by the total enrollment of students with disabilities ages 14-21 for that year in order to determine what percentage of the total number of students with disabilities is students with disabilities that dropped-out.

Overview/Description of Issue, Process, System – Dropout Rates

Description of what counts as dropping out for all youth, and if different, what counts as dropping out for youth with IEPs

The New Jersey Constitution and statutes mandate that students ages 6 through 15 attend school either in public or private schools, or that they be home schooled during those ages. At ages 16 and 17, students may drop out of school with parental consent. Beginning at age 18, students may drop out of school without parental consent, unless the parents retain guardianship. Student ages 16 and older are no longer considered truant if they fail to attend school.

FFY	Measurable and Rigorous Target
2009 (20	The drop-out rate for students with IEPs will be at or below 4.7%.

Actual Target Data for FFY 2008:

The drop-out rate for students with IEPs was **4.43%**.

Actual Numbers Used in the Calculation:

3270 dropouts (including moved, not known to be continuing) divided by 73,887 (total # of students with disabilities ages 14 – 21) x 100 = 4.43%

Report of Progress/Slippage

Description of current data in relation to the SPP target/Description of the results of the calculation and comparison of the results to the SPP target:

New Jersey's dropout rate for students with IEPs was 4.43% for FFY 2008. **NJOSEP met its target drop-out rate for the 2008-2009 school year.**

Discussion of data and progress or slippage toward the targets:

The data for FFY 2008 showed that New Jersey continued to improve .27 percentage point from the previous year and was .27 percentage point below the state target for FFY 2008.

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

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are noted by the symbol *.**

The following activities are relevant to the indicators linked to transition, specifically Indicators 1, 2, 13, and 14.

Establishment of Adjusted Cohort Graduation Rate: During the transition period, NJOSEP staff will collaborate with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Meetings will be scheduled to review progress in establishing the adjusted cohort graduation rate according to the new requirements.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14. Specifically, N.J.A.C. 6A:14 requires that beginning with the IEP in place for the school year when the student will turn age 14, or younger if determined appropriate by the IEP team, and updated annually, the IEP must include:

- a statement of the student's strengths, interests, and preferences;
- identification of a course of study and related strategies and/or activities that are consistent with the student's strengths, interests, and preferences and are intended to assist the student in developing or attaining postsecondary goals related to training, education, employment and, if appropriate, independent living; and
- as appropriate, a description of the need for consultation from other agencies that provide services to individuals with disabilities including, but not limited to, the Division of Vocational Rehabilitation Services in the Department of Labor, and as appropriate, a statement of any needed interagency linkages and responsibilities.

(Activity 2009-2010)***

Self-Assessment/Monitoring: The NJOSEP special education monitoring system is aligned with SPP indicators. Districts are selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education or through random selection. The monitoring system links compliance, data and programs and services by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets. Following the review conducted through self-assessment, districts are encouraged to address areas of concern prior to onsite monitoring by a monitoring team. Districts are required to develop activities for continuous improvement in areas where their data do not meet state SPP targets.

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. Each district identified for self-assessment reviews their graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2009-2010)*****

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2009-2010 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities.

Additionally, individualized technical assistance sessions were offered to all districts participating in the Indicator 13 review. Teams from thirteen of the 73 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Suggested improvements were provided to

session participants based upon documentation reviewed during the technical assistance session along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. The data collection form used to review files for compliance with Indicator 13, modeled on the revised NSTTAC checklist, served as a guide for the discussion. Teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. **(Activity 2009-2010)*****

State Level Capacity Building: NJOSEP, through its “transition-related” initiatives, has emphasized the importance of linking school experiences to post-school education, employment, self-advocacy and independence. The development and implementation of these initiatives are frequently conducted in collaboration with other offices/units within the Department of Education as well as agencies outside of the Department. This focus is reflected in the activities listed below.

a. Statewide Technical Assistance and Training: To promote knowledge of effective practices for transition from school to adult life for students with disabilities, NJOSEP organized and provided statewide trainings and provided technical assistance on a proactive and on a request basis. Technical assistance was provided for school districts, other offices within the Department of Education, other agencies, professional organizations, and parent organizations to clarify regulatory requirements and policy, share promising practices and resources, and provide guidance on transition program development and an improvement planning process.

During the 2009-2010 school year, a statewide proactive training was conducted on secondary transition. Over 100 educators and parents from secondary programs attended this proactive session. This training initiative provided information that addressed both compliance requirements as well as best practices in transition planning. **(Activity: 2009-2010)*****

b. Student Leadership “Dare to Dream” Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSEP organized and conducted five Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2010. These conferences were held regionally throughout the state on college campuses. More than 1,800 high school students, parents, and school personnel were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2009-2010)*****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSEP continued to support implementation of regulations adopted by the New Jersey State Board of Education on March 2, 2005 that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences.

A major benefit of this regulation is the flexibility provided in the assignment of staff to these positions thereby increasing local school districts’ capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Career and Technical Education, in consultation with NJOSEP, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career education, and career orientation to effective transition planning and program development. **(Activity: 2009-2010)*****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with significant disabilities, NJOSEP continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI). **(Activity: 2009-2010)*****

d.1. Administrators' Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September 2009. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were 150 administrators or their designees. **(Activity: 2009-2010)*****

d.2. Regional Trainings: During the 2009-2010 school year, one day and two day staff training sessions were conducted regionally on the topics of *Introduction to (CBI)*, *Job Coach Training*, *Using Community-Based Instruction to Teach Social Skills*, *Supporting Job Coaches*, and *Job Development in Career Exploration for Students with Disabilities*. The training titled *Introduction to Community-Based Instruction* was directed to teachers, paraprofessionals and child study team members who are new to the practice of CBI. Topics included: strategies for selecting training environments, partnering with employers, and strategies for teaching in the community. *Job Coach Training* provided strategies for on-site job coaching for paraprofessionals or other educators who serve as job coaches. Topics addressed included: analyzing work and social demands of workplaces; assessing student skills, support needs, and progress; coordinating the implementation of needed supports so that students can be successful in their work environment; and how and when to alter or fade supports. *Using Community-Based Instruction to Teach Social Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: how to teach social skills in community settings, arrange opportunities for students to practice social skills with community members, and coordinate CBI with in-school instruction on social behavior. *Supporting Job Coaches* was designed for teachers and administrators who hire, supervise, and train job coaches and focused on issues and strategies to promote quality performance of job coaches. Topics addressed included: hiring job coaches, job responsibilities, training needs, on-site and field supervision suggestions, common pitfalls of job coach use, and coordination of responsibility among different personnel related to CBI. *Job Development in Career Exploration for Students with Disabilities* provided training on how to locate and establish worksites for students with disabilities, ages 16-21, by creating partnerships with community businesses. Strategies included how to approach and communicate with businesses through warm and cold contacts using business-friendly promotional/sales techniques. A total of 294 educators attended one or more of these training sessions from 83 secondary programs. Additional technical assistance was provided, upon request, to participating programs. **(Activity: 2009-2010)*****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education Programs, organized and participated in an interagency parent training initiative with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 400 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2009-2010)*****

f. Interagency Collaboration - Councils/Committees: To assist in the service coordination across state departments and agencies, and share the education perspective with others, representatives of the NJDOE, Office of Special Education Programs participated on the following statewide councils and committees:

- New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Rehabilitation Council
 - New Jersey Department of Human Services, Commission for the Blind and Visually Impaired State Rehabilitation Council
 - New Jersey Department of Community Affairs, Commission on Recreation for People with Disabilities
 - New Jersey State Agency Directors Forum
 - New Jersey Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
 - Governor's Task Force on Adults with Autism
- (Activity: 2009-2010)*****

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL): To promote self-advocacy for students and families, NJOSEP continued to support the Centers for Independent Living. NJOSEP entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending September 30, 2009, the *Promoting Self-Advocacy* project assisted over 1,154 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 4,622 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by district/school/teacher requests to CILs staff to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2009-2010)*****

h. Post-School Outcome Technical Assistance: In April 2010, NJOSEP conducted a technical session for the 75 school districts (Cohort IV) selected for participation in the post-school outcomes data collection. Districts were required to identify students with disabilities who have exited during the 2008-09 school year. This includes 2009 graduates, students who will be aging out of school and students who have dropped out, including students who have moved, but not known to be continuing. The districts were required to collect contact information on all exiters and to notify the students and their parents that they will be contacted within a year to determine the student's post-school status. A copy of the survey was disseminated to the school district representatives. Staff from the districts conducted follow-up interviews with former students between April and August, 2010 and forwarded all surveys to NJOSEP. Throughout the year assistance was provided to all districts participating in the study. In addition, individualized

technical assistance was provided to selected districts through on-site meetings and progress monitoring to improve response rates. NJOSEP's technical assistance contributed to the 75.6% statewide response rate for cohort IV districts. Study results will be disseminated to each participating district and used for district and state level improvement planning. For more detailed information, see APR Indicator #14 Post School Outcomes. **(Activity: 2009-2010)*****

i. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconferences: To promote understanding of topics related to transition among parents of students with disabilities, NJOSEP collaborated with the Statewide Parent Advocacy Network to organize and provide two statewide teleconferences titled *A Family's Guide to Community-Based Instruction for Students with Disabilities* and *Structured Learning Experiences: A Collaborative Approach Among Educators, Parents, Students and the Workplace*. The presentation on Community-Based Instruction (CBI) included the following topics: definition of CBI, reasons for teaching in the community, support for schools that provide CBI, and family members' role in supporting CBI. 53 parents, school administrators, and educators participated in the CBI teleconference. The presentation on Structured Learning Experiences (SLE) included the following topics: definition of SLE, responsibilities of school districts, students, parents, and employers, and benefits for students who participate in SLE. 39 parents, school administrators, and educators participated in the SLE teleconference. Both presentations are available for download on the web at www.spannj.org/resources/index.htm#Transition. **(Activity: 2008-2009, 2009-2010)**

j. Interagency Collaboration – The Office of Special Education Programs collaborated with the New Jersey Division of Vocational Rehabilitation Services and developed *Guidelines for School Personnel Working with Transition Students*. In addition, *A Myths & Facts* document was developed on Vocational Rehabilitation Services and disseminated to the districts. **(Activity: 2009-2010)**

k. Interagency Collaboration – The NJ Division of Developmental Disabilities (DDD) in collaboration with the Office of Special Education Programs and the Family Support Center of New Jersey developed a document titled *Myths & Facts* that provides comprehensible information concerning DDD services for youth in transition and addresses common misconceptions. This resource is also available on the DDD website. **(Activity: 2009-2010)**

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator #3: Assessment

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

Overview of the Annual Performance Report Development:

At the stakeholder meeting on January 14, 2011, stakeholders were reminded that data for Indicator #3 were obtained from NJDOE's Office of Student Achievement and Accountability. These data are the data used for reporting whether districts and charter schools have achieved adequate yearly progress (AYP) as required under Title 1 of the Elementary and Secondary Schools Act (ESEA) for the 2009-2010 school year. Stakeholders agreed to continue using AYP targets developed for all students as targets for performance for this indicator.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

A. AYP percent = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.

B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

C. Proficiency rate percent = ((# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

Content Area(s)	Number/Percent of Districts Meeting Minimum “n” and AYP Objectives for FFY 2008
Mathematics	427/567 x 100 = 75.31% 445/496 x 100 = 89.72%
Language Arts Literacy	421/567 x 100 = 74.25% 439/496 x 100 = 88.51%
Mathematics and Language Arts Combined Overall	359/567 x 100 = 63.32% 377/496 x 100 = 76.01%

Year	Total Number of Districts	Number of Districts Meeting the “n” size	Number of Districts that meet the minimum “n” size and met AYP for FFY 2009	Percent of Districts
FFY 2009 (2009-2010)	630	567 496	359 377	63.32% 76.01%

3.B – Actual Participation Target Data for FFY 2009:

Measurable and Rigorous Targets for Participation for Students with Disabilities in State Assessments – FFY 2009							
Content Area	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11
Mathematics	97%	97%	97%	97%	97%	97%	97%
Language Arts Literacy	97%	97%	97%	97%	97%	97%	97%

Target Data for Math Participation:

Statewide Assessment 2009-2010		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
		#	%	#	%	#	%	#	%	#
a	Children with IEPs	17169	17697	17871	17308	17359	17641	16059	121104	
b	IEPs in regular assessment with no accommodations *	4435	3449	2692	1864	1696	1517	1856	17509	14.46
c	IEPs in regular	11236	12785	13838	14095	14263	14615	12622	93454	77.17

	assessment with accommodations									
d	IEPs in alternate assessment against grade-level standards	-	-	-	-	-	-	-	-	-
e	IEPs in alternate assessment against modified standards	-	-	-	-	-	-	-	-	-
f	IEPs in alternate assessment against alternate standards	1236	1190	1096	1085	1101	1128	1186	8022	6.62
g	Overall (b+c+d+e+f)	16907 98.47%	17424 98.46%	17626 98.63%	17044 98.47%	17060 98.28%	17260 97.84%	15664 97.54%	118985 98.25%	98.25
Children included in a but not included in the other counts above										
	In your narrative, account for any children with IEPs who did not participate.**	262	273	245	264	299	381	395	2119	1.75

*Students may participate in state assessments with accommodations selected by the IEP team from a list approved by the NJDOE.

**Includes students whose assessment results were invalid, students who were absent and students who did not participate due to medical emergencies.

Target Data for Reading Participation:

Statewide Assessment 2009-2010		Reading Assessment								Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	#	%	
a	Children with IEPs	17169	17697	17871	17308	17359	17641	16059	121104		
b	IEPs in regular assessment with no accommodations	4439	3451	2687	1865	1705	1522	1859	17528	14.47	
c	IEPs in regular assessment with accommodations	11222	12775	13825	14101	14263	14686	12633	93505	77.21	
d	IEPs in alternate assessment against grade-level standards	-	-	-	-	-	-	-	-	-	
e	IEPs in alternate assessment against modified standards	-	-	-	-	-	-	-	-	-	
f	IEPs in alternate assessment	1239	1193	1099	1085	1101	1129	1189	8035	6.63	

	against alternate standards									
g	Overall (b+c+d+e+f)	16900 98.43%	17419 98.43%	17611 98.55%	17053 98.53%	17069 98.33%	17337 98.28%	15681 97.65%	119070 98.32%	98.32
Children included in a but not included in the other counts above										
	In your narrative, account for any children with IEPs who did not participate.	269	278	260	257	290	304	378	2036	1.68

3.C – Actual Performance Target Data for FFY 2009

Target: The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level.

Table C1 - New Jersey AYP Annual Measurable Objectives (AMOs) - New Jersey's SPP Measurable and Rigorous Targets for Performance						
Content Area	Grade Level	Starting Point FFY 2002-2003	FFY 2004-2006	FFY 2007-2009	FFY 2010-2013	FFY 2013
Language Arts Literacy	3, 4 and 5	68	75	59*	79*	100
	6,7 and 8	58	66	72	86	100
	11	73	79	85	92	100
Mathematics	3, 4 and 5	53	62	66	83*	100
	6, 7 and 8	39	49	61	80	100
	11	55	64	74	86	100

Source: New Jersey Consolidated State Application Accountability Workbook

* During the 2008-2009 school year, new tests were administered in grades 3 and 4. During the 2007-2008 school year new tests were administered in grades 5-8. As a result, New Jersey modified the AMOs (benchmark targets) to ensure a transition with the new assessments.

3c. Target Data for Math Performance: # and % of students enrolled for a full academic year with IEPs that scored proficient or higher.

Statewide Assessment 2009-2010		Math Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	15056	15726	15908	14356	15326	16156	15070	107598	
b	IEPs in regular assessment with no accommodations*	3299	2457	1951	838	628	564	590	10327	9.60
c	IEPs in regular assessment with accommodations	5539	5829	5876	4392	3276	3838	3988	32738	30.43
d	IEPs in alternate assessment against grade-level standards	-	-	-	-	-	-	-	-	-
e	IEPs in alternate assessment against modified standards	-	-	-	-	-	-	-	-	-
f	IEPs in alternate assessment against alternate standards	599	445	540	499	531	486	555	3655	3.40
g	Overall (b+c+d+e+f)	9437 62.68%	8731 55.52%	8367 52.60%	5729 39.91%	4435 28.94%	4888 30.26%	5133 34.06%	46720 43.42%	43.42

3c. Target Data for Reading Performance: # and % of students with IEPs enrolled for a full academic year that scored proficient or higher

Statewide Assessment 2009-2010		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	15056	15726	15908	14356	15326	16156	15070	107598	
b	IEPs in regular assessment with no accommodations	2461	1803	1475	713	680	785	975	8892	8.26
c	IEPs in regular assessment with accommodations	2212	2660	2972	2903	3539	6523	6839	27648	25.70
d	IEPs in alternate assessment against grade-level standards	-	-	-	-	-	-	-	-	-
e	IEPs in alternate assessment against modified standards	-	-	-	-	-	-	-	-	-
f	IEPs in alternate assessment against alternate standards	710	592	545	631	486	513	446	3923	3.65
g	Overall (b+c+d+e+f)	5383 35.75%	5055 32.14%	4992 31.38%	4247 29.58%	4705 30.70%	7821 48.41%	8260 54.81%	40463 37.61%	37.61

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009:**Explanation of Progress or Slippage****A. Target - 100% of districts will meet the state's AYP objectives for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.**

New Jersey did not meet the NCLB and SPP target of 100% of districts. The percent of districts that met AYP for the disability subgroup for mathematics and language arts literacy combined decreased significantly from 84% reported for FFFY 2008 to ~~63%~~ **76.01%** for FFY 2009. For the first time, with guidance from the USDE, the NJDOE included students in AYP calculations who were enrolled for less than a full academic year in the participation rate. Although the overall statewide participation numbers for students with disabilities decreased from FFY 2008 to FFY 2009, more districts with smaller enrollments were included in AYP calculations. This change in the calculation of school and district AYP may have negatively impacted the overall number of districts meeting AYP for the disability subgroup. Additionally, more rigor was added to the scoring process for the Alternate Proficiency Assessment resulting in fewer proficient scores.

B. 97% of students with IEPs in grades 3 through 8 and 11 will participate in the general assessment for their grade or age or the APA.

New Jersey met participation targets for state assessments in all grades in both content areas. Participation rates reflect students with disabilities who participate in the general assessments

with or without accommodations and students with disabilities who participate in the Alternate Proficiency Assessment, New Jersey's alternate assessment based on alternate achievement standards. Participation rates for all tested grades and content areas exceeded the NCLB participation requirement of 95%. New Jersey maintained a high participation rate even with the inclusion of students enrolled less than a full academic year in the calculation for the first time.

C. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level.

NJOSEP, with the support of stakeholders, established NCLB AYP targets as the performance targets for the APR to maintain one standard of performance for all students. Targets, based on the current AYP objectives were met in mathematics in grades 3, 4, 6 and 11 through safe harbor. Targets were achieved in language arts literacy only in grades 8 and 11.

Table 3C2 - Mathematics Proficiency				
Grade	# of children with IEPs enrolled for a full academic year scoring at or above proficient	Total # of children with IEPs enrolled for a full academic year	Proficiency Rate %	FFY 2009 Target
3	9437	15056	62.68 **	66
4	8731	15726	55.52 **	66
5	8367	15908	52.60	66
6	5729	14356	39.91 **	61
7	4435	15326	28.94	61
8	4888	15326	31.89	61
11	5133	15070	34.06 **	74
Table 3C2 - Language Proficiency				
Grade	# of children with IEPs enrolled for a full academic year scoring at or above proficient	Total # of children with IEPs enrolled for a full academic year	Proficiency Rate %	FFY 2009 Target
3	5383	15056	35.75	59
4	5055	15726	32.14	59
5	4992	15908	31.38	59
6	4247	14356	29.58	72
7	4705	15326	30.70	72
8	7821	15326	51.03 **	72
11	8260	15070	54.81 **	85

** - Met Target with Safe Harbor

Public Reporting Information: In accordance with 34 CFR §300.160(f), New Jersey state assessment reports may be located at www.state.nj.us/education/assessment.

Results for New Jersey's alternate assessment based on alternate achievement standards are reported at the state level. Data are not provided at the school and district level due to NJDOE suppression policy which is designed to comply with the Family Educational Rights and Privacy Act (FERPA). An analysis of alternate assessment results at the school and district level revealed that cells for every grade in every district would be suppressed if publicly reported at the school and district level (including New Jersey's largest districts e.g., Newark and Jersey City). New Jersey's assessment suppression rule states that when the number of students with valid scores for a particular group is greater than zero but ten or less, the data are suppressed.

Improvement Activities implemented during FFY 2009-2010:

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are represented by the symbol ***

NJOSEP is continuing to collaborate with other offices within the Department of Education to address the performance of students with disabilities on state assessment through the following monitoring and training/technical assistance activities for targeted districts as well as for districts statewide:

I. Targeted Activities

a) Collaborative Assessment and Planning for Achievement (CAPA):

The New Jersey Department of Education has instituted a review process for schools in need of improvement titled Collaborative Assessment and Planning for Achievement (CAPA). This process has established performance standards for schools related to school leadership, instruction, analysis of state assessment results, and **use of assessment results to inform instruction for all students in the content standards**. Through a collaborative effort between the Division of Student Services and the Abbott Division, the CAPA process includes a review of the inclusion of students with disabilities and special education staff members in school-based initiatives focused on improving results for students. Individuals with knowledge of special education are part of the CAPA review teams and a protocol for interviewing teachers and administrators relative to the needs of students with disabilities within school-based improvement initiatives has been developed and implemented. Findings from completed reports and improvement plans applicable to special education include: analysis of student data to inform instruction; inclusion of special education staff in curriculum articulation meetings; collaborative lesson planning for co-taught classes; training on differentiated of instruction, modifications for students with disabilities and other research-based practices; and supervision of staff to verify, monitor and evaluate instruction. This information is used as part of NJOSEP's monitoring process and for decisions related to training and technical assistance activities. **(Activity: 2009-2010)*****

a. ***Intensive Early Literacy Initiatives (K-4) and Collaboration with the Office of Language Arts Literacy Education and the Office of Reading First***

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also

supports additional instruction beyond the literacy block for any student, including students with disabilities, who requires more systematic, focused instruction. As part of the collaboration between the three offices, special education literacy resource coaches (SELRCs) have been supported, through cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts.

Of the 44 participating districts, NJOSEP funded 26 districts through cooperative agreements (CA) during the 2009-2010 school year. Fourteen (14) former Abbott districts participated in the CA "Providing Quality Intensive Early Literacy (IEL) Instruction to Students with Disabilities (K-4) – Year-45" and twelve (12) other low performing districts participated in the Initiative for the Development of Early Achievement in Literacy (IDEAL) through the CA "Providing IDEAL Instruction to Students with Disabilities (K-4) – Year 4". Both initiatives address the same three tiered intervention model of literacy practices.

b. *Middle School Literacy Initiative/Secondary Education Initiative: Literacy is Essential to Adolescent Development and Success (LEADs) model (Grades 4-8)*

During 2009-2010, NJDOE continued its middle school literacy initiative within fifteen low performing, low income school districts. This initiative emphasized research-based assessment and instructional practices including a 120 minute uninterrupted literacy block, thematic and cross disciplinary instruction, use of diverse texts, reading-writing connections through problem based learning and targeted interventions including guided reading and targeted skill instruction for students reading two or more years below grade level. NJOSEP collaborated with the Office of Literacy to ensure that students with disabilities and special education teachers were part of this initiative. **(Activity 2009-2010)*****

d. *Targeted Middle School Math Initiative: Implementing New Curricular Learning With Universally Designed Experiences (INCLUDE) Project*

During 2006-2007, the Office of Educational Technology and NJOSEP collaborated in the development of a multi-year targeted grant focused on middle grades (5th through 8th) math curriculum. The INCLUDE project is designed to ensure that all students in the general education classroom, including those with disabilities, struggling students and English language learners, are provided access to math instruction through the use of educational technology, thereby improving their mathematics achievement.

The grant was available to districts designated as "high need" in terms of student achievement. In 2007-2008 thirteen districts were selected to receive the grant based on an application process. Through this grant, teachers received specialized training in differentiation and effective use of educational technology to support the different learning styles, languages and disabilities of ALL students using a Universal Design for Learning approach.

During 2007-2008, NJOSEP personnel conducted training for middle school general and special education math teachers, CST members, middle school principals and special education directors on the provision of supports and accommodations for learners of

varying ability levels within general education classrooms. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs.

During 2008-2009, NJOSEP personnel provided an on-line interactive training session to INCLUDE Grant personnel on Respectful and Responsive Classrooms to support the needs of all students, including students with IEPs identified as have some behavioral challenges. During the 2009-2010 school year, NJOSEP personnel continued to consult and collaborate with the NJDOE, Office of Educational Technology personnel in support of the INCLUDE project, as needed. **(Activity 2009-2010)*****

e. *Differentiated Instruction - Targeted Training: A Training of Trainers – Differentiated Instruction*

NJOSEP continued to implement a “training of trainers” series on differentiated instruction for districts identified during the self-assessment/monitoring process who did not meet state targets for LRE. During the first year (2007-2008), 10 districts participated in the training. During the second year (2008-2009), 16 districts participated in the training. In the third year (2009-2010), 20 districts participated in the training.

The four day “training of trainers” series was designed to increase the district capacity to differentiate instruction within general education classrooms, enabling special and general educators to address the needs of students with disabilities within those settings. District personnel attended the turnkey training as teams of general and special educators with the explicit purpose of sharing the knowledge and strategies of differentiated instruction with other general and special education staff within their district.

The training presented the principles and practices of differentiated instruction through mini-lectures and hands-on activities that participants can turnkey within their districts. Information, including turnkey training materials (e.g., power point presentations, activities and handouts, sample lessons), are provided to participants for this purpose. During each session, teams learned new strategies, reflected and problem solved around implementation issues and received feedback. Teams were also assisted in planning for implementation of differentiated instruction practices within their districts **(Activity 2009-2010)*****

State Level Capacity Building

a. *Self-Assessment/Monitoring:*

The monitoring system in place during 2009-2010 was aligned with the SPP indicators. The system linked compliance, data and programs and services by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets.

Each district identified for self-assessment reviewed their state assessment performance and participation rates against the state annual SPP targets, completed a protocol to identify needs for continuous improvement in curriculum and instruction and reviewed compliance requirements related to participation in state assessments. The protocol for state assessment was adapted from a document used as part of the Quality Single Accountability System, the general monitoring system for all districts in the state that reviews achievement for all students. Other related requirements, such as IEP required components, were also reviewed. Districts that had performance or participation rates below the state annual SPP target were required to develop and implement improvement strategies to make progress toward the next year’s SPP targets. Districts were directed to collaborate with general education staff members in developing strategies and activities that improve performance for all students.

Onsite monitoring and desk audits were conducted to review compliance related to state assessment in addition to requirements related to other SPP indicators. Districts that participated in monitoring were required to correct noncompliance, in accordance with the USOSEP 09-02 memo, within one year of identification. **(Activity 2009-2010)*****

b. New Jersey Quality Single Accountability (NJQSAC)

NJQSAC is a system for evaluating and monitoring public school districts throughout New Jersey to determine the extent to which public school districts are providing a thorough and efficient education. The NJQSAC system, through the use of the District Performance Review (DPR), focuses on five key components of school district effectiveness: instruction and program, personnel, fiscal management, operations, and governance. Within the NJQSAC components are the standards and indicators designed to assess for all students' achievement in literacy and mathematics, progress toward proficiency, local capacity, and the need for support and assistance. The results of the NJQSAC monitoring will be used to review district practices and to coordinate program improvement planning with an emphasis on student achievement for students with disabilities. **(Activity 2009-2010)**

c. New Jersey Policy Implementation and Guidance Regarding State Assessments

Alternate Proficiency Assessment (APA):

NJOSEP continued to work collaboratively with the Office of Assessment in regard to the Alternate Proficiency Assessment (APA). In the Fall of 2009, training on the Alternate Proficiency Assessment (APA) was provided to administrators throughout the state providing guidance and instruction on the implementation of regulations for the upcoming school year based on the assessment. Trainings were held in September of 2009 at four regional locations to ensure access by all administrators and APA coordinators. These statewide trainings were coordinated and provided through both offices by representative staff members in conjunction with the APA contractor, Pearson Educational Measurement and its subcontractor, the Inclusive Large Scale Standards and Assessment group (ILLSA).

Training for teachers was provided via a series of web based modules that could be accessed at their school or home locations throughout the APA assessment period. These training modules were designed with input from both offices, posted and accessed through the NJDOE website. As per the direction of the USDOE, the design of the APA continues to address the specific grade level NJCCCS, Strands and Cumulative Progress Indicators (CPIs) that are aligned with the general assessment for grades 3-8 and at the high school level.

During 2009-2010, the two offices continued to collaborate on the Alternate Proficiency Assessment inclusive of the range finding process and determination of scoring procedures. Both offices continued to work with DOE content specialists, assessment specialists, ILLSA personnel and Pearson to ensure that the APA design and structure continues to be aligned with the grade level content standards and made some minor adjustments to the CPI links for the upcoming 2010-2011 school year. Both offices collaborated on the development, selection and posting of sample activities and appropriate evidence for matched, near and far CPI links within Math, LAL and Science at the various grade levels on the NJDOE Assessment Website. This resource provided

teachers of students with disabilities additional guidance and support in meeting the students' educational needs.

The APA Advisory Committee met during the year and provided input and feedback regarding the process guiding the testing system within New Jersey. This committee consists of a diverse group of stakeholders inclusive of local education agency personnel, private special education schools, NJEA members, state personnel from various agencies, and other interested parties and continues to be a critical resource to the NJDOE assessment process. **(Activity 2009-2010)****

General Statewide Assessment Training Sessions:

Training sessions regarding general assessments and the participation of students with disabilities in general state assessments continued to be conducted for school personnel statewide by the Office of Student Learning Assessments. Test manuals, which include the participation criteria for general assessments and the APA and guidance regarding accommodations and modifications, were distributed for each assessment. Technical assistance materials were developed and are available in districts and on the NJDOE web site. These materials include the skills and skill clusters assessed for each assessment, sample items, sample scored items for reference, scoring rubrics and information on holistic scoring for reading and writing as well as math. **(Activity 2009-2010)*****

c. Regional Proactive Trainings on Differentiated Instruction

The Learning Resource Center Network sponsors regional trainings on differentiated instruction as a way to support the diverse learning needs of students with disabilities in general education classrooms. These trainings are open to district personnel statewide. During 2009-2010, the training focus was on differentiating literacy and math practices at the elementary level.

Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on the Literacy Block (Grades K-3)

The first set of regional trainings was designed to facilitate the inclusion of students with disabilities in general education classrooms within the language arts literacy block in grades K-3. During this two-day training, participants learned to apply the basic principles and practical applications of differentiated instruction to the design of small group instruction and literacy centers. The development of phonics, vocabulary, and comprehension skills and strategies that accommodate the needs of diverse learners was emphasized. The target audience was general and special education teachers in grades K-3.

Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on Mathematics (Grades 4 and 5)

The second set of regional trainings focused on mathematics. During this one day workshop, math skills critical for grades 4 and 5 were emphasized through a hands-on approach that incorporates flexible grouping, tiered assignments and varied levels of questioning. The workshop was targeted to general and special education teachers of elementary mathematics responsible for educating students with disabilities in general education programs in grades 4 and 5. **(Activity 2009-2010)*****

d. Assistive Technology

The New Jersey State Department of Education, Office of Special Education Programs, continued to support a statewide initiative to facilitate the consideration of Assistive Technology (AT) during the IEP process and the use of AT to support the education of students with disabilities in general education settings. This initiative was implemented

initially by NJOSEP in collaboration with the Department of Children and Families (DCF), Office of Education through the 2008-2009 school year. During the 2009-2010 school year NJOSEP worked in collaboration with the Statewide Parent Advocacy Network (SPAN) with a focus on family involvement in the AT decision making process. The following activities were collaboratively planned and conducted during 2009-2010:

Understanding Assistive Technology within the IEP Process

Three (3) two-part regional proactive workshops that focused on *Understanding Assistive Technology within the IEP Process* were conducted during spring/summer 2010. A total of 72 parents and educators attended these trainings throughout the state. In addition, a condensed version of the training was co-presented by SPAN and NJOSEP at the 2010 NJEA convention.

Understanding Assistive Technology within the IEP Process: A Lunchtime Teleconference

A lunch time teleconference for parents and educators that focused on *Understanding Assistive Technology within the IEP Process* was conducted in December 2010. Registration was over 100 with approximately 60 individuals participating in the call.

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

Additional information was not required in New Jersey's Response Table.

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator #4A: Suspension and Expulsion

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

Overview of the Annual Performance Report Development:

Indicator 4A was discussed at the stakeholder meeting held on January 14, 2011. NJOSEP staff indicated that the methodology adopted in FFY 2006, and approved by OSEP, for the calculation of significant discrepancy was applied again for the FFY 2009 APR submission. The targeted review process for reviewing the policies, procedures and practices in districts identified with a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year was discussed. Patterns of noncompliance were reviewed as well as training and technical assistance opportunities available to identified districts to assist with the implementation of positive behavioral interventions and supports. NJOSEP informed the stakeholders that the data required for submission for the FFY 2009 APR are the data for the year prior to FFY 2009 which is the 2008-2009 school year. NJOSEP indicated that for the 2008-2009 school year, New Jersey met the SPP target for Indicator 4A. Stakeholders provided input regarding targets for the two year extension of the SPP process.

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

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

Measurement:

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

Include State's definition of "significant discrepancy."

If the State used a minimum "n" size requirement, the State must report the number of districts excluded from the calculation as a result of this requirement.

Overview/Description of Issue, Process, System - Suspension/Expulsion

In March of 2000, districts began reporting incidents of disciplinary action directly to NJDOE over the Internet on the Electronic Violence and Vandalism Reporting System (EVVRS). The collection of data for general education students relates only to the four categories of violence, vandalism, weapons and substance abuse. *The collection of data with respect to students with disabilities is the same information required by Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days) of the Annual Report of Children Served.*

The data collection for students with disabilities is not limited to the four categories of violence, vandalism, weapons and substance abuse. Rather, this collection includes disciplinary actions for any violation of the school's code of conduct that results in removals summing to more than 10 days or for a single episode that result in a removal for more than 10 consecutive days.

The following information is collected:

- The number of removals summing to 10 school days in a year
- The number of removals of more than 10 (consecutive) school days in a year
- The unduplicated count of students with disabilities
- The racial and ethnic background of the students

Description of methods used to determine significant discrepancies and the criteria used to identify a significant discrepancy

NJOSEP compared suspension and expulsion data for children with IEPs **among local educational agencies within the State**, using data from the *Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days* of the Annual Report of Children Served.

Definition of Significant Discrepancy and Methodology

Definition of Significant Discrepancy (Revised FFY 2006): “Significant discrepancy” is defined as a suspension rate of greater than five times the baseline statewide average (i.e., a rate of more than 3%).

Methodology: NJOSEP determined whether significant discrepancies were occurring in each LEA by comparing the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State. NJOSEP used a set number of times above the state average to determine significant discrepancy.

Specifically, first, NJOSEP calculated the baseline state average (i.e., a rate of .6%) for the baseline year of 2004-2005 for all districts in the state. Second, NJOSEP used a multiple of the baseline statewide average (i.e., more than 5 times the state average) to determine local districts demonstrating a significant discrepancy. For FFY 2005 through FFY 2007, NJOSEP determined that a minimum enrollment of greater than 75 students with disabilities (i.e., 76 and greater) would be used as a minimum n size to identify the districts with a significant discrepancy. A minimum number of more than 75 students with disabilities was used since small numbers of students with disabilities were found to distort percentages. For this APR, however, no district was eliminated from the analysis, regardless of n size.

Actual Target Data for FFY 2009 (using 2008-2009 data) - For this indicator, data reported is the data for the year before the reporting year (2008-2009 data), in accordance with the APR instructions.

FFY	Measurable and Rigorous Target
<p><i>FFY 2009</i> <i>(using 2008-2009 data)</i></p>	<p>Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion of children with disabilities for greater than 10 days in a school year will be at or below 2.8%.</p>

Actual Target Data for FFY 2008 (data from FFY 2007):

4.62% 2.58% of districts were identified as having a significant discrepancy in the rates of suspension and expulsion of children with disabilities for greater than 10 days in a school year.

Description of the results of the State examination of the data:

The target for the percent of districts that have a significant discrepancy in the rate of suspension and expulsion was set at 2.8% or below. The data reveal that **4.62% 2.58%** of districts had a significant discrepancy in the rate of suspension and expulsion. Therefore, New Jersey met the target for FFY 2008.

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies*	Percent
FFY 2009 (using 2008-2009 data)	619	16	4.62% 2.58%

Review of Policies, Procedures, and Practices:

a. NJOSEP’s Targeted Review Process for Review of Policies, Procedures and Practices

Districts identified for a significant discrepancy in suspension/expulsion rates of children with disabilities for greater than 10 days in a school year, based on its analysis of FFY 2008 data, a desk audit or an onsite targeted review of discipline compliance requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards was conducted. The targeted review included: (a) record review; (b) interviews with general and special education staff members; (c) review of written policies, procedures and practices; and (d) review of district discipline and suspension data. District data, reported through the EVVRS, were reviewed and analyzed to identify the schools where most suspensions over 10 days occurred. School-based discipline practices and tracking data were analyzed to identify noncompliance and patterns of suspension. Districts where data, interviews and record review indicated that policies, procedures and practices were not consistent with IDEA and N.J.A.C. requirements related to suspension and expulsion were identified as noncompliant and corrective action was required.

Technical assistance was provided, as needed, with regard to policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. Districts were provided with resources, as needed, for additional information on compliant policies, procedures and practices related to positive behavioral interventions and supports, school-wide behavioral systems and federal and state regulations. A brochure outlining the IDEA and N.J.A.C. requirements related to suspension/expulsion, developed by NJOSEP, was also disseminated to district staff. Districts were provided with additional training as described below (see discussion of improvement activities).

Results of the Review: For each district identified with a significant discrepancy in the suspension/expulsion rate for FFY 2008, following the targeted review, a report was generated that included an analysis of the district suspension/expulsion data reported in the EVVRS, an analysis of data obtained during the onsite review and any findings of noncompliance.

b. Changes to LEA policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards

Based on its review of FFY 2008 data, NJOSEP made 20 findings of noncompliance in FFY 2009. For each finding of noncompliance, a corrective action(s) was directed by the NJOSEP that included a timeline for completion or submission of documentation. Corrective actions included revisions of written policies, procedures, training for staff, activities related to implementation of procedures and/or ongoing oversight of the implementation of policies and procedures. Timelines in the reports were established to ensure correction within one year of identification. The reports were sent to the chief school administrator.

Correction of those findings will be reported in the FFY 2010 APR, due February 1, 2012.

Failure to correct noncompliance within one year of identification is considered in making special education determinations.

Districts that demonstrated a significant discrepancy in their suspension and expulsion rate for more than 2 consecutive years are also participating in a more in-depth technical assistance regarding the implementation of positive behavioral supports (see Improvement Activities listed below).

Correction of FFY 2008 Findings of Noncompliance – Findings of noncompliance included in the table below includes only noncompliance identified as a result of the review required by 34 CFR §300.170(b).

1. Number of findings of noncompliance the State made in districts identified for a significant discrepancy based on the 2007-2008 data	20
2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	0
3. Number of FFY 2008 findings from row 1 <u>not</u> verified as corrected – the one year timeline between identification and correction has not elapsed.	20

To verify correction of noncompliance consistent with OSEP Memorandum 09-02, the NJOSEP monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:

- is correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and
- has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files where noncompliance was identified.

Specific actions that were taken to verify correction of noncompliance

To ensure correction of noncompliance, as stated above, 10 districts were required to revise their policies, procedures and practices, and revise IEPs. This involved: (a) development or revision of district or school policies and procedures; (b) training of staff on those new or revised policies; (c) revision of individual student IEPs to reflect requirements; and (d) implementation of oversight mechanisms to ensure that parents and case managers are informed of suspensions.

The NJOSEP continues to work with districts to ensure correction of noncompliance in accordance with the OSEP 09-02 memo. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices. NJOSEP staff members from the

Learning Resource Centers, in collaboration with the monitors, also provide technical assistance on the development of policies, procedures and practices related to positive behavioral supports in districts with high rates of suspension. All districts identified for a significant discrepancy in their suspension and expulsion rates are invited to specific training and ongoing technical assistance opportunities to assist with correction of noncompliance and implementation of best practices in implementing positive behavioral support systems, differentiated instruction and placement in the least restrictive environment.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

All findings of findings of noncompliance based on FFY data were reported as corrected in the FFY 2008 Annual Performance Report submitted to the USDOE on February 1, 2010.

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

Report of Progress/Slippage

Discussion of data and progress or slippage toward targets:

As noted above, ~~4.62%~~ 2.58% of districts had a significant discrepancy in the rate of suspension and expulsion. This represents a decrease of more than one percentage point from the FFY 2007 rate of 2.91%. The improvement may be attributed to the correction of noncompliance of districts that were cited in prior years. To address the noncompliance, districts implemented a tracking system to monitor the number of days of removal and implemented school-wide practices to proactively support students with behavioral difficulties.

Improvement Activities:

NOTE: Activities that occurred in 2009-2010 and that are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol *.**

Information Dissemination: Discipline Requirements

Discipline Requirements Brochure: In 2007-2008 NJOSEP revised and distributed a two-page brochure outlining requirements for disciplinary action. The revisions were made to clarify the discipline process consistent with IDEA 2004 and state requirements. The revised brochure is posted on the NJOSEP website at http://www.nj.gov/education/specialed/info/discipline_broch.pdf as a resource to districts and distributed to districts identified with a significant discrepancy in their suspension/expulsion rate. **(2009-2010 Activity)*****

Statewide Training on Discipline Requirements: During 2007-2008 NJOSEP completed statewide training of all local district special education administrators initiated in the prior year. Training on discipline requirements was conducted for approximately 100 local school district directors of special education and principals in two counties to complete the statewide training. In addition to the statewide training, discipline training continues to be provided on-site to selected districts as part of the self-assessment/monitoring process and at district request. The discipline training developed by NJOSEP was posted on the web in March of 2007 and updated in March 2008 to facilitate turnkey training by district personnel statewide. Training for districts continues to be provided on a request basis by NJOSEP monitors in collaboration with LRC consultants. **(2009-2010 Activity)*****

State Capacity Building: NJOSEP is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSEP's Learning Resource

Center Network. Activities include: targeted training and technical assistance; statewide proactive training and technical assistance; implementation of a PBSIS network of districts and schools; and information/resource dissemination activities. 80 schools from 53 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices during 2009-2010. An additional group of 19 schools from 14 districts will receive training and technical assistance support during 2010-2011. These schools will begin implementation in 2011-2012. **(2009-2010 Activity)*****

a. Targeted Training and Technical Assistance on Positive Behavior Supports in Schools

(PBSIS): NJOSEP's technical assistance and monitoring staff meet annually to review statewide district and school data and identify those districts and schools that might benefit from implementing a tiered system of school-wide positive behavioral supports. Districts identified include those who had high rates of suspension/expulsion for two or more consecutive years, high rates of student placements in separate special education settings, or disproportionate representation of specific racial/ethnic groups in special education and related services. During September, 2007, two recruitment sessions were held for identified districts to learn about NJOSEP's two-year training and technical assistance initiative on Positive Behavior Support in Schools (PBSIS). Through an application process, interested districts were selected for participation beginning in the fall of 2007 through 2009. Another group of districts was selected through an application process following a recruitment event conducted in May of 2008. This second group of districts and schools received initial training and technical assistance during the 2008-2009 school year. During 2009-2010, this second group of districts and schools began implementation of PBSIS practices with continued training and technical assistance support. Following four sessions of recruitment events in May 2010, a third group of districts was selected for participation in the PBSIS Initiative through an application process. These schools will begin training in PBSIS practices in the fall of 2010 and continue through spring 2011. Additional training and technical assistance will be provided to assist implementation of PBSIS practices in the fall of 2011 through spring 2012.

Participating districts/schools received the following training and technical assistance support:

- School-wide practices (Tier 1) - Training and support for school-wide teams and building coaches who will lead the implementation of school-wide positive behavior practices within their buildings on:
 - school-wide assessment of building climate and behavior to establish priorities for interventions;
 - developing staff, community and student buy-in for PBSIS;
 - proactive practices for teaching and recognizing positive behavior;
 - analysis of Office Discipline Referral procedures and forms for intervention decisions and monitoring effectiveness of PBSIS interventions;
 - school-wide targeted interventions based on data analysis; and
 - effective classroom management strategies that promote inclusive classroom environments.
- Targeted student interventions (Tiers 2 and 3)
 - proactive targeted interventions for students with challenging behavior;
 - best practices for Function of Behavior Analysis and Behavior Intervention Plans (FBA and BIPs); and

- self-assessment of FBA and BIP practices following training. **(2009-2010 Activity)*****

b. Statewide Training and Technical Assistance for Positive Behavior Supports: Training and technical assistance on positive behavior supports (PBS) continues to be provided statewide through the Boggs Center's Statewide Team for PBSIS in collaboration with the Learning Resource Center (LRC) Network. During 2009-2010, trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2009-2010)*****

c. PBSIS Network of Districts and Schools: In order to maintain and extend PBSIS practices by districts/schools who are implementing positive behavior supports, technical assistance support is provided through email and phone support by both the LRCs and the Boggs Center's PBSIS State Team. In addition, these districts/schools have been invited to further trainings to enhance practices including training on small group interventions and FBA/BIP. Follow-up with these districts indicated that schools who were implementing PBSIS practices reported improved school climate, reduced office discipline referrals and increased use of data to plan effective school-wide interventions. As part of this effort, a Coaches Network has been created to provide ongoing training opportunities for coaches of all implementing PBSIS schools. During 2009-2010, two coaches' events that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation were held. **(Activity 2009-2010)*****

d. Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSEP supports the development and maintenance of a PBSIS website operated by the Boggs Center PBSIS State Team. The website contains information on promising practices in New Jersey as well as materials, tools, the New Jersey PBSIS newsletter and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. The website has received more than 145,179 visits since the launch of the website with over 34,061 visits during 2009-2010. **(Activity 2009-2010)*****

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

The targets for Indicator 4A for FFY 10-12 have been revised to reflect a change in the methodology for calculating significant discrepancy. Previously, a minimum enrollment of greater than 75 students with disabilities (i.e., 76 students or greater) was used as a minimum n size to identify the districts with a significant discrepancy. For the FFY 2009 APR, the NJOSEP eliminated this exception. As a result, targets for FFY 2009 were revised and targets for FFY 11 and 12 were determined based on the revised formula.

Indicator # 5: LRE

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

Overview of the Annual Performance Report Development:

Placement data for students with disabilities, ages 6 to 21, were discussed with stakeholders at the stakeholder meeting held on January 14, 2011. Stakeholders were informed that New Jersey had met all three placement targets for FFY 2009. Stakeholders provided input regarding targets setting for the two-year extension of the SPP/APR. The NJOSEP also reviewed the improvement activities conducted with districts in the state and the targeted technical assistance conducted in collaboration with monitoring in districts identified with high rates of students educated in separate public and private settings. Stakeholders representing students in the full continuum of placements provided their perspective on LRE initiatives in NJOSEP.

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21 served:

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

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

Measurement:

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

Overview/Description of Issue, Process, System - FAPE in the LRE

New Jersey regulations at Chapter 6A:14 require that all students with disabilities be educated in the least restrictive environment with appropriate supports and services as determined by the IEP team and that the first consideration for placement of all students with disabilities shall be the general education classroom. Determination of restrictiveness of placement is in accordance with the above measurements in addition to other categories required for reporting by the USDOE.

Data analyzed for this indicator were based on the 618 Education Environments data collected October 15, 2009.¹

¹ For the purpose of this report, New Jersey chose to eliminate nonpublic school (parentally placed) students with disabilities from the calculation of the percentages for 5A, 5B and 5C.

Because New Jersey’s number of nonpublic school students with disabilities is large, their inclusion in the calculation of 5A, 5B and 5C would skew the percentages of students with disabilities placed by the district of residence. As indicated in last year’s APR, LRE percentages reported at www.ideadata.org for New Jersey are lower than reported here because nonpublic school students with disabilities are included in that calculation.

FFY	Measurable and Rigorous Target
<p>2009 (2009-2010)</p>	<p>A. 43.5 percent of students with disabilities will be served inside the regular class 80% or more of the day.</p> <p>B. 19.0 percent of students with disabilities will be served inside the regular class less than 40% of the day.</p> <p>C. 8.5 percent of students with disabilities served in separate schools, residential facilities or homebound/hospital placements.</p>

Actual Target Data for FFY 2009:

A. 47.9 percent of students with IEPs were served inside the regular class 80% or more of the day.

Actual numbers used in the calculations: 95,332 / 198,936 = 0.479 X 100 = 47.9%

B. 15.8 percent of students with IEPs were served inside the regular class less than 40% of the day.

Actual numbers used in the calculations: 31,373 / 198,936 = 0.158 X 100 = 15.8%

C. 8.0 percent of students with IEPs were served in separate schools; residential facilities; ; or homebound/hospital placements.

Actual numbers used in the calculations: 14,844 + 414 + 563 = 15,821/198,936 = 0.795 X 100 = 8.0

Report of Progress/Slippage

Description of current data in relation to the SPP target/Description of the results of the calculations and comparison of the results to the SPP target

Discussion of data and progress or slippage toward targets:

New Jersey exceeded each of the three targets for LRE. For students with disabilities educated within general education settings for 80% or more of the day (**Target A**), New Jersey exceeded the target by 4.4% (47.9%-43.5%=4.4%). For students educated within from general education programs for less than 40% of the day (**Target B**), New Jersey exceeded the target by 3.2% (19%-15.8% = 3.2%). For students educated in separate settings (**Target C**), New Jersey exceeded the target by 0.5% (8.5%-8.0%=0.5%). The changes in placement data can be attributed to the continuing efforts on the part of NJOSEP and local districts to implement data driven monitoring, training, technical assistance and grant initiatives, focused on increasing the percent of students educated in general education settings with appropriate supports and services.

Discussion of improvement activities completed for FFY 2009:

NOTE: Activities that occurred in 2009-2010 and that are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol *.**

Monitoring: During FFY 2009, in order to make progress toward each of the Indicator 5 LRE targets, NJOSEP continued to implement activities targeted to those districts that have the greatest percentage of students with disabilities being educated in separate public/private educational settings. Targeting districts with a pattern of separate placements for specific activities, determining those districts as “Needs Assistance” based on their pattern of separate placements, and providing these districts with targeted technical assistance are among strategies being used.

Districts identified for monitoring due to high rates of students placed in separate public or private settings continued to participate in onsite monitoring and targeted technical assistance conducted by monitors and consultants from the Learning Resource Centers. Activities included review of district data to identify placement patterns, planning to build capacity at the district and building level to support additional students in district schools, training for staff regarding decision making for placement within the IEP process and oversight of implementation of inclusive programming. **(Activity 2009-2010)*****

State Capacity Building: As specified in the SPP, NJOSEP is continuing to implement several initiatives to increase and enhance the capacity of local school districts to educate students with disabilities in general education programs with appropriate supports and services.

- **Literacy and Inclusive Practices Initiatives:**

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also supports additional instruction beyond the literacy block for any student, including students with disabilities, who requires more systematic, focused instruction. As part of the collaboration between the three offices, special education literacy resource coaches (SELRCs) have been supported, through cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts.

Of the 44 participating districts, NJOSEP funded 26 districts through cooperative agreements (CA) during the 2009-2010 school year. Fourteen (14) former Abbott districts participated in the CA “Providing Quality Intensive Early Literacy (IEL) Instruction to Students with Disabilities (K-4) – Year 45” and twelve (12) other low performing districts participated in the Initiative for the Development of Early Achievement in Literacy (IDEAL) through the CA “Providing IDEAL Instruction to Students with Disabilities (K-4) – Year 4”. Both initiatives address the same three tiered intervention model of literacy practices. **(Activity: 2009-2010)**

- **District training:**

From 2005-2010, NJDOE trained teams, including Special Education Literacy Resource Coaches (SELRCs), participating in NJDOE’s early literacy initiatives in research-based assessment and instructional practices including: organization and structure of intensive early literacy programs; 4 levels of assessment - screening, ongoing, summative and diagnostic assessment; use of data results to determine instructional needs; scientifically based reading research (SBRR) instruction in phonemic awareness, phonics, vocabulary, comprehension and fluency; the writing process; vocabulary instruction and language development for English Language Learners; advanced coaching; and sustainability training. District teams were provided resources to turnkey this information within their districts.

Participating districts report programmatic and instructional changes which include: greater collaboration between general and special education in literacy learning; changes to the organization and structure of literacy practices such as the provision of 90 minutes or more for an uninterrupted literacy block; inclusion of more students with disabilities in the general education classroom for the scheduled literacy block; use of benchmarking and ongoing assessment practices; provision of guided reading and targeted skill instruction; additional instructional time beyond the block for students significantly below grade level; access to core and supplemental materials on students' reading levels; increased use of differentiated instruction; and involvement of special education teachers in grade level teams and professional development activities. **(Activity: 2009-2010)*****

- ***Inclusive Support Options:***

- ***Positive Behavior Supports in Schools***

NJOSEP is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSEP's Learning Resource Center Network. Activities include: Positive Behavior Support State Team Training and Technical Assistance: PBSIS network of districts and schools; and information/resource dissemination activities. Currently, 81 schools from 53 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices through 2009-2010. An additional group of 18 schools from 13 districts are receiving training in 2010-2011 to begin implementation in 2011-2012. **(Activity: 2009-2010)***** ***Array of Supports Training***

During the fall of 2008 and early winter of 2009, NJOSEP conducted county-based training for directors of special education and charter school administrators on an array of supports for including students with disabilities in general education programs. The purpose of these sessions was to describe various ways of supporting the academic and behavioral needs of students with disabilities within general education programs to inform the IEP decision making process. As part of this session, statewide placement data trends were reviewed as well as State Performance Plan targets for Least Restrictive Environment (LRE). A discussion of the self-assessment monitoring process was also presented as well as the requirement for continuous improvement for those districts that did not meet the target. The session described a variety of supports as well as the decision making process regarding the individual determination of appropriate supports in general education programs. Support options described in the training included: (a) curricular/instructional modifications and specialized instructional strategies, (b) assistive technology devices and services, (c) positive behavior supports, (d) consultation services, (e) teacher aides, (f) in-class resource programs, and (g) supplementary instruction. Directors of special education were provided an opportunity to reflect on current practices in their districts/buildings and identify their needs to develop and/or expand supports within their buildings/district in order to build capacity for including students with disabilities. In addition, implementation considerations and strategies for building district capacity to educate students with disabilities in general education programs were addressed. The training materials were posted on the NJOSEP website to facilitate turnkey training by Directors to their fellow administrators and instructional staff. In addition, training for child study team personnel was conducted through the regional learning resource centers during February and March, 2009.

NJOSEP continued to provide technical assistance to districts on the array of supports throughout 2009-2010. **(Activity 2009-2010)*****

- ***Universal Design***

Targeted Middle School Math Initiative: Implementing New Curricular Learning With Universally Designed Experiences (INCLUDE) Project:

During 2006-2007, the Office of Educational Technology and NJOSEP collaborated in the development of a multi-year targeted grant focused on middle grades (5th through 8th) math curriculum. The INCLUDE project is designed to ensure that all students in the general education classroom, including those with disabilities, struggling students and English language learners, are provided access to math instruction through the use of educational technology, thereby improving their mathematics achievement.

The grant was available to districts designated as “high need” in terms of student achievement. In 2007-2008 thirteen districts were selected to receive the grant based on an application process. Through this grant, teachers received specialized training in differentiation and effective use of educational technology to support the different learning styles, languages and disabilities of ALL students using a Universal Design for Learning approach.

During 2007-2008, NJOSEP personnel conducted training for middle school general and special education math teachers, CST members, middle school principals and special education directors on the provision of supports and accommodations for learners of varying ability levels within general education classrooms. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs.

During 2008-2009, NJOSEP personnel provided an on-line interactive training session to INCLUDE Grant personnel on Respectful and Responsive Classrooms to support the needs of all students, including students with IEPs identified as have some behavioral challenges. In the 2009-2010 school year NJOSEP personnel continued to consult and collaborate with the NJDOE, Office of Educational Technology personnel in support of the INCLUDE project, as needed. **(Activity: 2009-2010) *****

Differentiated Instruction - Targeted Training: A Training of Trainers – Differentiated Instruction

NJOSEP continued to implement a “training of trainers” series on differentiated instruction for districts identified during the self-assessment/monitoring process who did not meet state targets for LRE. During the first year (2007-2008) 10 districts participated in the training. During the second year (2008-2009), 16 districts participated in the training. In the third year, (2009-2010), 20 districts participated in the training.

The four day “training of trainers” series was designed to increase the district capacity to differentiate instruction within general education classrooms, enabling special and general educators to address the needs of students with disabilities within those settings. District personnel attended the turnkey training as teams of general and special educators with the explicit purpose of sharing the knowledge and strategies of differentiated instruction with other general and special education staff within their district.

The training presented the principles and practices of differentiated instruction through mini-lectures and hands-on activities that participants can turnkey within their districts. Information, including turnkey training materials (e.g. power point presentations, activities and handouts, sample lessons), are provided to participants for this purpose. During each session teams learned new strategies, reflect and problem solve around implementation issues and receive feedback. As part of the training, districts were assisted to plan for implementation of practices learned within their districts. **(Activity 2009-2010)*****

- ***NJOSEP Partnership with the Statewide Parent Advocacy Network (SPAN):***

Between July 1, 2009 and June 30, 2010, NJOSEP continued its partnership with the Statewide Parent Advocacy Network (SPAN), through the START project, to further family-school collaborative relationships, increase family resources, and enhance the involvement of parents/caregivers in program and placement decisions. A component of this partnership was the regional workshops, mini-conferences and teleconferences on inclusive practices for families and educators and web-based resources for families on inclusive practices.

SPAN, in collaboration with NJOSEP staff, conducted regional workshops and conferences to inform educators and parents/caregivers of best practices for educating students with disabilities within general education settings.

- Three (3) two-part regional proactive workshops that focused on *Understanding Assistive Technology within the IEP Process* were conducted during spring/summer 2010. A total of 72 parents and educators attended these trainings throughout the state. In addition, a condensed version of the training was co-presented by NJOSEP and SPAN personnel at the 2009 and 2010 NJEA convention.

- A lunch time teleconference for parents and educators that focuses on *Understanding Assistive Technology within the IEP Process* was held in December 2010 and co-facilitated by SPAN and NJOSEP staff.

- Two regional mini-conferences titled *Preschool Inclusion: Together from the Start* were held, one in the northern region and one in the southern region, in May 2010. Discussion focused on best practices that support the inclusion of preschool students with disabilities within typical early childhood programs. Family members, educators and community providers shared their experiences. A total of 102 parents and educators attended.

- A two-part teleconference titled *Understanding the Assessment and Designing of Effective Behavior Support* was presented on July 14, 2009 and July 21, 2009. A total of 120 educators and parents participated. Materials were posted on the START section of the SPAN website prior to each teleconference for participants to download. Following the teleconferences, an MP3 recording was posted on the website to enable people to listen to both sessions.

- Each year SPAN and NJOSEP co-present proactive trainings that focus on *Decision Making in the IEP Process: Emphasis on Least Restrictive Environment*. During December 2010, regional trainings will be offered for directors of special education and parents in districts that are targeted for continuous improvement with respect to educating students with disabilities in general education settings.

Between **July 1, 2009 and June 30, 2010**, through the cooperative agreement with NJOSEP, SPAN expanded their START website to include information and resources for families, educators, administrators, and students on key topical areas, including inclusive practices. In particular, information/resources on Assistive Technology as a system of support for including students with disabilities in general education programs, designing intervention plans in order to support student with challenging behaviors within general education programs, and educational practices that support the inclusion of preschool children with disabilities in general education preschool programs were featured. **(Activity 2009-2010)**

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 6: Preschool LRE

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

States are not required to report on Indicator 6 in this APR. In accordance with the SPP/APR Instructions disseminated by the USOSEP, baseline data, targets and improvement activities will be established in the FFY 2010 submission of the SPP due February 1, 2012.

Indicator # 7: Preschool Outcomes

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

Overview of the Annual Performance Report Development:

On January 14, 2011, NJOSEP met with the stakeholders to present the results of the preschool outcome data. An overview of the indicator was provided to the stakeholders including a review of the process for collecting of preschool child outcome data. The calculations and the summary statements for each outcome were provided. The FFY 2008 baseline and the FFY 2009 actual child outcome data were compared to the previously established targets for FFY 2009. Progress and slippage for each of the two statements for each of the three outcomes addressing improvement for children were discussed within the context of improvement strategies for data collection, analysis and program improvement strategies. Targets for FFY 2010 were reviewed and suggestions for revisions were provided by the stakeholders. Additionally, the stakeholders suggested extended targets for FFY 2011 and FFY 2012.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

Progress data categories for outcomes A, B and C:

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level **comparable to same-**

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

Summary Statements for Each of the Three Outcomes (use for FFY 2009-2010 reporting):

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

Measurement for Summary Statement 1:

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

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

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

Overview/Description of Issue, Process, System- Preschool Outcome Study

NJOSEP has organized a system for contracting with districts for the purchase of the assessment materials, training district personnel in the test administration, and collecting entry level data.

Instrument and Procedures used to Gather Data for this Indicator: NJOSEP determined that the Battelle Developmental Inventory 2 edition (BDI-2) was appropriate to collect data for Indicator #7. This tool was cross-walked by the Early Childhood Outcomes Center and considered to be an option for collecting outcome data related to Indicator #7 (See SPP for further detail).

Contract: The New Jersey Department of Education, Office of Special Education Programs, in fulfillment of its federal data collection responsibilities, contracts with each of the selected local education agencies (LEAs) participating in the Preschool Outcome Study to support the implementation of the Battelle. The contract provides for assessment kits and manuals (English and Spanish), test protocols and use of a web based system license for the district for a three year period.

The district submits assessment data through a web based system for the purpose of providing entry and exit preschool special education outcome data utilizing the New Jersey BDI-2 Data Manager web user license.

As approved in New Jersey's sampling plan for this indicator, a representative sample of districts was selected for the FFY 2009 study reflecting the following parameters: district enrollment (size), number of preschool students with disabilities, % of minority students, gender and socio-economic status.

NJOSEP used the *Sampling Calculator* developed by the National Post-Secondary Outcomes Center (NPSO) to select a representative sample of districts to be included in the study. **The Sampling Calculator developed by NPSO is based on a 5 way clustering process.** Using the calculator, NJOSEP was able to identify a representative sample of districts for FFY 2009.

Using the *Sampling Calculator*, data was entered for the sampling parameters listed above for all New Jersey school districts serving preschool students with disabilities. The Sampling Calculator software selected a representative sample reflecting the population of the State at a pre-set confidence level of plus or minus 3%.

NJOSEP established a 3% sampling error, i.e. the sample chosen was representative of districts serving preschool students within the state at a level of error plus or minus 3% - an error band of 6%;

Target Data and Actual Target Data for Preschool Children Exiting in FFY 2009 (2009-10):

For FFY 2009, the tables below show the progress data for preschool children with disabilities ages three through five who were in preschool programs for a minimum of six months and exited between July 1, 2009 and June 30, 2010. The data provided below, include preschool students who entered the program in 2007, 2008, or 2009 and who exited the program during 2009-2010. 458 entry and exit records were complete and analyzed, and are being reported in 2009.

Table I shows FFY 2009 progress data for preschool students by progress categories for each outcome – A, B, and C. Table II shows actual target data compared against the FFY 2009 targets for the summary statements for each of the three outcomes (A, B, and C). The state used the ECO Summary Statements Calculator to generate the actual target data for the Table II below.

The Criteria for Defining “Comparable to Same Age Peers”

NJOSEP is not utilizing ECO’s COSF for defining “comparable to same-aged peers.” Instead, the following criteria were used to determine whether a child’s functioning was “comparable to same aged peers.”

The criteria for defining comparable to same age peers is based on a z score of -1.33 utilizing the tables provided by the developer of the tool.

For reporting results, the criteria for defining comparable to same age peers is determined when a child scores a standard score ≥ 80 or based on a z score of ≥ -1.33 with consideration to the sub-domains and domain of the Battelle Developmental Inventory, 2nd Edition (BDI-2). The Standard Score of the BDI-2 indicates that a score of 100 is Average development. The Standard Deviation is 15. The standard score of 80 is 1.33 deviations below the mean and places the development of the child in a category of developmental quotient score of low average. For purposes of the outcome study children whose standard scores were 79 or below are included in the percentage of children not functioning with their same age in the data set.

**Table 1
Actual Data for Preschool Children Exiting 2009-2010
By Progress Categories for Outcomes A, B, C**

A. Positive social-emotional skills (including social relationships):	Number of children	% of children
a. Percent of children who did not improve functioning	23	5%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	41	9%
c. Percent of children who improved functioning to a level	31	7%

nearer to same-aged peers but did not reach a level comparable to same-aged peers		
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	114	25%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	249	54%
Total	N=458	100%
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	Number of children	% of children
a. Percent of children who did not improve functioning	15	3%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	113	25%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach a level comparable to same-aged peers	98	21%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	110	24%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	122	27%
Total	N=458	100%
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	15	3%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	110	24%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	57	12%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	74	16%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	202	44%
Total	N=458	100%

Table 2
FFY 2009-2010 Data
Summary Statements by Outcomes – A, B, and C

Summary Statements	Targets FFY 2009 (% of children)	Actual FFY 2009 (% of children)
Outcome A: Positive social-emotional skills (including social relationships)		
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program. Calculation: $[(c+d) / (a+b+c+d)] \times 100$	79.3	69.4
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	70.7	79.3
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)		
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program. Calculation: $[(c+d) / (a+b+c+d)] \times 100$	62.4	61.9
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	48.8	50.7
Outcome C: Use of appropriate behaviors to meet their needs		
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program. Calculation: $[(c+d) / (a+b+c+d)] \times 100$	70.1	51.2
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	57.2	60.3

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

Discussion of data and progress of slippage toward targets:

Summary Statement One:

Of those children who entered or exited the program below age expectations in Outcome A, B, C, the percent who substantially increased their rate of growth by the time they exited the program.

In all three outcomes, the SPP targets for FFY 2009 were not met. Slippage occurred in:

- A. Positive social-emotional skills (including social relationships); (9.9 % slippage)
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); (.5 % slippage) and
- C. Use of appropriate behaviors to meet their needs (18.9% slippage).

The analysis to establish the progress category assigned a progress record included an additional review of records in the c. category (percent of children who improved functioning to a level nearer to same-aged peers but did not reach a level comparable to same-aged peers) and the b. category (percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers). A positive change statistically across the domains in an outcome measure needed to be met to place the record in the c. category (percent of children who improved functioning to a level nearer to same-aged peers but did not reach a level comparable to same-aged peers). This additional rigor to the analysis shifted records into the b. category (percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers).

This slippage was significant in Outcome A (9.9%) and Outcome C (18.9%). Discussion during the stakeholder's meeting included a recommendation for NJOSEP to complete further data analysis by outcome and sub-domain to determine potential program-wide weaknesses to assist with targeted technical assistance to impact program improvement. Item detail analysis was discussed as a strategy to explore trends.

Summary Statement Two:

The percent of children who were functioning within age expectations in Outcome C by the time they exited the program.

In all three outcomes the SPP target for FFY 2009 were met or exceeded.

- A. Positive social-emotional skills (including social relationships); (8.6 % above target)
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy) (1.9 % above target); and
- C. Use of appropriate behaviors to meet their needs (3.1% above target).

The improvement in the above outcomes is attributed to the number of children at exit who either maintained or reached a level comparable to same-aged peers at exit to kindergarten.

The proposed targets were extended for FFY 2011 and FFY 2012 for Summary Statement One and Two. Additionally, the FFY targets for Summary Statement One were revised based on the actual data from FFY 2009 and Baseline FFY 2008. The targets reflect the methodology for category determination. The proposed targets for Summary Statement One reflect a mid-range target between actual data and the proposed targets from APR 2008.

Improvement Activities / Timelines / Resources for FFY 2010

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol *.**

During 2009-2010 an additional 200 districts (Cohort Three and Four districts) were trained in the utilization of the BDI-2 and for the purposes of proceeding with this indicator. NJOSEP previously utilized the Sampling Calculator developed by the National Post-Secondary Outcomes Center (NPSO) to select a representative sample of districts to be included each year of the study. Each cohort includes districts with the following characteristics: district size, number of preschool students with disabilities, gender, race/ethnicity and district factor grouping. Additionally in 2010-2011 an additional 150 districts will be trained in the Preschool Outcome Study, the assessment tool and the data management system. **(Activity: 2009-2010)*****

Annually, NJOSEP meets with administrators participating in the study to discuss progress of the data collection and any changes to the requirements. **(Activity: 2009-2010)*****

Additions to Data Collection: In response to stakeholder request, placement information was added to the collection of demographic data. **(Activity: 2009-2010)*****

Data Management

NJOSEP updated internal data management system to enable NJOSEP to monitor the collection of district data on an ongoing basis and to facilitate analyses of data. **(Activity: 2009-2010)*****

Data Analysis

NJOSEP completed further data analysis by outcome and sub-domain to determine potential program-wide weaknesses to assist with targeted technical assistance to impact program improvement. **(Activity: 2009-2010)*****

Use of Assessment Results

NJOSEP shared the progress of the FFY 2008 outcome study and findings with districts and in technical assistance trainings and individual sessions. **(Activity: 2009-2010)*****

Training on Outcome Areas

NJOSEP through the preschool LRC network conducted trainings on data based interventions related outcome areas. These trainings addressed reviewing assessment information to identify areas of need for IEP development, designing and providing interventions, collecting progress data and reporting on progress. After a review of the 2008-2009 data, in response to Outcome B, Communication was targeted

as a training need. The LRC Network provided training to professionals working with English Language Learners and in early literacy regarding curriculum modifications based on analysis of results of the study. **(Activity: 2009-2010)**

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012. Targets were extended for FFY 2011 and FFY 2012 for Summary Statement One and Two. Additionally, the FFY 2010 targets for Summary Statement One were revised based on a review by the stakeholders of the data trend from FFY 2009 and Baseline FFY 2008.

Indicator # 8: Parent Involvement

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

Overview of the Annual Performance Report Development:

On January 14, 2011, NJOSEP met with the stakeholders to present the methodology and results of the parent involvement data collection from the fourth cohort of districts and to set targets for the extension of the SPP/APR for FFY 2011 and FFY 2012. During 2009-2010, a representative sample of 138 randomly selected districts participated in NJOSEP's fourth cohort for the parent involvement survey. The results of the survey, including response rate, representativeness of respondents and the percent of respondent parents who reported that schools facilitated parent involvement were presented to the stakeholders. The stakeholders expressed satisfaction with this year's data from cohort IV districts in which 83.4% of New Jersey's families agreed that schools facilitated their involvement in their child's program. The stakeholders were informed that the data represent a fourth year of positive results regarding schools' facilitation of parent involvement. New Jersey exceeded the SPP target of 82.1% for FFY 2009 by 1.3% and improved over last year's results of 83.3% by 0.1%. In addition, the stakeholders engaged in discussion to determine new targets for the extended SPP/APR cycle for FFY 2011 and FFY 2012. NJOSEP explained to stakeholders that during the two extended years of the SPP, NJOSEP would collect outcome data from the original cohort I districts in FFY 2011 and the original cohort II districts, using the federally approved sampling and data collection plan delineated in the SPP, updated in FFY 2006, and posted on the NJOSEP website. Stakeholders provided recommendations regarding targets for the two-year extension of the SPP and increasing response rate.

Monitoring Priority: FAPE in the LRE

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

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

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

Overview/Description of Issue, Process, System - Parent Involvement

NJOSEP used the *Sampling Calculator* developed by the National Post-Secondary Outcomes Center (NPSO) to select a representative sample of districts to be included each year of the study. Characteristics used to select each sample of districts included: district size, number of students with disabilities, disability type, gender, race/ethnicity and Abbott* status. Each year, one sample (or cohort) of districts is participating in the survey. **The Sampling Calculator developed by NPSO is based on a 5 way clustering process which has as its basis a probability model.**

Using the *Sampling Calculator*, data were entered for the sampling parameters listed above for all New Jersey school districts serving students with disabilities. The Sampling Calculator software selected a representative sample for each of five years reflecting the population of the State at a pre-set confidence level of plus or minus 3%. NJOSEP established a $\pm 3\%$ sampling error, i.e. the sample that is chosen will

be representative of districts serving students with disabilities within the state at a level of error that will be plus or minus 3% -- an error band of 6%. Through the establishment of the \pm 3% sampling error and the use of the NPSO sampling calculator, selection bias should be prevented.

(NOTE: * Abbott refers to districts formerly designated by the New Jersey Supreme Court as in need of assistance due to the preponderance of children from low income families.)

Data Collection:

Beginning in 2006-2007, NJOSEP conducted a survey of how schools/districts facilitate parental involvement among families of student with disabilities, ages 3-21, within a randomly selected, representative sample of New Jersey districts. The results of the survey for the first year (baseline) were reported in the State Performance Plan (SPP) revised in for FFY 2006. Each year of the SPP/APR, NJOSEP continues to survey families in a randomly selected, representative sample of districts. During FFY 2009, 138 districts participated in the cohort IV data collection. By FFY 2010, families of students with disabilities in all New Jersey districts will have had an opportunity to participate in this survey. During the extended two years of the SPP/APR for FFY 2011 and FFY 2012, NJOSEP will collect survey data from the original cohort I districts in FFY 2011 and the original cohort II districts in FFY 2012, using the original federally approved sampling and data collection plan delineated in the SPP, updated in FFY 2006, and posted on the NJOSEP website.

Instruments/Surveys used to gather the data

For the fourth year of the survey, ***NJOSEP continued to use the two survey instruments developed by NCSEAM, the 25 item NCSEAM 619 preschool survey and the 25 item NCSEAM school-age survey.*** An additional response option, "Does Not Apply" was added to both surveys in FFY 2007 to provide respondents with a way of indicating that a particular item did not apply to their experience and to reduce the number of items that were unanswered. Consistent with the first year's data collection, 8 additional items were included on each survey to capture demographic information. Each survey was translated into both English and Spanish and disseminated with a cover letter from the State Director, Office of Special Education Programs, written in both English and Spanish. Respondents had a choice to complete the survey in English or Spanish. The cover letter explained to parents the purpose of the survey and highlighted the importance of their feedback to NJOSEP.

For the fourth cohort of districts, NJOSEP requested and obtained mailing information from 138 local districts, enabling the dissemination of the surveys to parents of preschool-age children and parents of school-age students. NJOSEP contracted with Rutgers University's Bloustein Center for Survey Research to prepare and disseminate the surveys directly to families. Parents were given the opportunity to respond either by completing a paper survey or by using a web-based format. As part of the survey mailing, all parents were sent a personalized identification number and instructions on how to complete the survey on-line in English or Spanish as an alternative to completing the paper survey. 54,014 surveys were mailed to all families of students with disabilities in the 138 districts participating in the cohort four data collection. This number included: 2,967 preschool surveys and 51,047 school-age surveys.

Surveys were mailed initially in mid-May of 2010. In an effort to increase response rates, NJOSEP, through the Bloustein Center, sent a second mailing, four weeks later, to all parents who had not responded to the initial mailing. In all, a twelve week window for response was provided. Once the survey window was closed, a database of survey responses was created by using a double entry verification process; then analyses were completed in collaboration with the Bloustein Center for Survey Research. Additionally, NJOSEP conducted two technical assistance sessions on the parent survey for administrators in participating districts. During these sessions strategies to submit accurate address information to NJOSEP as well as strategies to increase response rates were stressed. Following these sessions, correspondence was sent to all administrators in participating districts highlighting these strategies. A preformatted CD Excel template was mailed to each district with written instructions of how to complete parent address information. In addition, three teleconferences were conducted to train district administrators and support staff on how to complete the Excel CD template. Further support was provided through phone technical assistance to monitor progress and to problem solve issues regarding

the submission of the address files. Additionally, telephone and on-site technical assistance was provided to increase response rates particularly among districts with high minority populations.

FFY	Measurable and Rigorous Target
2009 (2009-2010)	82.1% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Actual Target Data for FFY 2009:

83.4% of parents with a child receiving special education services reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Actual Numbers Used in the Calculation:

Cohort Four Data for Facilitation of Parental Involvement: 2009-2010

A combined total of 11,703 completed surveys were returned to the Bloustein Center. Completed surveys were excluded from the analysis if parents did not complete or selected “does not apply” to a majority of the 25 items. A total of 85 surveys were eliminated from the analyses for this reason. The remaining completed surveys were analyzed as follows: each survey was scored to determine the number and percentage of items that had been positively rated as “agree, strongly agree or very strongly agree”. Surveys were included in the analysis only if 50% or more of the items had been answered. Each survey, for which a majority of items (≥51%) had been rated in one of the three agreement responses, was counted as agreement with “schools facilitating parental involvement”. The number of respondent surveys that indicated this level of “agreement” was used as the numerator in the analysis of outcome data. The denominator was the total number of completed and analyzed surveys. A percentage of parents reporting that schools facilitated their involvement was calculated separately for parents of preschool and school-age students. Additionally, this percentage was calculated reflecting the combined score for families of both preschool and school-age students. This combined percentage was used as the measure of facilitation of parental involvement for Indicator #8. The combined percent of preschool and school-age parents that reported their schools facilitated their involvement for FFY 2009 was calculated as **9,690 divided by 11,618 = 83.4%**. Four years of results for this indicator appear in the table below.

Percent of Parents that Reported Schools Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities												
	Preschool				School Age				Combined			
	2006-2007	2007-2008	2008-2009	2009-2010	2006-2007	2007-2008	2008-2009	2009-2010	2007-2008	2008-2009	2008-2009	2009-2010
A. Completed Surveys	284	762	866	887	2,438	7,302	9,630	10,816	2,722	8,064	10,496	11,703
B. Eliminated from Analysis: Surveys where parent did not answer or selected “does not apply” for majority of items. ¹	0	5	8	8	0	62	101	77	0	67	109	85
C. Completed & analyzed surveys	284	757	858	879	2438	7240	9529	10,739	2722	7997	10387	11,618
D. Surveys with a majority of items rated as agree, strongly agree or very	240	621	722	746	1,955	5,861	7,929	8,944	2,195	6,482	8,651	9,690

strongly agree (4 to 6 on a 6 point scale)												
E. Percent of parents with a majority of items rated positively – as agree, strongly agree or very strongly agree (Row D/Row C) ²	84.5%	82.0%	84.1%	84.9%	80.2%	81.0%	83.2%	83.3%	80.6%	81.1%	83.3%	83.4%
<p>¹ In 2007, a ‘does not apply’ response option was added to questions 1 thru 25 on the survey. Overall, fewer than 1% of respondents failed to rate items on a 6-point scale for a majority of questions in subsequent years.</p> <p>² Majority of items rated positively was determined by dividing questions answered agree, strongly agree or very strongly agree (4 thru 6) by all questions answered. Respondents had to rate over 50% of questions answered as positive in order to be counted as positive. Analysis is based on questions where respondent rated the item on the 1 to 6 scale. Questions skipped or answered as ‘does not apply’ were excluded from the denominator.</p>												

Description of the results of the calculations/Comparison of the results to the target:

Of the 11,618 completed and analyzed surveys received from *both* preschool and school-age parents, **83.4%** (9,690) of parents agreed that “schools facilitated parent involvement as a means of improving services and results for their children with disabilities.”

New Jersey exceeded the SPP target of 82.1% for FFY 2009 by 1.3% and improved over last year’s results of 83.3% by 0.1%. The data represent a fourth year of positive results regarding schools’ facilitation of parent involvement.

Description of how the State has ensured that the response data are valid and reliable, including how the data represent the demographics of the State

Response Rate for FY 2009

A total of 11,703 completed preschool and school-age surveys were returned for a combined response rate of 21.67%. Response rate was calculated by dividing the number of completed surveys returned (F) by the number of surveys mailed (A) as indicated in the table below.

This year’s combined response rate of 21.67% was slightly higher than last year’s response rate of 21.48%. This year, 887 preschool surveys were returned for a response rate of 29.90% (887 divided by 2967). 10,816 school-age surveys were returned for a response rate of 21.19% (10,816 divided by 51,047). A total of 15.85% of the completed surveys were submitted on-line, with a slightly higher percentage of families with preschool students selecting this option (19.05%) versus families of school-age students (15.58%). Web completes as a percentage of total completes increased from last year’s rate of 14.8%.

2,555 surveys were returned to NJOSEP due to incomplete addresses. This represented 4.73% of the total mailing. Given high mobility rates, particularly among New Jersey’s urban districts, it is not unexpected that some addresses may not be correct. To minimize returns, NJOSEP uses a number of strategies to secure current addresses. NJOSEP held teleconferences with districts prior to the data collection in an effort to obtain complete, accurate mailing information as well as to enlist their assistance in publicizing the surveys to increase the response rate. Each district was given a CD with a preset EXCEL template to complete and submit district parent address files to NJOSEP. Additionally, a series of EXCEL training sessions, phone technical assistance and edit checks were conducted to obtain accurate address files.

Survey Dissemination and Response Rate				
Cohort IV: FFY2009				
138 Districts				
		Preschool	School Age	Combined
A	Surveys mailed	2,969	51,047	54,014
B	Mailings returned undeliverable	105	2,450	2,555
C	Surveys returned total	908	10,953	11,861
	▪ 1st mailing	535	6,728	7,263
	▪ 2 nd mailing	200	2,518	2,718
	▪ Web survey	173	1,707	1,880
D	Valid Mailing Address	2,862	48,597	51,459
E	Ineligible - Total	21	137	158
	E ¹ - Surveys returned but less than 50% of the questions 1-25 answered and therefore excluded	13	86	99
	E ² - Surveys returned but excluded for incorrect student age	8	51	59
	▪ Preschool surveys reported on child age 7 or older.			
	▪ School-age surveys reported on child age 4 or younger.			
F	Completed surveys	887	10,816	11,703
	Preschool Response Rate (F1/A)	29.90%		
	School-age Response Rate (F2/A)		21.19%	
	Combined Response Rate (F3/A)			21.67%

Representativeness of Respondents:

Representativeness of respondents to families of all students with disabilities in cohort IV districts was analyzed using the response calculator developed by the National Post-School Outcomes Center (NPSO) for Indicator #14. Characteristics examined included: disability type, gender, minority and Abbott status. Demographic data on the population of special education students in cohort IV districts was obtained using district data from the federally required Annual Data Report. Because NJOSEP does not collect demographic data on preschool students by subtypes of disability, the analysis of representativeness was conducted by comparing information for school-age students, ages 6-21, in cohort IV districts to demographic information provided by respondent families of students ages 6-21. The assumption was made that the characteristics of preschool students were comparable to school-age students from the same districts. Because families of school-age students represented the substantial majority of the respondents, NJOSEP considered this analysis appropriate.

The respondents were similar to the target population of cohort IV districts for: gender and for the disability categories of emotional disturbance and mental retardation. Differences were found for learning disabilities, other categories of disability as well as for Abbott and minority status. Differences in representation of learning disabilities as well as other categories of disability may be due to differences between parents' perceptions of their child's disability as indicated on the survey and district reporting. Although statistical differences were found for Abbott and minority subgroups, a greater number of families in both subgroups responded to the survey this year than in the three prior years in which the survey was conducted. In comparison to last year, 931 more minority families responded to the survey this year (3,858 in 2009-2010 versus 2,927 in 2008-2009) and 575 more families in Abbott districts responded to the survey this year (1,657 in 2009-2010 versus 1,082 in 2008-2009). Improvement activities will continue to seek an increase in response rates for successive cohorts, particularly among Abbott districts and other districts in which a large proportion of families of minority students reside.

Representativeness of Respondents – Cohort IV

	Overall	LD	ED	MR	AO	Female	Minority	Abbott
Target Population Cohort 4	50,144	22,218	2,713	1,433	23,780	16,739	23,897	14,068
Respondents Cohort 4	10,816	3,678	412	136	5,197	3,283	3,858	1,657
Question Sample Size*		n= 9,423				n=10,358	n=10,442	n=10,816
Target population representation		44.31%	5.41%	2.86%	47.42%	33.38%	47.66%	28.06%
Respondent Representation		39.03%	4.37%	1.44%	55.15%	31.70%	36.95%	15.32%
Difference		-5.28%	-1.04%	-1.42%	7.73%	-1.68%	-10.71%	-12.74%

Note: A difference of greater than $\pm 3\%$ is considered a statistical difference.

* (n) refers to the number of surveys for which information was available based on respondent completion of the particular question. Percentages in "Respondent Representation" are based on this sample size.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (FFY 2009)

Discussion of data and progress or slippage toward targets:

New Jersey exceeded the SPP target of 82.1% for FFY 2009 by 1.2% and improved over last year's results of 83.3% by 0.1%. The data represent a fourth year of positive results regarding schools' facilitation of parent involvement.

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

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are noted by the symbol *.**

Improvement Activities/Timelines/Resources:

I. Data Collection and Analysis

To increase response rates and accuracy of mailing addresses, NJOSEP conducted two teleconferences for districts participating in the fourth cohort of districts to explain the parent survey and their role in data collection. Emphasis was placed on facilitating parent involvement from minority families, a need identified from prior data collection years. Suggestions for publicizing the parent survey and encouraging parent participation were provided. Districts were given an excel template that included formatting and entry checks to provide consistency in the data entry of parents' names and addresses. Districts were also provided with a timeline for return of completed mailing information. NJOSEP offered districts compensation through a reimbursement contract for expenditures associated with preparation of parent address files and for activities associated with informing parents of the survey mailing, based on the number of students with disabilities. Scheduled teleconferences as well as ongoing telephone assistance were provided to districts to assist in using the EXCEL template to compile parent address files. NJOSEP used a tracking system to monitor receipt of address files from each district and to determine completeness of the mailing information. Follow-up contact was made with districts who provided incomplete address files or who missed timelines for submission of address files. Beginning in 2007-2008 and continuing for subsequent cohorts, in addition to a paper survey, parents were given the option of responding to the survey on-line.

Targeted Assistance: In addition to the previously mentioned strategies, during the winter of 2009 and spring of 2010, NJOSEP provided targeted technical assistance to participating districts in cohort IV with

large enrollments of minority students with disabilities (including but not limited to Abbott districts) to facilitate collection of accurate mailing addresses for families. Districts were contacted individually *prior to the submission* of their address files to review directions for the compilation and submission of address files. In addition, prior to the dissemination of the survey, technical assistance was provided to individual districts with large enrollments of minority students (including but not limited to Abbott districts) in order to systematically plan and implement strategies to increase the participation of minority families of students with disabilities who reside in these districts. **(Activity: 2009-2010)*****

II. Systems Administration:

NJOSEP contracted with Rutgers University's Bloustein Center for survey research to provide assistance with completing the preparation, dissemination and analysis of the parent survey. **(Activity: 2009-2010)*****

III. Publicity

To increase response rates, NJOSEP included a description of the parent involvement survey, copies of the survey and the names of districts by cohort on the NJOSEP website located at <http://www.nj.gov/education/specialed>.

NJOSEP employed a number of additional strategies to publicize the parent survey within each district. During the parent survey technical assistance sessions, NJOSEP asked participating districts to contact their parent groups for help in disseminating advance information about the survey to encourage parent participation. In addition, NJOSEP provided districts with a sample letter that districts could use to inform parents in advance about the survey. Additionally, suggestions were made to inform parents during IEP meetings and other parent events about the parent survey and the importance of their participation. **(Activity: 2009-2010)*****

The Statewide Parent Advocacy Network (SPAN) also provided assistance to disseminate information about the parent survey through their website and newsletter. **(Activity: 2009-2010)*****

IV. Use of Survey Results

NJOSEP will continue to conduct data analysis from each cohort to identify items with less favorable responses to determine potential areas for improvement planning. NOSEP is incorporating this information into existing parent involvement activities to enhance existing activities and/or development of new activities.

NJOSEP will continue to share the results of item level and district level analyses with monitoring and compliance units to determine implications for those activities. **(Activity: 2009-2010)*****

V. Regulations

The department proposed regulations on November 2, 2005 requiring each district board of education to ensure that a special education parent advisory group is in place in the district to provide input to the district on issues concerning students with disabilities. This requirement was adopted on September 5, 2006. **(Activity: 2009-2010)*****

VI. Self-Assessment/Monitoring Process

NJOSEP has realigned its self-assessment /monitoring system to be consistent with the SPP indicators. Section V. of the NJOSEP self-assessment is entitled Parent Involvement and requires districts to review their compliance with the IDEA requirements related to Indicator 8 identified in USOSEP's Related Requirements document. Compliance with requirements is also reviewed by state monitors as part of the monitoring process. **(Activity: 2009-2010)*****

VII. Personnel Development

NJOSEP Partnership with the Statewide Parent Advocacy Network (SPAN)

Between November 1, 2009 and December 31, 2010, NJOSEP continued its partnership with the Statewide Parent Advocacy Network (SPAN), through the START (Statewide Technical Assistance Resource Team) project, to further family-school collaborative relationships, increase family resources, and enhance the involvement of parents/caregivers in program and placement decisions. Specifically, activities addressed the following components: (1) Parent Group Initiative; (2) Family-Educator Collaboration; (3) Web-Based Information and Support Project; (4) Regional Proactive Workshops, Mini-Conferences, and Teleconferences on Inclusion; and (5) Regional Mini-Conferences and Teleconferences on Transition. **(Activity: 2009-2010)*****

Component 1. Parent Support Group Initiative:

SPAN provided direct technical assistance and leadership development expertise to increase the capacity and sustainability of existing local parent/family support groups and to develop new local parent/family groups, particularly for parents/caregivers who are located in underserved regions or have historically been underserved due to language, race or ethnicity. **(Activity: 2009-2010)*****

- START staff provided technical assistance to over 500 groups (new and pre/emerging) over the course of a 12 month period. Technical assistance was provided to over 1400 parents and educators through informational phone calls and e-mail correspondences. In addition, START staff attended over 100 groups meetings and either presented or facilitated at approximately 150 meetings.

Outcomes

Parent leaders reported receiving assistance in areas including, but not limited to, communication skills, strategies for enhancing parent/professional collaboration, basic rights in special education, how to start and sustain a special education parent advisory group, family resources, understanding ADHD, IEP development, parent advocacy, and how to outreach to Limited English Proficient families.

Component 2. Family-Educator Collaboration:

SPAN in collaboration with NJOSEP provided direct training and technical assistance to enhance collaboration and communication between parents/caregivers and special education professionals in order to increase effective parent involvement in the education of children with disabilities. The following trainings for parents and educators were conducted across the state. **(Activity: 2009-2010)*****

- Proactive workshops that focused on *Family-Educator Collaboration in the IEP Process* were conducted at five regional locations during March and April of 2010. A total of 71 people participated in the trainings including 33 parents and 38 professionals.
- Technical assistance sessions that focused on *Planning for Effective Involvement of Parents of Students Receiving Special Education Services* were provided in two districts in the northern region. A total of 72 educators and parents participated in a facilitated planning process that resulted in a district wide plan of activities to enhance parent involvement.

Outcomes

- Parent-educator teams have: (a) an increased understanding of the characteristics of a collaborative team, (b) an increased understanding of effective communication, collaboration and problem solving, and (c) strategies and resources that support parent-educator partnerships.

- Parents and educators have an increased awareness of levels of parent involvement at the school/district level and a means of planning discussions at the school/district level to enhance and increase parent involvement.

Component 3. Web-Based Information and Support Project:

Through web-based information and support, SPAN served families of children with disabilities and supported the enhancement of New Jersey special education programs. **(Activity: 2009-2010) *****

- Disseminated resources and information for local Parent Support Groups.
- Disseminated resources and information for schools, educators, administrators, parents and students on Transition-to-Adult-Life.
- Disseminated resources and information for schools, educators, administrators, parents and students on inclusive practices, including: *Decision Making in the IEP Process: Emphasis on LRE, Understanding Assistive Technology within the IEP Process*, and educational practices that support the inclusion of preschool children with disabilities in general education preschool programs.
- Disseminated resources and information for schools, educators, administrators, and parents on *Parent Involvement in the Self-Assessment/Monitoring Process*.
- Developed and disseminated resources and information for parents and educators on strategies for collaboration and partnerships for improving outcomes for children receiving special education and related services.
- Disseminated information on parent involvement strategies that have been successfully implemented by schools and parent groups.
- Posted information and online registration for SPAN/DOE collaborative trainings.

Outcomes

Opportunities for families to access information and resources were enhanced by ongoing implementation and maintenance of the Project START website. Over the course of 12 months, the START project website received an average of 328 visitors and 2,822 page views each month.

Component 4. Regional Proactive Workshops, Mini-Conferences, and Teleconferences on Inclusive Practices:

SPAN in collaboration with NJOSEP provided professional development opportunities for parents/caregivers and educators to enhance their knowledge and skills about educating students with disabilities in general education settings with their typical peers with appropriate supports and services. **(Activity: 2009-2010)*****

- Three (3) two-part regional proactive workshops that focused on *Understanding Assistive Technology within the IEP Process* were conducted during spring/summer 2010. A total of 72 parents and educators attended these trainings throughout the state. In addition, a condensed version of the training was co-presented at the 2010 NJEA Convention.
- A teleconference for parents and educators that focused on *Understanding Assistive Technology within the IEP Process* was conducted on December 16, 2010.
- Two regional mini-conferences titled *Preschool Inclusion: Together from the Start* were held, one in the northern region and one in the southern region, in May 2010. Discussion focused on best practices that support the inclusion of preschool students with disabilities within typical early childhood programs. Family members, educators and community providers shared their experiences. A total of 102 parents and educators attended.
- A two-part teleconference titled *Understanding the Assessment and Design of Effective Behavior Support* was presented on July 14, 2009 and July 21, 2009. A total of 120 educators and parents participated. Materials were posted on the START section of the

SPAN website prior to each teleconference for participants to download. Following the teleconferences, an MP3 recording was posted on the website to enable people to listen to both sessions.

- Each year SPAN and NJOSEP co-present proactive trainings that focus on *Decision Making in the IEP Process: Emphasis on Least Restrictive Environment*. During December 2010, regional trainings were offered for directors of special education and parents in districts that are targeted for continuous improvement with respect to educating students with disabilities in general education settings.

Outcomes

- Parents and educators received information on the benefits of inclusive education for preschool children with disabilities and best practices for including preschool students with disabilities in general education settings.
- Parents and educators received information and resources related to using assistive technology as a support system for including students with disabilities in general education settings.
- Parents and educators gained an awareness of the Learning Resource Center Network including resources and services that are available to assist in the education of students with disabilities.
- Parents and educators teams received information on the appropriate IEP decision making process for LRE and reflected on ways to improve practices within their respective district.

Component 5. Regional Mini-Conferences and Teleconferences on Transition-to-Adult Life

SPAN in collaboration with NJOEP provided regional mini-conferences and teleconferences for parents and educators on the benefits, and best practices in Transition-to-Adult-Life planning and programming for students with disabilities. **(Activity: 2009-2010)*****

- Two teleconferences on Transition-to-Adult Life were held for parents, students and educators. The first teleconference, held on August 4, 2009, focused on Community Based Instruction (CBI). A total of 62 individuals participated on the call. The second teleconference, held on August 11, 2009, focused on Structured Learning Experiences (SLE). A total 53 individuals participated on the call. Materials were posted on the START section of the SPAN website prior to each teleconference for participants to download. Following the teleconferences, an MP3 recording was posted on the SPAN and NJOSEP websites to enable people to listen to both sessions.
- Two regional mini-conferences that focus on Community-based Instruction (CBI) were held during October of 2010. The conference in the central/northern region was held on October 16, 2010. The conference in the central/southern region was held on October 30, 2010. Over 120 parent/caregivers and transition aged students attended.

Outcomes

- Parents and educators received information on the benefits and best practices in transition planning and programming for students with disabilities.
- Parents and educators received needed information, strategies and resources to enhance their discussion of transition planning and programming at annual IEP meetings.

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 9 – Disproportionality **Child with a Disability**

Part B State Annual Performance Report (APR) for FFY 2008

Overview of the Annual Performance Report Development:

At the stakeholder meeting held on January 14, 2011, stakeholders were informed that for FFY 2009 NJOSEP analyzed data using racial/ethnic categories to analyze data to identify the number of districts with disproportionate representation, using two years of trend data. Stakeholders were also informed that monitoring activities were used to identify districts with disproportionate representation were the result of inappropriate identification.

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Calculation – Total number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by the total number of districts in the state (6/619) * 100 = .97%.

For the FFY 2009 APR submission, NJOSEP used data from its Fall Survey Data Collection (October 2000) and data from the IDEA 2009 Child Count collection.

Overview/Description of Issue, Process, System - Disproportionality

State’s Definition of “Disproportionate Representation” and Methodology

NJOSEP defined disproportionate representation and examined data for both **over-identification and under-identification**, from both a functional and statistical perspective:

Functional Definition:

Implementation of policies, procedures, and practices in the general education instructional, behavioral, and intervention process and/or the special education identification, referral, evaluation or eligibility determination process that results in a **systemic, pervasive, persistent pattern** of inappropriate **over-identification/under-identification** of students with disabilities of a specific racial/ethnic group as eligible for special education and related services or in a specific eligibility category.

Statistical Definition/ Methodology:**Step 1: How the State calculates disproportionate representation**

NJOSEP, with technical assistance provided through the USDOE, Office for Civil Rights, developed a process for determining disproportionate representation (**over-identification/under-identification**). NJOSEP's process involved the use of multiple measures to statistically determine disproportionate representation (**over-identification/under-identification**). In this way, NJOSEP was able to use a statistical process that was consistent with the functional definition.

The measures included three descriptive statistics:

- unweighted risk ratio
- risk rate comparison
- a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education (***systemic, pervasive***)

The measures included a statistical test of significance – chi square.

In order to determine ***persistence***, districts were ranked on each of the three measures (risk ratio, risk rates, and a measure of impact (i.e. number of students impacted by the disproportionality (**over-identification/under-identification**)) for a consecutive three year period, including the FFY being reported in the SPP/APR. Ranks for the three-year period were totaled and those districts with the lowest ranks (e.g. Ranks of 1 to 50) and an impact number of more than 25 students were identified as having a disproportionate representation. **A total of 123 districts did not meet the minimum 'n' size of more than 25 children with disabilities above the expected number in the racial ethnic group analyzed.**

Data were analyzed for all three measures described above for all required racial/ethnic groups in each district in the state, for children aged 6 through 21 served under IDEA.

Using the criteria established above, NJOSEP determined that **34 school districts** met the data threshold for disproportionate representation.

Step 2: Description of how the State determined that disproportionate representation was the result of inappropriate identification**District Review of Policies, Procedures and Practices/NJOSEP Verification**

For FFY 2009, monitoring activities were used to identify districts with disproportionate representation that was the result of inappropriate identification. NJOSEP special education monitoring process is aligned to the federal monitoring priorities and SPP indicators. One of the priority areas used to target districts for comprehensive self-assessment and monitoring is disproportionality.

Monitoring activities included data verification and a review of compliance indicators related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311. Additionally, a comprehensive "practice" protocol was used to complement the compliance review. The protocol focuses on the areas of Location, Identification, and Referral, Evaluation, and Eligibility Determinations including: administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations

NJOSEP conducted onsite monitoring visits and desk audit. Reports were issued identifying noncompliance and directing districts to correct the noncompliance, including noncompliance findings related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311, within one year of identification. NJOSEP conducted onsite verification visits and desk audits to ensure the timely correction of non-compliance.

The results of NJOSEP’s activities to determine whether disproportionate representation was the result of inappropriate identification were that 6 districts had findings of noncompliance in one or more of the requirements reviewed, indicating that it was the result of inappropriate identification. The districts were directed to correct noncompliance within one year of identification.

Actual Target Data for FFY 2009:

FFY	Measurable and Rigorous Target
FFY 2009	0%

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

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2009 (2009-2010)	619	34	6	0.97%

Report of Progress/Slippage

The data for this indicator indicate progress from 1.45% in FFY 2008 to .97% in FFY 2009, of districts in the state that demonstrated disproportionate representation of racial ethnic groups in special education and related services that is the result of inappropriate identification. Although the number of findings with requirements related to this indicator is too small to identify statewide trends or patterns regarding the root cause of the inappropriate identification, examples of findings of noncompliance include monitoring of prereferral interventions, provision of notices to parents in native language and ensuring that parents or adult students were provided copies of evaluation reports prior within 10 days of eligibility meetings. Technical assistance was provided to districts regarding procedural changes needed to expedite the distribution of reports. **NJOSEP will verify that the findings of noncompliance made in FFY” 2008 are corrected, consistent with OSEP Memorandum 09-02, as described below.**

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

NOTE: Activities that occurred in 2009-2010 and that are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol.***

Self-Assessment/Monitoring and Improvement Planning: NJOSEP realigned its self-assessment/ monitoring system to be consistent with the SPP indicators. Districts were selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education – or randomly. The monitoring system linked compliance, data and programming by requiring districts to conduct a self-assessment that included a compliance review and completion of a comprehensive “practice” protocol developed to complement the compliance review that focused on the areas of Location, Identification, and Referral, Evaluation, and Eligibility Determinations including: administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations.

Districts that participated in monitoring were required to complete the self-assessment and develop an improvement plan to address areas of concern. Onsite monitoring was conducted to identify noncompliance, including noncompliance with requirements related to Indicators 9 and 10. Reports were generated and districts were required to correct noncompliance within one year of identification. Verification of correction of noncompliance was conducted through onsite visit and desk audit.

NJOSEP also provided technical assistance regarding the issues related to disproportionate representation including, but not limited to, the tracking data related to general education referrals and the effectiveness of general education interventions. **(Activity 2009-2010)*****

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

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: 1.45%

4. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	9
5. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	9
6. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction:

To verify correction of noncompliance, the NJOSEP monitors, through desk audit or onsite visit, to ensure that each LEA with a finding of noncompliance:

- Is correctly implementing the specific regulatory requirements, by reviewing student files for which identification occurred following the finding of noncompliance; and
- For any child-specific requirements, has corrected each individual case of noncompliance, unless the child is no longer in the jurisdiction of the LEA, by reviewing a sample of student files identified with noncompliance;
- For a child-specific timeline requirement, has completed the required action, although late, unless the child is no longer within the jurisdiction of

the LEA, by reviewing data that demonstrate that the required activities were completed.

Specific actions taken to correct noncompliance included requiring districts to a) develop or revise procedures; b) conduct training for district staff regarding procedures; c) ensure that forms were translated into other languages; and) implement oversight to ensure continued implementation of the requirements. Districts were required to correct the individual instances of noncompliance and ensure that the requirements were currently being implemented.

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 10 – Disproportionality Eligibility Category

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

Overview of the Annual Performance Report Development:

At the stakeholder meeting held on January 14, 2011, stakeholders were informed that for FFY 2009, NJOSEP analyzed data for all required racial/ethnic categories to identify districts with disproportionate representation, in specific eligibility categories, using two years of trend data. Stakeholders were also informed that NJOSEP used data from monitoring activities to determine the number of districts in which the disproportionate representation was related to inappropriate identification.

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

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

Measurement:

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

Calculation – Total number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by the total number of districts in the state (3/619) * 100 = .48%.

For the FFY 2009 APR submission, NJOSEP used data from its Fall Survey Data Collection (October 2009) and data from the IDEA 2009 Child Count collection.

NJOSEP analyzed data for children in the following six disability categories: mental retardation, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism

Overview/Description of Issue, Process, System - Disproportionality

State's Definition of "Disproportionate Representation" and Methodology

NJOSEP defined disproportionate representation, i.e., **over-identification and under-identification**, from both a functional and statistical perspective:

Functional Definition:

Implementation of policies, procedures, and practices in the general education instructional, behavioral, and intervention process and/or the special education identification, referral, evaluation or eligibility determination process that results in a **systemic, pervasive, persistent pattern** of inappropriate **over-identification/under-identification** of students with disabilities of a specific racial/ethnic group as eligible for special education and related services or in a specific eligibility category.

Statistical Definition: How the State calculates disproportionate representation

Step 1: How the State calculates disproportionate representation

NJOSEP, with technical assistance provided through the USDOE, Office for Civil Rights, developed a process for determining disproportionate representation (**over-identification/under-identification**) NJOSEP's process involved the use of multiple measures to statistically

determine disproportionate representation (**over-identification/under-identification**). In this way, NJOSEP was able to use a statistical process that was consistent with its functional definition.

The measures included a statistical test of significance – chi square and a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education.

Data were analyzed using the measures described above for each district, for all required racial or ethnic groups in the district, for children aged 6 through 21 served under IDEA.

For the purpose of identifying districts with disproportionate representation of racial-ethnic groups in specific disability categories, NJOSEP:

- applied the chi-square, to this pool of districts (regardless of rank) determined to statistically demonstrate disproportionate representation, for each racial-ethnic group and for the disability categories of specific learning disability, mental retardation, other health impaired, emotionally disturbed, language impaired, and autism; and
- applied a measure of impact comparing expected vs. observed numbers of students identified as eligible for special education.

Districts in which the impact was greater than 10 students were identified as having a “disproportionate representation” of racial and ethnic groups in specific disability categories. **A total of 67 districts did not meet the minimum 'n' size of more than 10 children with disabilities above the expected number in the racial ethnic groups analyzed.**

Using the criteria established above, NJOSEP determined that **12 school districts** met the data threshold for disproportionate representation

Step 2: Description of how the State determined that disproportionate representation was the result of inappropriate identification

District Review of Policies, Procedures and Practices/NJOSEP Verification

For FFY 2009, monitoring activities were used to identify districts with disproportionate representation that was the result of inappropriate identification. NJOSEP special education monitoring process is aligned to the federal monitoring priorities and SPP indicators. One of the priority areas used to target districts for comprehensive self-assessment and monitoring is disproportionality.

Monitoring activities included data verification and a review of compliance indicators related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311. Additionally, a comprehensive “practice” protocol was used to complement the compliance review. The protocol focuses on the areas of Location, Identification, and Referral, Evaluation, and Eligibility Determinations including: administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations

NJOSEP conducted onsite monitoring visits and desk audit. Reports were issued identifying noncompliance and directing districts to correct the noncompliance, including noncompliance findings related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311, within one year of identification. NJOSEP conducted onsite verification visits and desk audits to ensure the timely correction of non-compliance.

The results of NJOSEP’s activities to determine whether disproportionate representation was the result of inappropriate identification were that 3 districts had findings of noncompliance in one or more of the requirements reviewed, indicating that it was the result of inappropriate identification. The districts were directed to correct noncompliance within one year of identification.

Actual Target Data for FFY 2008:

FFY	Measurable and Rigorous Target
FFY 2009	0%

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

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY 2009 (2009-2010)	619	12	3	0.48%

Report of Progress/Slippage

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

The data for this indicator indicate progress from 1.29% in FFY 2008 to .48% in FFY 2009, of districts in the state that demonstrated disproportionate representation of racial ethnic groups in special education and related services that is the result of inappropriate identification. Although the number of findings with requirements related to this indicator is too small to identify statewide trends or patterns regarding the root cause of the inappropriate identification, examples of findings of noncompliance include monitoring of prereferral interventions, provision of notices to parents in native language and ensuring that parents or adult students were provided copies of evaluation reports prior within 10 days of eligibility meetings. Technical assistance was provided to districts regarding procedural changes needed to expedite the distribution of reports. **NJOSEP will verify that the findings of noncompliance made in FFY” 2008 are corrected, consistent with OSEP Memorandum 09-02, as described below.**

Self-Assessment/Monitoring and Improvement Planning: NJOSEP realigned its self-assessment/ monitoring system to be consistent with the SPP indicators. Districts were selected for monitoring based on federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education – or randomly. The monitoring system linked compliance, data and programming by requiring districts to conduct a self-assessment that included a compliance review and completion of a comprehensive “practice” protocol developed to complement the compliance review that focused on the areas of Location, Identification, and Referral, Evaluation, and Eligibility Determinations including: administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations.

Districts that participated in monitoring were required to complete the self-assessment and develop an improvement plan to address areas of concern. Onsite monitoring was conducted to identify noncompliance, including noncompliance with requirements related to Indicators 9 and 10. Reports were generated and districts were required to correct noncompliance within one year of identification. Verification of correction of noncompliance was conducted through onsite visit and desk audit.

NJOSEP also provided technical assistance regarding the issues related to disproportionate representation including, but not limited to, the tracking data related to general education referrals and the effectiveness of general education interventions. **Activity: (2009 through 2010)*****

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

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 1.29%

7. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	16
8. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	16
9. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction:

To verify correction of noncompliance, the NJOSEP monitors, through desk audit or onsite visit, to ensure that each LEA with a finding of noncompliance:

- Is correctly implementing the specific regulatory requirements, by reviewing student files for which identification occurred following the finding of noncompliance; and
- For any child-specific requirements, has corrected each individual case of noncompliance, unless the child is no longer in the jurisdiction of the LEA, by reviewing a sample of student files identified with noncompliance;
- For a child-specific timeline requirement, has completed the required action, although late, unless the child is no longer within the jurisdiction of the LEA, by reviewing data that demonstrate that the required activities were completed.

Specific actions taken to correct noncompliance included requiring districts to a) develop or revise procedures; b) conduct training for district staff regarding procedures; c) ensure that forms were translated into other languages; and) implement oversight to ensure continued implementation of the requirements. Districts were required to correct the individual instances of noncompliance and ensure that the requirements were currently being implemented.

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 11: Child Find

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

Overview of the Annual Performance Report Development: Overview of the Annual Performance Report Development:

Indicator 11 was discussed at the stakeholder meeting on January 14, 2011. Stakeholders were presented with the data for this indicator, which indicated progress from the data reported in the FFY 2008. NJOSEP staff informed stakeholders of the process for collecting data for this indicator through the NJSMART student-level data system and the targeted review process used to correct noncompliance. NJOSEP reviewed the changes in the data from the prior year and strategies districts are using to reduce noncompliance. The stakeholders were informed that the target for this indicator is set by the USDE at 100% for each year of the SPP, since it is a

Monitoring Priority: Effective General Supervision Part B / Child Find

compliance indicator.

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

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

Measurement:

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

Account for children included in a. but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

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

Overview/Description of Issue, Process, System – Child Find

Information about the State's established timeline for initial evaluations and State-established exceptions

In accordance with 34 C.F.R. §300.301(c)(1)(ii) and 34 C.F.R. §300.301(c)(1)(ii), New Jersey has established a timeline within which evaluations must be completed and has also established procedures by which eligibility is determined. New Jersey's system of evaluation and determination of eligibility includes the following procedures which must be completed within specific timelines from when a parent provides consent for evaluation, as detailed in New Jersey's special education regulations. These include providing written notice of a meeting; disseminating to the parents any evaluations or reports that will be used to determine eligibility, at least 10 days prior to the eligibility meeting; conducting the eligibility meeting; and if the student is eligible, conducting an IEP meeting; providing written notice of the IEP; obtaining consent to implement the IEP; and having a program that is in place for the student. To comply with the requirement to have the entire process completed within 90 days from the date parental consent is obtained, **the data for this indicator are collected based on the requirement that**

evaluations and a written report must be completed no later than the 65th day from parental consent.

FFY	Measurable and Rigorous Target
FFY 2009 (2009-2010)	100%

Actual Target Data for FFY 2009:

<p>92% of children with parental consent to evaluate were evaluated within New Jersey's established timeline.</p>

Method Used to Collect Data for Indicator 11

Statewide census data for this indicator are collected through the Annual Data Report which is now reported to NJDOE through the New Jersey Standards Measurement and Resource for Teaching (NJSMART) student level data base on October 15th of each year. LEAs report dates of consent and dates for the completion of evaluations, by student. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 11 and for analysis to identify and correct noncompliance. Data for Indicator 11 represent evaluations conducted for the entire reporting year – July 1, 2009 – June 30, 2010, reported by districts on October 15, 2010.

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

a. Number of children for whom parental consent to evaluate was received	20,267
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	18,603
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	92%

Discussion of Range of Days Evaluations were Conducted Beyond the Timeline and the Reasons Children are included in (a) but not included in (b)

Range of days beyond the timeline, when the evaluation was completed: With respect to the length of delay, the majority of the evaluations that were delayed between 1 and 60 days. The table below shows an analysis of the range of days in more detail.

Reasons Children are included in (a) but not in (b): The two primary reasons for delays that could not be considered valid were:

- Additional or specialized evaluations were determined necessary after consent was obtained for the initial evaluation plan

- Staff related issues (vacancies/shortages)

<u>Reason</u>	<u>Number of Delayed Evaluations</u>	
	Not Valid	Valid
Mediation or due process hearing (valid reasons)		9
Additional evaluations were needed	312	
Specialized evaluations were needed	343	
Evaluation related issues (not valid)	655	
Vacancies of child study team or related services personnel	108	
Child study team or related services personnel were unavailable	545	
Staff related issues (not valid)	653	
Incomplete residency/enrollment information (not valid)	19	
No reason for delay reported (not valid)	337	
Total:	1664	9

The 1664 evaluations listed above in the column on the left account for all students in (a) but not included in (b).

The reasons for delays were analyzed by student as indicated above. The evaluation timeline set for initial evaluation does not apply to a public agency if: (1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) A child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability (34 CFR §300.301(d)). As a result, in accordance with the instructions for Indicator 11 in the USOSEP measurement table, these exceptions are not reflected in either the numerator or denominator in the calculation of data for Indicator 11.

In addition, because there is an automatic stay-put whenever mediation or due process hearing is initiated, this was also determined by NJOSEP to be a valid exception to the state established timeline [N.J.A.C. 6A:14-2.6(d) 10 and N.J.A.C. 6A:14-2.7(u)]. As instructed in the measurement table, evaluations that met this exception are included in the numerator and denominator. The NJOSEP determined that all other reasons for a delay in timelines are either not valid or not permitted in regulation.

The chart below represents the reasons, length of delay and number of evaluations.*

Delay Reason	Between 1-5	Between 6-15	Between 16-30	Between 31-60	Between 61-90	Between 91-120	More than 120	Total
Incomplete residency	7	4	1	2	3	0	2	19
Additional Evaluations Needed	58	52	57	85	32	14	14	312
Specialized Evaluations Needed	56	76	62	77	41	21	10	343
Vacancies of Child Study Team or Related Services Personnel	14	31	26	25	6	4	2	108
Child Study Team or Related Services Personnel were Unavailable	151	143	103	81	45	10	12	545
Total	286	306	249	270	127	49	40	1327

*This table does not include the 337 evaluations for which no reason or no valid reason was reported.

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

Discussion of data and progress or slippage toward targets:

The rate of evaluations completed within the state established timeline increased from 88% reported for FFY 2008 APR to 92% reported for the FFY 2009 APR. Overall, there was a decrease of 161 evaluations reported for the 2009-2010 school year from the previous year. The number of delayed evaluations reported with no reason for the delay decreased significantly from 1247 reported last year to 23 reported above indicating improvements in data entry. This enabled the NJOSEP to analyze patterns of delay for the vast majority of delayed evaluations.

Delayed evaluations due to the need for specialized evaluations increased by 84 and delays due to staffing issues increased by 92 from last year. The most significant change in the data was the overall number of evaluations completed on time which increased from 18016 to 18603 even though the overall number of evaluations completed decreased from FFY 2008 to FFY 2009 by 161.

NJOSEP has verified that all evaluations represented in 'a' but not in 'b' above were completed, although late, prior to the submission of this report, although late, consistent with OSEP Memorandum 09-02.

Improvement Activities:

NOTE: Activities that occurred in 2009-2010 and that are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol *.**

Targeted Reviews - Districts identified in NJOSEP's FFY 2008 APR, with delays based on the analysis of FFY 2008 data regarding timelines for initial evaluation received written notification of noncompliance. A targeted review of implementation of child find requirements was conducted

for each district with a finding of noncompliance. The targeted review included: 1) a review of data regarding the completion of delayed evaluations; and 2) a review of data submitted to NJOSEP regarding timelines for evaluations conducted subsequent to FFY 2008 to determine if the state established timeline was being met. Interviews were conducted with directors as needed to identify barriers to timely evaluations. Policies, procedures and practices were discussed with directors as needed. All districts identified with delays demonstrated correction within one year of identification.

The targeted review described above was completed for the districts identified for delays in meeting child find timelines in FFY 2008. Findings and correction of those findings are listed below. Targeted reviews are being conducted currently in the districts reported for delays in meeting evaluation timelines based on NJOSEP’s review of FFY 2009 data. Results of the targeted reviews will be reported in the FFY 2010 APR. **(Activity: 2009-2010)*****

Self-Assessment/Monitoring: Districts with delays in completing initial evaluations within the state established timeline receive a separate targeted review as described above; however, *requirements related to the evaluation process* are also reviewed in all districts selected for self-assessment and monitoring. NJOSEP’s current monitoring system is aligned with the priorities established in the SPP. Policies, procedures and practices regarding the initial evaluation of students referred to determine eligibility for special education and related services are reviewed during the monitoring process. During the onsite visits, technical assistance is provided, as needed, with regard to policies, procedures, and practices relating to timely evaluation of students. **(Activity: 2009-2010)*****

Data Collection and Analysis:

Beginning in the fall of 2008, collection of data for Indicator 11 was changed from an aggregate count submitted by each district and charter school to a student level count and the date was moved from December 1 to October 15. Districts are provided with technical assistance regarding data input annually and the collection process is reviewed annually to ensure that the required information is captured accurately and efficiently. **(Activity: 2009-2010)*****

Correction Findings of Noncompliance Made based on FFY 2008 Data (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 88%

10. Number of findings of noncompliance the State made based on FFY 2008 data (evaluations conducted during the period from July 1, 2008 through June 30, 2009) *	216
11. Number of the findings in number 1 above the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	216
12. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

*Because the data for this indicator are collected for the complete reporting period, findings of noncompliance are not made until the following fiscal year. The findings in the table above were made in FFY 2009 based on FFY 2008 data and will be reported in Indicator 15 of the FFY 2010 APR due February 1, 2012. Indicator 15 of this report includes the findings made in FFY 2008 based on FFY 2007 data.

Verification of Correction Consistent with OSEP Memorandum 09-02:

As required by OSEP Memorandum 09-02, NJOSEP aggregates data for this indicator for the full reporting period at the district level to determine which LEAs demonstrate noncompliance. Individual instances of noncompliance are grouped by finding to make findings at the district level. Districts with findings are required to determine the root cause of the noncompliance, as appropriate, and to implement corrective actions to address any root causes identified.

To verify correction of noncompliance, the NJOSEP monitors determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:

- Is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, determined based on the level of noncompliance, that demonstrate compliance (i.e. 100%); and
- Has completed the initial evaluation, although late, unless the child is no longer within the jurisdiction by reviewing statewide data that demonstrate that all evaluations were completed including the range of days beyond the required timeline and reasons for delay, as described above.

Specific actions that the State took to verify the correction of findings of noncompliance identified regarding FFY 2008 data:

The specific actions taken to verify correction included review of data submitted by the districts indicating the dates of completion of initial evaluations, although late, and the review of updated data submitted by the districts regarding evaluations conducted subsequent to FFY 2008. Interviews conducted with special education directors indicated that root causes of delays included staffing issues, difficulty scheduling specialized evaluations in a timely manner and problems with data entry. As a result of the requirement to submit evaluation data to the NJDOE, the NJOSEP has provided technical assistance regarding monitoring staffing needs and the alignment of district-level data systems with requirements for NJSMART to ensure that: 1) oversight is conducted to address barriers to timely initial evaluations prior to the due dates; and 2) the district has an accurate data system to identify causes for delays when they occur.

NJOSEP analyzes subsequent data submitted through NJSMART to determine whether the LEA is correctly implementing the regulatory requirements. The data must demonstrate 100% compliance. The amount of data reviewed varies based on the level of the noncompliance and the size of the LEA.

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

Additional information were not required in New Jersey's Response Table.

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 12: Early Childhood Transition

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

Overview of the Annual Performance Report Development: At the stakeholder meeting held on January 14, 2011, stakeholders were informed of the slippage that occurred between FFY 08 and FFY 09 for this indicator. NJOSEP staff informed stakeholders that they were reviewing the local district data to determine the reason(s) for the decrease in the number of children transitioning from the Early Intervention System (EIS) who have an IEP developed and implemented by their third birthday. Stakeholders were informed that the target for this indicator is set by the USDE at 100% for each year of the SPP, including the extension through FFY 2012, since it is a compliance indicator.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

- a. # of children who have been served in Part C and referred to Part for Part B eligibility determination. **2384**
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays. **23**
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays. **1517**
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied. **445**
- e. # of children who were referred to Part C less than 90 days before their third birthday. **146**

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

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

Overview/Description of Issue, Process, System – Early Childhood Transition

In accordance with the requirements of 34 C.F.R. 20 U.S.C. 1416(a) (3) (B), New Jersey has adopted regulations to enable a smooth and timely early childhood transition from Part C to Part B. Specifically, these regulations state:

To facilitate the transition from early intervention to preschool, a child study team member of the district board of education shall participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system. The district representative at the transition planning conference shall:

- Review the Part C Early Intervention System Individualized Family Service Plan;
- Provide the parents written district registration requirements;
- Provide the parents written information on available district programs for preschool students, including options available for placement in general education classrooms; and
- Provide the parent a form to utilize to request that the district board of education invite the Part C service coordinator from the Early Intervention System to the initial IEP meeting for the child after a determination of eligibility.

Additionally, the regulations at N.J.A.C. 6A:14-3.3 (3)2 require that:

- Preschoolers with disabilities shall have their IEPs implemented no later than age three. To assure that preschoolers with disabilities have their initial IEPs implemented no later than age three, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.
- For a child receiving Early Intervention System services, the form to request the district board of education to invite the Part C service coordinator from the Early Intervention System to the initial IEP meeting for the child after a determination of eligibility shall be submitted to the district board of education with the request for initial evaluation.

Information about the State’s established timeline for initial evaluations and State-established exceptions

In accordance with 34 CFR §300.101(b), each state must ensure that the obligation to make a free appropriate, public education to all children residing in the state begins no later than age three and that an IEP is in effect no later than the child’s third birthday. In New Jersey, to assure that preschoolers with disabilities have their initial IEPs implemented no later than age three, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three. An identification meeting is conducted within twenty days of receipt of the written request for initial evaluation. The child study team, a teacher and the parents determine the nature and scope of the evaluation on an individual basis. Parents must provide written consent for the evaluation to begin. Eligibility is determined at a meeting with the parents, members of the child study team and other required participants. Notice of the meeting is provided to the parent early enough to ensure participation and a copy of any evaluations or reports used to determine eligibility are provided to the parents at least 10 days prior to the meeting. If the child is determined eligible, an IEP meeting is conducted and parental consent to implement the program must be obtained. All these activities must be concluded prior to the child turning age three.

FFY	Measurable and Rigorous Target
FFY 2009	100%

Actual Target Data for FFY 2009:

86% of children referred by Part C prior to age 3 were found eligible for Part B, and had an IEP developed and implemented by their third birthday.

Method used to Collect Data for Indicator 12

Statewide census data for this indicator for the full reporting period are collected through the Annual Data Report which is now reported to NJDOE through the New Jersey Standards Measurement and Resource for Teaching (NJSMART) student level data base on October 15th of each year. LEAs report if the child was receiving services through the early intervention system (EIS), the date of IEP implementation and the reasons for any delays in implementing the IEP beyond the third birthday. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 12 and for analysis to identify and correct noncompliance.

Actual State Data (Numbers):

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	2384
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	23
c. # of those found eligible who have an IEP developed and implemented by their third birthdays.	1517
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	445
e. # of children who were referred to Part C less than 90 days before their third birthdays.	146
# in a but not in b, c, d, or e.	253
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday. Percent = [(c) / (a-b-d-e)] * 100	86%

Discussion of Children who are included in a but not included in b, c, d or e:

NJOSEP calculated the rate for Indicator 12 using the new formula in the USOSEP measurement table. The reasons for delays were analyzed and, as indicated above, NJOSEP determined that delays due to parent cancellations or the child not being available were reasons that were valid exceptions to the early childhood timeline in accordance with state regulations. [N.J.A.C. 6A:14-3.4(e)1]

In addition, because there is an automatic stay-put whenever mediation or a due process hearing is initiated, this was also determined by NJOSEP to be a valid exception to the early childhood transition timeline [N.J.A.C. 6A:14-2.6(d) 10 and N.J.A.C. 6A:14-2.7(u)]. The NJOSEP determined that all other reasons for a delay in timelines are either not valid or not permitted in regulation.

Range of days beyond the timeline, when the evaluation was completed and reasons for the delays: With respect to the length of delay, the majority of the evaluations were delayed between 1 and 60 days beyond the third birthday. Incomplete residency information was cited most frequently as the reason for the delay. The two remaining reasons for delays that could not be considered valid were:

- Additional or specialized evaluations were determined necessary after consent was obtained for the initial evaluation plan; and
- Staff related issues (vacancies/shortages).

<u>Reason Evaluations</u>	<u>Number of Delayed</u>
Valid	Not Valid
Mediation or due process hearing (valid)	
0	
Additional evaluations were needed (after initial evaluation plan)	28
Specialized evaluations were needed	<u>33</u>
Evaluation related issues (not valid)	61
Vacancies of child study team or related services personnel	15
Child study team or related services personnel were unavailable	<u>54</u>
Staff related issues (not valid)	69
Incomplete residency/enrollment information (not valid)	36
No reason for delay and/or no consent dates reported (not valid)	87
Total	253

The 253 evaluations listed above in the column on the left account for all students in (a) but not included in (b), (c), (d) or (e).

The chart, on the next page, represents the reasons, range of delay and number of delayed evaluations.

Delay Reason	Between 1-5	Between 6-15	Between 16-30	Between 31-60	Between 61-90	Between 91 and 120	More than 120	Total
01: Incomplete residency	6	11	3	6	8	2		36
02: Additional Evaluations Needed	3	5	2	7	5	5	1	28
03: Specialized Evaluations Needed	5	2	14	8	3	1		33
06: Vacancies of Child Study Team or Related Services Personnel	4	1	1	5	3	1		15
07: Child Study Team or Related Services Personnel were Unavailable	9	16	11	14	2	0	2	54
08. Wrong Code	1	5	2		1	1		10
No Reason (Blanks) and No consent Date	23	0	0	0	0	0		77
Total	51	40	33	40	22	10	3	253

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

Discussion of data and progress or slippage toward targets

The data for this indicator indicate slippage from 90% in the FFY 2008 APR to 86% reported in the APR for FFY 2009 of children referred by Part C prior to age 3 who were found eligible for Part B, and had an IEP developed and implemented by their third birthday. The overall number of referrals increased from 2205 in FFY 2008 to 2384 in FFY 2009. There was an increase in the number of delays due to vacancies and in the number of delays due to unavailability of child study team or related services personnel. There was a slight decrease in the number of delays due to incomplete residency information. There was an increase in the number of delays due to the need for specialized evaluations or additional evaluations. Districts report that, at times, they have difficulty scheduling specialists who are not district employees. Although the evaluations were not completed within required timelines, **NJOSEP has verified that all evaluations and IEPs for all children represented in 'a' but not in 'b,' 'c,' 'd,' or 'e' above were completed prior to the submission of this report, although late, consistent with OSEP Memorandum 09-02. NJ verified this through its data collection by ensuring that an IEP date was included for all students, even if that date was beyond the third birthday. NJOSEP followed up on any child for whom a date was missing and verified that the IEP did occur, although late.**

Improvement Activities:

NOTE: Activities that occurred in 2009-2010 and that are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol *.**

Targeted Reviews - For the districts identified in indicator 12 in NJOSEP's FFY 2008 APR for delays based on the analysis of FFY 2008 data regarding timelines for early childhood transition, a targeted review of child find requirements was conducted. Individual student-level data submitted through NJSMART was reviewed to ensure that all evaluations reported as delayed in the FFY 2008 APR (Indicator 12) were completed. Additionally, districts were required to submit student-level timeline data demonstrating that the district is correctly implementing the specific regulatory requirements for this indicator. NJSMART data and data regarding current evaluations submitted by the districts to NJOSEP were reviewed to determine if the reasons for delays in evaluations had been addressed, resulting in correction of noncompliance with the timeline requirement.

One of the 74 districts did not demonstrate compliance through the review of subsequent data. As a result the district was required to submit a separate report of data collected subsequent to the NJSMART submission to demonstrate correction and current implementation of the requirement. All 74 districts demonstrated correction, in accordance with the USDOE 09-02 memo within one year of identification. Targeted reviews will be conducted in the spring of 2011 in the districts reported for delays in meeting evaluation timelines based on NJOSEP's review of FFY 2009 data. Results of the targeted reviews will be reported in the FFY 2010 APR due February 1, 2012. **(Activity: 2009-2010)*****

Self-Assessment/Monitoring: Districts with delays for this indicator receive a separate targeted review as described above; however, *requirements related to early childhood transition* are also reviewed in all districts selected for self-assessment and monitoring. NJOSEP's current monitoring system is aligned with the priorities established in the SPP. Policies, procedures and practices regarding referral from the EIS, initial evaluation, IEP development and implementation of services are reviewed during the monitoring process.

During the monitoring process, technical assistance is provided, as needed, with regard to policies, procedures, and practices relating to this indicator. **(Activity: 2009-2010)*****

Data Collection and Analysis:

Beginning in the fall of 2008, collection of data for Indicator 12 was changed from an aggregate count submitted by each district and charter school to a student level count and the date was moved from December 1 to October 15. Reasons for delays were expanded for the FFY 2008 data collection and the FFY 2009 data collection for the purpose of determining the root cause for delays in early childhood transition. Annually, the collection of data for this indicator is reviewed to ensure that all required elements are collected accurately. Data are reviewed statewide to identify patterns of noncompliance and barriers to timely transition. **(Activity: 2009-2010)*****

Coordination across Systems: The NJOSEP 619 coordinator continued to:

- participate on the Part C Steering Committee and the SICC and provide information on this indicator;
- participate on the Part C and B stakeholders group to further define and clarify transition reporting categories;

- coordinate efforts with New Jersey Department of Health and Senior Services, Early Intervention System to disseminate the revised transition booklet for families and continued joint training regarding the early childhood transition process for families, districts, early intervention providers; and
- work with the Department of Human Services, Early Care and Education Office in the dissemination of information on early childhood transition to Head Start and childcare. **(Activity: 2009-2010)*****

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

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 90%

13. Number of findings of noncompliance the State made during based on FFY 2008 (the period from July 1, 2008 through June 30, 2009) *	74
14. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	74
15. Number of FFY 2008 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

*Because the data for this indicator are collected for the complete reporting period, findings of noncompliance are not made until the following fiscal year. The findings in the table above were made during FFY 2009 based on FFY 2008 data will be reported in Indicator 15 of the FFY 2010 APR due February 1, 2012. Indicator 15 of this report includes the findings made in FFY 2008 based on FFY 2007 data.

Verification of Correction (either timely or subsequent):

As required by OSEP Memorandum 09-02, NJOSEP aggregates data for this indicator for the full reporting period at the district level to determine which LEAs demonstrate noncompliance. Individual instances of noncompliance are grouped by finding to make findings at the district level. Districts with findings are required to determine the root cause of the noncompliance, as appropriate, and to implement corrective actions to address any root causes identified and to correct any noncompliance policies, procedures or practices that may have contributed to the noncompliance.

To verify correction of noncompliance, the NJOSEP monitors determined, through desk audit and/or interviews, that each LEA with a finding of noncompliance:

- (1) Was correctly implementing 34 CFR §300.124(b), (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) Had developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02.

Specific actions that the State took to verify the correction of findings of noncompliance identified regarding FFY 2008 data:

The specific actions taken to verify correction included review of data submitted by the districts indicating the dates of completion of IEP implementation, although late, and the review of

updated data submitted by the districts regarding referrals from conducted subsequent to FFY 2008. Interviews conducted with special education directors indicated that root causes of delays continue to be vacancies and the unavailability of child study team or related services personnel. There was an increase in the number of delays due to the need for specialized evaluations or additional evaluations. Districts reported that, at times, they have difficulty scheduling specialists for additional evaluations. NJOSEP has provided technical assistance regarding communication with referring early intervention programs, maintaining and using data for oversight and reallocation of staff to meet district needs.

NJOSEP analyzes subsequent data submitted through NJSMART to determine whether each LEA with identified noncompliance is correctly implementing the regulatory requirements. The data must demonstrate 100% compliance. The amount of data reviewed varies based on the level of the noncompliance and the size of the LEA.

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

As per the SPP/APR Response Table, NJOSEP reviewed its improvement activities and determined that revisions were not necessary at this time. Existing activities have been designed to increase compliance with this indicator.

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

Indicator # 13: Secondary Transition
Part B State Annual Performance Report (APR) for FFY 2009

Baseline data, targets and improvement activities for Indicator 13 are included in New Jersey's State Performance Plan revised February 1, 2011

States are not required to report on Indicator 13 in this APR since Indicator 13 was revised by USOSEP for FFY 2009 (2009-2010).

Indicator # 14: Post-Secondary Transition **Outcomes**

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

Baseline data, targets and improvement activities for Indicator 14 are included in New Jersey's State Performance Plan revised February 1, 2011

States are not required to report on Indicator 14 in this APR since Indicator 14 was revised by USOSEP for FFY 2009 (2009-2010).

Indicator #15: Identification and Correction of Noncompliance

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

Overview of the Annual Performance Report Development: At a stakeholder meeting held on January 14, 2011, NJOSEP’s performance with respect to identifying and correcting noncompliance within one year was reviewed. Stakeholders were informed that reductions in staff have contributed to slippage in the rate of correction of noncompliance within one year of identification. Stakeholders were also informed that additional staff is being hired this year in an effort to ensure implementation of the IDEA resulting in progress toward the SPP target for this indicator of 100%

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
 - b. # of corrections completed as soon as possible but in no case later than one year from identification.
- Percent = [(b) divided by (a)] times 100.

States are required to use the “Indicator 15 Worksheet” to report data for this indicator (see Worksheet at the end of this indicator).

FFY	Measurable and Rigorous Target
FFY 2009	100%

Actual Target Data for FFY 2009:

(Target data for FFY 2009 – the percent shown in the last row of the Indicator 15 Worksheet [(column (b) sum divided by column (a) sum) times 100])

89.1% of noncompliance identified through the general supervision system (including monitoring, complaints, etc) and related to monitoring priority areas and indicators during FFY 2008 was verified as corrected within one year of identification

Target Data (from Table B15): Percent of noncompliance corrected in one year of identification = (column [b] sum divided by column [a] sum) * 100
497/558 x 100 = 89.1%

Describe the process for selecting LEAs for Monitoring:

The findings of noncompliance in Table B-15 include findings identified as a result of district and charter school monitoring activities, complaint investigation and dispute resolution.

Monitoring

The findings of noncompliance included in Table B-15 from monitoring activities were identified in districts selected for focused monitoring in FFY 2008 based on district data, specifically, the rate of students with disabilities educated in separate public and private placements, disproportionate representation of specific racial ethnic groups in special education or through random selection.

Findings of noncompliance were issued in writing by NJOSEP following desk audit, onsite file review, data review and interviews with staff and parents. Monitors reviewed compliance with IDEA requirements related to SPP indicators. Districts were required to correct noncompliance identified during monitoring activities within one year of identification. If noncompliance was not corrected, state-directed corrective action plans were required that included specific activities, timelines and documentation required to demonstrate correction. Corrective action activities included the development or revision of policies and procedures, training, activities related to implementation of procedures and/or oversight of implementation of procedures. In addition to requiring corrective actions that address any root causes of noncompliance, NJOSEP verifies correction consistent with USOSEP Memorandum 09-02 by reviewing files with individual noncompliance that could be corrected and reviewing subsequent data collected following the implementation of the corrective actions that demonstrate 100% compliance with regulatory requirements. Technical assistance was provided as needed to assist districts in timely correction, training of staff and/or development of oversight activities to ensure implementation of IDEA. Technical assistance documents (e.g., state notice and IEP sample forms, discipline requirements power point presentation) were disseminated to assist districts with establishing or revising procedures that comply with federal and state special education requirements.

Targeted Review

Findings of noncompliance with Indicators 4B, 11 and 12 and with requirements *related to* Indicator 4A and 4B are identified through review of data from NJSMART, New Jersey's student level data system and the Electronic Violence and Vandalism Report. Once districts are identified through as noncompliant with Indicators 11 and 12 through written notification, a desk audit or an onsite targeted review is conducted to ensure correction of noncompliance. For Indicators 4A and 4B, an onsite targeted review is conducted in districts that demonstrate a significant discrepancy in their rate of suspensions and expulsions over 10 days and/or a significant discrepancy in suspension/expulsion rate by race and ethnicity. Compliance with IDEA requirements related to discipline procedures, and positive behavioral supports, is reviewed during the onsite visit.

For indicators 4A and 4B, the onsite targeted reviews are conducted by a monitor and, depending on the data and additional relevant information regarding the district, a technical assistance provider from the Learning Resource Center Network. Following the targeted reviews, a written report of findings is generated. Corrective action activities are included in the report if noncompliance is identified and are based on any identified root causes of the noncompliance. Corrective action activities may include: the revision of procedures, staff training, activities related to implementation of procedures, and/or oversight of implementation of procedures.

Findings of noncompliance with Indicator 13 are identified through a targeted desk audit review. Districts and charter schools were selected for the targeted review based on a schedule that

ensures that each district and charter school, with students ages 16 and above enrolled will participate once during the SPP period. Procedures for the targeted review were revised in FFY 2009 to ensure that sufficient data was collected to determine compliance with the revised Indicator 13. Two teleconferences were conducted for districts to review the requirements for transition and the procedures for the targeted review. Targeted technical assistance was offered to districts participating in the targeted review. IEPs and other documentation regarding individual students, ages 16 and above, were reviewed by NJOSEP monitors using the revised questionnaire developed by the National Secondary Transition Technical Assistance Center. Directors of special education were interviewed if necessary. Following the targeted review, a written report of findings was generated for each participating district and charter school. Corrective action activities to address any root causes of the noncompliance were included in the report if noncompliance was identified. Corrective action activities included the revision of procedures, staff training, activities related to implementation of procedures and/or oversight of implementation of procedures.

In addition to requiring corrective actions that address any root causes of noncompliance, NJOSEP verifies correction consistent with OSEP Memorandum 09-02 by reviewing files with individual noncompliance that could be corrected and reviewing subsequent data collected following the implementation of the corrective actions that demonstrate 100% compliance with regulatory requirements.

Complaint Investigation

When a complaint investigation determines that a district or charter school is non-compliant with state or federal special education law or regulations, the NJOSEP will identify the noncompliance in a report that is sent to the complainant and to the school or school district. Each finding of noncompliance is accompanied by a directive for corrective action that, as appropriate, may require the school or district to review and revise current policies/procedures; conduct staff training in the new procedures and to verify that the revised procedures have been implemented. Corrective action may also require the provision of compensatory services, when those services have not been provided in accordance with a student's IEP. All corrective actions must be completed within one year of notification of the noncompliance. NJOSEP verifies the correction of each finding.

If a district fails to complete corrective actions in a timely manner, the department has, depending on the circumstances, provided technical assistance, notified the district board of education of the district's failure to complete the corrective action in a timely manner and arranged for a meeting with the district superintendent and president of the board of education to review and summarize the outstanding corrective actions. In the event this is not sufficient to correct the noncompliance, the department will initiate the process to withhold approval of the district's IDEA grant or delay payment of the funds until the noncompliance is verified as corrected. In the case of a charter school, the same procedures with respect to technical assistance and interaction with the director and board of directors are in place. However, the department has the authority to place the charter school on probation and, if necessary, revoke the school's charter.

Dispute Resolution

The New Jersey Office of Special Education Programs (NJOSEP) identifies noncompliance with respect to mediation and due process hearings in two ways. When a pattern (number of mediations or due process hearings related to a particular issue in a district) is discerned, the information is conveyed to the regional monitoring team for review of policies and procedures that may affect the number of requests in a district for mediation or due process hearings.

In addition, NJOSEP enforces the district's compliance with mediation agreements and due process hearing decisions including any findings of noncompliance identified through the due

process hearing regardless of the outcome of the hearing. Parents may request enforcement of a state mediated agreement or a decision of an administrative law judge (ALJ) by writing to the NJOSEP when the parent believes the district has failed to implement the agreement or decision as written. For agreements, a mediator will be assigned to enforce the agreement. For decisions of an ALJ, a complaint investigator will be assigned to enforce the decision. In each instance the district is required to submit documentation of compliance with the agreement or decision.

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

Discussion of data and progress or slippage toward targets:

The rate of correction for findings corrected in FFY 2009 (89.1%) demonstrates slippage from the rate of correction reported for findings corrected in FFY 2008 APR (95.92%). Staff shortages impacted NJOSEP's ability to ensure correction of noncompliance within one year of identification. Additionally, although districts received technical assistance if they had difficulty correcting noncompliance, some districts could not ensure implementation of new or revised procedures for some requirements.

In order to ensure that NJOSEP timely corrected noncompliance under this indicator, in accordance with 20 U.S.C. 1232d(b)(3)(E) and 34 CFR §§ 300.149 and 300.600, the following improvement activities were completed.

Improvement Activities

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are represented by the symbol*.**

Monitoring Process and Procedures

- a. NJOSEP continued to direct specific activities to correct noncompliance identified within district targeted review and complaint reports. A short timeline for correction is provided to LEAs to ensure timely provision of services to students with disabilities and ample time for targeted technical assistance with the correction process, if necessary, in order to ensure correction within one year of identification. **(Activities 2009-2010)*****
- b. Targeted technical assistance continues to be provided for districts in need of assistance and in need of intervention in areas where the districts have demonstrated an inability to correct noncompliance. Sessions are focused on the specific barriers identified by the district staff and the monitors. Timelines for verification are established as a mechanism to track the effectiveness of the assistance and as an incentive for correction. Sessions thus far have focused on speech and language services, evaluation timelines, transition, discipline, evaluation and placement decision making. **(Activity 2009-2010)*****

Note: For this indicator, report data on the correction of findings of noncompliance the State made during FFY 2008 (July 1, 2008 through June 30, 2009).

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

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) (Sum of Column a	558
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on the Indicator B15 Worksheet)	
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	497
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	61

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

4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	61
5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	52
6. Number of FFY 2008 findings <u>not</u> yet verified as corrected [(4) minus (5)]	9

Actions Taken if Noncompliance Not Corrected

Districts that fail to correct noncompliance within one year of identification, through monitoring, complaint investigation or due process, receive a determination of needs assistance or needs intervention depending upon the extent of the noncompliance and other factors considered in the determination process. Specific actions taken for uncorrected noncompliance are described below.

Monitoring

A total of 7 findings in 6 districts from FFY 2008 remain uncorrected. As part of NJOSEP's oversight, a monitoring team was assigned to conduct regular onsite visits to these districts. During the onsite visits, the monitors reviewed files, interviewed staff, visited classrooms and provided technical assistance. Data from district databases were also reviewed. When necessary, the county supervisor of child study, a Learning Resource Center Consultant, the 619 coordinator and/or the manager of the monitoring unit participated in the meetings. Root causes for the noncompliance include lack of oversight of staff and lack of implementation of district procedures. Technical assistance was designed to provide strategies to address the specific barriers that have delayed correction of noncompliance. Topics include modifying data systems, placement decision making, oversight strategies, monitoring evaluation timelines, procedures for provision of notice, and data analysis. Student data and records were also required to be submitted to NJOSEP for desk audit to expedite correction depending upon the extent of the noncompliance.

Complaints

A total of 2 FFY 2008 findings, made as a result of complaint investigations in one district, remain uncorrected. NJOSEP staff members have required additional, more frequent, documentation from the district to monitor correction. In addition, complaint investigators and the district's monitoring team leader have met and are working collaboratively to ensure correction through technical assistance, onsite visits and review of data submitted by the district.

Verification of Correction for findings of noncompliance reported in the FFY 2009 APR (either: timely or subsequent): The Indicator B-15 worksheet includes findings of noncompliance identified through: LEA monitoring, targeted review, complaint investigation and dispute resolution. All findings of noncompliance must be corrected within one year of identification.

To verify correction of noncompliance consistent with OSEP Memo 09-02, the NJOSEP monitors, complaint investigators, and hearing officers determined, through desk audit or onsite visit, that each LEA with a finding of noncompliance:

- **Is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, determined based on the level of noncompliance, that demonstrate compliance;**
- **For a child-specific requirement, has corrected each individual case of noncompliance, unless the child is no longer in the jurisdiction of the LEA, by reviewing a sample of files previously found to have noncompliance; and**
- **For a child-specific timeline requirement has completed the required action, although late, unless the child is no longer within the jurisdiction of the LEA, by reviewing statewide data that demonstrated that the required activities were completed for each child.**

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):

Specific activities to verify correction included requiring: development or revision of district or school procedures and submission of those procedures; revision of IEPs and submission of revised IEPs; submission of updated data; submission of revised reports for oversight; submission of revised class lists; provision of compensatory services; and/or submission of student or staff schedules. Verification activities by monitors and complaint investigators included review of files, new or revised procedures and/or revised data reports and the review of updated data. Additionally, monitors conducted classroom visits and interviews with staff members.

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

1. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008) (Sum of Column a on the Indicator B15 Worksheet)	712
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	683
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	29

Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	29
5. Number of findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	29
6. Number of findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable)

Not applicable

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

As required, NJOSEP revised its SPP for this indicator to include targets and improvement activities through FFY 2012.

PART B INDICATOR 15 WORKSHEET

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	26	50	47
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	3	3
	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other: Targeted Review	13	45	45
4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Dispute Resolution: Complaints, Hearings	29	29	29
5. Percent of children with IEPs aged 6 through 21 -educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	37	56	49
	Dispute Resolution: Complaints, Hearings	2	2	1
8. Percent of parents with a child receiving special	Monitoring Activities: Self-Assessment/	26	41	35

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	8	20	17
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	13	24	19
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other: Targeted Review	3*	3	3
	Dispute Resolution: Complaints, Hearings	5	5	4
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other: Targeted Review	47*	47	47
	Dispute Resolution: Complaints, Hearings	1	1	1
13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other:	23	23	23
	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit,	40	143	120

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008(7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
	On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	36	59	48
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings			
Sum the numbers down Column a and Column b			558	497
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			(b) / (a) X 100 =	497/558=89.1%

*Data for Indicators 11 and 12 are collected each October 15 as part of the annual special education data collection through NJSMART, New Jersey's student level data system. The process enables NJOSEP to review these indicators for every student evaluated in every district and charter school every year of the SPP period.

Because the data for Indicators 11 and 12 are collected for the complete reporting period (July 1 to June 30), findings of noncompliance are not made until the following fiscal year. The findings made in FFY 2008 based on FFY 2007 data are reported in the table above. Indicators 11 and 12 include findings made in FFY 2009 that were based on FFY 2008 data. The findings made in FFY 2009, reported in Indicators 11 and 12 will be reported in Indicator 15 in the FFY 2010 APR due February 1, 2012

Indicator #16: Complaint Timelines

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

Overview of the Annual Performance Report Development:

Indicator #16 was discussed at the January 14, 2011 stakeholder meeting. As reflected on the Indicator Progress Chart disseminated to stakeholders, NJOSEP staff discussed both the target and actual target data for FFY 2009. NJOSEP also discussed how complaint timelines are tracked and the oversight mechanisms used to issue reports within the 60-day timeline.

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

Overview/Description of Issue, Process, System – Complaint Timelines

During FFY 2009 the NJOSEP employed one full time complaint investigator and a manager who coordinated the complaint investigation process. The other full time complaint investigator was on maternity leave and two full time complaint investigator positions, as well as the coordinator of complaint investigations position, were vacant. This is a change from past years when the NJOSEP employed a full-time coordinator and three full time complaint investigators, as well as part-time staff to assist with the process. The decrease in staff was due to attrition and a hiring freeze of State employees. In order to work toward achieving compliance with this indicator, NJOSEP utilized staff from other bureaus within the office to assist with tasks associated with the complaint process.

The investigators identify allegations; conduct fact-finding and write reports that determine compliance/noncompliance and where there is noncompliance, direct corrective action. Procedures for conducting a complaint investigation, which had been developed in FFY 2005, continue to be implemented. These include providing the parent and education agency an opportunity to resolve the complaint either locally or through mediation of the complaint and providing the education agency an opportunity to submit a written response to the allegations of noncompliance.

FFY	Measurable and Rigorous Target
2009 (2008-2009)	100% of signed written complaints with reports are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Actual Target Data for FFY 2009:

86% of signed written complaints with reports were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Actual Numbers Used in the Calculation:

82 reports within timelines + 8 reports within extended timelines/105 = 86%

Description of current data in relation to the SPP target/Description of the results of the calculations and comparison of the results to the SPP target

NJOSEP received 253 signed written complaints for the 2009-10 school year, which represents an increase of 38 cases from the previous school year of 2008-09. Although NJOSEP has maintained its efforts toward achieving the target of 100% of written complaints resolved within the required timeline, the target was not achieved.

Through the ongoing oversight of the Manager, Bureau of Policy and Planning, NJOSEP continued to implement a process for tracking the receipt of the complaint, the assignment of the complaint to a complaint investigator, the completion of the report, the review of the report and the final approval and issuance of the report by the NJOSEP director.

Report of Progress/Slippage**Discussion of data and progress or slippage toward targets:**

NJOSEP has maintained its efforts toward the target of 100%. In FFY 2008, NJOSEP reported 99% of complaints were completed within the required timeline or an extended timeline. The NJOSEP has reported a decrease in the percentage of complaints completed within timelines by 12% from the previous year.

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

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP, including FFY 2009, are represented by the symbol *.**

Monitoring and working toward meeting Timelines

- During the reporting year, NJOSEP lost the bureau manager who oversaw the complaint investigation process to retirement and one complaint investigator to maternity leave, had no coordinator of complaint investigations, and had two vacancies in complaint investigator positions because of State hiring freezes. The manager and coordinator positions were assumed by another member of the staff who also oversaw the dispute resolution process, policy, and another bureau. This lack of staffing caused slippage in the percentage of cases that were completed within the 60 day timeline or an extended timeline.
- The NJOSEP utilized staff from other bureaus within the office to attempt to complete required activities within the mandated timelines, but was unable to complete 100% of complaint investigations within the 60 day timeline or an extended time period. **(Activity 2009-2010)**

- The NJOSEP hired a coordinator of complaint investigations in December 2010, and is in the process of hiring two complaint investigators. It anticipates that the additional complaint investigators will begin work by April 2011. In addition, a part-time employee was hired in September 2010 to assist with conducting complaint investigations and completion of reports. Also, the complaint investigator who was on maternity leave returned on January 3, 2011. This additional staffing will provide the NJOSEP the necessary resources to work toward achieving the target of 100% of complaint investigations being completed within the 60 day time period or an appropriately extended time period. **(Activity 2009-2010)*****
- In order to achieve or make progress toward the target of 100% for this indicator, NJOSEP maintained its oversight for tracking the receipt of the complaint, the assignment of the complaint to a complaint investigator, the completion of the report, the review of the report and the final approval of the report by the NJOSEP director in accordance with the 60-day timeline. **(Activity 2009-2010)*****
- Regular staff meetings were conducted throughout the year with complaint investigators, including meetings dedicated to strategies for organizing investigations and generating reports in order to meet the required timeline. **(Activity 2009-2010)*****

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

NJOSEP met with the stakeholders and amended New Jersey's SPP on January 14, 2011 to extend the target for this indicator for two years as directed by the United States Department of Education. The new ranges in New Jersey's amended SPP are as follows:

FFY 2011 100%

FFY 2012 100%

Indicator #17 – Due Process

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

Overview of the Annual Performance Report Development:

A stakeholder meeting was held on January 14, 2011. New Jersey's performance with respect to the percent of fully adjudicated cases within the required timelines was reviewed. Stakeholders were informed of progress in this area.

Monitoring Priority: Effective General Supervision Part B/General Supervision

Measurement Information

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

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

Measurement: [(3.2(a) + 3.2(b)) divided by 3.2] times 100

Overview/Description of Issue, Process, System – Due Process Timelines

In New Jersey, the Office of Administrative Law (OAL) is the agency that hears all due process cases. Data are collected throughout the year by the OAL indicating the number of due process cases transmitted to OAL, the outcome of each case and the timeline for hearing and deciding a case. The New Jersey Office of Special Education Programs (NJOSPEP) also maintains a database and inputs the total number of cases filed in New Jersey.

All due process and mediation cases are filed with the NJOSPEP. All pertinent information (i.e., date received, relief requested, parent/student identifying information, issues, and attorneys) is logged into a database and the case is assigned a specific case number. If mediation is requested, NJOSPEP immediately gives the case folder to the office scheduler, who then schedules the mediation date and location.

Pursuant to New Jersey law and code, the OAL is the agency responsible to hear all due process cases that are not settled through mediation/resolution session or are directly transmitted for hearing per parent/district agreement. All transmittals are clearly tracked in the office database.

NJOSPEP and OAL have taken steps to expedite the processing of requests for a due process hearing and completion of due process hearings, with the goal of completing all cases within the 45-day federal time period (including all legal extensions of time). The NJOSPEP and OAL implemented a new system for transmittal and processing of requests for a due process hearing to OAL on February 1, 2005. Cases are transmitted and scheduled for an initial hearing on or about day 10. If additional hearing dates are required, they are scheduled on that initial hearing date and the matter is adjourned to the next hearing date. This system results in early case management by the administrative law judge assigned to the case, with an emphasis on keeping the parties focused on preparing for and completing the case as quickly and efficiently as

possible. Parties are expected to begin their cases on the initial hearing date, and to resolve any discovery, witness or other procedural issues at that time, in order to allow for completion of the hearing on any subsequent hearing day(s) determined necessary to fully hear the matter. This system, with its added emphasis on case management at an early date, has resulted in a significant reduction in the number of calendar days utilized to complete due process hearings, as well as the number of federal days necessary to complete these cases.

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Actual Target Data for FFY 2009:

100% of fully adjudicated due process cases were fully adjudicated within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

Actual Numbers Used in the Calculation:

36 cases within 45-day timeline + 18 cases within extended timelines/ 54 = 100%

Description of current data in relation to the SPP target/Description of the results of the calculations and comparison of the results to the SPP target

Data Analysis (Including Trend Data to Demonstrate Progress)

In FFY2004, the baseline data revealed that **87.2%** of fully adjudicated cases were fully adjudicated within the 45-day timeline or within a properly extended timeline.

In FFY 2005, the data revealed that **93%** of fully adjudicated cases were fully adjudicated within the 45-day timeline or within a properly extended timeline.

The FFY 2006 data revealed that **98.1%** of fully adjudicated cases were fully adjudicated within the 45-day timeline or within a properly extended timeline. Of the 55 fully adjudicated cases for FFY 2006, only one of the 55 cases was not fully adjudicated within the appropriate timelines.

The FFY 2007 data revealed that **91%** of fully adjudicated cases were fully adjudicated within the 45-day timeline or within a properly extended timeline. Of the 88 fully adjudicated cases, 8 cases were not fully adjudicated within appropriate timelines.

The FFY 2008 data reveal that **95%** of fully adjudicated cases were fully adjudicated within the 45-day timeline or within a properly extended timeline. Of the 42 fully adjudicated cases, 2 cases were not fully adjudicated within appropriate timelines.

The FFY 2009 data reveal that **100%** of fully adjudicated cases were fully adjudicated within the 45-day timeline or within a properly extended timeline. Of the 54 fully adjudicated cases, all were fully adjudicated within appropriate timelines.

Report of Progress/Slippage

Discussion of data and progress or slippage toward targets:

As indicated in the SPP, New Jersey receives approximately 1,100 due process and mediation cases each year. Consistent with that number, 1178 requests for due process and mediation were filed in FFY 2009. In New Jersey, the Office of Administrative Law (OAL) is the agency that adjudicates all due process cases. The number of fully adjudicated due process cases increased from 42 cases in FFY 2008 to 54 cases in FFY 2009.

The NJOSEP was able to meet the goal of 100% in all 54 cases. Progress of 5% was made from FFY 2008. In order to achieve this progress, the OAL reviewed and provided the NJOSEP with frequent and regular progress reports of the timeliness of cases, and communicated regularly with NJOSEP in order to assess progress or slippage and quickly address issues to ensure completion of cases within the required timelines. This enhanced oversight and communication, and the resultant immediate resolution of issues, allowed NJOSEP and OAL to achieve 100% compliance with this indicator.

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

Discussion of improvement activities completed for FFY 2009:

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are represented by the symbol *.**

Procedures and Process: ALJs continue to implement effective and early case management of special education cases. Cases continue to be transmitted and scheduled for an initial hearing on or about day 10. Furthermore, a request to adjourn a case is not easily granted by the ALJs. This aids in the completion of a hearing and helps to improve overall timelines. ALJs expect the parties to be prepared for a hearing on the initial hearing date.

Ongoing collaboration and open dialogue continue between the NJOSEP and the OAL. The OAL revised its "Manual on Special Education" for all of the ALJs based on the New Jersey code and procedural changes that were a result of IDEA 2004. Each ALJ received this manual to use as a reference guide for hearing special education due process cases. Also, as indicated in the SPP, meetings between the NJOSEP and the OAL are held at least four times per year with at least one meeting designated to reviewing the SPP and APR data. Regular phone calls are also made to ensure the cases are being completed within timelines. In addition, the chief ALJ continues to send regular reminders to all of the ALJs regarding the timelines for completing special education hearings and the paperwork involved in adjourning specific hearings. Further coordination will continue in order to meet the goal of 100%. **(Activity 2009-2010)*****

Data Collection and Analysis: The database system is fully operational and periodic meetings to ensure coordination with Office of Administrative Law are conducted. The OAL continued to work with the ALJs to ensure proper paperwork and procedures are followed for each special education due process case. **(Activity 2009-2010)*****

Memorandum of Understanding with OAL: The NJOSEP and the OAL completed a new Memorandum of Understanding (MOU) whereby funds were allocated to process and conduct special education due process cases. The scope of the MOU between the NJOSEP and the OAL was expanded to hire an additional administrative law judge. Through the MOU, the ALJs are provided training in special education law, decision writing and case management. **(Activity 2009-2010)*****

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

NJOSEP met with the stakeholders and amended New Jersey's SPP on January 14, 2011 to extend the target for this indicator for two years as directed by the United States Department of Education. The new ranges in New Jersey's amended SPP are as follows:

FFY 2011 100%

FFY 2012 100%

Indicator #18 – Resolution Agreements

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

Overview of the Annual Performance Report Development:

Indicator 18, Resolution Agreements, was discussed at the stakeholder meeting held on January 14, 2011. NJOSEP staff indicated that the target was exceeded.

<p>Monitoring Priority: Effective General Supervision Part B/General Supervision</p>

Measurement Information

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

<p>Measurement: (3.1)(a) divided by 3.1 times 100</p>

Overview/Description of Issue, Process, System - Hearing Requests Resolved by Resolution Sessions

As of July 1, 2005 all due process cases that are filed by parents with the New Jersey Department of Education (NJDOE) have the option of holding a resolution session or mediation session. When the cases are filed, the petitioner may indicate in the petition his or her preference for resolution session or mediation. The parent's preference is noted in a log that the Coordinator of Dispute Resolution maintains on a daily basis.

Once a new due process petition is opened by NJDOE, an acknowledgement letter is sent to all parties. The acknowledgement indicates the district's responsibility to offer and coordinate a resolution session or the option that all parties may instead agree to mediation, which is arranged through the NJDOE. The district has 15 days to contact the parties to arrange and conduct a resolution session.

Preferably, the district notifies NJDOE of its decision to conduct a resolution session or request mediation. Since the district does not always notify NJDOE regarding the resolution session, it is NJDOE's practice to have a representative of the NJOSEP, on or about day 20 of the 30-day resolution period, call the parties to see whether a resolution session has been held or whether the parties consent to schedule mediation. A representative of the NJOSEP also calls the parties on day 30 prior to transmitting the case to the Office of Administrative Law (OAL) to see if a resolution was reached.

If a resolution session resulted in a signed agreement by all parties, NJDOE is notified in writing and the case is closed in the database with the outcome listed as "Resolution Agreement." This allows NJDOE to track the number of resolution agreements reached each year.

FFY	Measurable and Rigorous Target
2009 (2009-2010)	50-60% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.

Actual Target Data for FFY 2009:

57% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. NJOSEP met the target for FFY 2009.

Actual Numbers Used in the Calculation:

20 resolution session agreements / 35 resolution sessions = 57%

Description of the results of the calculations and compares the results to the state target:

In FFY 2009, a total of 35 resolution sessions were held. Of that total 20 resulted in a settlement agreement which calculates to a rate of 57%. NJOSEP met the state target range (50-60%) for FFY 2009.

Report of Progress/Slippage**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2009****Discussion of data and progress or slippage toward targets:**

As indicated in the SPP, data collected and reported for FFY 2005 may not have accounted for all of the resolution sessions held and the related outcomes for the initial reporting period. The tracking of resolution sessions has improved and as a result, more accurate and reliable data have been collected. At the stakeholders meeting in 2006, the NJOSEP anticipated that the number of resolved cases would decrease with the better collection of data and thus, the targets were set lower than the 77% agreement rate reported for FFY 2005. In October 2007, the stakeholders revised the targets for Indicator 18 and set a "range" for the number of hearing requests resolved through resolution session settlement agreements. The range is more in keeping with the number of mediation agreements reported in Indicator 19. The NJOSEP believed that the new ranges would more accurately reflect the rate of settlement for hearing requests in New Jersey whether through a resolution session or through mediation.

In FFY 2008 (school year 2008-09) a total of 54 resolution sessions were held. Of the 54 sessions, 37 resulted in a resolution agreement which calculated to 69% of the sessions resulting in agreements. A comparison of the FFY 2009 data (57% of the resolutions sessions resulting in agreement) with the previous year's data reveals that the percentage of cases resolved through a resolution session decreased by 12%, and New Jersey has met the target.

Discussion of improvement activities completed for FFY 2009:

NOTE: Activities that occurred in 200-2010 and are ongoing during the course of the SPP are represented by the symbol*.**

Data Collection: If a resolution session results in a signed agreement by all parties, NJDOSEP is notified in writing and the case is closed in the database with the outcome listed as "Resolution Agreement." This allows NJDOE to track the number of resolution agreements reached each year. Data for this indicator are collected through the NJOSEP database system which allows NJDOE to input the outcome of all resolutions sessions held in the state on a case-by-case basis. Thus, NJOSEP is using a tracking system that results in the accurate collection and reporting of data. **(Activity 2009-2010)*****

Procedures: NJDOE continues to implement procedures to call the district/parent before the end of the 30-day resolution period, to see if they have held a resolution session or prefer to schedule mediation (with consent from all parties). NJDOE also reaches out to the parties on day 30 prior to transmitting the case to the Office of Administrative Law (OAL) to see if a resolution was reached. **(Activity 2009-2010)*****

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

[If applicable]

NJOSEP met with the stakeholders and amended New Jersey's SPP on January 14, 2011 to extend the target for this indicator for two years as directed by the United States Department of Education. The new ranges in New Jersey's amended SPP are as follows:

FFY 2011 55% through 65%

FFY 2012 55% through 65%

Indicator #19: Mediation Agreements

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

Overview of the Annual Performance Report Development:

NJOSEP staff discussed the FFY 2008 data for Indicator 19 at the stakeholder meeting on January 21, 2010. Stakeholders were reminded that according to the measurement chart, the USOSEP allows states to utilize a range to set targets for this indicator. Prior to FFY 2008, NJOSEP did not utilize a range. The stakeholders discussed and agreed that a range would appropriately measure performance for this indicator. At the January 21, 2010 meeting, ranges were determined by the stakeholders for FFY 2008, FFY 2009 and FFY 2010. The new ranges were reflected in New Jersey's updated SPP as follows:

FFY 2008 32% through 40%

FFY 2009 34% through 41%

FFY 2010 36% through 42%

NJOSEP staff discussed the FFY 2009 data for Indicator 19 at the stakeholder meeting on January 14, 2011. Stakeholders were reminded that according to the measurement chart, the USOSEP allows states to utilize a range to set targets for this indicator and of the amended targets determined at the January 21, 2010 stakeholder meeting. The actual data for FFY 2009 were also discussed at the meeting.

Monitoring Priority: Effective General Supervision Part B/General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.
(20 U.S.C. 1416(a)(3)(B))

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

Overview/Description of Issue, Process, System - Mediation Agreements

Requests for mediation are logged in to the office database and are separated by requests for mediation only and requests for mediations related to due process. All files for mediation are immediately given to the office scheduler who in turn calls both parties and schedules the mediation session within approximately 10 days.

When the mediation occurs and a settlement agreement is reached, the mediator will write the agreement with the parties and both parties will sign the agreement form, which in turn becomes a binding and enforceable agreement. The case is then closed by the mediator in the database.

FFY	Measurable and Rigorous Target
2009 (2009-2010)	34-41% of mediations held will result in mediation agreements.

Actual Target Data for FFY 2009:

168 mediation agreements/ 530 = 32% of mediations held resulted in mediation agreements.

Actual Numbers Used in the Calculation:

65 mediation agreements /302 mediations related to due process = **22%**

103 mediation agreements/ 228 mediations not related to a due process hearing = **45%**

168 mediation agreements/ 530 = 32% of mediations held resulted in mediation agreements.

Formula: (2.1(a)(i) + 2.1(b)(i) divided by (2.1) times 100.

$$65 + 102 / 530 \times 100 = 32\%$$

Report of Progress/Slippage

Discussion of data and progress or slippage toward targets:

In the 2009-10 school year the NJOSEP received a total of 672 requests for mediation (of which 157 were not held or were pending). The requests continue to be logged into a database and are separated by mediations and mediations related to a due process hearing. Files requesting mediation are immediately given to the scheduler who in turn calls both parties and schedules the mediation session.

Of the 672 requests for mediation, a total of 530 mediations were held. Of those, 302 were mediations related to due process and 228 were mediations not related to due process. Of the 302 mediations related to due process, 65 resulted in mediation agreements (22%). Of the 228 mediations not related to due process, 103 resulted in mediations agreements (45%). This translates to a total of 32% of mediations held in FFY 2009 resulted in a mediation agreement. New Jersey did not meet its revised target for this indicator.

While NJOSEP did not meet the target, it did maintain the same agreement rate as in FFY 2008. However, because the target range increased, there was a failure to increase the agreement percentage in accordance with the increased target range. This may be attributed to the fluid nature of the mediation process. For example, the nature of the issues being mediated can result in fluctuations in the percentage of cases resulting in mediation agreements. In addition, each year many cases that are mediated result in the parties agreeing in principle to a settlement; however the parties choose to have the agreement ordered by a judge in a due process proceeding. Thus, the case is identified as being settled in a due process hearing, when the agreement is in fact reached at the mediation conference. Inclusion of these cases in the agreement percentage would result in the NJOSEP exceeding its target range for FFY 2009.

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

Discussion of improvement activities completed for FFY 2008:

NOTE: Activities that occurred in 2009-2010 and are ongoing during the course of the SPP are represented by the symbol *.**

Data Collection and Analysis

Database System: NJOSEP continues to update its database system to accurately capture all information and outcomes related to mediations that are filed each year. Regular maintenance and evaluation of the system occurs to ensure accurate reporting of all data. **(Activity: 2009-2010)*****

Information Dissemination

Parental Rights in Special Education: The Parental Rights in Special Education (PRISE) document continues to be disseminated which includes updated due process and mediation information forms. **(Activity: 2009-2010)*****

Technical Assistance: NJOSEP staff responds to parent information requests regarding the nature of the mediation process. This assistance enables parents to gain an understanding of the proceedings and helps them to prepare for the mediation meeting. **(Activity: 2009-2010)*****

Training for Mediators

Regular meetings are held with the mediators to discuss issues and strategies related to mediation. Ongoing guidance and training on special education regulations have been provided to all mediators as well as districts and parents regarding special education regulations and IDEA changes. **(Activity: 2009-2010)*****

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

NJOSEP met with the stakeholders and amended New Jersey's SPP in January 2010 to utilize a range for the target for this indicator. NJOSEP met with the stakeholders and amended New Jersey's SPP on January 14, 2011 to extend the target for this indicator for two years as directed by the United States Department of Education. The new ranges in New Jersey's amended SPP are as follows:

FFY 2008 32% through 40%
 FFY 2009 34% through 41%
 FFY 2010 36% through 42%
 FFY 2011 36% through 42%
 FFY 2012 37% through 43%

Indicator #20: State Reported Data

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

Overview of the Annual Performance Report Development:

A stakeholder meeting was held on January 14, 2011 during which NJOSEP staff reported on the data collections and analyses regarding each of the SPP/APR indicators.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Measurement Information

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data and annual performance reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

Overview/Description of Issue, Process, System – State Reported Data

Collection of Data Under Section 618 of the IDEA

NJOSEP uses the secured New Jersey Standards Measurement and Resource for Teaching (NJ SMART) a comprehensive data warehouse, student-level data reporting, and unique statewide student identification (SID) (see <http://www.nj.gov/education/njsmart/background/>) and the NJDOE Web Administrator System (see <http://homerom.state.nj.us/>) to collect data required under Section 618 of the IDEA.

The data are stored on secure servers in an Oracle database. The child count, educational environments, and personnel data required under Section 618 of the IDEA are collected annually on October 15th through an online data collection known as the Annual Data Report (ADR). The exiting data are collected annually on June 30 through an online data collection, known as the End of the Year Report (EOY). For the FFY 2006 data collection, six tables were added to collect data on the timelines for evaluation and the determination of eligibility for school age children (Indicator 11) and the timely evaluation of children transitioning to Part B from Part C (Indicator 12). Beginning FFY 2007, the data for these tables are collected through NJSMART.

Sampling Plans

NJOSEP forwarded all required revisions and clarifications regarding the Sampling Plans for Indicators 7 and 8 on September 27, 2007. The sampling plans were then approved by USOSEP. The sampling plan for Indicator 14 had been approved previously. A description of the Sampling Plans for Indicators 7, 8, and 14 each provided under each of these indicators (see SPP for Indicator 7 and SPP/APR for indicators 8 and 14).

Description of the State's mechanisms for ensuring error free, consistent, valid, and reliable data and evidence these standards are met

The NJDOE publishes a *Special Education Data Handbook*, a reference guide that defines and maintains a set of standards for educational data collection and submissions and provides for student data elements that are uniform and consistent. In order to ensure consistency in data collection, error checks have been built into the system (e.g. error will occur if the field is *NULL*; error will occur if data element falls outside of date parameters; an error will occur if Referral Date is *NULL*, or empty); an error date will occur if the required dates do not follow the specified sequence).

With respect to the ADR and EOY data collections, NJOSEP implements procedures to determine whether the individuals who enter and report data at the local and/or regional level do so accurately and in a manner that is consistent with the State's procedures, OSEP guidance, and Section 618. In addition, NJOSEP implements procedures for identifying anomalies in data that are reported, and correcting any inaccuracies. Data checks are built into the web application that help to ensure accuracy of data. The data entered by LEA staff must pass a series of edit checks to ensure data accuracy (See Edits for the Special Education Annual Data Report at: <http://www.nj.gov/education/specialed/data/adrintst/instructions.doc>).

If the LEA staff members are not able to make the required corrections to the data, they must contact NJOSEP or the NJ SMART vendor for online technical support. The LEA superintendent or special education director must certify the data prior to submission to NJOSEP. Upon receipt of complete data from all LEAs and other entities, NJOSEP uses a series of programs to further check for data validity, including year-to-year consistencies. LEAs with questionable data are required to verify, correct, and/or resubmit their data.

Discipline data are collected by the Office of Program Support Services through the Electronic Violence and Vandalism Report. These data are entered on an ongoing basis during the school year in which the disciplinary actions are implemented. Assessment data for Table 6 of the IDEA Part B 618 data collection are generated by the New Jersey Department of Education, Office of Assessment which obtains the data from test contractors who process test booklets and answer folders. NCLB rules are applied to the data by the Office of Title 1. Data are then forwarded to the NJOSEP for completion of Table 6. AYP data used for accountability reporting under Title 1 of the ESEA are used to determine if SPP targets are met for Indicator 3.

Monitoring data are submitted through self-assessment by LEAs and collected through desk audit and onsite visits which include interview, observation and file review. Findings of noncompliance are made based on results of the desk audit, onsite monitoring and targeted review, and based on data submitted by LEAs regarding evaluation timelines (Indicator 11) and early childhood transition timelines (Indicator 12). Noncompliance is 'identified' when the NJDOE informs an LEA in writing of the results of review of the self-assessment, data from the desk audit or onsite visit or data review. Findings of noncompliance are tracked by

individual areas which are categorized according to SPP priority areas (see Table in Indicator 15). Districts are required to correct noncompliance within a year of notification. The date of correction of each finding of noncompliance is the date when the LEA is informed in writing that corrective actions have been implemented and correction has been verified. A database is maintained which tracks each LEA, each finding by area, the date of identification and the date of correction.

To ensure timely data for complaints, mediation/due process and resolution sessions, the NJOSEP maintains databases to record data for Table 7. Mediators, complaint investigators and other assigned staff are able to log onto their respective databases and enter complaint and mediation data as appropriate. In addition, the Office of Administrative Law (OAL) tracks data regarding due process cases, including the number of cases settled or withdrawn and the timeline for fully adjudicated due process cases.

NJOSEP provides guidance and ongoing technical assistance to local programs/public agencies regarding requirements and procedures for reporting data under Section 618 of the IDEA, with an emphasis on the need for timely and accurate data submissions. (See for example: Special Education Annual Data Report Instructions and Forms at: <http://www.nj.gov/education/specialed/data/adrinst/> and Special Education End of the Year Report, User Manual, Frequently Asked Questions, etc. at <http://homerom.state.nj.us/eoy.htm>).

Local school district personnel are trained in each LEA to enter data for the web based data system. In addition, call-in assistance is available to staff responsible for data entry to assist with accurate and timely collections and reporting. Assistance is also available from the NJDOE County Supervisors who have been trained on the State data systems. The County Supervisors meet monthly to discuss issues including data issues and provide NJOSEP with suggestions for revisions to data collection instructions and procedures and training/technical assistance.

Timely Submission – District Level Data

To ensure that New Jersey's districts submit their data to NJDOE in a timely manner, representatives of NJOSEP track district submissions and provide follow-up phone calls and/or written correspondence to districts that appear in jeopardy of missing important deadlines.

Accurate Data – District Level Data

As indicated above, the online submissions of data from New Jersey's districts must pass a series of edit checks to ensure the data received from each district is accurate and complete. There is an array of multiplication and logic checks that must be satisfied before the system will accept and ultimately allow users to submit their data. Users who are unable to submit their data due to errors must then call NJOSEP or the NJ SMART vendor for online technical support.

During FFY 2009 to ensure error free, consistent, and valid and reliable data include:

- Ongoing collaboration with other units in the NJDOE and the NJ SMART vendor responsible for data collection
- Data dictionary with common definitions across data collections
- Statewide training on specific data elements (for example, educational environment, eligibility criteria)
- Review of submitted data by NJOSEP staff for anomalies and contacts to districts when anomalies are identified
- Defined values for data elements
- Validations/edit checks to prevent data mismatches to be submitted
- Edit checks to prevent null and invalid values to be submitted
- Written technical instructions outlining application use

- Collected and calculated data in a consistent manner for all LEAs
- Help desk support

FFY	Measurable and Rigorous Target
2009	100% of state reported data are submitted in a timely and accurate manner.

Actual Target Data for FFY 2009:

100% of state reported data were submitted in a timely and accurate manner.

Actual Numbers used in the calculation:

See attached work sheets for actual numbers and calculations.

Report of Progress/Slippage

Description of the results of the calculations and comparison of the results to the target:

Discussion of data and progress or slippage toward targets

NJOSEP met the target of 100%. The state reported data were submitted in a timely and accurate manner for FFY 2009.

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

Improvement activities completed FFY 2009:

NOTE: Activities that occurred in 2009-2010 and will continue through 2012-2013 are represented by the symbol *.**

Data Submission Timelines: NJOSEP maintained a timetable to ensure that data was submitted to USOSEP in a timely manner. All state reported data required under Section 618 and the Annual Performance Report were submitted in a timely manner during the 2009-2010 school year. **(Activity: 2009-2010)*****

The following steps were taken with respect to the submission of data from school districts:

- Clarifying directions to districts regarding the Exiting, Personnel, Child Count, and Discipline counts with clear and concise timelines for them to follow;
- Ensuring prompt phone response from NJOSEP staff to questions and technical problems that occurred while districts were preparing their online data submission; during the actual data submission; and after the data submission to NJDOE;
- Providing local school districts with strict instructions that specify the data submission deadlines and penalties for those districts not adhering to the deadlines. **(Activity: 2009-2010)*****

New Jersey Standards Measurement and Resource for Teaching (NJ SMART) Student Data Base: Significant progress in implementing the New Jersey Department of Education student level database. Student identification numbers have been assigned to all students and districts are uploading data to the system.

The Special Education Student Data Handbook is updated to conform to federal reporting requirements.

Districts were required to submit their file, correct any errors, and release the file as final to NJ DOE by February 29, 2009. In an effort to assist Districts and Charters in preparation of the Special Education snapshot file, the NJDOE NJ SMART vendor hosts web-based **NJ SMART Special Education Data Element** trainings (Webinars). These Webinars provided an overview of all the required special education data elements.

Additional NJSMART Training: The NJSMART vendor hosted a set of webinar trainings in the fall of 2010 regarding the new placement categories for reporting educational placement data for preschoolers with disabilities.

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

[If applicable]

Not applicable. There were no revisions for proposed targets, improvement activities, or timelines.

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	40

APR Score Calculation	Timely Submission Points - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.	5
	Grand Total - (Sum of subtotal and Timely Submission Points) =	45.00

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/10	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/10	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/10	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/10	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/1/10	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 2/1/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/10	0-1	1	1	N/A	2-3
				Subtotal	20-21
618 Score Calculation			Grand Total (Subtotal X 2.143) =		42.86-45

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	42.86 45.00
C. APR Grand Total (A) + 618 Grand Total (B) =	87.8 90.00
Total N/A in APR	0
Total N/A in 618	0
Base	90.00
D. Subtotal (C divided by Base*) =	0.976 0.100
E. Indicator Score (Subtotal D x 100) =	97.62 100