

New Jersey Department of Education Office of Special Education Programs



Part B Annual Performance Report #7 (FFY 2011: July 1, 2011 – June 30, 2012)

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Office of Special Education Programs
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Resubmission with USOSEP's Requested Clarifications
May 17, 2013

Table of Contents

Cover Page	1
Table of Contents	2
Overview of the Annual Performance Report	3
Indicator #1: Graduation Rates	8
Indicator #2: Drop-out Rates	16
Indicator #3: Assessment	18
Indicator #4A: Suspension/Expulsion	32
Indicator #4B: Suspension/Expulsion	36
Indicator #5: School Age LRE	43
Indicator #6: Preschool LRE	52
Indicator #7: Preschool Outcomes	53
Indicator #8: Parent Involvement	60
Indicator #9: Disproportionality – Child with a Disability	67
Indicator #10: Disproportionality – Eligibility Category	71
Indicator #11: Child Find	75
Indicator #12: Early Childhood Transition	82
Indicator #13: Secondary Transition	90
Indicator #14: Post-Secondary Transition Outcomes	98
Indicator #15: Identification and Correction of Noncompliance	114
Indicator #16: Complaint Timelines	424 125
Indicator #17: Due Process Timelines	425 126
Indicator #18: Hearing Requests Resolved by Resolution Sessions	426 127
Indicator #19: Mediation Agreements	428 129
Indicator #20: State Reported Data	434 132

Overview to State Performance Plan and Annual Performance Report Development FFY 2011

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

How the State obtained broad input from stakeholders

Stakeholder Meeting

A meeting was conducted on January 17, 2013 to report on NJOSEP’s progress/slippage in relation to each of the SPP indicators, and to obtain input and recommendations from stakeholders. A PowerPoint presentation provided targets, and target data for FFY 2011.

The agenda for the January 17, 2013 stakeholder meeting is provided below:

New Jersey Department of Education Office of Special Education State Performance Plan/Annual Performance Report Stakeholder Meeting January 17, 2013 Agenda

- 9:15 a.m. **Welcome, Introductions and Review of Agenda
Update on New Jersey Department of Education Initiatives**

Peggy McDonald, Director, Office of Special Education Programs
- 9:30 a.m. **Update on United States Department of Education Initiatives and Changes
to the SPP and APR**

*Susan Marks, Senior Program Associate, Northeast Regional Resource
Center (NERRC)*
- 10:00 a.m. **Review of Student Outcomes and Progress Toward Targets: Preschool and
Student Outcomes**

*Barbara Tkach, 619 Coordinator
Peggy McDonald, Director, Office of Special Education Programs*
 - Indicator 2 Drop Out Rates
 - Indicator 6 Preschool LRE

10:45 a.m. **Review of Student Outcomes and Progress Toward Targets:
Student Achievement**

*Peggy McDonald, Director, Office of Special Education Programs
Bob Haugh, Transition Coordinator*

- Indicator Graduation Rates
- Indicator 3 Assessment
- Indicator 14 Post School Outcomes
- Indicator 13 Secondary Transition

11:15 a.m. **Break**

11:30 a.m. **Review of Student Outcomes and Progress Toward Targets:
Student Achievement**

*Charlene Staley-Evans, Manager, Bureau of Program Development
MaryAnn Joseph, Learning Resource Center Consultant
Barbara Tkach, 619 Coordinator*

- Indicator 5 School Age LRE
- Indicator 8 Parent Involvement
- Indicator 7 Preschool Outcomes

12:15 p.m. **Lunch**

1:00 p.m. **Review of Progress Toward Targets:
School Age**

*Nicole Buten, Coordinator, Bureau of Program Accountability
John Worthington, Manager, Bureau of Policy and Planning*

- Indicator 4A Suspension/Expulsion
- 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 15 Identification and Correction of Noncompliance
- Indicator 18 Hearing Requests Resolved by Resolution
Sessions
- Indicator 19 Mediation Agreements

1:45 p.m. **Review of Improvement Activities**

*Susan Marks, Senior Program Associate, Northeast Regional Resource
Center (NERRC)*

2:45 p.m. **Review/Wrap-up**

*Peggy McDonald, Director, Office of Special Education
Susan Marks, Senior Program Associate, Northeast Regional Resource
Center (NERRC)*

The following organizations/agencies were represented at the January 17, 2013 stakeholder meeting:

- Alliance for the Betterment of Citizens w/Disabilities
- ASAH
- ARC of New Jersey
- Autism New Jersey
- Brookfield Schools
- Camden Public Schools
- Cherry Hill Childhood Learning Center
- Disability Rights of New Jersey
- Edgewater Park Public Schools
- Family Support Center of New Jersey
- First Cerebral Palsy of New Jersey
- Haddonfield Public Schools
- Hamilton Township Public Schools
- Irvington Public Schools
- Learning Disabilities Association of New Jersey
- Lodi Public Schools
- New Jersey Association of School Psychologist
- New Jersey City University
- New Jersey Coalition for Inclusive Education
- New Jersey Council on Developmental Disabilities
- New Jersey Department of Children and Families
- New Jersey Department of Education
- New Jersey Department of Health and Senior Services
- New Jersey Department of Labor, Division of Vocational Rehabilitation
- New Jersey Principals and Supervisors Association
- Ramapo College of New Jersey
- Riverbank Charter School of Excellence
- Statewide Parent Advocacy Network
- The Search Day Program
- University of Medicine and Dentistry of New Jersey, The Boggs Center

8 members of the State Special Education Advisory Council participated in the stakeholder meeting, including 2 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 2010 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 2011 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, 2012. The SPP and APR were posted at: <http://www.nj.gov/education/specialed/info/spp/>. The SPP and APR will be posted at the same website after the submission to USOSEP on March 1, 2013 and again in April 2013, following the submission to USOSEP with any requested clarifications.

NJOSEP also posted the USOSEP response to the SPP/APR FFY 2010 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 NJOSEP's SPP/APR FFY 2011 submission will again be posted at: <http://www.nj.gov/education/specialed/info/spp/>.

Distribution to the Media: 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 2013 minutes of the State Special Education Advisory Council, the Council was informed of the posting of the SPP/APR on the NJOSEP website (see minutes at: <http://www.state.nj.us/education/sseac/minutes/>). The Council was informed of the USOSEP determination regarding the FFY 2010 SPP/APR submission and the posting of the determination letter from the USOSEP (see minutes at: <http://www.state.nj.us/education/sseac/minutes/>). The USOSEP Response Table was discussed in detail with the members of the SSEAC at the November 2012 SSEAC meeting. The SPP/APR is referenced in correspondence regarding the NJOSEP self-assessment/monitoring process, monitoring reports, targeted reviews for specific SPP indicators, and data collections specific to SPP indicators. Information regarding the submission of the SPP/APR and the state's determination is also annually discussed with county supervisors of child study who communicate the information to local special education directors at their monthly meetings.

With regard to the FFY 2011 APR, 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 2010-2011 local district profiles on June 1, 2012 and notified USOSEP of the posting (see <http://www.state.nj.us/education/specialed/sppi1011/> 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 2011. The profile will be posted on the NJDOE website at: <http://www.state.nj.us/education/specialed/sppi1112/>.

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/sppi1011/>.

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 NJOSEP website.

Indicator # 1: Graduation Rates

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff reviewed the transition to the new four-year cohort graduation rate which was implemented for the first time to calculate the graduation rate for the 2010-2011 school year. Data using this rate for all students will be reported in the next CSPR and APR. Stakeholders provided input regarding the improvement activities to increase the number of students with and without disabilities who graduate with a diploma.

Monitoring Priority: FAPE in the LRE

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

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

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

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

Student level data are collected annually on all students who exit high school through the New Jersey Standards Measurement Resource for Teaching (NJSMART). The NJDOE uses the adjusted cohort formula for calculating cohort graduation rate which is the number of 4-year graduates (i.e., those students receiving a diploma) by the number of first-time ninth graders who entered the cohort four years earlier. For the FFY 2011 graduation rate for students with disabilities, the rate is calculated using the following:

$$\frac{\text{4 year cohort graduates who entered 9}^{\text{th}} \text{ grade during the 2007-2008 school year}}{[\text{First Time 9}^{\text{th}} \text{ graders in 2007-2008}] + [\text{Transfers in}] - [\text{Verified Transfers out}] - [\text{Excluded from cohort}]}$$

Exclusions are aligned with federal requirements.

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 such graduation standards through alternate proficiencies as specified in his or her IEP.

FFY	Measurable and Rigorous Target
FFY 2011 (using 2010-2011 data)	75% of students with IEPs will graduate with a regular diploma

Actual Target Data for FFY 2011:

73% of students with IEPs graduated with a regular diploma in SY 2010-2011. This rate represents the four-year adjusted cohort graduation rate calculated in accordance with the ESEA.

The target is the same target established for all students and all subgroups and is based on amendment of State Accountability Plan under TITLE 1 of ESEA.

Actual Numbers Used in the Calculation:

Graduation Rate = Graduated/Adjusted Cohort Count

Adjusted Cohort Count = (Graduated + Transfer Out-Unverified + On-Track* + Off-Track* + Drop Out + Status Unknown)

Graduated	12,728
Transfer Out-Unverified	803
On-Track	1,515
Off-Track	930
Drop Out	1,152
Status Unknown	237
Adjusted Cohort Count (Total of the above)	17,365

Graduation Rate : 12,728 *100/ 17,365 = 73%

***On-track refers to students who are expected to graduate in 4 years. Off-track refers to students who are not progressing through the grades on time and are not expected to graduate in four years.**

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Report of Progress/Slippage

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

Consistent with the instructions in the SPP/APR Measurement Table, the data reported in the APR for FFY 2011, which for NJOSEP is due March 1, 2013, represent students who graduated in SY2010-2011 in comparison to the established target for 2010-2011. The graduation rate of 73% was the graduation rate for students with disabilities reported in New Jersey's CSPR for the 2010-2011 school year.

The graduation rate of students with disabilities for SY 2010-2011 is below the FFY 2011 target of 75% by 2 percentage points. The five-year rate for the FFY 2011 cohort, reported in 2012, was 78%, 3.0 percentage points above the 75% target.

Discussion of data and progress or slippage toward the targets:

Beginning with FFY 2010, data for this indicator were collected through NJSMART. Data for FFY 2009 were collected using the NJOSEP End of Year Report. Although the rate for FFY 2010 is lower than the rate for FFY 2009, data cannot be compared due to the difference in the method and timeframe for data collection. Beginning with FFY 2011, the four-year adjusted cohort rate was used to calculate the graduation rate for all students. This rate does not count as graduates, students who graduate with a regular diploma after 4 years, but by age 21.

Improvement Activities

NOTE: Activities that occurred in 2011-2012 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 to the cohort graduation rate, NJOSEP staff is collaborating with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Activities include reviewing and revising data collection systems to ensure that exiting information for students with disabilities is collected and reported accurately in all federal and state reports. **(Activity 2011-2012)**

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14, although only ages 16 and older are included in Indicator 13 data. 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 2011-2012)*****

Self-Assessment/Monitoring: The NJOSEP special education monitoring system is aligned with SPP indicators. Beginning with the 2011-2012 school year, special education monitoring is conducted in collaboration with the Office of Fiscal Accountability and Compliance as part of a comprehensive monitoring activity. A team of monitors from multiple NJDOE offices reviews federal programs simultaneously in order to facilitate efficient use of local district staff time and reduce any negative impact on instruction. Monitors from the NJOSEP conduct monitoring of compliance with federal and state special education regulations, specifically, those regulations related to SPP priority areas and indicators, and use of IDEA-B funds. The combining of program and fiscal monitoring allows special education monitors to review how LEAs use their IDEA funds to provide required special education programs and services. Fiscal IDEA B monitoring is conducted by fiscal staff also as part of this consolidated monitoring process.

Compliance with IDEA requirements continues to be monitored through desk audit, onsite file review, data review and interviews with staff and parents. Districts are selected for consolidated monitoring based on fiscal priorities as well as federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education. Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. A review of graduation and dropout rates against the state annual SPP target is conducted for districts selected for monitoring. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2011-2012)*****

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2011-2012 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 transition targeted review. Teams from 10 of the 38 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Targeted improvement activities were recommended based on document reviews. Resources were provided to clarify regulatory requirements and provide information on effective practices that 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 and resource development. 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 2011-2012)*****

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 "by 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 2011-2012 school year, eleven statewide proactive trainings were conducted on secondary transition. Over 400 educators and parents from secondary programs attended these proactive sessions. This training initiative provided information that addressed both compliance requirements as well as best practices in transition planning. A proactive training was also conducted for over 50 educators from the New Jersey Transition Coordinators Network on the topic of transition assessment. **(Activity: 2011-2012)*****

b. Student Leadership "Dare to Dream" Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSEP organized and conducted 8 Student Leadership "Dare to Dream" conferences for students with disabilities in the spring of 2012. These conferences were held regionally throughout the state on college campuses. More than 2,400 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of college and career readiness, self-advocacy, legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2011-2012)*****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSEP continued to support implementation of regulations 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 it has 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: 2011-2012)*****

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: 2011-2012)*****

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 October 2011. 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.

Administrators or their designees from 91 school districts participated in these sessions. **(Activity: 2011-2012)*****

d.2. Regional Trainings: During the 2011-2012 school year, one day and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Teaching Strategies in the Community*, *Job Coach Training*, *Using Community-Based Instruction to Teach Recreation Skills*, and *Supporting Job Coaches*. The training titled, *Foundations of 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 Recreation Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: Finding community recreation, developing interests, and inclusion in social activities. *Supporting Job Coaches* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: Hiring job coaches, job responsibilities, training needs, on-site and remote supervision tips, and common pitfalls of job coach use. A total of 304 educators, from 70 secondary programs, attended one or more of these training sessions. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2011-2012)*****

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, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, 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 600 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2011-2012)*****

f. Interagency Collaboration - Councils/Committees: To assist in the service coordination across state departments and agencies, and to share the education perspective with others, representatives of the NJDOE, Office of Special Education 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 Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
- The State Employment & Training Commission's Disability Issues Committee

(Activity: 2011-2012)***

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.

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: 2011-2012)*****

h. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: The LearnDoEarn All Students Participate Program project is a partnership between The Family Resource Network of New Jersey and The New Jersey Chamber of Commerce. The overall goal of the LearnDoEarn All Students Participate Program is to increase the employability of individuals with developmental disabilities as they exit high school. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. **(Activity: 2011-2012)*****

i. Special Education Achievement Awards - Rewards/recognition

NJOSEP identified a cadre of 12 districts where students with disabilities have demonstrated high rates of proficiency and high growth rates with regard to their performance in language arts literacy and mathematics on the NJ ASK Grades 3-8, the APA and the HSPA. Consistent with the NJDOE's focus on improving academic achievement and high quality instruction, each identified LEA was provided funding for the period 5/1/12 – 6/30/13 to expand, enhance and/or implement new and innovative programs and services for students with disabilities. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations.

(Activity 2011-2012)***

j. 21st Century Community Learning Centers - Supplemental Awards – Targeted to 21st Century Cohorts 5-7

These supplemental funds support the inclusion of students with disabilities in after-school and summer programs for the period April 2012 – August 2012. Limited participation of students with disabilities within these programs is often due to lack of knowledge and understanding of the educational needs of these children. These funds provide an opportunity for program staff to receive training, technical assistance and the ability to hire additional staff to assist in the provision of appropriate education opportunities and supports 22 after-school programs that received funding. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations.

(Activity 2011-2012)

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 2: Drop-Out Rates

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff reviewed the method for collecting data for this indicator through NJSMART, New Jersey's student-level data system. Improvement activities for the indicators related to secondary transition were discussed. Stakeholders provided input regarding the regarding improvement activities.

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))

Revised Measurement – The measurement was changed based upon the Instructions and Part B Indicator Measurement Table provided by the United States Department of Education. In accordance with the instructions, States may report using the data source and measurement included in the Part B Indicator Measurement Table that expires July 31, 2015.

Measurement: States must report a percentage using the number of youth with IEPs (ages 14-21) who exited special education due to dropping out in the numerator and the number of all youth with IEPs who left high school (ages 14-21) in the denominator.

Included in the denominator are students in the following exiting categories: (a) graduated with a regular high school diploma, (b) received a certificate, (c) reached maximum age, (d) dropped out, or (e) died.

Not included in the denominator are the number of youths with IEPs who exited special education due to (a) transferring to regular education or (b) who moved, but are known to be continuing in education

Baseline Data for FFY 2010 (2010-2011):

15.36% (2509*100/16338) out of youths with IEPs (ages 14-21) dropped out of high school in FFY 2010.

Discussion of Baseline Data:

To assist in establishing targets and to obtain information regarding strategies that would likely result in meeting the targets, NJOSEP reviewed the trend data. The data reveal that although the change in the formula appeared to indicate an increase in the dropout rate, the number of students with disabilities who dropped out in FFY 2010 (2509) was 13% less than the number of students with disabilities who dropped out in FFY 2009 (2877).

FFY	Measurable and Rigorous Target
2011 (2011-2012)	The percent of youth with IEPs dropping out of high school will be at or below 14%
2012 (2012-2013)	The percent of youth with IEPs dropping out of high school will be at or below 13.5%

Discussion of Improvement Activities and Explanation of Slippage, if the State did not meet its target, that occurred for FFY 2011:

Improvement activities are reported in the SPP in the Indicator 2 section, beginning on page 41.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

See SPP for this Indicator.

Indicator # 3: Assessment

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff reviewed the status of the state assessment system and the initiative to move to assessments developed as part of the Partnership for Assessment of Readiness for College and Careers (PARCC) and the Dynamic Learning Maps (DLM) consortium. Stakeholders provided input regarding activities to improve academic achievement and growth.

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/AMO 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. AMO percent = $\left[\frac{\text{(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup)}}{\text{(total # of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$.

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

C. Proficiency rate percent = $\left(\frac{\text{(# of children with IEPs scoring at or above proficient against grade level, modified and alternate academic achievement standards)}}{\text{(total # of children with IEPs who received a valid score and for whom a proficiency level was assigned, and, calculated separately for reading and math)}} \right)$. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

FFY	Measurable and Rigorous Target
FFY 2011	<p>A. 100% of districts will meet the state’s annual measurable objectives (AMOs) for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.*</p> <p>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.</p> <p>C. The percentage of students achieving a score of proficient or advanced proficient on state assessments in the special education subgroup will equal or exceed the annual measurable objective for performance of 53.3% in mathematics and 45.7% in language arts literacy.*</p>

* In accordance with the Instructions and Part B Indicator Measurement Table provided by the United States Department of Education, the target was adjusted to reflect achievement of AMOs rather than AYP since New Jersey was granted an ESEA waiver which establishes AMOs for all districts and subgroups in the state.

3A.2 - Actual AMO Target Data for FFY 2011:

Districts with a disability subgroup that meet the State’s minimum “n” size AND met the State’s AMO target for the disability subgroup.

Year	Total Number of Districts	Number of Districts Meeting the “n” size	Number of Districts that meet the minimum “n” size and met AMO for FFY 2011	Percent of Districts
FFY 2011 (2011-2012)	639	490	264	53.88%

3B – Actual Participation Target Data for FFY 2011:

Disaggregated Target Data for Math Participation:

Statewide Assessment 2011-2012		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
									#	%
a	Children with IEPs	17,497	18,056	18,444	17,465	17,475	17,411	15,590	121,938	
b	IEPs in regular assessment with no accommodations	4888	3823	3080	2229	1905	1647	1373	18,945	15.54
c	IEPs in regular assessment with accommodations	11104	12733	13842	13772	14122	14335	12702	92,610	75.95
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	1325	1329	1331	1265	1199	1139	1133	8721	7.15
g	Overall (b+c+d+e+f) Baseline	17317 99%	17885 99.1%	18253 99.0%	17266 98.9%	17226	17121 98.3%	15208 97.5%	120276	98.64
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 in the assessments.	180	171	191	199	249	290	382	1662	1.36

Disaggregated Target Data for Reading Participation:

Statewide Assessment 2011-2012		Reading Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	Total	
									#	%
a	Children with IEPs	17,497	18,056	18,444	17,465	17,475	17,411	15,590	121,938	
b	IEPs in regular assessment with no accommodations	4875	3820	3075	2230	1907	1644	1382	18933	15.53
c	IEPs in regular assessment with accommodations *	11071	12693	13807	13759	14155	14361	12734	92580	75.92
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	1350	1356	1360	1290	1204	1148	1115	8823	7.24
g	Overall (b+c+d+e+f) Baseline	17296 98.9%	17869 99.0%	18242 98.9%	17279 98.9%	17266 98.8%	17153 98.5%	15231 97.7%	120336	98.69
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 in the assessments.	201	187	202	186	209	258	359	1602	1.31

- Accommodations include those on New Jersey's approved list .

3C – Actual Performance Target Data for FFY 2011

Disaggregated Target Data for Reading Performance: # and % of students with IEPs enrolled for a full academic year and those not enrolled for a full academic year that scored proficient or higher

Statewide Assessment 2011-2012		Math Assessment Performance						Total		
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	17317	17885	18253	17266	17226	17121	15208	120276	
b	IEPs in regular assessment with no accommodations	3957	3031	2440	1402	753	707	577	12867	10.70
c	IEPs in regular assessment with accommodations	5861	6622	7449	5970	3653	4178	4824	38557	32.06
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	835	650	888	817	790	720	741	5441	4.52
g	Overall (b+c+d+e+f) Baseline	10653	10303	10777	8189	5196	5605	6142	56865	47.28

Disaggregated Target Data for Reading Performance: # and % of students with IEPs enrolled for a full academic year and those not enrolled for a full academic year that scored proficient or higher

Statewide Assessment 2011-2012		Reading Assessment Performance						Total		
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	17296	17869	18242	17279	17266	17153	15231	120336	
b	IEPs in regular assessment with no accommodations	3284	2181	1748	1071	677	898	936	10795	8.97
c	IEPs in regular assessment with accommodations	2982	2470	3169	3415	2799	6646	8477	29958	24.90
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	962	912	861	890	720	709	590	5644	4.69
g	Overall (b+c+d+e+f) Baseline	7228	5563	5778	5376	4196	8253	10003	46397	38.56

Grade	Number Proficient + Adv	Total Number of Valid Scores	Proficiency Rate % FFY 2011	FFY 2011 Target
3	10653	17317	61.52	
4	10303	17885	57.61	
5	10777	18253	59.04	
6	8189	17266	47.43	
7	5196	17226	30.16	
8	5605	17121	32.74	
11	6142	15208	40.39	
All	56865	120276	47.28	53.3

Grade	Number Proficient + Adv	Total Number of Valid Scores	Proficiency Rate % FFY 2011	FFY 2011 Target
3	7228	17296	41.79	
4	5563	17869	31.13	
5	5778	18242	31.67	
6	5376	17279	31.11	
7	4196	17266	24.30	
8	8253	17153	48.11	
11	10003	15231	65.68	
All	46397	120336	38.56	45.7

Public Reporting Information:

State assessment results, which conform to the requirements of 34 CFR §300.160, are posted at the web site below:

<http://www.state.nj.us/education/schools/achievement/2013>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Although statewide accountability targets established under NCLB have changed due to the approval of the state's ESEA waiver, New Jersey stakeholders recommended using the new statewide targets established for all students rather than establishing different targets for students with disabilities. Data for this indicator demonstrate that the proficiency rate was 6.02% less than the 53.3% target for mathematics and 7.14% less than the 45.7% target for Language Arts. Data cannot be compared to rates for FFY 2010, since this year the measurement included students who were in schools for less than a full academic year.

Report of Progress/Slippage

A. Target - 100% of districts will meet the state's AMOs for progress for the disability subgroup for mathematics and language arts literacy at each tested grade level.

The NJDOE requested a waiver to the ESEA requirements for establishing annual measurable objectives to develop new objectives that were ambitious but achievable. New Jersey has maintained the ESEA target for this indicator established for all students and all subgroups of 10% of districts. New Jersey did not meet the target with 53.88% of districts meeting their AMOs. Although this percentage is lower than the percentage for FFY 2010 (87.45%), rates cannot be compared due to a difference in the calculation. Consistent with the establishment of more rigorous ESEA AMOs, 264 of the 490 districts that met the minimum 'n' size met their AMOs as opposed to 439 in FFY 2010.

B. Target - 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.

Consistent with FFY 2010 results, 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%.

C. Target - The percentage of students achieving a score of proficient or advanced proficient on state assessments in the special education subgroup will equal or exceed the annual measurable objective for performance of 53.3% in mathematics and 45.7% in language arts literacy.

NJOSEP, with the support of stakeholders, maintained ESEA AMOs as the performance targets for the APR to continue with one set of performance standards for all students. In both mathematics and language arts literacy, New Jersey did not meet the statewide AMOs. Slight gains were evident in proficiency rates in grades 5, 6 and 11 in mathematics and grades 3 and 11 in language arts literacy. NJOSEP has targeted improvement activities for FFY 2012 on strategies and interventions in mathematics and language arts literacy.

Improvement Activities

NOTE: Activities that occurred in 2011-2012 and are ongoing during the course of the SPP are noted by the symbol *.**

Improving Literacy Achievement for Students with Disabilities in Grade 3: Focus on Early Literacy (ILA)A Collaborative Literacy Initiative Federal Results Project (previously known as Early Literacy Project)

As part of the USOSEP's verification process, New Jersey was required to develop a project to improve results relative to one of the performance indicators in the State Performance Plan. Due to continued performance gaps between students with and without disabilities on state assessments, the NJOSE selected Indicator 3 for the project. Due to the success of the Intensive Early Literacy initiative, NJOSE is collaborating with the Office of Literacy to implement an early literacy initiative for nine schools which have been identified for large achievement gaps between students with and without disabilities in grade three Language Arts. Two additional schools, which contain grades prekindergarten to grade two, have been included in the project because these schools send students to one of the nine schools selected to participate in the project due to the

achievement gaps in grade 3 language arts. Literacy experts from the Office of Literacy accompanied by NJOSE staff conducted walk-throughs in spring and fall of 2012 utilizing a Protocol for Language Arts Literacy Visits: Office of Language Arts Literacy Education NJ Department of Education. NJDOE staff also conducted walk-throughs and discussions with school and district staff. Office of Literacy and Special Education staff made recommendations to collaboratively plan to improve literacy instruction practices with school and district staff. Assessments to measure progress in addition to state assessments that yield achievement and growth data were identified as part of the project. Funds will be provided for schools to support the implementation of activities that support literacy for students with disabilities. The NJOSE has expanded the project to include the State Parent Advocacy Network (SPAN) to provide technical assistance to parents within the selected schools in facilitating learning to read, speak and listen in the home. SPAN staff will provide parent/family surveys to identify areas of need for families to support literacy in the home for identified schools. From the survey results, SPAN staff will work with school staff to identify activities for improvement and conduct training for parents and staff on strategies for family involvement in literacy. **(Activity 2011-2012)*****

Special Education Achievement Awards – Rewards/recognition

OSE identified a cadre of 12 districts where students with disabilities have demonstrated high rates of proficiency and high growth rates with regard to their performance in language arts literacy and mathematics on the NJ ASK Grades 3-8, the APA and the HSPA. Consistent with the NJDOE's focus on improving academic achievement and high quality instruction, each identified LEA was provided funding for the period 5/1/12 – 6/30/13 to expand, enhance and/or implement new and innovative programs and services for students with disabilities. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations. Funds are used to purchase instructional materials, assistive technology, and professional development to support students with disabilities and increase access and inclusion in general education programs.

(Activity 2011-2012)***

21st Century Community Learning Centers - Supplemental Awards – Targeted to 21st Century Cohorts 5-7

Supplemental funds were provided to 21st Century grant recipients to support the inclusion of students with disabilities in before/after-school and summer programs for the period April 2012 - August 2012. Limited participation of students with disabilities within these programs is often due to lack of knowledge and understanding of the educational needs of these children. These funds provided an opportunity for program staff to receive training, technical assistance and the ability to hire additional staff to assist in the provision of appropriate education supports in 22 after-school programs. These funds enhanced programs in elementary, middle, high school and college level students. Of the 22 grant recipients, 13 were Focus Schools and 3 were Priority Schools. Funds were used to purchase instructional materials, assistive technology, and professional development to support students with disabilities included in general education classes. This project supports the department priorities of: (1) improving academic achievement and (2) enhancing performance of special populations. Additionally, students with disabilities are included with their nondisabled peers.

(Activity 2011-2012)***

Commission for the Blind and Visually Impaired – Supplemental Funds

This funding supplements state aid for 52 instructors who provide specialized services to students who are blind or visually impaired. Services include assessment and evaluation of a child's visual abilities, instruction in Braille and related skills, information and technical assistance for families, teachers and child study teams, loaning adaptive equipment and special educational materials including Braille and large-print materials and arranging for transition services when appropriate. This supports access to the general education curriculum, inclusion in general education programs, and enhancing performance of students who are blind and visually impaired. This project supports the department priorities of: (1) improving academic achievement and (2)

enhancing performance of special populations. Additionally, students with disabilities are included with their nondisabled peers.

(Activity 2011-2012)***

Inclusive Support Options

Positive Behavior Supports in Schools

NJOSE 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 NJOSE'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. In 2011-2012, 33 schools from 28 districts received training and technical assistance support. These schools have begun implementation in 2012-2013. **(Activity: 2011-2012)*****

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

NJOSE completed the fifth-year of a project designed to provide instructional strategies to classroom teachers through a Train-the-Trainer model. This series on differentiated instruction was provided as a targeted training to districts identified through the self-assessment/monitoring process who did not meet state targets for LRE. In this, the last of the five-year initiative, twenty-one districts participated in the training which was held in two separate locations, one north site and one south site in the state on New Jersey.

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 four day "training for trainers" series 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), were provided to participants for this purpose. During each session teams learned new strategies, reflected and problem-solved around implementation issues and received feedback. As part of the training, districts were assisted with planning for implementation of practices learned within their districts. In this, the fifth year (2011-2012), the training series expanded to include a one-day, summer workshop for administrators. This initial training provided administrators an overview of vocabulary and foundational concepts of differentiated instruction as well as a planning considerations framework for district administrators to support implementation of their district-wide action plans. Administrators from nineteen districts attended the training.

Districts that attended the "training for trainers" series on differentiated instruction report the following outcomes:

- Templates and instructional tools designed to connect what was learned in this training to teacher effectiveness models (teacher accountability) in classroom observations;
- Renewed efforts in the classroom for classroom teachers to connect learning strategies with individual student needs
- Trainings provided by literacy and math coaches in mini-trainings as well as classroom modeling that incorporated what was learned in the training;
- More use of grouping as a way to include students with varying levels of ability in the general education classroom;
- Transition of students with disabilities from separate classrooms into the general education classroom;

- Imbedding of the strategies learned in the training into the new curriculum related to Common Core State Standards; and
- Increased participation of teachers in Professional Learning Communities (PLCs) around the topic of differentiated instruction; PLCs sharing vocabulary and vision of inclusive practice in at the school level. **(Activity 2011-2012) *****

Universal Design Targeted Middle School Math Initiative: Implementing New Curricular Learning

With Universally Designed Experiences (INCLUDE) Project:

The Office of Educational Technology and NJOSE 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. 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. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs. In 2011-2012 the INCLUDE grant has been extended to three INCLUDE schools to implement an inclusive program through Universal Design for Learning (UDL) to one higher grade level or to add English Language Arts.

In 2011, NJDOE-OSE and OET collaborated with SPAN, the parent advocacy network, to develop a workshop for parents regarding UDL. Two regional mini-conferences on Inclusion benefits and strategies, highlighting educational practices that support inclusion of children with disabilities in general education, were conducted on the topic of UDL. Representatives for the New Jersey Department of Education Office of Technology presented with input from district staff who were recipients of the Inclusive Schools – INCLUDE Grant initiative. Over 500 people attended the workshops that were held in fall of 2011. **(Activity 2010-2011)*****

Differentiated Instruction:

- ***Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on Mathematics (Grades 4 and 5)*** The first 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: 2010-2011)**
- ***Lesson Planning with Differentiated Instruction to Support Students with Disabilities in General Education Classrooms (Grades 1 – 6)*** The second set of regional trainings was designed to facilitate the inclusion of students with disabilities in general education classrooms within science, social studies or language arts/literacy in grades 1-6. During this two-day training, general and special education teaching pairs learned to apply the basic principles and practical applications of differentiated instruction to the design of small group instruction and mini-lessons. Participants were introduced to a unit planning process and framework that includes essential curricular questions, instructional strategies, tiered questioning and leveled activities. The development of phonics, vocabulary, and comprehension skills and grouping strategies that accommodate the needs of diverse learners was emphasized. The target audience was general and special education teachers in grades 1- 6. **(Activity 2011-2012)*****

Student Support Options:

- ***Supporting Students with Disabilities in General Education Programs through In-Class Resource Program Instruction (Grades K-12)*** This two day workshop provided

general and special education teaching pairs with the basic knowledge and skills needed to implement in-class resource program instruction. The workshop provided a variety of in-class resource program arrangements; defined roles and responsibilities; explored effective techniques that foster general and special educator collaboration; and provided approaches and formats that facilitate instructional planning. **(Activity 2011-2012)*****

- ***Supporting Students with Disabilities in General Education Programs through Collaborative Consultation (Grades K – 12)*** The provision of consultation services is one way to support students with disabilities in general education settings. This workshop introduced methods and strategies that can be used to assist the general education teacher and/or teacher aide in implementing educational supports for an individual student or a group of students with disabilities in the general education classroom. **(Activity 2011-2012)*****
- ***Designing Programs for Students with Moderate to Severe Cognitive Disabilities within General Education Programs: Focus on Communication, Social Interactions and Social Network (Grades K-12)*** During this two day workshop, building based teams learned practical ways to design programs that facilitate the development of age appropriate communication and social skills for students with moderate to severe cognitive disabilities. Discussion focused on classroom routines and procedures, ways to create active and responsive lessons, as well as instructional strategies and techniques that support communication, social interactions, and the development of school-based social networks for these students within general education programs and settings. **(Activity 2011-2012)*****
- ***Supporting the Inclusion of Students with Disabilities in General Education Programs through the Development of Respectful Classroom Environments (Grades K-12)*** Students with disabilities benefit from a learning environment that proactively promotes, teaches and reinforces positive behaviors. Through group discussion and activity based instruction, this workshop provided participants with the following: strategies to develop and implement consistent, positive classroom management practices; an understanding of the reasons students may engage in challenging behaviors; and de-escalation strategies for students who are exhibiting challenging behaviors. **(Activity 2011-2012)*****

Transitioning Students with Disabilities To and Within General Education Settings (Grades K-12) The successful transition of students with disabilities from a separate educational setting to an in-district program requires deliberate and systematic planning. Similar planning is needed to effectively transition students from in-district resource and special class programs to general education classes. This workshop provided tools and a framework for analysis of student, school and family considerations. Such analysis provides the information necessary to effectively match the provision of supports, accommodations and modifications with individual student needs to successfully transition students with disabilities to and within general education settings. Strategies that enable families and educators to work collaboratively throughout the transitioning process were emphasized. **(Activities 2011-2012)*****

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

Statement from the Response Table	State's Response
<p>In the FFY 2011 APR, the State must report through its monitoring cycle, the number of LEAs that conduct district-wide assessments.</p>	<p>NJOSEP collected data which identified 551 districts who administer district-wide assessments.</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator #4A: Suspension and Expulsion

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 4A for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP target and discussed improvement activities which may be contributing to a continued pattern of not meeting SPP targets for this indicator. 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 2010 APR are the data for the year prior to FFY 2011 which is the 2010-2011 school year. Stakeholders provided input regarding improvement activities for this indicator.

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 results 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

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. 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 were used in the process.

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 2011, 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. In calculating the percent of districts with a significant discrepancy for this FFY 2011 APR, all LEAs were included in the calculation. No LEAs in the state were excluded from this calculation based on a minimum cell size requirement. An LEA was determined to demonstrate a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year if the LEA rate exceeded 3.0% (0.6% x 5 = 3.0%).

FFY	Measurable and Rigorous Target
<p><i>FFY 2011</i> <i>(using 2010-2011 data)</i></p>	<p>Percent of districts identified as having a significant discrepancy in the rate of suspensions and expulsions greater than 10 days in a school year for children with IEPs will be at or below 1.5%.</p>

Actual Target Data for FFY 2011 - For this indicator, data reported is the data for the year before the reporting year (2011-2010 data), in accordance with the APR instructions.

Actual Target Data for FFY 2011 APR:
 .47% of districts were identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

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 1.5% or below. The data reveal that .47% of districts had a significant discrepancy in the rate of suspension and expulsion. Therefore, New Jersey met the SPP target for FFY 2011.

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies	Percent
FFY 2011 (using 2010-2011 data)	640	3	.47%

Review of Policies, Procedures, and Practices:

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

Districts identified as having a significant discrepancy in suspension/expulsion rates of children with disabilities for greater than 10 days in a school year participate in a targeted review process. The review includes a self-assessment, and/or desk audit and/or an onsite targeted review of discipline requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards. The targeted review may include: (a) record reviews; (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, are reviewed and analyzed to identify the specific schools within the identified districts where most suspensions over 10 days occurred. School-based discipline practices and tracking data are 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 are identified as noncompliant, findings are issued, and corrective action is required.

Technical assistance is 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 are 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, is also disseminated to district staff. Districts are provided with additional training as described below (see discussion of improvement activities).

All 3 of the districts identified with significant discrepancies in their suspension rates participated in the targeted review process described above by completing a self-assessment of positive behavioral supports. The self-assessment was utilized to determine compliance with the federal requirements related to this indicator. One district identified noncompliance in the self-assessment.

Results of the Review: A written report of findings of noncompliance was generated for the district that identified noncompliance. . This district will develop an action plan that will identify policies, procedures and/or practices that are not consistent with IDEA and activities to address them. The review will include analysis of EVVRS and school level suspension data.

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

No new changes to LEA policies, procedures, and practices were required in the three new districts identified based on FFY 2010 data. Failure to correct noncompliance within one year of identification is considered in making special education determinations.

Correction of FFY 2010 Findings of Noncompliance (based on FFY 2009 data) – 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 2009-2010 data	10
2. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	10
3. Number of FFY 2010 findings from row 1 <u>not</u> verified as corrected within the 1 year timeline.	0

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.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 4B: Suspension by Race/Ethnicity

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 4B for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP target of 0 percent. NJOSEP staff discussed the required revision to the methodology for calculating the rate for this indicator. 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. Training and technical assistance opportunities available to identified districts to assist with the implementation of positive behavioral interventions and supports were discussed. NJOSEP informed the stakeholders that the data required for submission for the FFY 2011 APR are the data for the year prior to FFY 2011 which is the 2010-2011 school year. Stakeholders provided input regarding improvement activities for this indicator.

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

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

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

Measurement:

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

Overview of Issue/Description of System or Process:***State's definition of "significant discrepancy"***

An LEA demonstrates a "significant discrepancy" in their suspension rate for a specific racial/ethnic group when the district's suspension rate for the specific racial/ ethnic group is greater than three times the state average suspension rate for all students with IEPs.

Methodology

NJOSEP determined whether there was a significant discrepancy in the suspension rate for each racial/ethnic group 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. Specifically, for each LEA, the suspension rate was calculated **for each racial/ethnic group** by dividing the number of children with IEPs suspended for greater than 10 days in a school year by the number of children with IEPs reported in the specified racial/ethnic group.

In order to compare the district rate for each racial/ethnic group to other LEAs in the state, the state rate for all children with IEPs suspended was calculated by dividing the number of children of all racial/ethnic groups suspended for greater than 10 days by the number of children with IEPs in the state. The state rate for FFY 2011 was 0.48%. The district rate for each racial/ethnic group was then compared to the state rate and if the district rate for a specific racial/ethnic group was greater than three times the state rate (or 0.48%), the district was determined to demonstrate a "significant discrepancy" for the specific racial/ethnic group.

NJOSEP used a minimum "n" size for these analyses. All LEAs with five or more students of a specific racial/ethnic group, suspended for more than 10 days, were included in the calculation. 66 LEAs were removed from the analysis of the black subgroup, 59 LEAs from the analysis of the Hispanic subgroup and 97 LEAs from the analysis of the white subgroup because they did not have five or more students suspended for more than 10 days. A total of 587 LEAs were not included in the calculation as a result of not having five or more (minimum 'n' size) students of any racial/ethnic group suspended for more than 10 days. This number includes districts that reported no suspensions, reported no suspensions for more than 10 days in the school year and those districts that had <5 students suspended for more than 10 days during the data year. As allowed, NJOSEP chose to include all districts in the denominator for this indicator.

Using the criteria established above, NJOSEP determined that 6 24 school districts met the definition of significant discrepancy for Indicator 4B.

District Review of Policies, Procedures, and Practices/NJOSEP Verification

For FFY 2011, 24 districts identified for significant discrepancy by race or ethnicity in the rate of suspensions or expulsions greater than 10 days in a school year participated in a self-assessment of policies, procedures and practices to determine if the district demonstrated noncompliance with requirements related to the discipline of students with disabilities. The self-assessment was aligned with the IDEA requirements identified by the USOSEP as related to Indicator 4B and included includes a review of compliance indicators related to the requirements of 34 CFR §§300.170(a) and 300.646(a)(3).

As a result of the self-assessment, 2 LEAS had findings of noncompliance in one or more of the requirements reviewed. Each LEA will receive a report of findings, with corrective action, and will be directed to correct the noncompliance within one year of identification. Verification of correction will be conducted in accordance with the verification process described below. Districts with noncompliance are required to revise, policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA

FFY	Measurable and Rigorous Target
<i>FFY 2011</i> <i>(using 2010-2011 data)</i>	0%

Actual Target Data for FFY 2011:

.31% of LEAs had 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 policies, procedures and practices that contribute to the significant discrepancy and do not comply with requirements related to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

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

Year	Total Number of Districts	Number of Districts that have Significant Discrepancies by Race or Ethnicity	Percent
FFY 2011 (using 2010-2011 data)	640	24	3.75%

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

Year	Total Number of LEAs	Number of Districts that have Significant Discrepancies, by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Percent
FFY 2011 (using 2010-2011 data)	640	2	0.31%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Discussion of data and progress or slippage toward targets

As noted above, .31% of districts had a significant discrepancy the rate of suspension and expulsion for specific racial/ethnic groups and policies, procedures or practices that contributed to the significant discrepancy and did not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards for FFY 2011. This represents no change in the actual data from FY2010. The NJOSEP has targeted districts identified for this indicator for participation in the positive behavioral supports in schools improvement activities described below. Districts that continue to demonstrate a significant discrepancy are involved in a self-assessment and improvement process regarding practices in positive behavioral supports.

Improvement Activities

NOTE: Activities that occurred in 2011-2012 and that are ongoing during the course of the SPP, are represented by the symbol *.**

Data Analysis: NJOSEP will conduct analysis of discrepancy data and findings of noncompliance to identify patterns of noncompliance by race/ethnicity. These data will be used to inform training and technical assistance activities related to discipline. **(Activity 2011-2012)*****

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. **(2011-2012 Activity)*****

Statewide Training on Discipline Requirements: During 2007-2008, NJOSEP completed statewide training of local district special education administrators. Discipline training continues to be provided on-site to selected districts as part of the 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. **(2011-2012 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. 129 schools from 76 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices by 2011-2012. An additional group of 29 schools from 12 districts will receive training and technical assistance support during 2012-2013. These schools will begin implementation in 2013-2014. **(2011-2012 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 began training in PBSIS practices in the fall of 2010 and continued through spring 2011. Additional training and technical assistance was provided to assist implementation of PBSIS practices in the fall of 2011 through spring 2012. A new cohort of schools was recruited during the fall of 2012. These schools will receive training and technical assistance in spring-summer of 2013. Implementation and additional training will continue for the fifth targeted cohort in 2013-2014.

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. **(2011-2012 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 2011-2012, trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2011-2012)*****

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 2011-2012, one coach event that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation was held in spring 2012. Additionally, two teleconferences were held in September 2011 and March 2012 for coaches to share information and problem-solve areas of need for PBSIS in their school. **(Activity 2011-2012)*****

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. During 2011-2012, the website received 26,083 unique visitors (tracking "cookie" dependant) and 65,292 page downloads resulting in a total of 245,451 page loads since the site launched. **(Activity 2011-2012)*** (Activity 2011-2012)*****

Correction of FFY 2010 Findings of Noncompliance (NJOSEP made findings of noncompliance in FFY 2010 based on its FFY 2010 review of FFY 2009 data and policies, procedures and practices) *Do not report on the correction of noncompliance unless the State identified noncompliance as a result of the review required by 34 CFR §300.170(b).*

1. Number of findings of noncompliance the State made based on 2009-2010 data	2
1. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the district of the finding)	2
2. Number of FFY 2010 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

NJOSEP revised, or required the affected districts (identified with noncompliance in FFY 2010) to revise, policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA.

In addition, NJOSEP revised, or required the 2 districts identified with noncompliance in FFY 2011 based on its FFY 2011 review of FFY 2010 data and policies, procedures and practices to revise, policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA. NJOSEP will report on the correction of findings made in FFY 2011 in its FFY 2012 APR, due February 1, 2013.

Verification of Correction (either timely or subsequent):

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, 2 districts were required to revise their policies, procedures and practices, and/or revise IEPs based on findings of noncompliance. 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 findings made related to this indicator ranged from individual child files not including necessary documentation of a behavioral intervention plan or manifestation determination to districts or schools not having procedures in place.

To verify correction of noncompliance, when possible, NJOSEP reviewed individual child files or school records to ensure correction of each individual case of noncompliance, unless the child was no longer within the jurisdiction of the school district. In some cases, actions occurred, although late and in some cases, individual files were corrected. In the case of policies or procedures, NJOSEP verified the presence of revised policies and procedures.

NJOSEP also reviewed subsequent data in each school district demonstrating compliance with the specific requirements. These data were reviewed through additional desk audits, data and record submissions, and in some cases, onsite reviews.

The NJOSEP continues to ensure correction of noncompliance in accordance with the OSEP 09-02 memo, in collaboration with districts. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices and identification of the root cause of noncompliance. 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, identification of root causes, and implementation of best practices in implementing positive behavioral support systems, differentiated instruction and placement in the least restrictive environment.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 5: School Age LRE

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 5 for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP targets and discussed improvement activities and a continued trend of exceeding state targets for this indicator. Stakeholders provided input regarding the continuum of placements available in New Jersey and improvement activities.

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, 2011¹

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>FFY 2011 (2011-2012)</p>	<p>A. 48.0 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 16.5 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 7.8 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>

Actual Target Data for FFY 2011:

A. 48.00 percent of students with IEPs were served inside the regular class 80% or more of the day.

Actual numbers used in the calculations: $96,512 / 201,015 = .4801 \times 100 = 48.0\%$

B. 16.62 percent of students with IEPs were served inside the regular class less than 40% of the day.

Actual numbers used in the calculations: $33,419 / 201,015 = .1662 \times 100 = 16.62\%$

C. 7.7 percent of students with IEPs were served in separate schools; residential facilities; or homebound/hospital placements.

Actual numbers used in the calculations: $15,504 / 201,015 = .0771 \times 100 = 7.71\%$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

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

New Jersey met or exceeded two of the three targets and did not meet one target for LRE. For students with disabilities educated within general education settings for 80% or more of the day (**Target A**), New Jersey met the target (48.0%-48.0% = 0.0%). For students educated within general education programs for less than 40% of the day (**Target B**), New Jersey did not meet the target by 0.1% (16.6%-16.5% = 0.1%). For students educated in separate settings (**Target C**), New Jersey exceeded the target by 0.1% (7.8%-7.7% = 0.1%). NJOSEP has continued to focus technical assistance, training and monitoring activities on educating students in general education settings. Local districts have also prioritized educating students in the least restrictive environment resulting in a trend of statewide achievement of SPP targets.

Discussion of improvement activities completed for FFY 2011:

NOTE: Activities that occurred in 2011-2012 and that are ongoing during the course of the SPP, including FFY 2011 are represented by the symbol *.**

Monitoring: During FFY 2011, 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 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 2011-2012)*****

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.

Improving Literacy Achievement for Students with Disabilities in Grade 3: Focus on Early Literacy (ILA)A Collaborative Literacy Initiative Federal Results Project (previously known as Early Literacy Project)

As part of the USOSEP's verification process, New Jersey was required to develop a project to improve results relative to one of the performance indicators in the State Performance Plan. Due to continued performance gaps between students with and without disabilities on state assessments, the NJOSEP selected Indicator 3 for the project. Due to the success of the Intensive Early Literacy initiative, NJOSEP is collaborating with the Office of Literacy to implement an early literacy initiative for nine (9) schools which have been identified for large achievement gaps between students with and without disabilities in grade three(3) language arts. Two additional schools, which contain grades prekindergarten through grade two (2), have been included in the project because these schools send students to one of the nine schools selected to participate in the project due to the achievement gaps in grade 3 language arts. Literacy experts from the Office of Literacy, accompanied by NJOSEP staff, conducted walk-throughs in spring and fall of 2012 utilizing a *Protocol for Language Arts Literacy Visits: Office of Language Arts Literacy Education NJ Department of Education*. NJDOE staff also conducted walk-throughs and discussions with school and district staff. Office of Literacy and Special Education staff made recommendations to collaboratively plan to improve literacy instruction practices with school and district staff. Assessments to measure progress, in addition to state assessments that yield achievement and growth data, were identified as part of the project. Funds will be provided for schools to support the implementation of activities that support literacy for students with disabilities. The NJOSEP has expanded the project to include the State Parent Advocacy Network (SPAN) to provide technical assistance to parents within the selected schools in facilitating learning to read, speak and listen in the home. SPAN staff will provide parent/family surveys to identify areas of need for families to support literacy in the home for identified schools. From the survey results, SPAN staff will work with school staff to identify activities for improvement and conduct training for parents and staff on strategies for family involvement in literacy. **(Activity 2011-2012)*****

Special Education Achievement Awards – Rewards/recognition

OSE identified a cadre of 12 districts where students with disabilities have demonstrated high rates of proficiency and high growth rates with regard to their performance in language arts literacy and mathematics on the NJ ASK Grades 3-8, the APA and the HSPA. Consistent with the NJDOE's focus on improving academic achievement and high quality instruction, each identified LEA was provided funding for the period 5/1/12 – 6/30/13 to expand, enhance and/or implement new and innovative programs and services for students with disabilities. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations. Funds are used to purchase instructional materials, assistive

technology, and professional development to support students with disabilities and increase access and inclusion in general education programs.

(Activity 2011-2012)***

21st Century Community Learning Centers - Supplemental Awards – Targeted to 21st Century Cohorts 5-7

Supplemental funds were provided to 21st Century grant recipients to support the inclusion of students with disabilities in before/after-school and summer programs for the period April 2012 - August 2012. Limited participation of students with disabilities within these programs is often due to lack of knowledge and understanding of the educational needs of these children. These funds provided an opportunity for program staff to receive training, technical assistance and the ability to hire additional staff to assist in the provision of appropriate education supports in 22 after-school programs. These funds enhanced programs in elementary, middle, high school and college level students. Of the 22 grant recipients, 13 were Focus Schools and 3 were Priority Schools. Funds were used to purchase instructional materials, assistive technology, and professional development to support students with disabilities included in general education classes. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations. Additionally, students with disabilities are included with their nondisabled peers.

(Activity 2011-2012)***

Commission for the Blind and Visually Impaired – Supplemental Funds

This funding supplements state aid for 52 instructors who provide specialized services to students who are blind or visually impaired. Services include assessment and evaluation of a child's visual abilities, instruction in Braille and related skills, information and technical assistance for families, teachers and child study teams, loaning adaptive equipment and special educational materials including Braille and large-print materials and arranging for transition services when appropriate. This supports access to the general education curriculum, inclusion in general education programs, and enhancing performance of students who are blind and visually impaired. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations. Additionally, students with disabilities are included with their nondisabled peers.

(Activity 2011-2012)

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. In 2011-2012, 33 schools from 28 districts received training and technical assistance support. These schools have begun implementation in 2012-2013. **(Activity: 2011-2012)*****

Array of Supports Training

NJOSEP continued to conduct 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 the 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 sessions 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 for their fellow administrators and instructional staff. **(Activity 2011-2012)*****

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

NJOSEP completed the fifth-year of a project designed to provide instructional strategies to classroom teachers through a Train-the-Trainer model. This series on differentiated instruction was provided as a targeted training to districts identified through the self-assessment/monitoring process who did not meet state targets for LRE. In this, the last of the five-year initiative, twenty-one (21) districts participated in the training which was held in two separate locations, one north site and one south site in the state on New Jersey.

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 four day “training for trainers” series 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), were provided to participants for this purpose. During each session teams learned new strategies, reflected and problem-solved around implementation issues and received feedback. As part of the training, districts were assisted with planning for implementation of practices learned within their districts. In this, the fifth year (2011-2012), the training series expanded to include a one-day, summer workshop for administrators. This initial training provided administrators an overview of vocabulary and foundational concepts of differentiated instruction as well as a planning considerations framework for district administrators to support implementation of their district-wide action plans. Administrators from nineteen (19) districts attended the training.

Districts that attended the "training for trainers" series on differentiated instruction report the following outcomes:

- Templates and instructional tools designed to connect what was learned in this training to teacher effectiveness models(teacher accountability) in classroom observations;
- Renewed efforts in the classroom for classroom teachers to connect learning strategies with individual student needs
- Trainings provided by literacy and math coaches in mini-trainings as well as classroom modeling that incorporated what was learned in the training;
- More use of grouping as a way to include students with varying levels of ability in the general education classroom;
- Transition of students with disabilities from separate classrooms into the general education classroom;
- Imbedding of the strategies learned in the training into the new curriculum related to Common Core State Standards; and

- Increased participation of teachers in Professional Learning Communities (PLCs) around the topic of differentiated instruction; PLCs sharing vocabulary and vision of inclusive practice in at the school level. **(Activity 2011-2012) *****

Universal Design Targeted Middle School Math Initiative: Implementing New Curricular Learning

With Universally Designed Experiences (INCLUDE) Project:

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. 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. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs. In 2011-2012 the INCLUDE grant has been extended to three INCLUDE schools to implement an inclusive program through Universal Design for Learning (UDL) to one higher grade level or to add English Language Arts.

In 2011, NJDOE-OSE and OET collaborated with SPAN, the parent advocacy network, to develop a workshop for parents regarding UDL. Two (2) regional mini-conferences on Inclusion benefits and strategies highlighting educational practices that support inclusion of children with disabilities in general education were held, with the topic of the conferences being UDL. Representatives for the New Jersey Department of Education Office of Technology presented with input from district staff who were recipients of the Inclusive Schools – INCLUDE Grant initiative. Over 500 people attended the workshops that were held in fall of 2011. **(Activity 2010-2011)*****

Inclusive Schools Climate Indicator

NJOSEP used IDEA funds to contract with the Center for Applied Psychology, GSAPP, located at Rutgers, the State University to support a research initiative with specific activities to address the needs of students with disabilities, with regard to harassment, intimidation and bullying and comprehensive violence, alcohol, tobacco and other drug prevention and intervention strategies, with an **emphasis on promoting values, such as caring, responsibility, honesty, and respect**. The project team implemented training and technical assistance designed to develop and promote positive, inclusive school climates for students with disabilities for targeted school districts. This year, in addition to surveys disseminated to parents, students and school staff to determine the level of inclusiveness at the school, climate assessment feedback was provided to all schools, though School Climate Profiles. Ten school districts, Cohort One, began this project with program implementation in elementary schools in their districts in July of 2010. In this, the second year of the grant project, Cohort One districts added another school in their district to expand their project. Participating schools have developed goals in the following areas; improving relationships (student to student, student to staff, staff to staff), increasing disability awareness, increasing parent involvement, and improving the workplace experience for staff.

Major results from Year 2 of the ISCI include the further development of the ISCI School Climate Survey, the development of an inclusive school climate consultative model and corresponding tools, including a Resources for Inclusion Guide and a School Climate Improvement Plan Template. The project team built a resource library related to inclusion and school climate improvement. Resources reflect best practice initiatives in evidence-based alcohol, tobacco and other drug and violence prevention programs. (2011-2012)***

Training for Parents and School Personnel through Collaboration with Statewide Parent Advocacy Network (SPAN)

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. **(Activity: 2011-2012)*****

Summer Teleconference

- A teleconference for parents and educators that focused on Best Practices in Inclusive Education was held in the summer of 2011. Led by a district team, this teleconference highlighted best practices in inclusive education as the district shared strategies that had been used to increase the number of students with disabilities in general education classrooms. (2011-2012)

Regional Proactive Trainings

The Learning Resource Center Network sponsors regional trainings on best practices in special education to support the diverse learning needs of students with disabilities in general education classrooms. These trainings are open to district personnel statewide.

- ***IEP Development and Implementation: An Overview of Required Components and Considerations (Grades K – 12)*** This workshop provided an overview of required IEP components and considerations as mandated by IDEA 2004 and the New Jersey Special Education Regulations, N.J.A.C. 6A:14. Participants gained an understanding of the IEP decision making process and learned how to create a coherent document that brings together the collective perspectives of educators, families, and students. The following IEP components were emphasized: present levels of academic achievement and functional performance; behavior intervention plans; measurable annual academic and functional goals; supplementary aids and services; supports for school personnel; transition to adult life; and placement in the least restrictive environment. **(Activity 2011-2012)**
- ***IEP Development and Implementation: Emphasis on Measurable Annual Goals and Student Progress (Grades K-12)*** This workshop presented a decision making process for linking goals and objectives to identified student's needs that result from his/her disabilities to enable the student to be involved in and progress in the general education curriculum. Elements needed to make an annual goal measurable, examples of performance criteria, evaluation procedures for measuring student progress, and methods of informing parents of their child's progress were addressed. **(Activity 2011-2012)**
- ***Specially Designed Instruction for Students with Moderate to Severe Cognitive Disabilities: Focus on Academic Skills (Grades 6-12)*** All students with disabilities, including students with moderate to severe cognitive disabilities, **must have access to grade level instruction that is aligned with the NJ Core Curriculum Content Standards (NJCCCS) and provided within the least restrictive educational setting.** This workshop presented ways to design instructional activities for middle and high school students with moderate to severe disabilities that address the content areas of math, science and language arts literacy. Participants learned how to link individual student learning objectives to grade level standards and how to modify instruction so that students can learn the same content as their non-disabled peers. **(Activity 2011-2012)**

Differentiated Instruction:

- ***Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on Mathematics (Grades 4 and 5)*** The first 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: 2010-2011)**

- ***Lesson Planning with Differentiated Instruction to Support Students with Disabilities in General Education Classrooms (Grades 1 – 6)*** The second set of regional trainings was designed to facilitate the inclusion of students with disabilities in general education classrooms within science, social studies or language arts/literacy in grades 1-6. During this two-day training, general and special education teaching pairs learned to apply the basic principles and practical applications of differentiated instruction to the design of small group instruction and mini-lessons. Participants were introduced to a unit planning process and framework that includes essential curricular questions, instructional strategies, tiered questioning and leveled activities. The development of phonics, vocabulary, and comprehension skills and grouping strategies that accommodate the needs of diverse learners was emphasized. The target audience was general and special education teachers in grades 1- 6. **(Activity 2011-2012)*****

Student Support Options:

- ***Supporting Students with Disabilities in General Education Programs through In-Class Resource Program Instruction (Grades K-12)*** This two day workshop provided general and special education teaching pairs with the basic knowledge and skills needed to implement in-class resource program instruction. The workshop provided a variety of in-class resource program arrangements; defined roles and responsibilities; explored effective techniques that foster general and special educator collaboration; and provided approaches and formats that facilitate instructional planning. **(Activity 2011-2012)*****
- ***Supporting Students with Disabilities in General Education Programs through Collaborative Consultation (Grades K – 12)*** The provision of consultation services is one way to support students with disabilities in general education settings. This workshop introduced methods and strategies that can be used to assist the general education teacher and/or teacher aide in implementing educational supports for an individual student or a group of students with disabilities in the general education classroom. **(Activity 2011-2012)*****
- ***Designing Programs for Students with Moderate to Severe Cognitive Disabilities within General Education Programs: Focus on Communication, Social Interactions and Social Network (Grades K-12)*** During this two day workshop, building based teams learned practical ways to design programs that facilitate the development of age appropriate communication and social skills for students with moderate to severe cognitive disabilities. Discussion focused on classroom routines and procedures, ways to create active and responsive lessons, as well as instructional strategies and techniques that support communication, social interactions, and the development of school-based social networks for these students within general education programs and settings. **(Activity 2011-2012)*****
- ***Supporting the Inclusion of Students with Disabilities in General Education Programs through the Development of Respectful Classroom Environments (Grades K-12)*** Students with disabilities benefit from a learning environment that proactively promotes, teaches and reinforces positive behaviors. Through group discussion and activity based instruction, this workshop provided participants with the following: strategies to develop and implement consistent, positive classroom management practices; an understanding of the reasons students may engage in challenging behaviors; and de-escalation strategies for students who are exhibiting challenging behaviors. **(Activity 2011-2012)*****
- ***Transitioning Students with Disabilities To and Within General Education Settings (Grades K-12)*** The successful transition of students with disabilities from a separate educational setting to an in-district program requires deliberate and systematic planning. Similar planning is needed to effectively transition students from in-district resource and special class programs to general education classes. This workshop provided tools and a framework for analysis of student, school and family considerations. Such analysis

provides the information necessary to effectively match the provision of supports, accommodations and modifications with individual student needs to successfully transition students with disabilities to and within general education settings. Strategies that enable families and educators to work collaboratively throughout the transitioning process were emphasized. **(Activities 2011-2012)*****

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator #6: Preschool LRE

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

On January 17, 2013, a meeting of New Jersey stakeholders concerned with the education of students with disabilities was conducted. NJOSEP staff reviewed the history of this indicator, including the revision to the collection of data by the United States Department of Education. Stakeholders were also informed of the requirement to establish a new baseline, targets and, as needed, improvement activities for this indicator using the 2011-2012 data.

Monitoring Priority: FAPE in the LRE

Indicator #6:

Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

Measurement:

A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Indicator 6 is being reported for the first time in FFY 2011. Baseline data, targets and improvement activities are reported in the SPP beginning on page 96. The SPP is available on the New Jersey Department of Education's website here:

<http://www.nj.gov/education/specialed/info/spp/> .

Indicator # 7: Preschool Outcomes

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator for submission in the FFY 2011 APR to the SSEAC and other stakeholders at a meeting conducted on January 17, 2013. An overview of the indicator was provided to the stakeholders including a review of the process for collecting preschool child outcome data. The calculations and the summary statements for each outcome were provided. 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. Stakeholders provided input regarding improvement activities.

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 2010-2011 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 uses the Battelle Developmental Inventory 2 edition (BDI-2) 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 NJSOE, 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 LEAs submit 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 2010 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 2011.

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 2011 (2011-12):

For FFY 2011, 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, 2011 and June 30, 2012. The data provided below, include preschool students who entered the program in 2008, 2009, 2010 or 2011 and who exited the program during 2011-2012. A total of entry and exit records were complete and analyzed, and are being reported for FFY 2011.

Table I shows FFY 2011 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 2011 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 equivalent to 1.33 standard deviations below the mean. A score of less than 80 places 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 2011-2012
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	15	3.5%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	33	7.7%
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	29	6.8%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	105	24.5%
e. Percent of children who maintained functioning at a level	246	57.5%

comparable to same-aged peers		
Total	N=428	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	13	3.0%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	83	19.4%
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	86	20.1%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	122	28.5%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	124	29.0%
Total	N=428	100%
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	8	1.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	86	20.1%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	54	12.6%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	105	24.5%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	175	40.9%
Total	N=428	100%

Table 2
FFY 2011-2012 Data
Summary Statements by Outcomes – A, B, and C

Summary Statements	Targets FFY 2011 (% of children)	Actual FFY 2011 (% 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: $[(c+d) / (a+b+c+d)] \times 100$	75.8 %	73.6%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	71.7 %	82.0%
Summary Statements	Targets FFY 2011 (% of children)	Actual FFY 2011 (% of children)
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: $[(c+d) / (a+b+c+d)] \times 100$	63.4 %	68.4%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	49.8 %	57.5%
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: $[(c+d) / (a+b+c+d)] \times 100$	64.0%	62.8%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	58.2 %	65.4%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Discussion of data and progress of slippage toward targets:

Summary Statement One:

Summary Statement One reflects those children who entered or exited a preschool program below age expectations in Outcome A, B, C, and who substantially increased their rate of growth by the time they exited the program.

For outcome A, positive social-emotional skills, there was an increase of 4.5% from 69.1% in 2010 to 73.6% in 2011. Although progress was made in the rate of students developing academic knowledge and skills, New Jersey did not meet the FY 2011 target of 75.8%.

Data for Outcome B, acquisition of knowledge and skills, which includes language/communication and early literacy, indicate that New Jersey exceeded its target by 5.0% and increased the rate from 2010 by 1.5% (66.9 to 68.4%).

For outcome C, use of appropriate behaviors, data indicate an improvement of 8.9% from 53.9% in 2010 to 62.8% in 2011. Once again, progress was demonstrated; however, New Jersey did not meet the target of 64.0%.

The NJOSEP has implemented training and technical assistance during the 2012-2013 school year to specifically address supports for preschoolers with social-emotional and behavior needs in early childhood programs. Training in development of gross, fine and perceptual motor training is also being provided to increase outcome data in the area of behavior. These activities were discussed at the stakeholder meeting held in January 2013.

Summary Statement Two:

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

In all three outcomes the SPP targets for FFY 2011 were met or exceeded.

- A. Positive social-emotional skills (including social relationships); (10.3% above target);
- and
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); (7.7% above target).
- and
- C. Use of appropriate behaviors to meet their needs (7.2%. above target).

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

Improvement Activities / Timelines / Resources for FFY 2011

NOTE: Activities that occurred in 2011-2012 and are ongoing during the course of the SPP, including FFY 2010, 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 100 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: 2011-2012)*****

Additions to Data Collection: In response to stakeholder request, placement information was added to the collection of demographic data. **(Activity: 2010-2011)**

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: 2011-2012)*****

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: 2011-2012)*****

Use of Assessment Results

NJOSEP shared the progress of the FFY 2009 outcome study and findings with districts and in technical assistance trainings and individual sessions. **(Activity: 2011-2012)*****

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 2009-2010 data, in response to Outcome B, Communication and Outcome C, Motor 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: 2011-2012)**

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 8: Parent Involvement

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 8 for submission in the FFY 2011 APR to the SSEAC and other stakeholders at a meeting conducted on January 17, 2013. During 2011-2012, a representative sample of 98 districts participated in NJOSEP's sixth cohort for the parent involvement survey. The results of the survey, including response rate 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 VI districts in which 84.2% 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 sixth year of positive results regarding schools' facilitation of parent involvement. Stakeholders provided input regarding improvement activities.

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. The Sampling Calculator developed by NPSO is based on a 5 way clustering process which has as its basis a probability model. 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. Between FFY 2005 and FFY 2010, all districts participated in the survey once.

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. For the FFY 2011 data collection for this indicator, districts from the first of the five representative samples, selected by the Sampling Calculator, participated in the survey.

(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.)

Instruments/Surveys used to gather the data

For the sixth 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. In the survey year 2010-2011, the NCSEAM survey categories of disability were updated to be reflective of federal language. The category of mental retardation was renamed intellectual disability. 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 sixth cohort of districts, NJOSEP requested and obtained mailing information from 98 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. 36,737 surveys were mailed to all families of students with disabilities in the 98 districts participating in the cohort three data collection. This number included: 1,832 preschool surveys and 34,905 school-age surveys.

Surveys were mailed initially in mid-May of 2012. In an effort to increase response rates, NJOSEP, through the Bloustein Center, sent a second mailing, three weeks later, to all parents who had not responded to the initial mailing by returning a completed questionnaire by mail or submitting a response via the web-based questionnaire. In all, a ten 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. 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 creation and submission of the address files. On-site technical assistance and telephone conferences were provided to increase response rates particularly among districts with high rates of minority students.

FFY	Measurable and Rigorous Target
<p>2011 (2011-2012) Cohort 6</p>	<p>84.0% 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.</p>

Actual Target Data for FFY 2011:

84.2% 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 Six Data for Facilitation of Parental Involvement: 2011-2012**

A combined total of 7,182 completed surveys were returned to the Bloustein Center. Returned 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 57 surveys were eliminated from the analyses for this reason. An additional 42 surveys were eliminated from the analysis because of incorrect student age - that is, a preschool student was reported to be older than seven years, or school-age student was reported to be younger than four years. 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 ($\geq 51\%$) 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 2011 was calculated as $5,908$ divided by $7,016 = 84.2\%$. The table below outlines results for those in the preschool, school age and combined samples over the past six years.

Percent of Parents that Reported Schools Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities																		
	Pre-School						School Age						Combined					
	2007	2008	2009	2010	2011	2012	2007	2008	2009	2010	2011	2012	2008	2009	2009	2010	2011	2012
A. Completed Surveys	284	762	866	887	790	472	2,438	7,302	9,630	10,816	9,651	6,611	2,722	8,064	10,496	11,703	10,441	7,083
B. Eliminated from Analysis: Surveys where parent did not answer or selected "does not apply" for a majority of items. ¹	0	5	8	8	2	3	0	62	101	77	66	64	0	67	109	85	68	67
C. Completed & analyzed surveys	284	757	858	879	788	469	2,438	7,240	9,529	10,739	9,585	6,547	2,722	7,997	10,387	11,618	10,373	7,016
D. Surveys with a majority of items rated as agree, strongly agree or very strongly agree (4 to 6 on a 6 point scale)	240	621	722	746	685	393	1,955	5,861	7,929	8,944	8,051	5,515	2,195	6,482	8,651	9,690	8,736	5,908
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%	86.9%	83.8%	80.2%	81.0%	83.2%	83.3%	84.0%	84.2%	80.6%	81.1%	83.3%	83.4%	84.2%	84.2%

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.

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.

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

Of the 7,016 completed and analyzed surveys received from *both* preschool and school-age parents, 84.2% (5,908) 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 84.0% for FFY 2011 by .2%. The rate of 84.2% for FFY 2011 was consistent with last year's results of 84.2%. The data represent a sixth 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 FFY 2011

A total of 36,737 completed preschool and school-age surveys were returned for a combined response rate of 19.28%. 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 19.28% was lower than last year's response rate of 21.46%. The overall rates range from 15.4% in 2008, 21.5% in 2009, 21.7% in 2010, 21.5% in 2011, and **19.3% in 2012**. For preschool, the rates were 23.1%, 31.7%, 29.9%, 28.7%, and **25.8%** in each successive year; for school age, the rates were 14.9%, 20.9%, 21.2%, 21.0% and 18.9%. Rates were very similar for 3 straight years prior to this survey year, but fell by about 2% in FFY 2011. A possible explanation for this decline in response could be related to a higher proportion of Abbott districts in this cohort. Research shows these districts tend to respond at lower rates.

This year, 480 preschool surveys were returned. Of those returned, 8 were ineligible, so response rate was determined to be 25.76% (472 divided by 1,832). A total of 6,702 school-age surveys were returned. Of those returned, 91 were ineligible, resulting in a response rate of 18.94% (6,611 divided by 34,905). A total of 952 of the surveys were completed on-line, with a slightly higher percentage of families with preschool students selecting this option (17.29% of completions) versus families of school-age students (12.97% of completions.)

Survey Dissemination and Response Rate Cohort VI: FFY2011 98 Districts				
		Preschool	School-Age	Combined
A	Surveys mailed	1832	34905	36737
B	Mailings returned undeliverable	62	1487	1549
C	Surveys returned total	480	6702	7182
	▪ 1st mailing	284	4022	4306
	▪ 2 nd mailing	113	1811	1924
	▪ Web survey	83	869	952
D	Valid Mailing Address	1770	33418	35188
E	Ineligible - Total	8	91	99
	E ¹ - Surveys returned but less than 50% of the questions 1-25 answered and therefore excluded	5	52	57
	E ² - Surveys returned but excluded for incorrect student age preschool surveys reported on child age 7 or older. School age surveys reported on child age 4 or younger.	3	39	42
F	Completed surveys	472	6611	7083
	Preschool Response Rate (F1 / A)	25.76%		
	School-age Response Rate (F2 / A)		18.94%	
	Combined Response Rate (F3/ A)			19.28%

Representativeness of Respondents:

Representativeness of respondents to families of all students with disabilities in cohort VI 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 VI 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 VI 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.

As reported, 2012 marked our first decrease in response rates. In 2009-11, response rates held constant at about 21.5%. In 2012, there was a decline to 19.3%. As you can see from Table 2, minorities represented the highest proportion of any year – 38.61%. Also, 13.96% of respondents were from Abbott districts, close to the highest from prior years. Hence, given the population was more non-white, and literature that this population is less likely to respond to survey inquiries, a decline in response rates is not surprising.

		Q31 Primary Disability				Q32 Child's Gender	Q30 Race/ Ethnicity	District
	Overall	LD	ED	ID	AO	Female	Minority	Abbott
Target population representation	2009	42.65%	5.08%	3.02%	49.21%	33.57%	40.10%	21.69%
Respondent Representation		39.69%	4.03%	1.21%	55.06%	32.47%	31.01%	11.24%
Difference		-2.96%	-1.05%	-1.81%	5.85%	-1.10%	-9.09%	-10.45%
Target population representation	2010	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%
Target population representation	2011	43.35%	5.57%	2.43%	48.65%	33.28%	41.65%	19.17%
Respondent Representation		36.99%	4.24%	1.36%	57.41%	30.67%	34.71%	8.70%
Difference		-6.36%	-1.33%	-1.07%	8.76%	-2.61%	-6.94%	-10.47%
Target population representation	2012	38.64%	3.76%	2.46%	55.14%	33.28%	44.45%	19.49%
Respondent Representation		38.63%	3.76%	1.49%	56.12%	37.70%	38.61%	13.96%
Difference		-0.01%	0.00%	-0.97%	0.98%	4.42%	-5.84%	-5.53%

The sample of participants is representative of the state with respect to the students' primary disability as evidenced by close match between the percentage of students with a particular disability in the sample of responses. Percentages are discrepant by less than one percentage point for all four disability categories – learning disability (LD), emotional disability (ED), intellectual disability (ID), and all other disabilities. Therefore, no disability groups were under- or over-represented in the sample.

A total of 2,470 families from racial-ethnic minorities responded to the survey this year representing 38.61% of the completions but minorities were 44.45% of the total cohort for a difference of -5.84%. Also, 923 families in Abbott districts responded to the survey this year representing 13.96% of completions but Abbott families were 19.49% of the total cohort for a difference of -5.53%. These percentages are much improved from prior differences ranging from 6.94% to 12.74% for each category, which was a goal of the current survey year.

Representativeness of Respondents (2012)

		Q31 Primary Disability				Q32 Child's Gender	Q30 Race/ Ethnicity	District
	Overall	LD	ED	ID	AO	Female	Minority	Abbott
Target Population Cohort 1	32,789	12,669	1,234	805	18,081	10,902	14,574	6,392
Respondents Cohort 1 (Completed Surveys)	6,611	2,178	212	84	3,164	2,117	2,470	923
Question Sample Size*		(n=5638)				(n=6281)	(n=6398)	(n=6611)
Target population representation		38.64%	3.76%	2.46%	55.14%	33.28%	44.45%	19.49%
Respondent Representation		38.63%	3.76%	1.49%	56.12%	37.70%	38.61%	13.96%
Difference		-0.01%	0.00%	-0.97%	0.98%	4.42%	-5.84%	-5.53%

Note: A difference of greater than +/- 3% is considered a statistical difference.

* (n) refers to 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. Invalid surveys are excluded from these demographic calculations.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator #9 – Disproportionality Child with a Disability

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 9 for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP targets and reviewed and revised improvement activities. The process for identifying disproportionate representation and significant disproportionality and the process for determining whether inappropriate identification caused disproportionate representation were reviewed. Stakeholders provided input regarding the process for identification and improvement activities.

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 (1/640) * 100 = .16%

For the FFY 2011 APR submission, NJOSEP used data from its Fall Survey Data Collection (October 2011) and data from the IDEA 2011 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 **over-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** 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. NJOSEP's process involved the use of multiple measures to statistically determine disproportionate representation. 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 disproportionate representation 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 134 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. NJOSEP chose to include all districts in the denominator for this indicator.

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 **634 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**

In FFY 2011 34 districts were identified for disproportionate representation. Districts identified for disproportionate representation participated in a self-assessment of policies, procedures and practices to determine if the district demonstrated noncompliance with requirements related to the identification of students with disabilities. The self-assessment was aligned with the IDEA requirements identified by the USOSEP as related to Indicators 9 and 10 and included a review of compliance indicators related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311. As a result of the self-assessment 1 LEA had findings of noncompliance in one or more of the requirements reviewed. The LEA received a report of findings, with corrective action and was directed to correct the noncompliance within one year of identification. Verification of correction is being conducted in accordance with the verification process described below. 28 of the districts were identified in previous years and, as a result, received technical assistance to address disproportionate representation. Coordinated by NERRC, two face-to-face sessions and two webinars were conducted by staff from the Data Accountability Center, Equity Assistance Center, OSEP Disproportionality Priority Team and The National RTI Center. The technical assistance focused on analysis of district-level data, identification of key issues that may be leading to overrepresentation of specific racial/ethnic groups in special education and development of an action plan to address those issues. NJOSEP staff, in addition to the services of an outside technical assistance provider, will provide support to those districts in implementation of the action plans.

Actual Target Data for (FFY 2011):

FFY	Measurable and Rigorous Target
FFY 2011	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 2011	640	34	1	.16%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:**Report of Progress/Slippage**

The data for this indicator indicate progress from 1.4% (9 LEAs) in FFY 2010 to .16% (1LEA) in FFY 2011, representing a decrease of 8 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 insufficient to identify statewide trends or patterns regarding the root cause of the inappropriate identification these data show substantial improvement from FFY2010. **NJOSEP will verify that the finding of noncompliance made in FFY 2011 is corrected, consistent with OSEP Memorandum 09-02, as described below.**

Improvement Activities

LEAs identified for disproportionate representation, even when not resulting from inappropriate identification, for two consecutive years are required to complete an in-depth self-assessment of policies, procedures and practices and develop an action plan to identify and address factors contributing to overrepresentation of specific racial/ethnic groups in special education. Analysis of the action plans identified those areas of need common to many, if not all, of the LEAs. Staff from NJOSEP provided technical assistance and oversight to assist districts in implementation of the action plans and provided targeted technical assistance. In addition, NJOSEP will be using the services of a technical assistance provider to work with LEAs in implementing their action plans and reducing overrepresentation of specific racial/ethnic groups in special education.

Correction of FFY 2010 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2009 (NJOSEP made findings in FFY 2010 based on FFY 2009 data) for this indicator: .97%

1. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2010 through June 30, 2011)	18
2. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	18
3. Number of FFY 2010 findings not 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.

To verify correction of noncompliance, when applicable, NJOSEP reviewed individual child files or school records to ensure correction of each individual case of noncompliance, unless the child was no longer within the jurisdiction of the school district. In some cases, actions occurred, although late and in some cases, individual files were corrected. In the case of policies or procedures, NJOSEP verified the presence of revised policies and procedures prior to ensuring that they were implemented.

NJOSEP also reviewed subsequent data in each school district to ensure that the district was currently demonstrating compliance with the specific requirements. These data were reviewed through additional desk audits, data and record submissions, and in some cases, onsite reviews.

The NJOSEP continues to ensure correction of noncompliance in accordance with the OSEP 09-02 memo, in collaboration with districts. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices, the identification of the root cause of noncompliance and strategies to address the cause of noncompliance and implement the specific IDEA requirements.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 10 – Disproportionality Eligibility Category

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 10 for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP targets and reviewed and revised improvement activities. The process for identifying disproportionate representation and significant disproportionality and the process for determining whether inappropriate identification caused disproportionate representation were reviewed. Stakeholders provided input regarding the process for identification and improvement activities.

Monitoring Priority: Disproportionality

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 (0/640) * 100 = 0%.

For the FFY 2010 APR submission, NJOSEP used data from its Fall Survey Data Collection (October 2010) and data from the IDEA 2010 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 defines disproportionate representation, i.e., **over-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** 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 calculated disproportionate representation

NJOSEP, with technical assistance provided through the USDOE, Office for Civil Rights, developed a process for determining disproportionate representation (**over-identification**). NJOSEP's process involved the use of multiple measures to statistically determine disproportionate representation). 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 126 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. NJOSEP chose to include all districts in the denominator for this indicator.

Using the criteria established above, NJOSEP determined that **33 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

In FFY 2011 33 districts were identified for disproportionate representation. Districts identified for disproportionate representation participated in a self-assessment of policies, procedures and practices to determine if the district demonstrated noncompliance with requirements related to the identification of students with disabilities. The self-assessment was aligned with the IDEA requirements identified by the USDOE as related to Indicators 9 and 10 and included a review of compliance indicators related to the requirements of 34 CFR 300.111, 300.201 and 300.301 through 300.311. As a result of the self-assessment no LEAs had findings of noncompliance. 31 of the districts were identified in previous years and, as a result, received technical assistance to address disproportionate representation. Coordinated by NERRC, two face-to-face sessions and two webinars were conducted by staff from the Data Accountability Center, Equity Assistance Center, OSEP Disproportionality Priority Team and The National RTI Center. The technical assistance focused on analysis of district-level data, identification of key issues that may be leading to overrepresentation of specific racial/ethnic groups in special education and development of an action plan to address those issues. NJOSEP staff, in addition to the services of an

outside technical assistance provider, will provide support to those districts in implementation of the action plans.

FFY	Measurable and Rigorous Target
FFY 2011 (2010-2011)	0%

Actual Target Data for FFY 2011:

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 2011	640	33	0	0%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Report of Progress/Slippage

In accordance with the instructions and the measurement table, the state is no required to provide an explanation of progress or slippage.

Improvement Activities

LEAs identified for disproportionate representation, even when not resulting from inappropriate identification, for two consecutive years are required to complete an in-depth self-assessment of policies, procedures and practices and develop an action plan to identify and address factors contributing to overrepresentation of specific racial/ethnic groups in special education. Analysis of the action plans identified those areas of need common to many, if not all, of the LEAs. Staff from NJOSEP provided technical assistance and oversight to assist districts in implementation of the action plans and provided targeted technical assistance. In addition, NJOSEP will be using the services of a technical assistance provider to work with LEAs in implementing their action plans and reducing overrepresentation of specific racial/ethnic groups in special education.

Correction of FFY 2010 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2009 (NJOSEP made findings in FFY 2010 based on FFY 2009 data) for this indicator: .48%

1. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2010 through June 30, 2011)	13
2. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	13
3. Number of FFY 2010 findings not 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.

To verify correction of noncompliance, when applicable, NJOSEP reviewed individual child files or school records to ensure correction of each individual case of noncompliance, unless the child was no longer within the jurisdiction of the school district. In some cases, actions occurred, although late and in some cases, individual files were corrected. In the case of policies or procedures, NJOSEP verified the presence of revised policies and procedures prior to ensuring that they were implemented.

NJOSEP also reviewed subsequent data in each school district to ensure that the district was currently demonstrating compliance with the specific requirements. These data were reviewed through additional desk audits, data and record submissions, and in some cases, onsite reviews.

The NJOSEP continues to ensure correction of noncompliance in accordance with the OSEP 09-02 memo, in collaboration with districts. Monitors provide technical assistance to districts to assist with the development of compliant policies and practices, the identification of the root cause of noncompliance and strategies to address the cause of noncompliance and implement the specific IDEA requirements.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions

Indicator # 11: Child Find

Part B State Annual Performance Report (APR) for FFY 2011

NJOSEP staff presented data for Indicator 11 for submission in the FFY 2011 APR to the State Special (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP target and discussed improvement activities which may be contributing to the increase in the compliance rate for this indicator. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

- | |
|---|
| <ul style="list-style-type: none"> 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). |
|---|

<p>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.</p>
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<p>Percent = [(b) divided by (a)] times 100.</p>
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Overview/Description of Issue, Process, System – Child Find

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 2010-11	100%

Actual Target Data for FFY 2011:

90.8% of children with parental consent to evaluate were evaluated within New Jersey's established timeline.

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, 2011 – June 30, 2012, reported by districts on October 15, 2012.

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

a. Number of children for whom parental consent to evaluate was received	27,057
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	24,556
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)	90.8%

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)

Reason	Number of Delayed Evaluations
Incomplete residency/enrollment information (not valid)	35
Additional evaluations were needed	325
Specialized evaluations were needed	283
Evaluation related issues (not valid)	608
Vacancies of child study team or related services personnel	112
Child study team or related services personnel were unavailable	580
Staff related issues (not valid)	692
No reason for delay reported (not valid)	1148
Delay in receipt of consent to implement the initial IEP	18
Total:	2501

The 2501 evaluations listed above 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	10	7	5	7	3	2	1	35
Additional Evaluations Needed	61	70	69	61	33	20	11	325
Specialized Evaluations Needed	47	58	62	63	31	12	10	283
Vacancies of Child Study Team or Related Services Personnel	22	25	22	27	10	3	3	112
Child Study Team or Related Services Personnel were Unavailable	168	133	109	89	55	14	12	580
Delay in receipt of consent to implement the initial IEP.	6	4	7	0	0	0	1	18
No Reason or No Valid Reason	431	305	221	130	34	13	14	1148
Total	745	602	495	377	166	64	52	2501

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2011:**Discussion of data and progress or slippage toward targets:**

The rate of evaluations completed within the state established timeline decreased from 93% reported in the FFY 2010 APR to 90.8% reported in this FFY 2011 APR. Overall, there was an increase of 7,847 evaluations reported for the 2011-2012 school year from the previous year. The unavailability of child study team personnel or vacancies of child study team and related services personnel are the two primary reasons for delay.

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 2011-2012 and that are ongoing during the course of the SPP, including FFY 2011, are represented by the symbol *.**

Targeted Reviews - Districts identified in NJOSEP's FFY 2010 APR, with delays based on the analysis of FFY 2010 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 2010 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.

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 that are monitored each year through New Jersey's consolidated monitoring process. Policies, procedures and practices regarding the initial evaluation of students referred for evaluation 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: 2011-2012)*****

Data Collection and Analysis:

Beginning in the fall of 2009, 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: 2011-2012)*****

Correction of Findings of Noncompliance Made Based on FFY 2010 Data (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2010 for this indicator: 93 %

3. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	109
4. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	108
5. Number of FFY 2010 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

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 2010 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 2010. 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.

The one remaining finding of noncompliance is part of a lawsuit and subsequent settlement agreement in a large, urban district. The settlement agreement required the placement of a special monitor in the district, redeployment of district staff, training for district staff, regular

submission of district data, verification activities conducted by the special monitor and NJOSEP staff, and creation and implementation of a Corrective Action Plan.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 12: Early Childhood Transition

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 12 for submission in the FFY 2011 APR to the SSEAC and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP target and discussed improvement activities which may be contributing to progress from 91%, reported for FFY 2010, to 92.3% reported for FFY 2011. Stakeholders provided input regarding improvement activities.

<p>Monitoring Priority: Effective General Supervision Part B / Effective Transition</p>
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Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

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

<p>Measurement:</p> <p>a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.</p> <p>b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.</p> <p>c. # of those found eligible who have an IEP developed and implemented by their third birthdays.</p> <p>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.</p> <p>e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.</p> <p>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.</p> <p>Percent = [(c) divided by (a – b – d – e)] times 100.</p>

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)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.

In order to ensure implementation of new Part C regulations regarding early childhood transition, the NJOSEP is working with the Department of Health and Senior Services, the Part C lead agency for New Jersey. An Interagency Part C to Part B Transition Agreement was signed by the Department of Health and the Office of Special Education Programs within the New Jersey Department of Education. The agreement addresses how the New Jersey Early Intervention System (NJEIS) and the NJOSEP will meet the transition requirements under the IDEA.

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 2011	100%

Actual Target Data for FFY 2011:

92.3% 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 database 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.	2015
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	1
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	1424
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.	319
e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.	152
# in a but not in b, c, d, or e.	84
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 Percent = [(c) / (a-b-d-e)] * 100	92.3

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

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 formula in the USOSEP measurement table. In addition to the exceptions in the formula, 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 5 days and 30 and 60 days beyond the third birthday. Incomplete residency information, the need for additional or specialized evaluations and staff related issues continue to be cited most frequently as the reason for the delay.

Reason	Number of Delayed Evaluations	
	Valid	Not Valid
Mediation or due process hearing (valid)		0
Additional evaluations were needed (after initial evaluation plan)	18	
Specialized evaluations were needed	13	
Evaluation related issues (not valid)	31	
Vacancies of child study team or related services personnel	9	
Child study team or related services personnel were unavailable	19	
Staff related issues (not valid)	28	
Incomplete residency/enrollment information (not valid)	23	
No reason for delay and/or no consent dates reported (not valid)	0	
Missing Data	2	
Total	84	

The 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 n 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	2	6	4	4	5	2	0	23
02: Additional Evaluations Needed	3	5	1	5	1	1	2	18
03: Specialized Evaluations Needed	5	2	3	2	0	0	1	13
06: Vacancies of Child Study Team or Related Services Personnel	3	1	2	1	1	1	0	9
07: Child Study Team or Related Services Personnel were Unavailable	4	5	5	4	1	0	0	19
08. Wrong Code and No Reason (Blanks)	0	0	1	0	1	0	0	2
Total	17	19	16	16	9	4	3	84

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Discussion of data and progress or slippage toward targets

The data for this indicator indicate an increase of 1.3%, from 91% reported in the FFY 2010 APR, to 92.3% reported in the APR for FFY 2011. NJOSEP did not meet its target of 100%. There was an increase in the number of delays due to the need for additional evaluations. There was a decrease in the number of delays due to incomplete residency information and vacancies of child study team or related services personnel. 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 2011-2012 and that are ongoing during the course of the SPP, including FFY 2011, are represented by the symbol *.**

Targeted Reviews - For the districts identified in Indicator 12 in NJOSEP's FFY 2011 APR for delays based on the analysis of FFY 2010 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 2011 APR (Indicator 12) were completed. Twenty-four districts were issued findings of noncompliance in FFY 2011 based on the data. Districts with findings were required to submit student-level timeline data demonstrating that the district is correctly implementing the specific regulatory requirements for this indicator. Interviews were conducted to determine the root causes for noncompliance. 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.

All twenty-four districts identified with noncompliance demonstrated correction, in accordance with the USDOE 09-02 memo within one year of identification. Targeted reviews will be conducted in the spring of 2013 in the districts reported for delays in meeting evaluation timelines based on NJOSEP's review of FFY 2012 data. Results of the targeted reviews will be reported in the FFY 2012 APR due February 1, 2014. **(Activity: 2011-2012)*****

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: 2011-2012)*****

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. 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: 2011-2012)*****

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 with the New Jersey Department of Health and Senior Services, Early Intervention System in the implementation of activities as jointly determined by New Jersey Department of Education's Office of Special Education (NJOSEP) and NJEIS; and
- work with the New Jersey Head Start Collaboration Office and the Division of Early Childhood in the dissemination of information on early childhood transition to Head Start and childcare. **(Activity: 2010-2011)*****

Correction of FFY 2010 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2010 APR):

Level of compliance (actual target data) State reported for FFY 2010 for this indicator: 91%

6. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2010 through June 30, 2011)	7
7. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	7
8. Number of FFY 2010 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

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 2011 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 conducted subsequent to FFY 2011. 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. Districts reported that, consistent with prior year findings, delays were at times due to difficulty scheduling specialists for additional evaluations. NJOSEP has provided technical assistance regarding communication with referring early intervention programs, registration strategies, 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.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator # 13: Secondary Transition

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. The revised process for identifying and verifying correction of noncompliance was presented along with improvement activities. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

Overview/Description of Issue, Process, System

Method Used to Collect Data for Indicator 13

Data for this indicator are monitoring data which were obtained for FFY 2011 through a targeted review process. Each year, a sample of districts and charter schools, where students ages 16 and above are enrolled, is selected to participate in the transition targeted review. The NJOSEP ensures that all districts and charter schools that serve students ages 16 and above participate in the review once during an SPP cycle. FFY 2011 marked the beginning of the SPP extension and therefore, a new cycle of targeted review was initiated.

Beginning with FFY 2011, NJOSEP selected the districts based on the postschool outcome sampling plan approved by OSEP for Indicator 14 (See SPP Indicator #14). Districts that will participate in the postschool outcome study in FFY 2013 participated in the Indicator 13 targeted review of compliance with transition requirements in FFY 2011. The purpose of this sampling strategy is to build capacity for appropriate transition planning in districts where NJOSEP can measure outcomes through the postschool survey process.

During FFY 2011, a selection of 38 districts with students, aged 16 and above was selected to participate in the targeted review. A webinar was conducted in October 2011 to review age 16 transition requirements and the process for targeted review. State and national resources for materials on transition assessment and transition planning were presented. A sample of student files was collected from each district representing a variety of disability categories, racial/ethnic groups, grade levels and placements. The revised checklist, developed by the National Secondary Transition Technical Assistance Center (NSTTAC), was used by state monitors to review each student file. Files were determined noncompliant if one or more of the 8 questions on the checklist received a response of "no." Targeted technical assistance was offered to all districts in the cohort. 10 of the 38 districts participated in the technical assistance.

A report of findings was issued to each of the 38 district participating in the targeted review. Noncompliance was found in four districts or charter schools. To ensure correction of noncompliance, the NJOSE monitors verify through desk audits and onsite visits that each LEA with a finding of noncompliance:

- is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, based on the level of noncompliance, that demonstrate 100% compliance with the regulatory requirements; and
- has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction, by reviewing a sample of the files found to have noncompliance.

FFY	Measurable and Rigorous Target
2011 (2011-2012)	100%

Actual Target Data for FFY 2011:

92% of youth with IEPs aged 16 and above had an IEP that included appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that would reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also was evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

Actual Numbers Used in the Calculation:

The targeted review included the review of documentation and interviews for a total of 226 students aged 16 and above. Noncompliance was identified for 18 students in 4 districts and charter schools yielding a percentage for Indicator 13 of 92% (208/226 x 100).

Discussion of Data: A total of 38 LEAs participated in the targeted review for this indicator, resulting in 226 files reviewed. Of those LEAs and charter schools, noncompliance was identified in 4 districts or charter schools. There were a total of 208 students for whom documentation demonstrated compliance and 18 students whose IEPs and supporting documentation demonstrated noncompliance. The most common occurrence resulting in a finding of noncompliance (10 IEPs) was the absence of evidence that the measurable postsecondary goal(s) was based on age appropriate transition assessment. The second most common occurrence resulting in a finding of noncompliance (7 IEPs) was the absence of documentation of IEP team consideration of related strategies and/or activities that were consistent with the student's strengths, interests and preferences and intended to assist the student in developing or attaining post-secondary goals.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011:

Report of Progress/Slippage

Discussion of data and progress or slippage toward the targets:

The FFY 2011 (2011-2012) data of 92.0% indicates progress from the data of 78.38% reported for FFY 2010 (2010-2011).

Correction of FFY 2010 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2010 APR):

Level of compliance (actual target data) State reported in the SPP for FFY 2010 for this indicator:
78.38%

1. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2010 through June 30, 2011)	88
9. Number of FFY 2010 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	88
10. Number of FFY 2010 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

As required by OSEP Memorandum 09-02, NJOSE aggregates all available data for this indicator for the full reporting period at the district level to determine which LEAs demonstrate noncompliance and ensure that the all instances of noncompliance are addressed. Individual instances of noncompliance are grouped by requirement 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 NJOSE monitors determined through desk audits and onsite visits that each LEA with a finding of noncompliance:

- is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, based on the level of noncompliance, 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 found to have noncompliance, consistent with OSEP Memo 09-02.

Specific actions that the State took to verify the correction of findings of noncompliance identified regarding FFY 2010 data:

Districts where noncompliance was identified related to Indicator 13 were required to correct the noncompliance as soon as possible, but in no case not later than one year from identification in accordance with the USOSEP memo 09-02. Each district with a finding of noncompliance for this indicator was required to either review and revise district procedures, including procedures for transition assessment, review and revise their IEP form, conduct staff training regarding transition procedures, and review and revise IEPs of students whose IEPs were determined to be noncompliant. NJOSE reviewed procedures, all or a sample of the revised files in each district, and files of students whose IEPs were developed subsequent to the monitoring, to verify the correction of each individual case of noncompliance.

Districts were also required to submit updated data such as IEPs and/or other documentation generated for students subsequent to the date of their targeted review report to demonstrate current implementation of the requirements at 100% compliance. Districts where oversight was a root cause of noncompliance were also required to implement a system of oversight to ensure compliant implementation of the specific regulatory requirements.

All findings of noncompliance with Indicator 13 identified in FFY 2010 were verified as corrected within one year of identification.

NOTE: Activities that occurred in 2010-2011 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.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14, although only ages 16 and older are included in Indicator 13 data. 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 2011-2012)***

Self-Assessment/Monitoring: The NJOSEP special education monitoring system is aligned with SPP indicators. Beginning with the 2011-2012 school year, special education monitoring is conducted in collaboration with the Office of Fiscal Accountability and Compliance as part of a comprehensive monitoring activity. A team of monitors from multiple NJDOE offices reviews federal programs simultaneously in order to facilitate efficient use of local district staff time and reduce any negative impact on instruction. Monitors from the NJOSE conduct monitoring of compliance with federal and state special education regulations, specifically, those regulations related to SPP priority areas and indicators, and use of IDEA-B funds. The combining of program and fiscal monitoring allows special education monitors to review how LEAs use their IDEA funds to provide required special education programs and services. Fiscal IDEA B monitoring is conducted by fiscal staff also as part of this consolidated monitoring process.

Compliance with IDEA requirements continues to be monitored through desk audit, onsite file review, data review and interviews with staff and parents. Districts are selected for consolidated monitoring based on fiscal priorities as well as federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education. Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. A review of graduation and dropout rates against the state annual SPP target is conducted for districts selected for monitoring. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2011-2012)*****

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2011-2012 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 transition targeted review. Teams from 10 of the 38 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Targeted improvement activities were recommended based on document reviews. Resources were provided to clarify regulatory requirements and provide information on effective practices that 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 and resource development. 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 2011-2012)*****

State Level Capacity Building: NJOSE, 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, NJOSE organized and provided statewide trainings and provided technical assistance on a "proactive" and "by 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 2011-2012 school year, eleven statewide proactive trainings were conducted on secondary transition. Over 400 educators and parents from secondary programs attended these proactive sessions. This training initiative provided information that addressed both compliance requirements as well as best practices in transition planning. A proactive training was also conducted for over 50 educators from the New Jersey Transition Coordinators Network on the topic of transition assessment. **(Activity: 2011-2012)*****

b. Student Leadership "Dare to Dream" Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSE organized and conducted 8 Student Leadership "Dare to Dream" conferences for students with disabilities in the spring of 2012. These conferences were held regionally throughout the state on college campuses. More than 2,400 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of college and career readiness, self-advocacy, legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2011-2012)****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSE continued to support implementation of regulations 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 NJOSE, 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: 2011-2012)****

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, NJOSE 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: 2011-2012)*****

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 October 2011. 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. Administrators or their designees from 91 school districts participated in these sessions. **(Activity: 2011-2012)*****

d.2. Regional Trainings: During the 2011-2012 school year, one and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Teaching Strategies in the Community*, *Job Coach Training*, *Using Community-Based Instruction to Teach Recreation Skills*, and *Supporting Job Coaches*. The training titled, *Foundations of 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 Recreation Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: Finding community recreation, developing interests, and inclusion in social activities. *Supporting Job Coaches* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: hiring job coaches, job responsibilities, training needs, on-site and remote supervision tips, and common pitfalls of job coach use. A total of 304 educators, from 70 secondary programs, attended one or more of these training sessions. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2011-2012)*****

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, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, 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 600 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2011-2012)*****

f. Interagency Collaboration - Councils/Committees: To assist in the service coordination across state departments and agencies, and to share the education perspective with others, representatives of the NJDOE, Office of Special Education 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 Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
- The State Employment & Training Commission's Disability Issues Committee

(Activity: 2011-2012)***

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL): To promote self-advocacy for students and families, NJOSE continued to support the Centers for Independent Living. NJOSE 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.

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: 2011-2012)*****

h. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: The LearnDoEarn All Students Participate Program project is a partnership between The Family Resource Network of New Jersey and The New Jersey Chamber of Commerce. The overall goal of the LearnDoEarn All Students Participate Program is to increase the employability of individuals with developmental disabilities as they exit high school. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. **(Activity: 2011-2012)*****

i. Special Education Achievement Awards - Rewards/recognition

NJOSEP identified a cadre of 12 districts where students with disabilities have demonstrated high rates of proficiency and high growth rates with regard to their performance in language arts literacy and mathematics on the NJ ASK Grades 3-8, the APA and the HSPA. Consistent with the NJDOE's focus on improving academic achievement and high quality instruction, each identified LEA was provided funding for the period 5/1/12 – 6/30/13 to expand, enhance and/or implement new and innovative programs and services for students with disabilities. This project supports the department priorities of improving academic achievement for all students.

(Activity 2011-2012)***

j. 21st Century Community Learning Centers - Supplemental Awards – Targeted to 21st Century Cohorts 5-7

These supplemental funds support the inclusion of students with disabilities in after-school and summer programs for the period April 2012 – August 2012. Limited participation of students with disabilities within these programs is often due to lack of knowledge and understanding of specific educational needs. These funds provide an opportunity for program staff to receive training, technical assistance and the ability to hire additional staff to assist in the provision of appropriate supports for all components of the programs. 22 after-school programs received funding. This project supports the department priorities of improving academic achievement for all students.

(Activity 2011-2012)***

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011.

No revisions.

Indicator #14: Post School Outcomes

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff compared FFY 2011 data to the SPP target and FFY 2010 data. The FFY 2011 data represents data on the first Discussion included response rate, demographic representation and progress in achieving the target. Stakeholders provided input regarding improvement activities for this indicator.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14 requires states to report the “percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
 - B. Enrolled in higher education or competitively employed within one year of leaving high school.
 - C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school”.
- (20 U.S.C. 1416(a)(3)(B))

Measurement:

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

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

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

Overview/Description of Issue, Process, System – Post School Outcome Data Collection:

NJOSEP is following the guidelines established by the National Post School Outcomes (NPSO) Center for the sampling methodology, data collection procedures and data analysis for the purpose of developing and implementing a study to yield valid and reliable data as described in the SPP. Consistent with New Jersey’s (USOSEP approved) sampling plan, all districts in the state that have high school programs are participating in this study over a five year period. Using the NPSO sampling calculator, districts were randomly assigned to one of five cohorts. Each cohort consists of a representative sample of districts

according to the following demographic characteristics: district enrollment (size); number of students with disabilities; disability categories (percentage of students with learning disabilities, emotional disturbance, mental retardation also reported as intellectual disability/cognitive impairment and a category for all other students); race/ethnicity; gender (percentage of female students); Abbott/Non Abbott status; and dropout rate.

Using the NPSO sampling calculator, a representative sample of 40 districts was selected to participate in Cohort I. From June through September of 2012, districts contacted former students with disabilities who had exited school during 2010-2011 (the prior school year) to gather information related to their post school outcome status. **Student exiters** included students with disabilities who graduated, reached maximum age, dropped out during the school year or who moved, but were not known to be continuing. Dropouts included students ages 14-21 who left school during the 2010-2011 school year. Contacts were made by phone or in-person interviews using the data collection protocols developed by NPSO Center. Survey data was analyzed using the NPSO Center’s response calculator and data display tools.

Definitions:

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

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

Enrolled in other postsecondary education or training means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a 2-year program).

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

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

Exiters are youth who left school by graduating, aging out, left school early (i.e., dropped out), or who were expected to return to school and did not.

FFY	Measurable and Rigorous Targets
2011 (2011-2012)	Of youth who are no longer in secondary school (exited during 2010-2011) and had IEPs in effect at the time they left school: A = 46% will be enrolled in higher education B = 75% will be enrolled in higher education or competitively employed C = 86% will be enrolled in higher education or in some other post-secondary education or training program; or competitively employed or in some other employment

FFY	Actual Target Data (Achieved Engagement Outcomes: Cohort I Data)
2011 (2011-2012)	Of youth who are no longer in secondary school (exited during 2010-2011) and had IEPs in effect at the time they left school: A = 42% Enrolled in higher education B = 69% Enrolled in higher education or competitively employed C = 80% Enrolled in higher education or in some other postsecondary education or training program or competitively employed or in some other employment

Actual Target Data (Achieved Engagement Outcomes: Cohort I Data for FFY 2011)

The calculations and results for the data collection of students with disabilities who exited school during the 2010-2011 school year (Cohort I) are as follows:

There were 1682 total respondents.

#1: 726 respondent leavers were enrolled in higher education.

#2: 433 respondent leavers were engaged in competitive employment (and not counted in 1 above).

#3: 115 of respondent leavers were enrolled in some other post-secondary education or training (and not counted in 1 or 2 above).

#4: 70 of respondent leavers were engaged in some other employment (and not counted in 1, 2, or 3 above).

Thus,

Measurement A = 726 (#1) divided by 1682 (total respondents) = **42%**

Measurement B = 726 (#1) + 433 (#2) divided by 1682 (total respondents) = **69%**

Measurement C = 726 (#1) + 433 (#2) + 115 (#3) + 70 (#4) divided by 1682 (total respondents) = **80%**

Not Engaged

A total of 338 respondents (**20%**) did not meet the criteria for engagement. This includes exiters that started in postsecondary education/training but did not complete at least one semester and exiters that worked less than 20 hours per week.

Response Rate and Representativeness:

Response rate overall decreased from 76% (Cohort V - FFY 2010) to 68% (Cohort I - FFY 2011). As seen in **Table 1 Response Rate Calculation** (below), 2505 students exited school during the 2010-2011 school year based upon data verification with all 40 districts in Cohort I. A total of 26 questionnaires were excluded because they had indications that they should not be entered because of re-enrollment in school or the individual was deceased, thus, leaving 2479 eligible for the study. Local districts were able to successfully contact 1682 youth or their family members.

Table 1 Response Rate Calculation

Number of Exiters in New Jersey	2505
Subtract the number of youth ineligible (those who had re-enrolled, transferred or were deceased)	-26 = 2479
Number of respondents (completed Part 2 of the survey)	1682
Response Rate: 3053/4012	68%

Representativeness: Using the NPSO Response Calculator (see Table 2) NJOSEP calculated the representativeness of respondents to all student exiters from Cohort I districts. Representativeness is calculated for each demographic category by subtracting the percentage of respondents from the percentage of all student exiters in Cohort I for each category. A difference of $\pm 3\%$ is considered a statistical difference. The sample of respondents very closely matched the target leavers for all categories except for students who dropped out (-3.47% difference), for minority students (-8.69%) and Abbott districts (-12.41%). All the other categories were within +/- 3%.

Table 2 Representativeness of Respondents to Student Exiters

	Overall	LD	ED	ID	AO	Female	Minority	OOD	Dropout	Abbott
Target Leaver Totals	2479	1374	246	70	789	866	1275	286	310	601
Response Totals	1682	917	163	46	556	611	719	166	152	199
Target Leaver Representation		55.43%	9.92%	2.82%	31.83%	34.93%	51.43%	11.54%	12.51%	24.24%
Respondent Representation		54.52%	9.69%	2.73%	33.06%	36.33%	42.75%	9.87%	9.04%	11.83%
Difference		-0.91%	0.23%	0.09%	1.23%	1.39%	-8.69%	-1.67%	-3.47%	12.41%

Note: positive difference indicates over-representation, negative difference indicates under-representation. A difference of greater than +/-3% is highlighted in red. We encourage users to also read the Westat/NPSO paper Post-School Outcomes: Response Rates and Non-response Bias, found on the NPSO website at <http://www.psocenter.org/collecting.html>.

Comparison of Representativeness

The high percentage of under-representation for Abbott districts is attributed to one large urban district's 18% response rate which subsequently impacted the under-representation of minorities and dropouts as well. Student exiters who responded to the survey were representative of all student exiters from 2010-2011 for all categories of disability, gender and students in separate, out of district placements. Continued efforts will be directed toward increasing representation of dropouts and minorities.

Actual Numbers Used in the Engagement Calculation: The calculation for engagement rate was the total number of student exiters who were engaged (1344) divided by the total number responded (1682) to the survey resulting in an **80% overall engagement rate** (see Table 3 below). The **Student Engagement** frequency and percent are broken out in the following table.

Table 3 Indicator 14: Post-School Outcomes for Cohort I Student Engagement

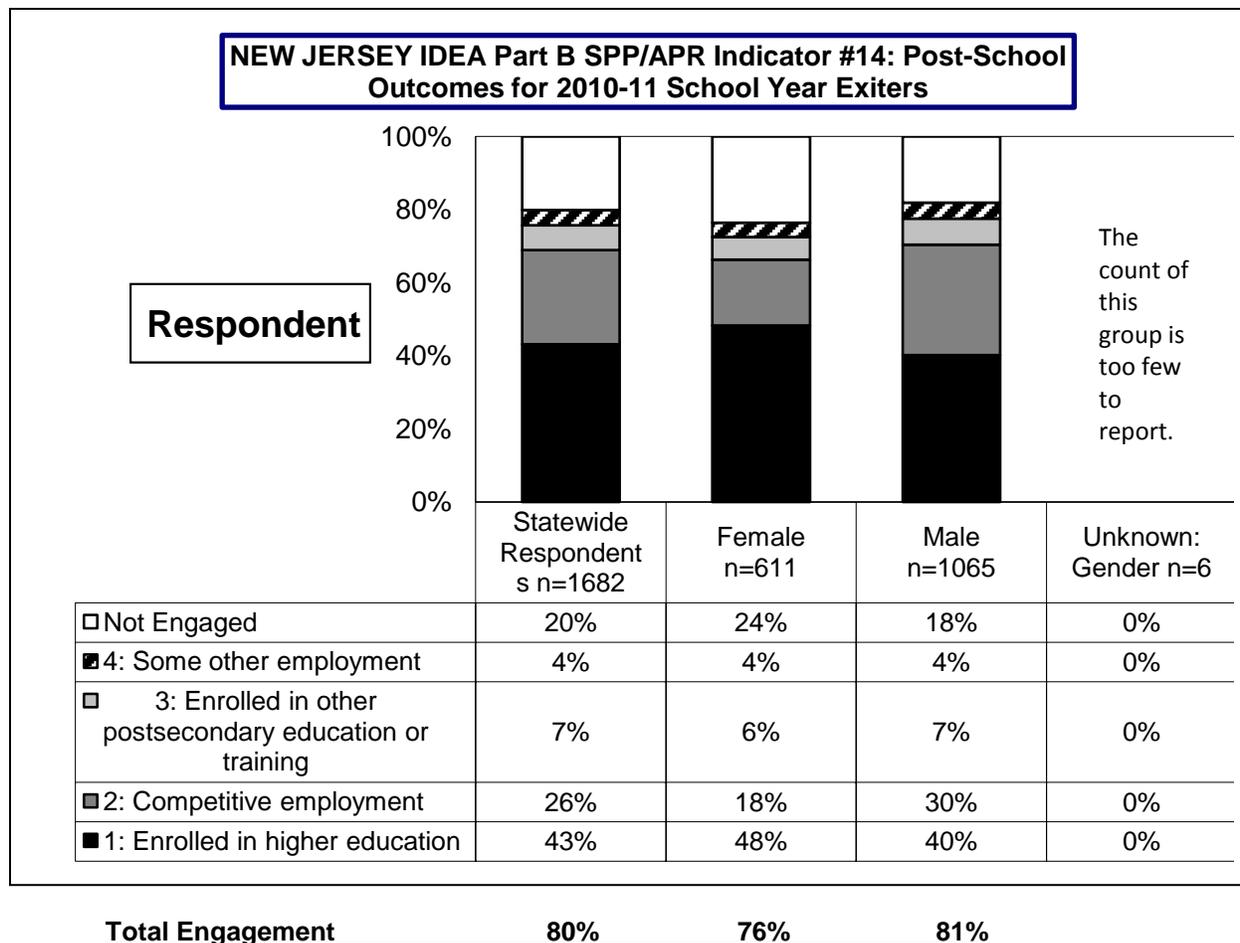
	Frequency	Valid Percent	Cumulative Percent
Enrolled In Higher Education	726	43.2	43.2
Competitive Employment	433	25.7	68.9
Enrolled on Other Postsecondary Education or Training	115	6.8	75.7
Some Other Employment	70	4.2	79.9
Not Engaged	338	20.1	20.
Total	1682	100	100

As you can see in the previous table, over 43% of student respondents reported they completed at least one semester in higher education (6% less than the previous year). An additional 26% of exiters were

competitively employed as defined by Indicator 14 which remained unchanged from FY 2010. Another 10% of former students were engaged in some other employment or enrolled in other postsecondary education or training.

Outcomes by Gender

In the figure below, **Respondents by Gender**, 48% of New Jersey female youth enrolled in higher education compared to 40% of male youth. However, males were competitively employed at a higher rate (30%) than females (18%). Statewide, the overall percentage of engagement for males was 81% compared to 76% for females.



Outcomes by Disability

The highest percentage of engagement based on disability was students with learning disabilities at 83%. However, of concern are students with intellectual disabilities at 59% and emotional disturbance were only engaged at 71%.

	Statewide Respondents N=1682	Specific Learning Disability N=917	Emotional Disturbance N=163	Mental Retardation/ Intellectual Disability N=46	All Other Disabilities N=553
Not Engaged	20%	17%	29%	41%	21%
Some other employment	4%	2%	7%	9%	6%
Enrolled in other postsecondary Education or training	7%	5%	9%	26%	8%
Competitive employment	26%	27%	26%	11%	24%
Enrolled in high education	43%	49%	29%	13%	41%
Total%	80%	83%	71%	59%	79%

Outcomes by Ethnicity

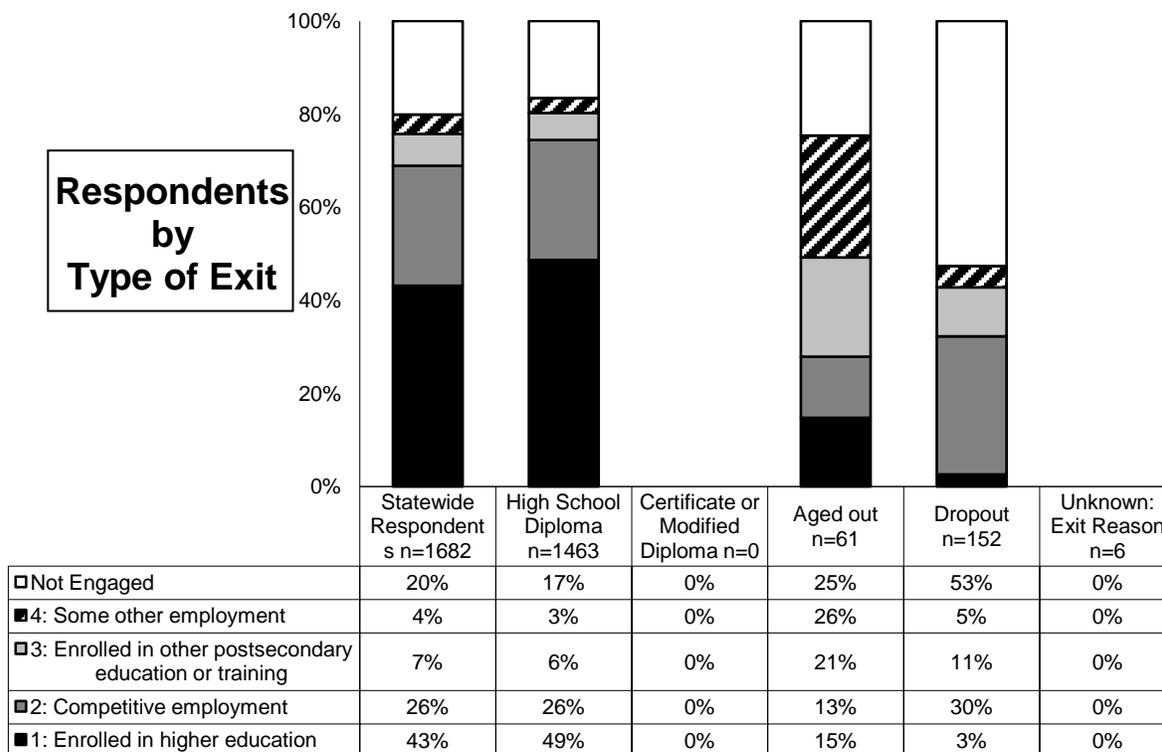
The highest rates of engagement among ethnicity groups were white students at 87% compared to a low of 67% among black students and Asian students. Hispanic students were engaged at 75%.

Ethnicity		Enrolled in Higher Education	Competitive Employment	Enrolled in Other Postsecondary Education or Training	Some Other Employment	Not Engaged	%
	White	51%	26%	5%	4%	13%	87%
	Black	31%	23%	8%	5%	33%	67%
	Hispanic	32%	31%	10	4%	25%	75%
	Asian	42%	13%	9%	2%	33%	67%
	American Indian or Alaskan Native	0	0	0	0	0	0
	Native Hawaiian-Pacific Islander	0	0	0	0	0	0

Outcomes by Type of Exit

Students who graduated were engaged at a rate of 83%; while students who dropout were only engaged at a rate of 47%. Students who were reported as reached maximum age were engaged at a rate of 75% compared to students with intellectual disabilities at only 59%. Students who reached maximum age were engaged at a rate of 16% greater than students that remained in school less time.

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2010-11 School Year Exiters



Report of Progress/Slippage

The target for the 2011-2012 was 86% and the actual total engagement was 80%; therefore, the target for measure C was not met for Indicator 14 and represents slippage from 2010-2011. In measure A, a decrease of 5.6% was reported compared to the previous year. The data indicated that 61.4% of exiters had Post-Secondary Education as a post-school goal; however, only 43% of students completed at least one semester. The engagement rate for Measurement B (competitive employment) remained unchanged at 26%.

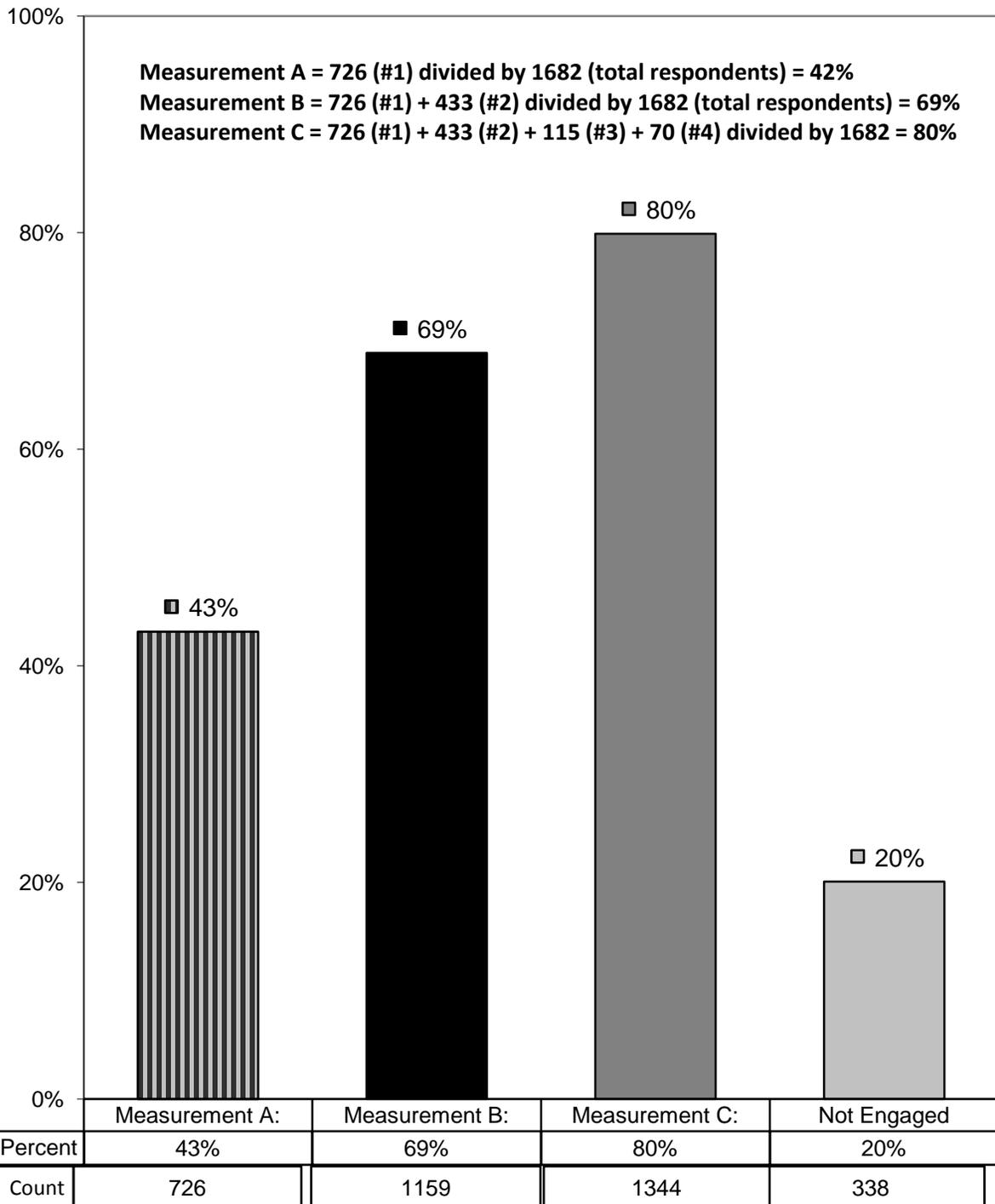
The following is a list of the engagement obtained in last three years in each of the three measurements:

Measurement A	Measurement B	Measurement C	Total Engagement
2012 – 43.2%	2012 – 26%	2012 – 11%	80%
2011 – 48.8%	2011 – 26%	2011 – 10%	85%
2010 – 45%	2010 – 29%	2010 – 9%	84%

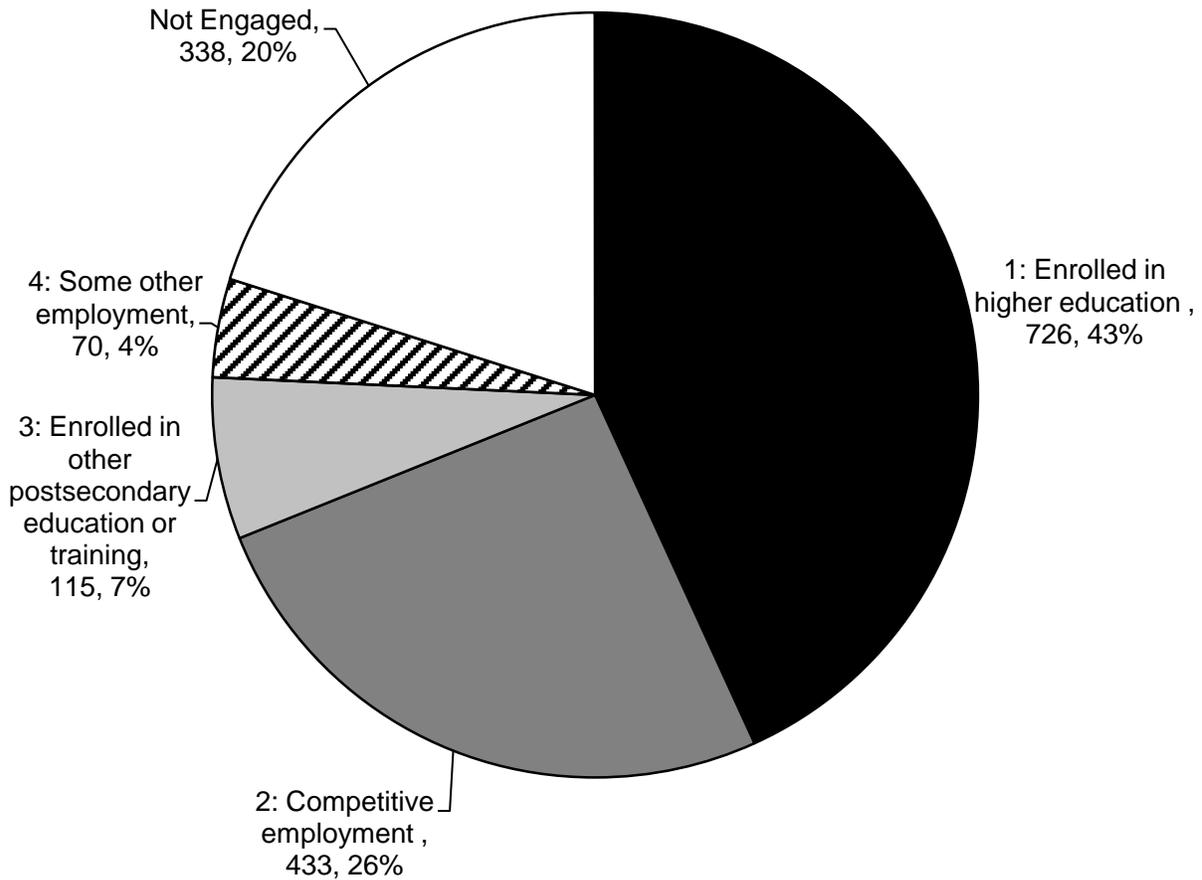
The overall response to Question #4 on the Post-School Data Collection Survey asks the question: At any time since leaving high school, have you ever worked? 75.5% of exiters said "Yes" in 2011 and 75.2% of exiters said "Yes" in 2012. Surveys also indicated that 25.6% of former students had some type of work-based learning (structured learning experiences) as part of their educational program, while 25.6% of exiters had competitive employment listed as a post-school goal. A total of 200 exiters or 18.8% worked less than 20 hours per week.

The drop in the engagement rate for measurement A can be attributed to the struggling economy and changes to financial aid for post-secondary students.

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2010-11 School Year Exiters



NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2010-11 School Year Exiters



SPP #14 Measurement A:	43%	Equals Segment 1
SPP #14 Measurement B:	69%	Equals Segments 1+2
SPP #14 Measurement C:	80%	Equals Segments 1+2+3+4

- 1: Enrolled in higher education
- 2: Competitive employment
- 3: Enrolled in other postsecondary education or training
- 4: Some other employment
- Not Engaged

Improvement Activities:

NJOSEP will continue to implement the improvement strategies described below.

NOTE: Activities that occurred in 2011-2012 and are ongoing during the course of the SPP are noted by the symbol *.**

Establishment of Adjusted Cohort Graduation Rate: During the transition to the cohort graduation rate, NJOSEP staff is collaborating with staff from Title I and other units responsible for collecting and reporting graduation and dropout data. Activities include reviewing and revising data collection systems to ensure that exiting information for students with disabilities is collected and reported accurately in all federal and state reports.

Policy/Regulation: NJOSEP has continued to require that transition services be addressed in students' Individualized Education Programs, beginning at age 14, although only ages 16 and older are included in Indicator 13 data. 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 2011-2012)***

Self-Assessment/Monitoring: The NJOSEP special education monitoring system is aligned with SPP indicators. Beginning with the 2011-2012 school year, special education monitoring is conducted in collaboration with the Office of Fiscal Accountability and Compliance as part of a comprehensive monitoring activity. A team of monitors from multiple NJDOE offices reviews federal programs simultaneously in order to facilitate efficient use of local district staff time and reduce any negative impact on instruction. Monitors from the NJOSEP conduct monitoring of compliance with federal and state special education regulations, specifically, those regulations related to SPP priority areas and indicators, and use of IDEA-B funds. The combining of program and fiscal monitoring allows special education monitors to review how LEAs use their IDEA funds to provide required special education programs and services. Fiscal IDEA B monitoring is conducted by fiscal staff also as part of this consolidated monitoring process.

Compliance with IDEA requirements continues to be monitored through desk audit, onsite file review, data review and interviews with staff and parents. Districts are selected for consolidated monitoring based on fiscal priorities as well as federal monitoring priorities – placement in the least restrictive environment and disproportionate representation of specific racial/ethnic groups in special education. Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. A review of graduation and dropout rates against the state annual SPP target is conducted for districts selected for monitoring. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2011-2012)*****

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2011-2012 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 transition targeted review. Teams from 10 of the 38 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Targeted improvement activities were recommended based on document reviews. Resources were provided to clarify regulatory requirements and provide information on effective practices that 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 and resource development. 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 2011-2012)*****

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 "by 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 2011-2012 school year, eleven statewide proactive trainings were conducted on secondary transition. Over 400 educators and parents from secondary programs attended these proactive sessions. This training initiative provided information that addressed both compliance requirements as well as best practices in transition planning. A proactive training was also conducted for over 50 educators from the New Jersey Transition Coordinators Network on the topic of transition assessment. **(Activity: 2011-2012)*****

b. Student Leadership "Dare to Dream" Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSEP organized and conducted 8 Student Leadership "Dare to Dream" conferences for students with disabilities in the spring of 2012. These conferences were held regionally throughout the state on college campuses. More than 2,400 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of college and career readiness, self-advocacy, legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2011-2012)****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSEP continued to support implementation of regulations 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: 2011-2012)****

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: 2011-2012)*****

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 October 2011. 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. Administrators or their designees from 91 school districts participated in these sessions. **(Activity: 2011-2012)*****

d.2. Regional Trainings: During the 2011-2012 school year, one and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Teaching Strategies in the Community*, *Job Coach Training*, *Using Community-Based Instruction to Teach Recreation Skills*, and *Supporting Job Coaches*. The training titled, *Foundations of 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 Recreation Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: Finding community recreation, developing interests, and inclusion in social activities. *Supporting Job Coaches* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: hiring job coaches, job responsibilities, training needs, on-site and remote supervision tips, and common pitfalls of job coach use. A total of 304 educators, from 70 secondary programs, attended one or more of these training sessions. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2011-2012)****

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, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, 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 600 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2011-2012)*****

f. Interagency Collaboration - Councils/Committees: To assist in the service coordination across state departments and agencies, and to share the education perspective with others, representatives of the NJDOE, Office of Special Education 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 Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
- The State Employment & Training Commission's Disability Issues Committee

(Activity: 2011-2012)***

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.

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: 2011-2012)*****

h. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: The LearnDoEarn All Students Participate Program is a project partnership between The Family Resource Network of New Jersey and The New Jersey Chamber of Commerce. The overall goal of the LearnDoEarn All Students Participate Program is to increase the employability of individuals with developmental disabilities as they exit high school. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. **(Activity: 2011-2012)*****

i. Special Education Achievement Awards - Rewards/recognition

NJOSEP identified a cadre of 12 districts where students with disabilities have demonstrated high rates of proficiency and high growth rates with regard to their performance in language arts literacy and mathematics on the NJ ASK Grades 3-8, the APA and the HSPA. Consistent with the NJDOE's focus on improving academic achievement and high quality instruction, each identified LEA was provided funding for the period 5/1/12 – 6/30/13 to expand, enhance and/or implement new and innovative programs and services for students with disabilities. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations.

(Activity 2011-2012)***

j. 21st Century Community Learning Centers - Supplemental Awards – Targeted to 21st Century Cohorts 5-7

These supplemental funds support the inclusion of students with disabilities in after-school and summer programs for the period April 2012 – August 2012. Limited participation of students with disabilities within these programs is often due to lack of knowledge and understanding of the educational needs of these children. These funds provide an opportunity for program staff to receive training, technical assistance and the ability to hire additional staff to assist in the provision of appropriate education opportunities and

supports 22 after-school programs that received funding. This project supports the department priorities of (1) improving academic achievement and (2) enhancing performance of special populations.
(Activity 2011-2012)

Data Collection and Analyses

a. Meetings with District Staff Prior to Data Collection: NJOSEP conducted two technical sessions for Cohort I districts identified to participate in the post school outcomes study for students who exited school during 2010-2011. The technical assistance sessions were conducted for district administrative staff and transition coordinators who were responsible for data collection. The first technical assistance session was conducted in March of 2010, one year prior to the start of follow-up contact with student exiters. The purpose of the first session was to describe the post school outcome study, the data collection process and district responsibilities. Districts were instructed to inform students prior to graduation about the transition study, encourage their participation and collect complete contact information for each student to facilitate student contact the following year. A format and strategies for the collection of contact information was provided to districts. To facilitate participation of district personnel across the state, a second technical assistance session was conducted as a teleconference in April, 2012. The purpose of this session was to prepare district staff to manage the data collection process. The session focused on the collection of student demographic information on all student exiters and how to conduct the follow-up telephone or in-person survey of student outcomes. Emphasis was placed on strategies for acquiring a high response rate and submission of complete surveys to ensure valid and reliable data for all students. A particular focus was placed on increasing response rates for students who dropped out and for minority students. Suggestions were made to verify dropouts by examining this year's student rosters to determine if student exiters had reenrolled in the district or if their records had been requested by another district. Suggestions for increasing response rates included ideas for broadening the type of contact information collected (i.e. cell phone numbers, email addresses, existing family members currently in school, friends etc); ideas for when and how to conduct phone or in-person interviews; using and documenting results of repeated contacts; and administrative oversight of the data collection process. Data collection on student exiters was conducted from June through the end of September, 2012. Districts then forwarded all surveys to NJOSEP. **(Activity: 2011-2012)*****

b. Incentives: New Jersey continued to employ an incentive system for response rates. Districts were offered reimbursement through a contract for specific expenses associated with conducting this study (e.g. salary costs to interview students after school and during weekends). The amount of compensation was based on the number of student exiters and the number of completed, returned surveys. Approximately half of the districts received payment for completing the study requirements. **(Activity: 2011-2012)*****

c. NJOSEP Oversight/Technical Assistance: Throughout the year, technical assistance was provided to all districts participating in the study. NJOSEP staff monitored progress in data collection prior to and throughout the data collection period. When progress in data collection was delayed, or when districts reported initially low response rates, individualized technical assistance meetings were conducted by NJOSEP with district administrators and personnel directly responsible for data collection to address improvement strategies. **(Activity: 2011-2012)*****

d. Post School Outcome Study Protocol: The post-school outcome study protocol developed by the NPSO Center was used without changes for 2010-2011 exiters.

e. Assistance from NPSO Center: NJOSEP received continued technical assistance from the NPSO Center. The technical assistance provided through phone and web conferences has been and will continue to be a valuable source of support for this work. The staff at NPSO has been an invaluable resource in problem solving issues related to transition and conducting this study.
(Activity: 2011-2012)***

f. Data Analysis: Trend analysis on response rates, representation and outcomes are being conducted to inform targets and improvement activities. **(Activity: 2011-2012)*****

Application of Data from the Post School Outcomes Study

The data from the post school outcomes study continues to be used in a number of ways to improve programs and services for students, including the following activities:

a. Follow-up Technical Assistance for Participating Districts

In March of 2012, districts who participated in the first cohort of districts were provided with individual district reports of their post school outcome data to use in planning improvement activities. Feedback from districts was very positive in terms of the usefulness of this data. **(Activity: 2011-2012)*****

b. Self Assessment/Monitoring/Technical Assistance: Data from the post-school outcome study will continue to be used to inform the self-assessment monitoring process. As districts are selected for monitoring, information on exiters will be used in conjunction with other data (e.g. dropout rates, graduation rates, post-school goals, linkages to other agencies) regarding areas of need and improvement plan development as well as strategies to direct training or technical assistance. **(Activity: 2011-2012)*****

c. Public Reporting: NJOSEP did not report to the public or the Secretary any information on performance that would result in the disclosure of personally identifiable information about individual children or where the available data is insufficient to yield statistically reliable information. Districts with less than ten exiters were not publically reported.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator #15: Identification and Correction of Noncompliance

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

At a stakeholder meeting held on January 17, 2013, NJOSEP reviewed its performance on identifying and correcting noncompliance within one year. Stakeholders were informed that hiring of a sufficient number of staff and implementation of a consolidated federal monitoring process contributed to improvement towards the target for this indicator.

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
<i>FFY 2011</i>	<i>100%</i>

Actual Target Data For FFY 2011 (from Table B15):

(Target data for FFY 2011 – the percent shown in the last row of the Indicator 15 Worksheet [(column (b) sum divided by column (a) sum) times 100])

Percent of noncompliance corrected in one year of identification = (column [b] sum divided by column [a] sum) * 100 ~~964/1000~~ ~~1032/1069~~ x 100 = ~~96.40%~~ **96.54%**

96.40% **96.54%** of noncompliance identified through the general supervision system (including monitoring, complaints) during FFY 2010 was verified as corrected within one year of identification.

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 46 districts selected for monitoring in FFY 2010 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 including those 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.

Beginning with the 2011-2012 school year, special education monitoring is conducted in collaboration with the Office of Fiscal Accountability and Compliance as part of a comprehensive monitoring activity. A team of monitors reviews federal programs simultaneously in order to facilitate efficient use of local district staff time and reduce any negative impact on instruction. Monitors from the NJOSEP monitor compliance with federal and state special education regulations and the use of IDEA-B funds. This allows special education monitors to review how LEAs use their IDEA funds to provide required special education programs and services. Fiscal IDEA B monitoring is also being conducted by fiscal staff as part of this consolidated monitoring process. The requirements related to the SPP and other IDEA compliance indicators reviewed in prior years continue to be monitored through desk audit, onsite file review, data review and interviews with staff and parents; however, districts no longer conduct a self-assessment and develop an improvement plan prior to the onsite visit. Districts are required to create a corrective action plan following receipt of a consolidated monitoring report of findings of noncompliance. Verification of correction will continue to be conducted by NJOSEP in accordance with the USOSEP 09-02 memo.

Targeted Review

NJOSEP monitors all districts each year through NJSMART, New Jersey's student level data system. Findings of noncompliance with Indicators 4B, 11 and 12 and with requirements *related* to Indicators 4A and 4B are identified through review of data from NJSMART and the Electronic Violence and Vandalism Report. Once districts are identified 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, and 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 are 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. The selection of districts is aligned with the selection for Indicator 14 so that districts participate in the Indicator 13 targeted review 2 years prior to their participation in the outcome study. The intent is to ensure that appropriate transition planning will lead to better outcomes for the students in each cohort.

Each year, a webinar is conducted for districts selected for the Indicator 13 targeted review to discuss the requirements for transition and the procedures for the targeted review. Additional targeted technical assistance is offered to districts in the cohort. IEPs and other documentation regarding individual students, ages 16 and above, are reviewed by NJOSEP monitors using the revised questionnaire developed by the National Secondary Transition Technical Assistance Center. Directors of special education are interviewed, if necessary. Following the targeted review, a written report of findings is generated for each participating district and charter school. Corrective action activities to address any root causes of the noncompliance are included in the report if noncompliance is identified. Corrective action activities include 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 identifies 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

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 a district's compliance with due process hearing decisions including any findings of noncompliance identified through a due process hearing, regardless of the outcome of the hearing. Copies of final decisions are provided to the NJOSEP from the Office of Administrative Law. Each decision is reviewed by a NJOSEP staff member who identifies the corrective action and the corresponding implementation dates. The dates are tracked on an internal spreadsheet. Once the decision is reviewed and the dates are verified, NJOSEP staff generates an acknowledgment letter that is sent to both parties. This letter summarizes the activities and/or dates for implementation of the decision. NJOSEP staff then continues to follow-up with each party following the implementation date(s) to confirm the required action(s) are taking place as ordered. Once all aspects of the decision are implemented, NJOSEP staff sends a confirming letter to the parties and closes the file. This procedure eliminates the need for parents to request enforcement of a final decision.

Parents may also request enforcement of a state mediated agreement by writing to the NJOSEP when the parent believes the district has failed to implement the agreement as written. NJOSEP staff reviews the parental request and the mediation agreement and takes steps necessary to ensure district compliance with the agreement.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2011:

Discussion of data and progress or slippage toward targets:

The rate of correction for findings corrected in FFY 2011 (~~96.40%~~ **96.54%**) demonstrates an increase of ~~5.59~~ **5.73** percentage points from the rate of correction reported for findings corrected in FFY 2010 APR (90.81%). Staff shortages impacted NJOSEP's ability to ensure correction of all 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 2011-2012 and are ongoing during the course of the SPP are represented by the symbol*.**

Monitoring Process and Procedures

- a.** NJOSEP continues to direct specific activities to correct noncompliance identified within district targeted review and complaint reports. A short timeline for correction is provided to districts 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 2011-2012)*****
- 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 2011-2012)*****

Note: For this indicator, report data on the correction of findings of noncompliance the State made during FFY 2010 (July 1, 2010 through June 30, 2011).

Timely Correction of FFY 2010 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State made during FFY 2010 (the period from July 1, 2009 through June 30, 2010) (Sum of Column a on the Indicator B15 Worksheet)	1000 1069
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)	964 1032
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	36 37

FFY 2010 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance and/or Not Corrected):

4. Number of FFY 2010 findings not timely corrected (same as the number from (3) above)	36 37
5. Number of FFY 2010 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	32
6. Number of FFY 2010 findings <u>not</u> yet verified as corrected [(4) minus (5)]	4 5

Actions Taken if Noncompliance Not Corrected

Districts that failed to correct noncompliance within one year of identification, through monitoring, complaint investigation or due process, received 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

One of the ~~4~~ 5 uncorrected FFY 2010 findings is a monitoring finding. This finding is part of a lawsuit and subsequent settlement agreement in a district. In order to ensure correction of this finding, the NJOSEP is taking the following actions:

- A corrective action plan was developed by the district to correct the noncompliance;
- The district is required to submit a report every six months of student-level data on all evaluations conducted during the previous six month period;
- A Special Education Compliance Monitor has been assigned to the district to verify the evaluation timeline data, identify root causes of noncompliance and provide technical assistance to school and district personnel to implement corrective action activities;
- The Special Education Compliance Monitor and NJOSEP monitors verify evaluation data through onsite review of student files.

- Compensatory services must be considered for any student where an evaluation timeline has not been met; and
- Compensatory services must be provided as agreed upon by the parent and the district.

Complaints

A total of 3 FFY 2010 dispute resolution findings, made as a result of complaint investigations in two large urban districts, remain uncorrected. In order to correct the remaining areas of noncompliance, the NJOSEP is conducting the following activities:

- Regular review of IEPs or parent notification to ensure that compensatory services were considered when required; and
- Regular review of the delivery of required compensatory services; noncompliance will not be considered until all required compensatory services are delivered.

Verification of Correction for findings of noncompliance reported in the FFY 2011 APR (identified in FFY 2010) (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 district 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%);
- 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 2010 (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 and review of revised IEPs; submission and review 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.

Specific actions NJOSEP took to verify correction of findings with specific indicators are also included in those indicators.

Correction of FFY 2009 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 2009 (the	577
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period from July 1, 2009 through June 30, 2010)	
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)	524
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	53

Correction of FFY 2009 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	53
5. Number of findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	53
6. Number of findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

During FFY 2010, 33 of the 53 were verified as corrected and during FFY 2011, NJOSEP verified correction of the remaining 20 FFY 2009 findings. One finding, which is a complaint investigation finding, remains uncorrected. As a result of staff turnover, the corrective action plan was not verified in a timely manner. The case has since been reassigned and the NJOSEP will verify completion of the corrective action plan in accordance with OSEP Memo 09-02.

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 (i.e. 100%);
- 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.

In accordance with the June 27, 2012 FFY 2010 APR response letter from the USDOE OSEP, the state sought technical assistance from the Northeast Regional Resource Center (NERRC). Staff from NJOSEP attended a general supervision workgroup and participated in webinars and conference calls with SEA representatives from the Northeast region. As a result of the technical assistance, changes were made to policies, procedures and practices in NJOSEP which resulted in progress for this indicator.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09) 2010 (7/1/10 to 6/30/11)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09) 2010 (7/1/10 to 6/30/11)	(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	0	0	0
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	4	7	7
	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	1	4	4
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	Dispute Resolution: Complaints, Hearings	3	4	3

procedural safeguards.				
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	34	54	50
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	49	119	113
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	4	7 18	7 18
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	10	13	13
	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	64 109	64 109	64 108
	Dispute Resolution: Complaints, Hearings	6	6	6
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	7	7	7
	Dispute Resolution: Complaints, Hearings	1	1	0
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	21	122	122
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	59	362	351
	Dispute Resolution: Complaints, Hearings	28	39	31
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	107	190	187
	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		1000 1069	964 1032
Percent of noncompliance corrected within one year of identification =		(b) / (a) X 100 =	96.40%
(column (b) sum divided by column (a) sum) times 100.			96.54%

Indicator #16: Complaint Timelines

Part B State Annual Performance Report (APR) for FFY 2011

Pursuant to OSEP Memorandum 13-6 and the Part B State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table, Indicator 16 (Complaints) has been deleted from the SPP/APR, effective with the FFY 2011 submission of the APR. Data related to this indicator is reported in November to the Department of Education Office of Special Education as part of reporting required under Section 618 of the IDEA. This data may be found at:

<https://www.ideadata.org/PartBDispRes.asp>

In accordance with the June 27, 2012 FFY 2010 APR response letter from the USDOE OSEP, the state sought technical assistance from the Northeast Regional Resource Center (NERRC). Staff from the NJOSEP attended two Legal and Regulatory Workgroup meetings sponsored by NERRC. As a result of the technical assistance, changes were made to policies, procedures and practices within NJOSEP. In addition, NJOSEP took steps to hire additional staff to address the issues reported in the FFY 2010 APR.

Indicator #17: Due Process

Part B State Annual Performance Report (APR) for FFY 2011

Pursuant to OSEP Memorandum 13-6 and the Part B State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table, Indicator 17 (Due Process) has been deleted from the SPP/APR, effective with the FFY 2011 submission of the APR. Data related to this indicator is reported in November to the Department of Education Office of Special Education as part of reporting required under Section 618 of the IDEA. This data may be found at:

<https://www.ideadata.org/PartBDispRes.asp>

Indicator #18: Resolution Agreements

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 18 for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. NJOSEP staff indicated that the target was exceeded. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B/General Supervision

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))

Measurement: $(3.1)(a) \text{ divided by } 3.1 \text{ times } 100$

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 Office of Special Education Programs (NJOSEP) 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 and reviews on a daily basis.

Once a new due process petition is opened by NJOSEP, 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 NJOSEP. The district has 15 days to contact the parties to arrange and conduct a resolution session. The NJOSEP utilizes its database to track the resolution session timelines.

The Coordinator of Dispute Resolution or OSEP staff contacts the parties within five days of receipt of a due process request to ascertain the date of the resolution meeting. That date is entered into the due process database. Immediately following the scheduled resolution meeting date, NJOSEP staff contacts the parties to confirm the resolution meeting took place and seeks further clarification regarding the status of the case. If it is determined that the resolution meeting did not take place, a corrective action plan (CAP) is issued. The date the CAP is issued is entered into the due process database. NJOSEP staff follows-up with the district to confirm that the CAP is completed. Once completed, a closing letter is generated and the date the CAP is closed is then entered into the due process database.

In addition to the above procedures, the NJOSEP revised its due process acknowledgment letters to include a statement asking the parties to forward a copy of the resolution meeting participant attendance sheet to the NJOSEP to further enable the NJOSEP to confirm the meeting was conducted as required.

If a resolution session resulted in a signed agreement by all parties, NJOSEP is notified in writing and the case is closed in the database with the outcome listed as "Resolution Agreement." This allows NJOSEP to track the number of resolution agreements reached each year. If a resolution session does not result in a signed agreement by all parties, the case is transmitted on day 30 to the Office of Administrative Law.

FFY	Measurable and Rigorous Target
2011 (2011-2012)	55-65% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.

Actual Target Data for FFY 2011:

85% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. NJOSEP met the target for FFY 2011.

Actual Numbers Used in the Calculation:

17 resolution session agreements / 20 resolution sessions = **85%**

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

In FFY 2011, a total of 20 resolution sessions were held. Of that total, 17 resulted in a settlement agreement, which calculates to a rate of 85%. NJOSEP exceeded the state target range (55-65%) for FFY 2011.

Indicator #19: Mediation Agreements

Part B State Annual Performance Report (APR) for FFY 2011

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 19 for submission in the FFY 2011 APR to the State Special Education Advisory Council (SSEAC) and other stakeholders at a meeting conducted on January 17, 2013. 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 and extended targets determined in January 2011. The actual data for FFY 2011 were also discussed at the meeting. Stakeholders provided input regarding improvement activities.

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 where mediation is requested are immediately given to the office scheduler who in turn assigns a date for mediation and notifies the parties accordingly. In the event that one of the parties is unavailable on the scheduled date, the scheduler works with both parties to find a mutually agreeable date.

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
2011 (2011-2012)	36-42% of mediations held will result in mediation agreements.

Actual Target Data for FFY 2011:

178 mediation agreements/ 604 = 29% of mediations held resulted in mediation agreements.

Actual Numbers Used in the Calculation:

75 mediation agreements /324 mediations related to due process = **23%**

103 mediation agreements/ 280 mediations not related to a due process hearing = **37%**

178 mediation agreements/ 604 = 29% of mediations held resulted in mediation agreements.

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

$$75 + 103 / 604 \times 100 = 29\%$$

Report of Progress/Slippage

Discussion of data and progress or slippage toward targets:

In the 2011-12 school year the NJOSEP received a total of 688 requests for mediation (of which 84 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 688 requests for mediation, a total of 604 mediations were held. Of those, 324 were mediations related to due process and 280 were mediations not related to due process. Of the 324 mediations related to due process, 75 resulted in mediation agreements (23%). Of the 280 mediations not related to due process, 103 resulted in mediations agreements (37%). This translates to a total of 29% of mediations held in FFY 2011 resulting in a mediation agreement. New Jersey did not meet its revised target for this indicator.

While NJOSEP did not meet the target, there was only a slight decrease in the agreement rate from FFY 2010 to FFY 2011. 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 2011.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2011

Discussion of improvement activities completed for FFY 2011:

NOTE: Activities that occurred in 2011-2012 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: 2011-2012)*****

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. The booklet was revised in September of 2012. **(Activity: 2011-2012)*****

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: 2011-2012)***

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. In addition, NJOSEP sent three mediators to the Justice Center of Atlanta to provide additional training on effective techniques for resolving special education mediations. **(Activity: 2011-2012)*****

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2011:

No revisions.

Indicator #20:

Part B State Annual Performance Report (APR) for FFY 2011

The New Jersey Department of Education, per OSEP instruction in the 2013 Part B State Performance Plan (SPP) and Annual Performance Report (APR) Part B Indicator Measurement Table, is not reporting data for this indicator for the initial FFY 2011 APR submission on March 1, 2013. The New Jersey Department of Education will review and respond to the USDOE OSEP's calculation of New Jersey's data on this indicator when it is received.

Detailed information about the actions New Jersey is taking to ensure compliance is included below, including a description of New Jersey's mechanisms for ensuring error-free, consistent, valid and reliable data and evidence that these standards are met. Please note that targets for timeliness and accuracy are 100%.

Discussion of progress/slippage will be included after the USDOE OSEP calculation has been reviewed.

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 NJSMART. The exiting data are collected annually on June 30 through an online data collection, known as the End of the Year Report (EOY).

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 are 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.

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/adrintst/> 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 2011 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

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	0	1	1
5	1	1	2
6	1	1	2
7	1	1	2
8	1	1	2
9	0	1	1
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	0	1	1
18	1	1	2
19	1	1	2
		Subtotal	35
APR Score Calculation	Timely Submission Points - If the FFY 2011 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) =		40.00

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/1/12	1	1	1	1	4
Table 2 - Personnel Due Date: 11/7/12	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/12	1	1	1	1	4
Table 4 - Exiting Due Date: 11/7/12	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/7/12	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 12/19/12	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/7/12	1	1	1	N/A	3
Table 8 - MOE/CEIS Due Date: 5/1/12	1	1	N/A	N/A	2
				Subtotal	23
618 Score Calculation			Grand Total (Subtotal X 1.8695) =		43.00

Indicator #20 Calculation	
A. APR Grand Total	40.00
B. 618 Grand Total	43.00
C. APR Grand Total (A) + 618 Grand Total (B) =	83.00
Total N/A in APR	0
Total N/A in 618	0

	Base	86.00
D. Subtotal (C divided by Base*) =		0.965
E. Indicator Score (Subtotal D x 100) =		96.51

* Note any cell marked as N/A will decrease the denominator by 1 for APR and 1.8695 for 618