

New Jersey Department of Education Office of Special Education Programs



Part B Annual Performance Report #8 **(FFY 2012: July 1, 2012 – June 30, 2013)**

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Office of Special Education Programs
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Overview to State Performance Plan and Annual Performance Report Development FFY 2012

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

How the State obtained broad input from stakeholders

Stakeholder Meeting

Meetings with stakeholders were conducted on May 16, 2013 and October 17, 2013. At each meeting, NJOSEP staff presented data and obtained input and recommendations from stakeholders.

The following organizations/agencies were represented at the stakeholder meetings:

- ASAH
- Disability Rights of New Jersey
- East Windsor Public Schools
- Family Voices
- First Cerebral Palsy of New Jersey
- Haddonfield Public Schools
- Hamilton Township Public Schools
- Juvenile Justice Commission
- New Jersey Association of School Psychologists
- NJ CASE
- New Jersey City University
- New Jersey Coalition for Inclusive Education
- New Jersey Council on Developmental Disabilities
- New Jersey Department of Education
- New Jersey Department of Health and Senior Services
- Piscataway Public Schools
- Ramapo College of New Jersey
- Riverbank Charter School of Excellence
- Robert Wood Johnson Medical School, The Boggs Center on Developmental Disabilities
- Statewide Parent Advocacy Network
- The Search Day Program
- The College of New Jersey
- West Milford Public Schools

13 members of the State Special Education Advisory Council participated in the stakeholder meetings.

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 2011 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 2012 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 March 1, 2013 and again on May 17, 2013 following the submission to USOSEP with the requested clarifications. 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 February 3, 2014 and again in April 2014, following the submission to USOSEP with any requested clarifications.

NJOSEP also posted the USOSEP response to the SPP/APR FFY 2011 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 2012 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 was reflected in the January 2014 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 2011 SPP/APR submission and the posting of the determination letter from the USOSEP (see minutes from September 2013 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 May 2013 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 2012 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 2011-2012 local district profiles on June 1, 2013 and notified USOSEP of the posting (see <http://www.state.nj.us/education/specialed/sppi1112/> 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 2012. The profile will be posted on the NJDOE website at: <http://www.state.nj.us/education/specialed/sppi1113/>.

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/sppi1112/>.

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 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 1 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 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. 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 adjusted cohort graduation rate required 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. The graduation rate for students with disabilities submitted in this APR the rate is calculated using the following:

$$\frac{\text{4 year cohort graduates who entered 9}^{\text{th}} \text{ grade during the 2008-2009 school year}}{[\text{First Time 9}^{\text{th}} \text{ graders in 2008-2009}] + [\text{Transfers in}] - [\text{Verified Transfers out}] - [\text{Excluded from cohort}]}$$

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 Common Core State 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 2012 (using 2011-2012 data)	75% of students with IEPs will graduate with a regular diploma

Actual Target Data for FFY 2012:

74% of students with IEPs graduated with a regular diploma in SY 2011-2012. 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.

Consistent with the instructions in the SPP/APR Measurement Table, the data reported in the APR for FFY 2012, which is due February 3, 2014, represent students who graduated in FFY 2011 in comparison to the established target for 2011-2012. The graduation rate of 74% was the graduation rate for students with disabilities reported in New Jersey's CSPR for the 2011-2012 school year. Data were compared to the state target 75%, established for all students for that year.

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	12,660
Transfer Out-Unverified	803
On-Track	1521
Off-Track	832
Drop Out	90
Status Unknown	1,094
Adjusted Cohort Count (Total of the above)	17,000

Graduation Rate: $12,660 * 100 / 17,000 = 74.47\%$

*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 2012:

Consistent with the instructions in the SPP/APR Measurement Table, the exiting data reported in this APR represent students who exited during the 2011-2012 school year. The graduation rate of students with disabilities increased by 1.47% from FFY 11 to FFY 12. Although the graduation rate was lower than the state target by 1 percent, the five-year rate for the FFY 2012 cohort, reported in 2013, was 78%. A listing of consolidated improvement activities is included in this APR as Appendix A beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 2: Drop-Out Rates

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 2 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding improvement activities. Stakeholders were informed that data used in this indicator are the state's 618 data reported to the United States Department of Education via EDFacts in file specification N009.

Monitoring Priority: FAPE in the LRE

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

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

Measurement: 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

*the value for this is 0 for New Jersey since certificates are not awarded for graduation in the state.

Overview/Description of Issue, Process, System – Drop-Out Rate

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

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

Actual Target Data for FFY 2012 (using 2011 – 2012 data):

The drop-out rate for students with IEPs for FFY 2012 was **14.96%**

Actual Numbers Used in the Calculation:

2455 dropouts (including moved, not known to be continuing) **divided by 16406** (includes graduated with a regular high school diploma, reached maximum age, dropped out, or died) **x 100 = 14.96%**

$$\begin{aligned} \text{Dropped Out X } 100 / (\text{Graduated} + \text{Maximum Age} + \text{Dropped out} + \text{died}) \\ &= 2455 * 100 / (13603 + 315 + 2455 + 33) \\ &= 2455 * 100 / 16406 \\ &= 14.96 \end{aligned}$$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Report of Progress/Slippage

Although New Jersey missed the FFY 2012 target of 14% by approximately 1%, the dropout rate for FFY 2012 represents a decrease of .40 percentage points from FFY 2011 with 54 fewer dropouts. New Jersey has expanded technical assistance opportunities to assist districts with implementing activities to engage students in preparation for transition to adult life.

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 3: Assessment

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 3 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 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 = $[(\# \text{ of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AMO targets for the disability subgroup}) \div (\text{total } \# \text{ of districts that have a disability subgroup that meets the State's minimum "n" size})] \text{ times } 100.$

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

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

Overview/Description of Issue, Process, System – Assessment

The New Jersey state assessment system currently assesses students in grades 3 through 8 and 11. New Jersey is transitioning from assessments administered to measure achievement of the New Jersey Core Curriculum Content Standards (NJCCSS) to the Common Core State Standards (CCSS). The assessments of English Language Arts in grades 3-8 and math grades 3-5 were based on the Common Core State Standards, while math assessments in grades 6-8 and both the English Language Arts and math assessments in grade 11 were based on the New Jersey Core Curriculum Content Standards. These assessments are administered to measure achievement of the Common Core State Standards, the Core Curriculum Content Standards, and to meet the requirements of the ESEA Waiver. The assessments are as follows:

Grade 3-8	New Jersey Assessment of Knowledge and Skills (NJ ASK3-8)
Grade 11	High School Proficiency Assessment (HSPA) Alternate High School Assessment (AHSA)
Alternate Assessment for Grades 3-8 and 11	Alternate Proficiency Assessments (APA)

With regard to the participation of students with disabilities in state assessments, each student's IEP team determines how the student will participate in state assessments – either the general assessment for the grade or the APA. Decisions are made by content area affording the students the opportunity to participate in the general assessment for one content area and in the APA for another. IEP teams also select accommodations and modifications for the general assessments, as needed, for students on an individual basis from a list developed by the Office of State Assessments and the Office of Special Education Programs. Any accommodation selected for use for a student during state assessments by the IEP team is documented in the student's IEP. Scores of students who use accommodations from the approved list are considered valid scores and the students are included as participants in the state assessment.

Information regarding accountability for participation in and performance on state assessments for all students may be found in the NJDOE NCLB waiver application at: <http://www.state.nj.us/education/grants/nclb/waiver/>.

Targets and Actual Target Data for FFY 2012:

FFY 2012	Measurable and Rigorous Targets									
	Districts Meeting AYP/AMO for Disability Subgroup (3A.1 or 3A.2)		Participation for Students with IEPs (3B)				Proficiency for Students with IEPs (3C)			
Targets for FFY 2012 (2012-2013)	100.00%		Reading		Math		Reading		Math	
			97.00%		97.00%		50.70%		57.50%	
Actual Target Data for FFY 2012 (2012-2013)	#	%	#	%	#	%	#	%	#	%
		143	29.18	121529	98.70	121453	98.64	47146	38.29	54970

* 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 2012:

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 2012	Percent of Districts
FFY 2012 (2012-2013)	644	490	143	29.18%

3B – Actual Participation Target Data for FFY 2012:

Disaggregated Target Data for Math Participation:

Statewide Assessment 2012-2013		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
									#	%
a	Children with IEPs	17,647	18,433	18,148	18,070	17,507	17,587	15,737	123,129	
b	IEPs in regular assessment with no accommodations	4853	4023	3077	2515	1959	1777	1530	19,734	16.03%
c	IEPs in regular assessment with accommodations *	11392	12874	13565	14015	14034	14259	12672	92,811	75.38%
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	1248	1377	1342	1353	1289	1201	1098	8908	7.23%
g	Overall (b+c+d+e+f) Baseline	17493 99%	18274 99.14%	17984 99.10%	17883 98.97%	17282 98.71%	17237 98.01%	15300 97.22%	121,453 98.64%	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.	154	159	164	187	225	350	437	1676	1.36%

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

Disaggregated Target Data for Reading Participation:

Statewide Assessment 2012-2013		Reading Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	Total	
									#	%
a	Children with IEPs	17,648	18,433	18,149	18,068	17,503	17,585	15,738	123,124	
b	IEPs in regular assessment with no accommodations	4848	4015	3077	2517	1958	1791	1531	19737	16.03%
c	IEPs in regular assessment with accommodations *	11359	12841	13529	13997	14025	14302	12723	92776	75.35%
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	1272	1398	1369	1383	1297	1208	1089	9016	7.32%
g	Overall (b+c+d+e+f) Baseline	17479 98.90%	18254 99.00%	17975 98.90%	17897 98.90%	17280 98.80%	17301 98.50%	15343 97.70%	121529	98.70%
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.	169	179	174	171	223	284	395	1595	1.30%

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

3C – Actual Performance Target Data for FFY 2012

Disaggregated Target Data for Math 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 2012-2013		Math Assessment Performance						Total		
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	17,647	18,433	18,148	18,070	17,507	17,587	15,737	123,129	
b	IEPs in regular assessment with no accommodations	3876	3174	2310	1576	801	683	645	13065	10.61%
c	IEPs in regular assessment with accommodations*	5580	6674	6508	5991	3325	4042	4777	36897	29.97%
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	863	769	906	750	694	507	519	5008	4.07%
g	Overall (b+c+d+e+f) Baseline	10319	10617	9724	8317	4820	5232	5941	54970	44.64%

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

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 2012-2013		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	17,648	18,433	18,149	18,068	17,503	17,585	15,738	123,124	
b	IEPs in regular assessment with no accommodations	3109	2346	1692	1208	790	962	1075	11182	9.08%
c	IEPs in regular assessment with accommodations*	3367	2613	3192	3427	3366	6477	8598	31040	25.21%
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	819	958	802	798	611	476	460	4924	4.00%
g	Overall (b+c+d+e+f) Baseline	7295	5917	5686	5433	4767	7915	10133	47146	38.29%

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

Grade	Number Proficient + Adv	Total Number of Valid Scores	Proficiency Rate % FFY 2012	FFY 2012 Target
3	10319	17647	58.47	
4	10617	18433	57.60	
5	9724	18148	53.58	
6	8317	18070	46.03	
7	4820	17507	27.53	
8	5232	17587	29.75	
11	5941	15737	37.75	
All	54970	123129	44.64	57.5

Grade	Number Proficient + Adv	Total Number of Valid Scores	Proficiency Rate % FFY 2012	FFY 2012 Target
3	7295	17648	41.34	
4	5917	18433	32.10	
5	5686	18149	31.33	
6	5433	18068	30.07	
7	4767	17503	27.24	
8	7915	17585	45.01	
11	10133	15738	64.39	
All	47146	123124	38.29	50.7

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 2012:

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

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 12.86 percentage points less than the 57.5% target for mathematics and 12.41 percentage points less

than the 50.7% target for Language Arts. Shifts in item content and type aligned to the Common Core State Standards and the PARCC may have contributed to the slippage in proficiency rates. For FFY 2012, NJOSEP targeted improvement activities related to academic achievement and positive behavioral supports to priority schools and focus schools identified based on academic achievement.

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

New Jersey has maintained the ESEA target for this indicator established for all students and all subgroups of 100% of districts. New Jersey did not meet the target with 29.18% of districts meeting their AMOs. This percentage is lower than the percentage for FFY 2011 (53.88%) due primarily to the increased rigor of the assessments based on linkage to the Common Core State Standards in both math and reading.

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 2011 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 57.5% in mathematics and 50.7% in reading.

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 reading, New Jersey did not meet the statewide AMOs. Slight gains were evident in proficiency rates in grade 3 in mathematics. The overall proficiency rate increased slightly for reading as well as in grades 4, 7 and 11.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator #4A: Suspension and Expulsion

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 4A to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding improvement activities.

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 2012, 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 2012 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 2012</i> <i>(using 2011-2012 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 1.3%.</p>

Actual Target Data for FFY 2012 - *For this indicator, data reported is the data for the year before the reporting year (2011-2012 data), in accordance with the APR instructions.*

<p>Actual Target Data for FFY 2012 APR:</p> <p>.78% 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.</p>

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 1.3% or below. The data reveal that .78% of districts had a significant discrepancy in the rate of suspension and expulsion. Therefore, New Jersey met the target for FFY 2012.

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies	Percent
FFY 2012 (using 2011-2012 data)	640	5	.78%

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 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 5 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.

Results of the Review: None of the 5 districts identified noncompliance through the self-assessment.

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 any of the five districts identified in FFY 2012 based on FFY 2011 data. Failure to correct noncompliance within one year of identification is considered in making special education determinations.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Because NJOSEP met its target for this indicator, it is not required to report on improvement activities or explain progress or slippage. However, a listing of consolidated improvement activities is included in this APR as Appendix A beginning on page 107.

Correction of FFY 2011 Findings of Noncompliance (based on FFY 2010 data) – Findings of noncompliance included in the table below include 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 2010-2011 data	3
2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	3
3. Number of FFY 2011 findings from row 1 <u>not</u> verified as corrected within the 1 year timeline.	0

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.

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

Statement from the Response Table	State’s Response
The State must report, in its FFY 2012 APR, on the correction of noncompliance that the State identified in FFY 2011 as a result of the review it conducted pursuant to 34 CFR §300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each LEA with	See above

<p>noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (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) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p>	
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Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 4B: Suspension by Race/Ethnicity

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 4B to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding improvement activities.

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 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) 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 0.41%. 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 greater than 1.23%), 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 in a specific racial/ethnic group, suspended for more than 10 days, were included in the calculation. 76 LEAs were removed from the analysis of the black subgroup, 53 LEAs from the analysis of the Hispanic subgroup and 87 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.

(a) Using the criteria established above, NJOSEP determined that 19 school districts met the definition of significant discrepancy for Indicator 4B.

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

For FFY 2012, 19 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 a review of compliance indicators related to the requirements of 34 CFR §§300.170(a) and 300.646(a)(3) as well as a review of policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(b) As a result of the self-assessment, no (0) districts had findings of noncompliance in one or more of the requirements reviewed indicating that policies, procedures or practices contributed to the significant discrepancy.

FFY	Measurable and Rigorous Target
<p><i>FFY 2012</i> <i>(using 2011-2012 data)</i></p>	<p>0%</p>

Actual Target Data for FFY 2012:

0% 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 2012 (using 2011-2012 data)	640	19	2.97%

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 2012 (using 2011-2012 data)	640	0	0%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Discussion of data and progress or slippage toward targets

In accordance with the FFY 2012 APR instructions (OSEP Memo 14-2), the state is not required to provide an explanation of progress or slippage or to discuss improvement activities because it met its target. However, the FFY 2012 data does show progress from FFY 2011 (.31%) and NJOSEP has contracted with a nationally recognized vendor to provide technical assistance and assist districts in developing strategies to address disproportionality. NJOSEP believes that technical assistance and training, including a multi-year, school wide positive behavioral supports initiative and a school climate initiative, contributed to LEAs' compliance with the requirements of this indicator as well as an increased awareness of suspension and expulsion practices. A listing of updated improvement activities is included as Appendix A beginning on page 107.

Correction of FFY 2011 Findings of Noncompliance (NJOSEP made findings of noncompliance in FFY 2011 based on its FFY 2011 review of FFY 2010 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 2010-2011 data	3
2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the district of the finding)	3
3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

NJOSEP revised, or required the affected districts (identified with noncompliance in FFY 2011) to revise their 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.

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:

- was correctly implementing the specific regulatory requirements by reviewing updated data that demonstrate compliance; and
- had 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, 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 missing 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.

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

Statement from the Response Table	State's Response
<p>Because the State reported greater than 0% actual target data for this indicator for FFY 2011, the State must report on the status of correction of noncompliance identified in FFY 2011 for this indicator. The State must demonstrate, in the FFY 2012 APR, that the districts identified with noncompliance in FFY 2011 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (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) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2012 APR, the State must describe the specific actions that were taken to verify the correction.</p>	<p style="text-align: center;">See above</p>

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 5: School Age LRE

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 5 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. 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, 2012¹

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 2012 (2012-2013)</p>	<p>A. 48 percent of students with disabilities will be served inside the regular class 80% or more of the day.</p> <p>B. 16.5 percent of students with disabilities will be served inside the regular class less than 40% of the day.</p> <p>C. 7.6 percent of students with disabilities will be served in separate schools; residential facilities; or homebound/hospital placements.</p>

Actual Target Data for FFY 2012:

A. 47.5 percent of students with IEPs were served inside the regular class 80% or more of the day.

Actual numbers used in the calculations:

Total number of students with disabilities: 202,850

Number of students with disabilities served in regular class 80% or more of the day: 96,309

$$96,309 / 202,850 = .4748 \times 100 = 47.5\%$$

B. 17.5 percent of students with IEPs were served inside the regular class less than 40% of the day.

Actual numbers used in the calculations:

Total number of students with disabilities: 202,850

Number of students with disabilities served inside the regular class less than 40% of the day: 35,483

$$35,483 / 202,850 = .1749 \times 100 = 17.5\%$$

C. 7.8 percent of students with IEPs were served in separate schools; residential facilities; or homebound/hospital placements.

Actual numbers used in the calculations:

Total number of students with disabilities: 202,850

Number of students with disabilities served in separate schools, residential facilities or homebound/hospital placements: 15,775

$$15,775 / 202,850 = .0777 \times 100 = 7.8\%$$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:**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 set rigorous targets for FFY 2012 and has continued to focus technical assistance, training and monitoring activities on educating students in general education settings as well as embed discussion of placement in virtually all professional development activities. Local districts have also prioritized educating students in the least restrictive environment resulting in a trend of statewide achievement of SPP targets. NJOSEP staff has worked with interventionists in the Regional Achievement Centers to ensure that the LRE mandate is infused in their work to improve achievement in priority and focus schools.

New Jersey fell slightly below the targets set for LRE for FFY 2012. For students with disabilities educated within general education settings for 80% or more of the day (**Target A**), New Jersey achieved 47.5% which was .5% below the target of 48.0%. For students educated within general education programs for less than 40% of the day (**Target B**), New Jersey was 1.0% above the target of 16.5% at 17.5%. For students educated in separate settings (**Target C**), New Jersey was only .2% higher than the target of 7.6% at 7.8%

A consolidated list of updated improvement activities is included as Appendix A to this APR beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator #6: Preschool LRE

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 6 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding the continuum of placements available in New Jersey and improvement activities.

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 = $[(\# \text{ of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program}) \div (\text{total } \# \text{ of children aged 3 through 5 with IEPs})] \times 100$.

B. Percent = $[(\# \text{ of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility}) \div (\text{total } \# \text{ of children aged 3 through 5 with IEPs})] \times 100$.

Indicator 6 was reported for the first time in the FFY 2011 State Performance Plan. 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/> .

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, 2012.¹

FFY	Measurable and Rigorous Target
FFY 2012 (2012-2013)	<p>A. 42.5% of children aged 3 through 5 with IEPs will attend a regular early childhood program and receive the majority of special education and related services in the regular early childhood program.</p>
	<p>B. 36.0% of children aged 3 through 5 with IEPs will attend a separate special education class, separate school or residential facility.</p>

Actual Target Data for FFY 2012:

A. 40.19 Percent = [(# of children aged 3 through 5 with IEPs attended a regular early childhood program and received 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.

Actual numbers used in the calculation

Total number of children aged 3 through 5 with IEPs: 17,692

Number of children aged 3 through 5 with IEPs who attended regular early childhood program and received majority of special education and related services in regular program: 7,110

= [7,110/17,692] *100 = **40.19%**

B. 38.10 Percent = [(6,741 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.

Actual numbers used in the calculation

Total number of children aged 3 through 5 with IEPs: 17,692

Number of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility: 6738

= [(6738/17,692)*100 = **38.10%**

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 6A and 6B. Because New Jersey's number of nonpublic school students with disabilities is large, their inclusion in the calculation of 6A and 6B would skew the percentages of students with disabilities placed by the district of residence.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Measurement	Baseline FFY(2011-2012)	Target FFY (2012-2013)	Actual FFY (2012-2013)
A	38.69%	42.5%	40.19%
B	40.06%	36.0%	38.10%

New Jersey achieved progress by improving results as compared to the baseline for both measurements, but did not reach the rigorous targets established for either measurement set by the stakeholders. The rate of students with disabilities (ages 3-5) with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program was 40.19% which did not meet the target of 42.50%. Although New Jersey did not meet the target there was a 1.5% improvement from the baseline reported in the FFY 2011 SPP.

The rate of students with disabilities (ages 3-5) with IEPs attending a separate special education class, separate school or residential facility was 38.10% which did not meet the target of 36.0%. Although New Jersey did not meet the target there was a 1.96% improvement from the baseline reported in the FFY 2011 SPP.

NJOSEP has continued to collaborate with our Office of Early Childhood 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 toward a rate at or near SPP targets.

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 7: Preschool Outcomes

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 7 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. 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:

Summary Statement 1: Of those preschool children who entered or exited 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.

**Table 1
 FFY 2012 Data
 Summary Statements by Outcomes – A, B, and C**

Summary Statements	Targets FFY 2012 (% of children)	Actual FFY 2012 (% 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: $[(c+d) / (a+b+c+d)] \times 100$	78.8%	65.2%
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	72.7%	81.9%
Summary Statements	Targets FFY 2012 (% of children)	Actual FFY 2012 (% 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: $[(c+d) / (a+b+c+d)] \times 100$	64.4%	64.7%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	50.8%	52.8%

Outcome C: Use of appropriate behaviors to meet their needs		
1. Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program. Calculation: $[(c+d) / (a+b+c+d)] \times 100$	70.0%	54.7%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	59.2%	59.6%

**Table 2
Actual Data for Preschool Children Exiting 2012-2013
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	20	4.3%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	44	9.4%
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	21	4.5%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	99	21.1%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	286	60.9%
Total	N=470	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	10	2.1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	118	25.1%
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	94	20.0%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	141	30.0%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	107	22.8%
Total	N=470	100%
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	9	1.9%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to	122	26.0%

same-aged peers		
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	59	12.6%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	99	21,1%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	181	38.5%
Total	N=470	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 NJOSEP, 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 2012 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 2012.

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 2012 (2012-13):

For FFY 2012, the tables on the previous pages 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, 2012 and June 30, 2013. The data provided, include

preschool students who entered the program in 2009, 2010, 2011 or 2012 and who exited the program during 2012-2013. A total of entry and exit records were complete and analyzed, and are being reported for FFY 2012.

Table I shows FFY 2012 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 2012 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 Table II.

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.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

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 slippage from 73.6% in 2011 to 65.2 % in 2012 and the outcome was not met. An increased number of children either, did not improve functioning (a) or improved in skills in this area (b), but not significant enough to effect a statistical shift.

Data for Outcome B, acquisition of knowledge and skills, which includes language/communication and early literacy, indicate that New Jersey exceeded its target by .3%.

For outcome C, use of appropriate behaviors, data indicate a slippage of 8.1%, the difference from 54.7% in 2012 to 62.8% in 2011. Additionally, New Jersey did not meet the target of 70.0%.

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 is in development for implementing IEP goals in the preschool classroom to improve gross, fine and perceptual motor. Supports to teachers with a focus on assisting children in self help skills will be provided to supervisors to assure all areas are addressed in the IEP.

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 2012 were met or exceeded.

- A. Positive social-emotional skills (including social relationships); (9% above target)
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); (1.9% above target).
- C. Use of appropriate behaviors to meet their needs (.37 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.

A consolidated listing of improvement activities is included as Appendix A in this APR beginning on page 107.

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

Statement from the Response Table	State's Response
The State must report progress data and actual target data for FFY 2012 with the FFY 2012 APR.	Progress data and actual target data for FFY 2012 are reported in tables 1 and 2 above.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 8: Parent Involvement

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 8 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. 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).

Indicator 8 Cohort History		
Federal Fiscal Year (FFY)	Cohort Number	Data Collection Period (conducted in May to July of each year)
2006	1	2007
2007	2	2008
2008	3	2009
2009	4	2010
2010	5	2011
2011	6	2012
2012	7	2013

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 in each year of the study. Characteristics used to select each sample of districts included: district size, number of students with disabilities, disability type, gender, race/ethnicity and Abbott* status. Each year, one sample (or cohort)

of districts is participating in the survey. Over the life of the original SPP (2006-2010), all districts and charter schools in New Jersey participated once during the five year period. In preparation for subsequent cohorts, the sampling calculator was again used to resample districts throughout New Jersey into representative cohorts so that all districts would once again participate once in a new five year period.

The Sampling Calculator developed by NPSO is based on a 5 way clustering process which has as its basis a probability model. Using the *Sampling Calculator*, data were entered for the sampling parameters listed above for all New Jersey school districts serving students with disabilities. The Sampling Calculator software selected a representative sample for each of five years reflecting the population of the State at a pre-set confidence level of plus or minus 3%. NJOSEP established a $\pm 3\%$ sampling error, i.e. the sample that is chosen will be representative of districts serving students with disabilities within the state at a level of error that will be plus or minus 3% -- an error band of 6%. Through the establishment of the $\pm 3\%$ sampling error and the use of the NPSO sampling calculator, selection bias should be prevented.

During FFY 2012, 100 districts were selected to participate in the cohort 7 data collection.. Because all districts and charter schools participated in the survey once between FFY 2006 and FFY 2010 the group of parents of students with disabilities in New Jersey selected for the FFY 2012 survey received the survey for a second time since FFY 2006.

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

Data Collection:

As in every prior year NJOSEP implemented the parent involvement survey, face to face technical assistance sessions and teleconferences were provided to aid in implementation of the survey. For FFY 2012 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 Excel template was provided to each district through a secure website with written instructions of how to complete parent address information. In addition to the technical assistance sessions, NJOSEP conducted three teleconferences to train district administrators and support staff on how to download the template from a secure website for district use, complete the template with parent addresses and upload the completed template to the secure website. 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 an as needed basis.

Instruments/Surveys used to gather the data

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

As referenced, for the seventh cohort of districts, NJOSEP requested and obtained mailing information from 100 local districts subsequent to the technical assistance sessions, 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. 39,349 surveys were mailed to all families of students with disabilities in the 100 districts participating in the cohort 7 data collection. This number included: 2,494 preschool surveys and 36,855 school-age surveys.

Surveys were mailed initially in early May of 2013. 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.

FFY	Measurable and Rigorous Target
<p>2012 (2012-2013) Cohort 7</p>	<p>84.0% of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.</p>

Actual Target Data for FFY 2012:

85.5% 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 Seven Data for Facilitation of Parental Involvement: 2012-2013

A combined total of 7,760 completed surveys were returned to the Bloustein Center. Completed surveys were excluded from the response rate calculation and the analysis if (a) parents did not complete a majority of the 25 items or (b) because of incorrect student age; preschool student was reported to be older than seven years, or school age student was reported to be younger than four years. A total of 107 were in these exclusion groups. Of the remaining 7,653, an additional, 59 surveys were eliminated during the analysis phase of the project because of the selection of “does not apply” or incomplete responses to a majority of questions used in the analysis. This results in a total of 7,594 parents used in this analysis.

The remaining completed surveys were analyzed as follows: each survey was scored to determine the number and percentage of items that had been positively rated as “agree, strongly agree or very strongly agree”. Surveys were included in the analysis only if 50% or more of the items had been answered. Each survey, for which a majority of items (≥51%) had been rated in one of the three agreement responses, was counted as agreement with “schools facilitating parental involvement”. The number of respondent surveys that indicated this level of “agreement” was used as the numerator in the analysis of outcome data. The denominator was the total number of completed and analyzed surveys. A percentage of parents reporting that schools facilitated their involvement was calculated separately for parents of preschool and school-age students. Additionally, this percentage was calculated reflecting the combined score for families of both preschool and school-age students. This combined percentage was used as the measure of facilitation of parental involvement for Indicator #8. The combined percent of preschool and school-age parents that reported their schools facilitated their involvement for FFY 2012 was calculated as 6,491 divided by 7,594 = 85.5%.

The table below outlines results for those in the preschool, school age and combined samples over the past seven years.

Percent of Parents That Reported Schools Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities

		A.	B.	C.	D.	E.
		Completed Surveys	Eliminated from Analysis: Surveys where parent did not answer or selected “does not apply” for a majority of 25 items. ¹	Completed and analyzed surveys (Col A - Col B)	Surveys with a majority of items rated as agree, strongly agree or very strongly agree (4 to 6 on 6-point scale)	Percent of parents with a <i>majority of items rated positively</i> - as agree, strongly agree or very strongly agree (Col D/Col C) ²
Pre-School	2007	284	0	284	240	84.5%
	2008	762	5	757	621	82.0%
	2009	866	8	858	722	84.1%
	2010	887	8	879	746	84.9%
	2011	790	2	788	685	86.9%
	2012	472	3	469	393	83.8%
	2013	681	3	678	596	87.9%
School Age	2007	2,438	0	2,438	1,955	80.2%
	2008	7,302	62	7,240	5,861	81.0%
	2009	9,630	101	9,529	7,929	83.2%
	2010	10,816	77	10,739	8,944	83.3%
	2011	9,651	66	9,585	8,051	84.0%
	2012	6,611	64	6,547	5,515	84.2%
	2013	6,972	56	6,916	5,895	85.2%
Combined	2007	2,722	0	2,722	2,195	80.6%
	2008	8,064	67	7,997	6,482	81.1%
	2009	10,496	109	10,387	8,651	83.3%
	2010	11,703	85	11,618	9,690	83.4%
	2011	10,441	68	10,373	8,736	84.2%
	2012	7,083	67	7,016	5,908	84.2%
	2013	7,653	59	7,594	6,491	85.5%

¹ After 2007, a “does not apply” response option was added to questions 1 thru 25 on the survey. Overall, about 1% or fewer of respondents failed to rate a majority of 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. 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 7,594 completed and analyzed surveys received from *both* preschool and school-age parents, 85.5% (6,491) 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 2012 by 1.5% (85.5%), improving over last year by 1.3%. The data represent a seventh 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 2012**

A combined total of 7,760 completed surveys were returned to the Bloustein Center at Rutgers University. Completed surveys were excluded from the response rate calculation if parents did not complete a majority of the 25 items. A total of 35 surveys were eliminated from the response rate calculation for this reason. An additional 72 surveys were eliminated because of incorrect student age; that is, a preschool student was reported to be older than seven years, or a school-age student was reported to be younger than four years.

As such, a total of 7,653 completed preschool and school-age completed questionnaires were returned for a combined response rate of 19.5%. 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 19.5% was slightly higher than last year’s response rate of 19.3%. 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%, **25.8%** and 27.3% in each successive year; for school-age, the rates were 14.9%, 20.9%, 21.2%, 21.0%, 18.9% and 18.9%.

The slight increase in 2013 was mostly due to the preschool rate increase.

This year, 690 preschool surveys were returned. Of those returned, 9 were ineligible, so the response rate was determined to be 27.3% (681 divided by 2,494). A total of 7,070 school-age surveys were returned. Of those returned, 98 were ineligible, resulting in a response rate of 18.9% (6,972 divided by 36,855). A total of 1,233 of the surveys were completed on-line, with a slightly higher percentage of families with preschool students selecting this option (19.4% of completions) versus families of school-age students (15.5% of completions.)

The number of ineligible surveys remains low. It was 1.4% this year compared to a range of 1.1% to 1.9% in prior years.

The contact information improved in 2013. The bad address rates went from 4.1% in 2008, 3.1% in 2009, 4.7% in 2010, 3.5% in 2011, 4.2% in 2012, and down to **3.4% in 2013**.

Survey Response Rates									
Cohort 7: FY 2012									
Districts: 100 (School-age) 76 (Preschool)									
	Preschool			School age			Combined		
	n	% of all Mailed	% of Completes	n	% of all Mailed	% of Completes	N	% of all Mailed	% of Completes
A Surveys Mailed	2494			36855			39349		
B Bad Address - Surveys Returned Undeliverable	83	3.33%		1241	3.37%		1324	3.36%	
C Valid Mailing Address	2411			35614			38025		
D Survey Returned - TOTAL	690			7070			7760		
D1 -- Survey Returned: Mail 1	427	17.71%	61.88%	4202	11.80%	59.43%	4629	12.17%	59.65%
D2 -- Survey Returned: Mail 2	129	5.35%	18.70%	1769	4.97%	25.02%	1898	4.99%	24.46%
D3 -- Survey Returned: Web	134	5.56%	19.42%	1099	3.09%	15.54%	1233	3.24%	15.89%
E Ineligible - TOTAL	9	0.37%	1.30%	98	0.28%	1.39%	107	0.28%	1.38%
E1 -- Ineligible: less than 50% of questions answered	3			32			35		
E2 -- Ineligible: incorrect student age ¹	6			66			72		
F Completed Surveys	681			6972			7653		
Response Rate: Preschool		27.31%							
Response Rate: School-Age					18.92%				
Response Rate: Overall								19.45%	

Web response rates increased this year. 3.2% of parents responded on the web this year compared to 2.6% last year. In other terms, 15.9% of all completes came from the web. This is at the high end of the range of 13.3% to 15.9% in prior years.

Overall, 1,324 surveys were returned to NJOSEP due to incomplete addresses. This represented 3.4% of the total mailing. Given high mobility rates particularly among New Jersey’s urban districts, it is not unexpected that some addresses may not be correct. To minimize returns, NJOSEP uses a number of strategies to secure current addresses. NJOSEP held teleconferences with districts prior to the data collection in an effort to obtain complete, accurate mailing information as well as to enlist their assistance in publicizing the surveys to increase the response rate. Each district was given access through a secure website to a file with a preset EXCEL template to complete and submit district parent address files to NJOSEP. Additionally, a series of EXCEL training sessions, phone technical assistance and edit checks were conducted to obtain accurate address files.

Representativeness of Respondents:

Representativeness of respondents to families of all students with disabilities in cohort 7 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 7 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 7 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.

Representativeness of Respondents (2013)								
		Q31 Primary Disability				Q32 Child's Gender	Q30 Race/ Ethnicity	District
	Overall	LD	ED	ID	AO	Female	Minority	Abbott
Target Population Cohort 7	36,573	12,691	1,526	953	21,403	11,723	16,499	6,600
Respondents Cohort 7 (Completed Surveys)	6,972	2,021	206	124	3,716	2,067	2,497	882
Question Sample Size*		(n=6067)				(n=6655)	(n=6764)	(n=6972)
Target population representation		34.70%	4.17%	2.61%	58.52%	32.05%	45.11%	18.05%
Respondent Representation		33.31%	3.40%	2.04%	61.25%	31.06%	36.92%	12.65%
Difference		-1.39%	-0.78%	-0.56%	2.73%	-0.99%	-8.20%	-5.40%

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.

The sample of responses is very representative of the state with respect to the students' primary disability. The primary disability numbers – learning disability (LD), emotional disability (ED), intellectual disability (ID), and all other disabilities – are off by between 0.5% and 2.7% in 2013 when comparing the sample of responses to the state population parameters regarding these disability classifications.

A total of 2,497 minority families responded to the survey this year representing 36.9% of the completions but minorities were 45.1% of the total cohort for a difference of -8.2%. Also, 882 families in Abbott districts responded to the survey this year, representing 12.7% of completions, but Abbott families were 18.1% of the total cohort for a difference of -5.4%.

The following table compares the representativeness of this year's cohort to past cohorts. Regarding disability type, the small differences are similar to those found in 2012. Using +/- 3.0% as a guideline though, no disability groups were under- or over-represented in the sample. In prior years, the greatest differences were in the LD and AO categories.

In 2013, the representativeness for gender was the best of all years for the survey – under-representing females by just 1.0%. 2012 was the first time females were over-represented in the sample – with the sample having 4.4% more females than the overall population. In the past, females were always under-represented between - 1.1% to 2.6%.

Minority and Abbott districts have always been under-represented and by notable percentages. In 2013, this continued as minorities were under-represented by 8.2% and the Abbott districts were off by 5.40%. The minority under-representation has ranged from 5.8% to 10.7%. The current year is in the middle of that range. The Abbott district under-representation has ranged from 5.5% to 12.7% - so this year, while still off, the percentage difference is the best year for Abbott representation. Generally, 2013 comes out as more representative of the state's overall demographic profile than in past years and similar to the representativeness in 2012.

History of Representativeness of Responses								
		Q31 Primary Disability				Q32 Child's Gender	Q30 Race/ Ethnicity	District
	Overall	LD	ED	ID	AO	Female	Minority	Abbott
Target population representation	2013	34.70%	4.17%	2.61%	58.52%	32.05%	45.11%	18.05%
Respondent Representation		33.31%	3.40%	2.04%	61.25%	31.06%	36.92%	12.65%
Difference		-1.39%	-0.78%	-0.56%	2.73%	-0.99%	-8.20%	-5.40%
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%
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	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	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%

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.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for (FFY 2012)

New Jersey exceeded the SPP target of 84.0% for FFY 2012 by 1.5% (85.5%), improving on last year's results of 84.2%. The data represent a seventh year of positive results regarding schools' facilitation of parent involvement. Pursuant to OSEP Memo 14-2, NJOSEP is not required to report on progress/slippage or improvement activities for Indicator 8 because the state has met its target.

A consolidated listing of improvement activities is included as Appendix A in this APR beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator #9 – Disproportionality Child with a Disability

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 9 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding 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 (0/640) * 100 = 0

For the FFY 2012 APR submission, NJOSEP used data from its Fall Survey Data Collection (October 2012) and data from the IDEA 2012 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 **34 school districts** met the data threshold for disproportionate representation.

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

District Review of Policies, Procedures and Practices/NJOSEP Verification

In FFY 2012 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 **no districts (0%)** reported findings of noncompliance in one or more of the requirements reviewed.

FFY	Measurable and Rigorous Target
FFY 2012	0%

Actual Target Data for (FFY 2012):

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 2012	640	34	0	0%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Report of Progress/Slippage

In accordance with the instructions and the measurement table, the state is not required to provide an explanation of progress or slippage or to discuss improvement activities.

However, NJOSEP has contracted with a nationally recognized vendor to provide technical assistance and assist districts in developing strategies to address disproportionality.

Correction of FFY 2011 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported in FFY 2011 based on FFY 2010 data for this indicator: .16%

1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	1
2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	1
3. Number of FFY 2011 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, ensures 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 applicable regulatory 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 2012:

No revisions.

Indicator # 10 – Disproportionality Eligibility Category

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 10 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding 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 (1/640) * 100 = .16%.

For the FFY 2012 APR submission, NJOSEP used data from its Fall Survey Data Collection (October 2012) and data from the IDEA 2012 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 40 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 2012, 40 districts were found to have 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 identified noncompliance indicating that the disproportionate representation was the result of inappropriate identification.

FFY	Measurable and Rigorous Target
FFY 2011 (2011-2012)	0%

Actual Target Data for FFY 2012:

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 2012	640	40	1	.16%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Report of Progress/Slippage

The data for this indicator indicate slight slippage from 0% (0 LEAs) in FFY 2011 to .16% (1 LEA) in FFY 2012. A single district found noncompliance with one of the related requirements. The number of findings of noncompliance with requirements related to this indicator is insufficient to identify statewide trends or patterns regarding the root cause of the inappropriate identification. NJOSEP has contracted with a nationally recognized vendor to provide technical assistance and assist districts in developing strategies to address disproportionality. A consolidated listing of improvement activities is included as Appendix A in this APR beginning on page 107. **NJOSEP will verify that the finding of noncompliance made in FFY 2012 is corrected, consistent with OSEP Memorandum 09-02, as described below.**

Correction of FFY 2011 Findings of Noncompliance (if State did not report 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 applicable regulatory 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 2012:

No revisions.

Indicator # 11: Child Find

Part B State Annual Performance Report (APR) for FFY 2012

NJOSEP staff presented data for Indicator 11 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. 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
2012 (2012-2013)	100%

Actual Target Data for FFY 2012:

90.9% 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 verify correction of noncompliance. Data for Indicator 11 represent evaluations conducted for the entire reporting year – July 1, 2012– June 30, 2013 as reported by districts on October 15, 2013.

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

a. Number of children for whom parental consent to evaluate was received	26430
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	24029
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)	90.9%

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: The majority of the evaluations that were delayed 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)	30
Additional evaluations were needed	310
Specialized evaluations were needed	283
Evaluation related issues (not valid)	623
Vacancies of child study team or related services personnel	103
Child study team or related services personnel were unavailable	598
Staff related issues (not valid)	701
No reason for delay reported (not valid)	1027
Delay in receipt of consent to implement the initial IEP	50
Total:	2401

The 2401 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	5	3	9	1	0	2	30
Additional Evaluations Needed	58	71	69	57	29	19	7	310
Specialized Evaluations Needed	74	58	59	52	21	14	5	283
Vacancies of Child Study Team or Related Services Personnel	22	24	27	18	10	1	1	103
Child Study Team or Related Services Personnel were Unavailable	171	172	106	87	36	16	10	598
Delay in receipt of consent to implement the initial IEP.	19	18	7	4	1	1	0	50
No Reason or No Valid Reason	329	256	235	137	38	18	14	1027
Total	683	604	506	364	136	69	39	2401

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Discussion of data and progress or slippage toward targets:

The rate of evaluations completed within the state established timeline increased slightly from 90.8% reported in the FFY 2011 APR to 90.9% reported in this FFY 2012 APR. The unavailability of child study team personnel or vacancies of child study team and related services personnel continue to be the two primary reasons for delay.

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

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, consistent with OSEP Memorandum 09-02.

Correction of Findings of Noncompliance Made Based on FFY 2011 Data (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2011 for this indicator: 90.8%

1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	109 160
2. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	108 159
3. Number of FFY 2011 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	1

Correction of FFY 2011 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2011 findings not timely corrected (same as the number from (3) above)	1
5. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline (“subsequent correction”)	0
6. Number of FFY 2011 findings <u>not</u> verified as corrected [(4) minus (5)]	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 2011 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 2011. 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. NJOSEP receives regular reports from the district and special monitor and continues to work with the district to oversee development and implementation of policies and procedures to eliminate causes for delays.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator # 12: Early Childhood Transition

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 12 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders were reminded that the target for this indicator is 100% because it is a measure of compliance in federal and state regulations. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

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

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

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

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

In accordance with the requirements of (34 C.F.R. 300.124; 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 parents 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, 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 2012	100%

Actual Target Data for FFY 2012:

90.6% 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 Special Education Collection which is 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.	2025
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	1458
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.	280
e. # of children determined to be eligible for early intervention services under Part C less than 90 days before their third birthdays.	135
# in a but not in b, c, d, or e.	151
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	90.6%

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 16 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.

The chart below represents the reasons, range of delay and number of evaluations delayed for reasons that are not valid or permitted in regulation.

Delay Reason	Range of Days beyond the Timeline							Total
	Between 1-5	Between 6-15	Between 16-30	Between 31-60	Between 61-90	Between 91 and 120	More than 120	
01: Incomplete residency	6	4	11	11	10	2	0	44
02: Additional Evaluations Needed	1	3	1	4	2	0	0	11
03: Specialized Evaluations Needed	6	3	2	7		1	0	19
06: Vacancies of Child Study Team or Related Services Personnel	3	1	4	4	3	1	1	17
07: Child Study Team or Related Services Personnel were Unavailable	9	11	10	14	12	2	1	59
08: Wrong Code and No Reason (Blanks)	0	0	1	0	0	0	0	1
Total	25	22	29	40	27	6	2	151

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

The data for this indicator shows a slight decrease of 1.7% from 92.3% reported in the FFY 2011 APR, to 90.6% reported in the APR for FFY 2012. NJOSEP did not meet its target of 100%. There was an increase in the number of delays due to the unavailability of child study team personnel and incomplete residency information.

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.**

A consolidated list of improvement activities is included as Appendix A in this APR beginning on page 107.

Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2011 APR):

Level of compliance (actual target data) State reported for FFY 2011 for this indicator:

92.3 %

4. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	32
5. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	32
6. Number of FFY 2011 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 2012:

No revisions.

Indicator # 13: Secondary Transition

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 13 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders supported the continuation of district level technical assistance to ensure that appropriate planning is conducted, with student involvement, to improve compliance with this indicator and outcomes in Indicators 1, 2 and 14. Stakeholders also supported continuation of current 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 were obtained for FFY 2012 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.

Beginning with FFY 2011, NJOSEP selected the districts/charter schools based on the postschool outcome sampling plan approved by USOSEP for Indicator 14 (See SPP Indicator #14). Districts/charter schools 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 2012. 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 2012, 75 districts/charter schools with students aged 16 and above were selected to participate in the targeted review. A sample of student files was collected from each district/charter school 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/charter schools in the cohort.

A report of results, including findings of noncompliance, as needed, was issued to each of the 75 districts/charter schools participating in the targeted review. Noncompliance was found in 15 districts/charter schools. Districts/charter schools are required to develop corrective action plans to address the noncompliance and to correct it as soon as possible, but no later than one year from the date of the report. To verify correction of noncompliance, that will be reported in the FFY 2013 APR to be filed February 1, 2015, the NJOSEP monitors will verify through desk audits and onsite visits in each district/charter school with a finding of noncompliance:

- is correctly implementing the specific relevant regulatory requirements by reviewing updated subsequent 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
2012 (2012-2013)	100%

Actual Target Data for FFY 2012:

90.54% 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 634 students aged 16 and above. Noncompliance was identified for 60 students in districts/charter schools yielding a percentage for Indicator 13 of 90.54% (574/634 x 100).

Discussion of Data: A total of 75 districts/charter schools participated in the targeted review for this indicator, resulting in 634 files reviewed. Of those districts/charter schools, noncompliance was identified in 15 districts/charter schools. There were a total of 574 students for whom documentation demonstrated compliance and 60 students whose IEPs and supporting documentation demonstrated noncompliance. The most common occurrence resulting in a

finding of noncompliance (30 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 (17 IEPS) was the absence of IEP goals related to the student’s transition service needs.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Discussion of data and progress or slippage toward the targets:

The FFY 2012 (2012-2013) data of 90.54% indicates slight slippage from the data of 92.0% reported for FFY 2011 (2011-2012). Given the small number of files determined noncompliant and the new selection of districts or charter schools for FFY 2012, it is not possible to determine the cause of the slippage. NJOSEP will be providing technical assistance to those districts that were determined noncompliant.

A consolidated list of improvement activities is included as Appendix A in this APR beginning on page 107.

Correction of FFY 2011 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2011 APR):

Level of compliance (actual target data) State reported in the SPP for FFY 2011 for this indicator: 92%

1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2011 through June 30, 2012)	18
7. Number of FFY 2011 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	18
8. Number of FFY 2011 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 all available data for this indicator for the full reporting period at the district level to determine which districts/charter schools 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/charter school level. Districts/charter schools 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 audits and onsite visits that each district/charter schools with a finding of noncompliance:

- is correctly implementing the specific relevant regulatory requirements by reviewing updated subsequent 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 2011 data:

Districts/charter schools 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/charter school with a finding of noncompliance for this indicator was required to either review and revise its procedures, including procedures for transition assessment, review and revise its IEP form, conduct staff training regarding transition procedures, and review and revise IEPs of students whose IEPs were determined to be noncompliant. NJOSEP reviewed procedures, all or a sample of the revised files in each district/charter, and files of students whose IEPs were developed subsequent to the monitoring, to verify the correction of each individual case of noncompliance.

Districts/charters were also required to submit updated subsequent 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/charters 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 2011 were verified as corrected in accordance with OSEP memorandum 09-02 within one year of identification.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012.

No revisions.

Indicator #14: Post School Outcomes

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for this indicator to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding improvement activities.

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 47 districts was selected to participate in Cohort II. From June through September of 2013, districts contacted former students with disabilities who had exited school during 2011-2012 (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 2011-2012 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
<p>2012 (2012-2013)</p>	<p>Of youth who are no longer in secondary school (exited during 2011-2012) 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</p>

FFY	Actual Target Data (Achieved Engagement Outcomes: Cohort II Data)
<p>2012 (2012-2013)</p>	<p>Of youth who are no longer in secondary school (exited during 2011-2012) and had IEPs in effect at the time they left school: A = 44.3% were enrolled in higher education B = 73.1% were enrolled in higher education or competitively employed C = 84.4% were enrolled in higher education or in some other post-secondary education or training program; or competitively employed or in some other employment</p> <p><u>Total Engagement: 84.4%</u></p>

Actual Target Data (Achieved Engagement Outcomes: Cohort II Data for FFY 2012)

The calculations and results for the data collection of students with disabilities who exited school during the 2011-2012 school year (Cohort II) are as follows:

There were **1929** total respondents out of 2780 exiters.
 #1: 854 respondent leavers were enrolled in higher education.
 #2: 557 respondent leavers were engaged in competitive employment (and not counted in 1 above).
 #3: 140 of respondent leavers were enrolled in some other post-secondary education or training (and not counted in 1 or 2 above).
 #4: 78 of respondent leavers were engaged in some other employment (and not counted in 1, 2, or 3 above).
 A total of 300 respondents (15.6%) did not meet the criteria for engagement.

Thus,

Measurement A = 854 (#1) divided by 1929 (total respondents) = 44.27%
 Measurement B = 854 (#1) + (#2) 557 divided by 1929 (total respondents) = 73.14%
 Measurement C = 854 (#1) + (#2) 557 + 218 (#3 + #4) divided by 1929 (total respondents) = 84.44%

Not Engaged

The 300 respondents (15.6%) who did not meet the criteria for engagement 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. Furthermore, 38 former students were reported to be attending Adult Day Programs/Activity Centers. Although these exiters were attending full-time programs, the placements did not meet the criteria for engagement.

Response Rate and Representativeness:

The overall response rate increased to 69.4% (Cohort II - FFY 2012) up from 67.85% last year (Cohort I - FFY 2011). As seen in **Table 1 Response Rate Calculation** (below), 2780 students exited school during the 2011-2012 school year based upon data verification with all 47 districts in Cohort II. Local districts were able to successfully contact 1929 youth or their family members.

The response rate increases to 77.1% if Trenton and Camden are not included in the cohort. The combined response rate from the two districts was 41/332 (12%).

Table 1 Response Rate Calculation

Number of Exiters in New Jersey (completed Part 1 of the survey)	2780
Number of respondents (completed Part 2 of the survey)	1929
Response Rate: 1929/2780 =	69.4%

Representativeness: Using the NPSO Response Calculator (see Table 2) NJOSEP calculated the representativeness of respondents to all student exiters from Cohort II districts. Representativeness is calculated for each demographic category by subtracting the percentage of respondents from the percentage of all student exiters in Cohort II for each category. A difference of ±3% is considered a statistical difference.

Table 2 Representativeness of Respondents to Student Exiters

NPSO Response Calculator	Representativeness									
	Overall	LD	ED	CI	AO	Female	Minority	OOD	Dropout	Abbott
Target Leaver Totals	2780	1421	251	107	1001	1018	1373	407	400	806
Response Totals	1929	964	173	69	723	710	792	256	136	379
Target Leaver Representation		51.12%	9.03%	3.85%	36.01%	36.62%	49.39%	14.64%	14.39%	28.99%
Respondent Representation		49.97%	8.97%	3.58%	37.48%	36.81%	41.06%	13.27%	7.05%	19.65%
Difference		-1.14%	0.06%	0.27%	1.47%	0.19%	-8.33%	-1.37%	-7.34%	-9.35%

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 sample of respondents very closely matched the target leavers for all categories except for students who dropped out (7.34%), for minority students (8.33%) and Abbott districts (9.35%). All the other categories were within +/- 3%. Response rates among demographic groups were similar. The biggest difference is that response rates were lowest for Dropouts (34% this year compared to 49% last year) but higher for Abbott districts - 47% this year compared to 33% last year.

Over the past several years, all the disability groups are closely matched between the sample of respondents and the target leaver group. The variations ranged from -1.14% to 1.47%; therefore the range is limited.

Of the respondents, 51% were students with specific learning disabilities; 9% were students labeled emotionally disturbed and students with intellectual disabilities were just shy of 4%. Approximately 3% of the exiters aged out of school, while another 14.5% dropped out.

White responders are just over 50% of Cohort II, while 30% of the responders were black and 18% were reported to be Hispanic or Latino.

Actual Numbers Used in the Engagement Calculation: The calculation for engagement rate was the total number of student exiters who were engaged (1629) divided by the total number responded (1929) to the survey resulting in an **84.4% 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 II Student Engagement

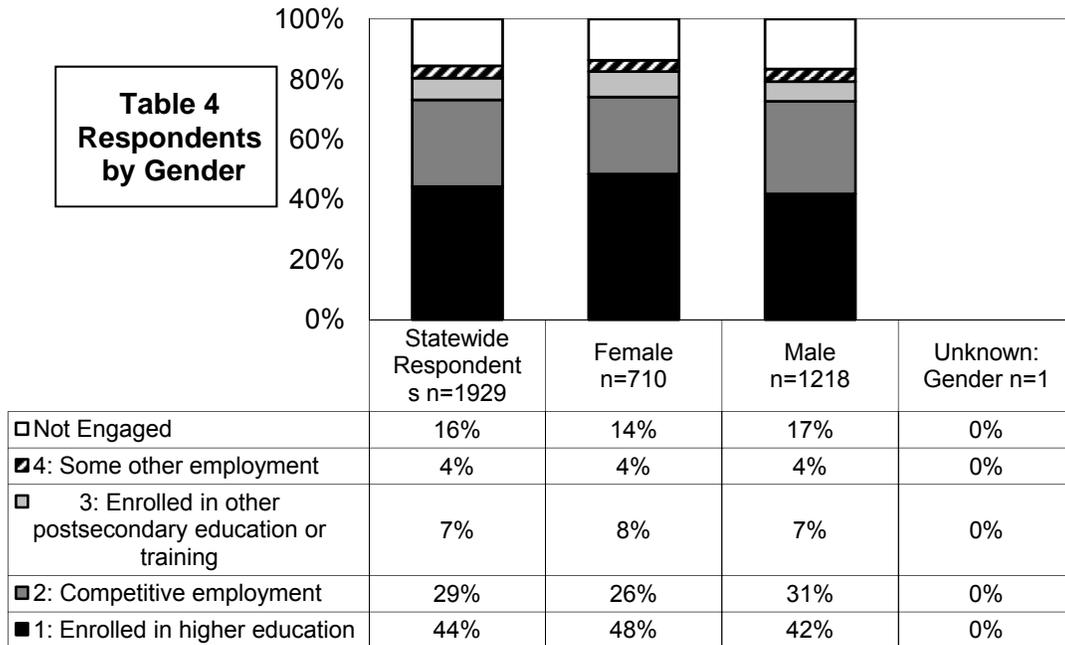
	Frequency	Valid Percent
Enrolled In Higher Education	854	44.3
Competitive Employment	557	28.9
Enrolled on Other Postsecondary Education or Training	140	7.3
Some Other Employment	78	4.0
Not Engaged	300	15.6
Total Engagement	1929	84.4%

As you can see in the table above (Table 3), over 44% of student respondents reported they completed at least one semester in higher education (over a 3% increase than the previous year). An additional almost 29% of exiters were competitively employed as defined by Indicator 14 which is a positive change from the 28.9% reported in FFY 2011. Another 11% of former students were engaged in some other employment or enrolled in other postsecondary education or training. The number of students not engaged decreased from 20% in FY2011 to less than 16%.

Outcomes by Gender

In Table 4 below, **Respondents by Gender**, 48% of New Jersey female youth were enrolled in higher education compared to 42% of male youth. However, males were competitively employed at a higher rate (31%) than females (26%). Female engagement increased 8% from the previously year (18% to 26%). Statewide, the overall percentage of engagement for males was 83% compared to female engagement at 86%.

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2011-12 School Year Exiters



Outcomes by Disability

As indicated in Table 5 below, the highest percentage of engagement based on disability was students with learning disabilities at 90%. Students with emotional disturbance were engaged at 76% and students with intellectual disabilities were engaged at 71%. Significant increases were made for both students with intellectual disabilities and students with emotional disabilities compared to last year.

Outcomes by Disability	Statewide Respondents N= 1926	Specific Learning Disability N= 964	Emotional Disturbance N= 173	Cognitive/Intellectual Disability N= 69	All Other Disabilities N= 720
Not Engaged	16%	10%	24%	29%	20%
Some other employment	4%	3%	1%	14%	5%
Enrolled in other postsecondary Education or training	7%	6%	5%	22%	8%
Competitive employment	29%	31%	44%	25%	23%
Enrolled in high education	44%	50%	26%	10%	44%

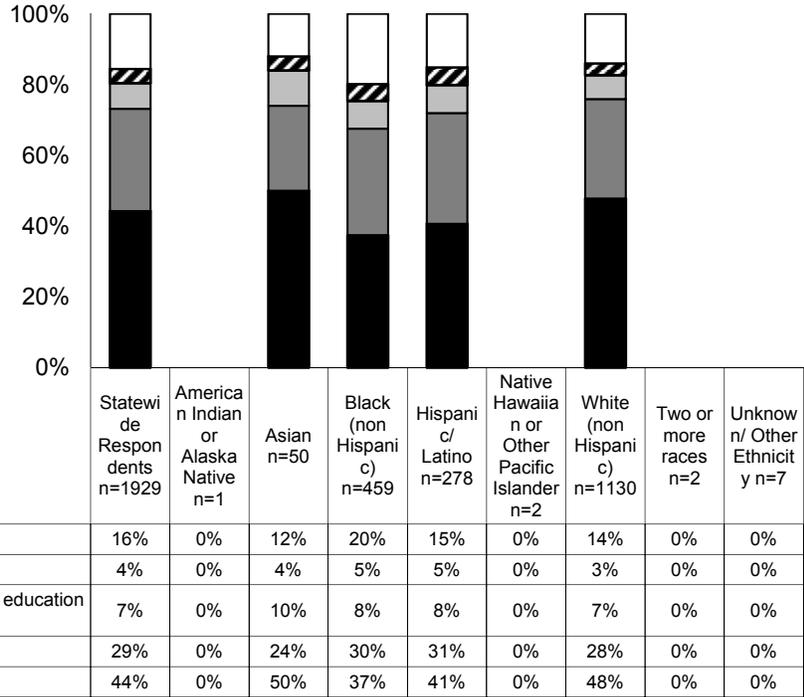
Total Engagement % 84% 90% 76% 71% 80%

Outcomes by Ethnicity

The highest rates of engagement among ethnicity groups were Asian students at 88% compared to a low of 80% among black students. Black students increased engagement by 13% compared to last year (67% to 80%). Hispanic students were engaged at 85%; while Asian students were engaged at 88%.

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2011-12 School Year Exiters

**Table 6
Engagement
by Ethnicity**

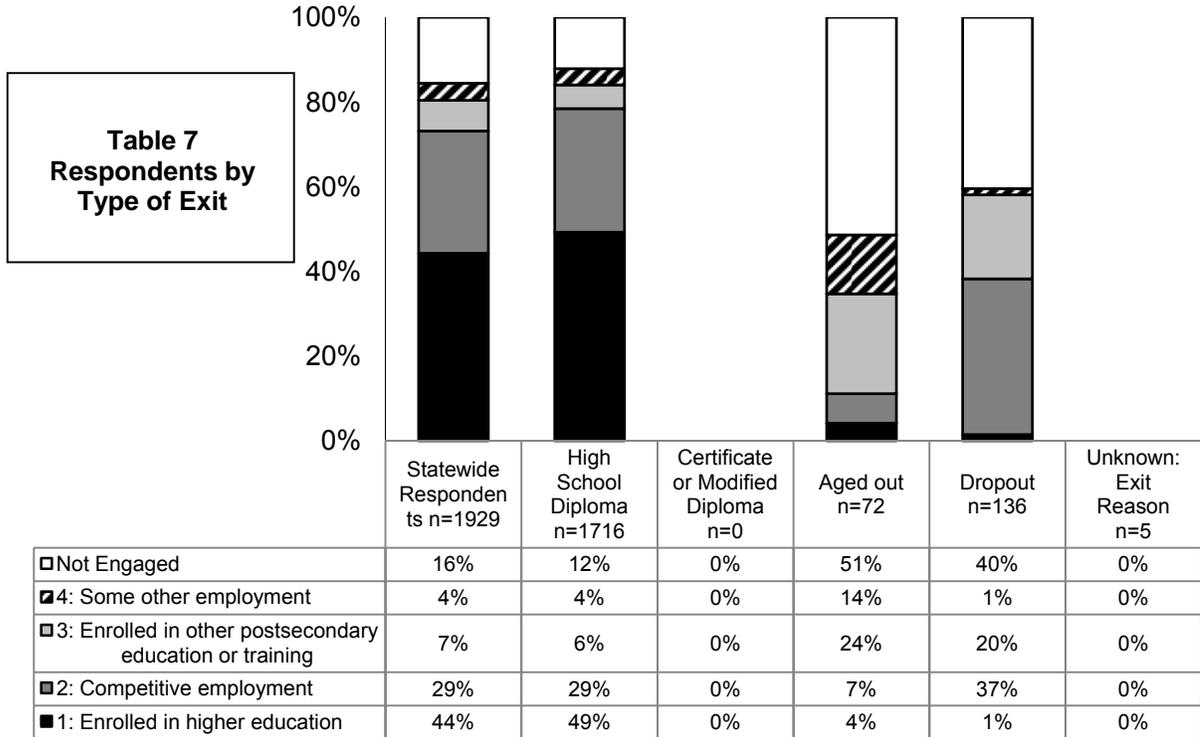


Engagement by Ethnicity		Enrolled in Higher Education	Competitive Employment	Enrolled in Other Postsecondary Education or Training	Some Other Employment	Not Engaged	%
White		48%	28%	7%	3%	14%	86%
Black		37%	30%	8%	5%	20%	80%
Hispanic		41%	31%	8%	5%	15%	85%
Asian		50%	24%	10%	4%	12%	88%
American Indian or Alaskan Native		0%	0%	0%	0%	0%	0%
Native Hawaiian-Pacific Islander							

Outcomes by Type of Exit

As seen in Table 7 below, students who graduated were engaged at a rate of 88% (up from 83% from the previous year); while students who dropout were only engaged at a rate of 60% (up from 47% the previous year). Students who were reported as reached maximum age were engaged at a rate of 49%.

**NEW JERSEY IDEA Part B SPP/APR Indicator #14:
Post-School Outcomes for 2011-12 School Year Exiters**



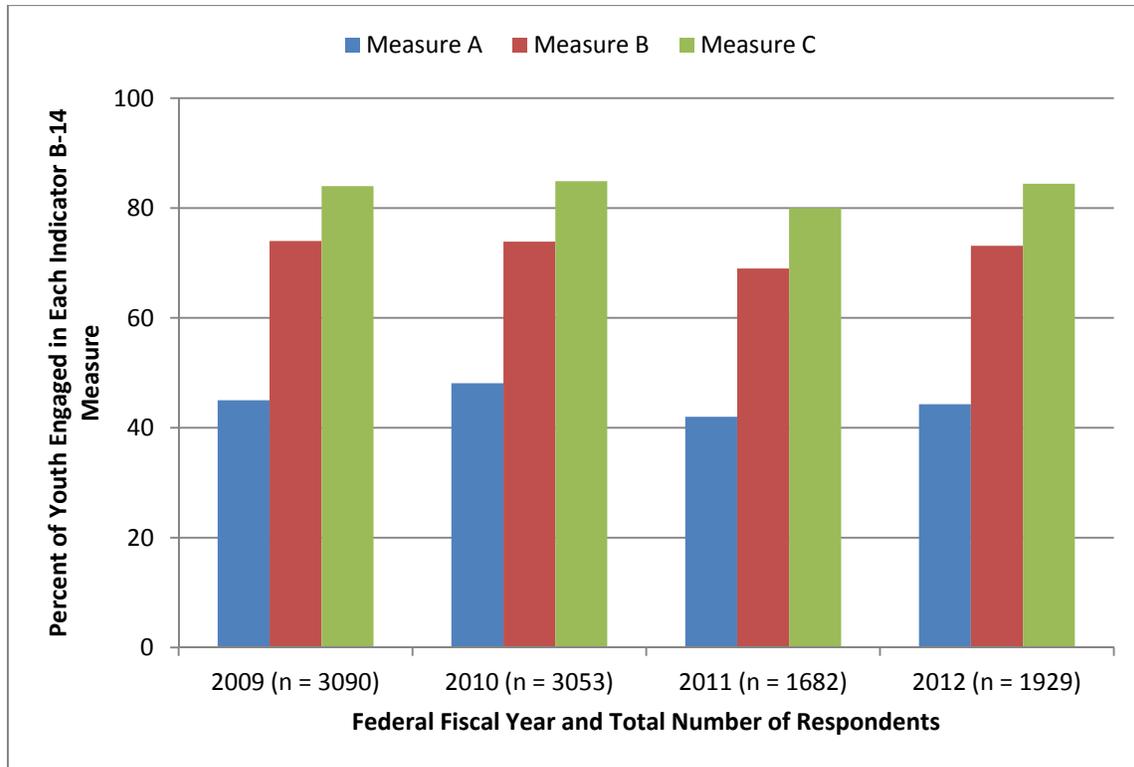
**NEW JERSEY IDEA Part B SPP/APR Indicator #14:
Post-School Outcomes for 2011-12 School Year Exiters**

Discussion of Improvement Activities Completed and Explanation of Progress/Slippage

Although the target for total engagement (86%) was not met, the total engagement for was 84.4% which is a 4.4% increase in engagement over last year. In Measurement A, an increase of 1.1% was reported compared to the previous year. The engagement rate for Measurement B (competitive employment) increased from 26% to 28.9% this year; while Measurement C remained unchanged from the previous year.

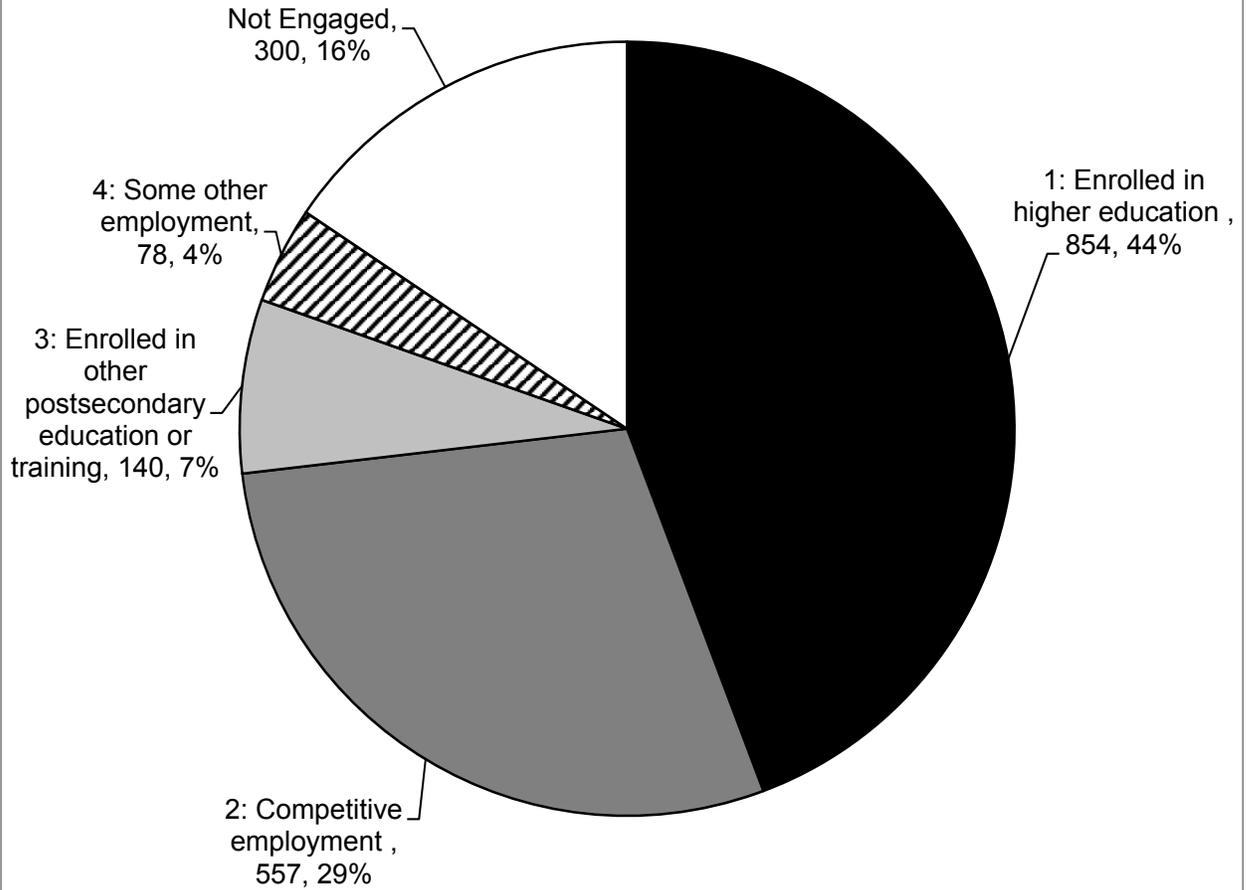
A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

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



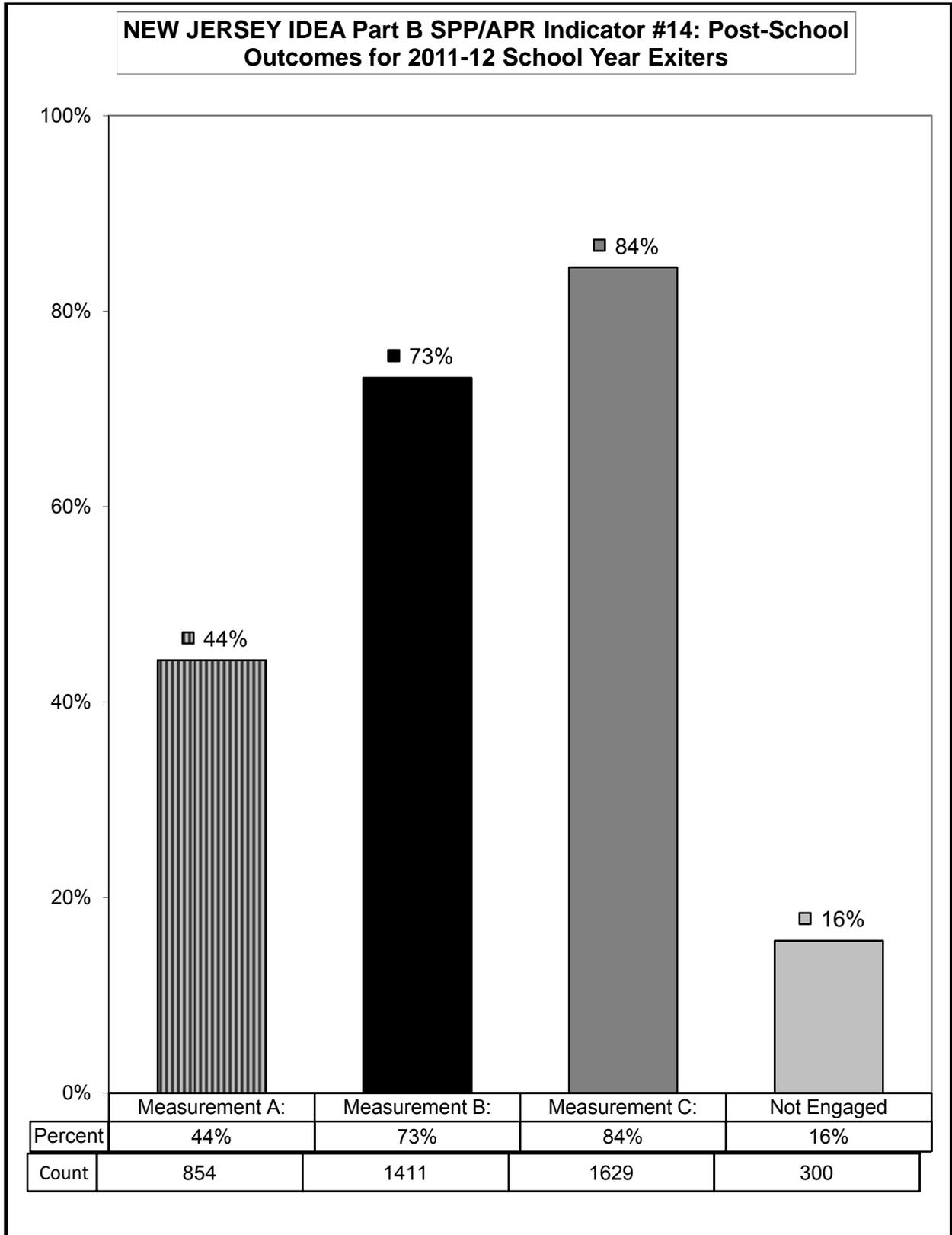
Measurement A	Measurement B	Measurement C
2013 – 44.3%	2013 – 73.2%	2013 – 84.4%
2012 – 43.2%	2012 – 68.9%	2012 – 80%
2011 – 48.8%	2011 – 74.9%	2011 – 85%
2010 – 44.7%	2010 – 73.6%	2010 – 84%

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2011-12 School Year Exiters



SPP #14 Measurement A:	44%	Equals Segment 1
SPP #14 Measurement B:	73%	Equals Segments 1+2
SPP #14 Measurement C:	84%	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



NJ Post School Outcomes Indicator 14 – 4 Year Trend Data

		2010		2011		2012		2013	
		Frequency	Valid Percent						
Valid	1 Enrolled in Higher Education	1381	44.7	1489	48.8	726	43.2	854	44.3
	2 Competitive Employment	894	28.9	797	26.1	433	25.7	557	28.9
	3 Enrolled in Other Postsecondary Education or Training	213	6.9	202	6.6	115	6.8	140	7.3
	4 Some Other Employment	111	3.6	103	3.4	70	4.2	78	4.0
	5 Not Engaged	491	15.9	462	15.1	338	20.1	300	15.6
	Total	3090	100.0	3053	100.0	1682	100.0	1929	100.0
Missing	9 Did not complete Part 2	1000		959		797		851	
Total		4090		4012		2479		2780	

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator #15: Identification and Correction of Noncompliance

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 15 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

FFY	Measurable and Rigorous Target
FFY 2012	100%

Actual Target Data For FFY 2012 (from Table B15):

(Target data for FFY 2012 – 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 = $626\ 688 / 684\ 747 \times 100 = 91.52\ 92.1\%$

~~91.52~~ **92.1%** of the findings of noncompliance identified through the general supervision system (including monitoring and complaints) during FFY 2011 were 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 64 districts selected for monitoring in FFY 2011 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 is 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 review of subsequent data or an onsite targeted review is conducted to ensure correction of noncompliance. For Indicators 4A and 4B, a self-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.

For Indicators 4A and 4B, a self-assessment 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 is conducted by the LEA. Following the self-assessment, 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.

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 noncompliant with state or federal special education law or regulations, the NJOSEP notifies the district or charter school of 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 2012:

Discussion of data and progress or slippage toward targets:

The rate of correction for findings corrected in FFY 2012 (~~94.52~~ 92.1%) demonstrates a decrease of ~~5.02~~ 4.44% percentage points from the rate of correction reported for findings corrected in FFY 2011 APR (96.54%). Districts receive technical assistance from NJOSEP in correcting noncompliance within 1 year of identification. Those districts demonstrating difficulty in correcting noncompliance receive ongoing technical assistance and reviews of policies and procedures to ensure all areas of noncompliance are corrected.

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

Timely Correction of FFY 2011 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

<p>1. Number of findings of noncompliance the State made during FFY 2011 (the period from July 1, 2010 through June 30, 2011) (Sum of Column a on the Indicator B15 Worksheet)</p>	<p>684 747</p>
<p>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</p>	<p>626 688</p>

3. Column b on the Indicator B15 Worksheet)	
4. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	58 59
5. Number of FFY 2011 findings not timely corrected (same as the number from (3) above)	58 59
6. Number of FFY 2011 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	55 56
7. Number of FFY 2011 findings <u>not</u> yet verified as corrected [(4) minus (5)]	3

Actions Taken if Noncompliance Not Corrected

Districts that failed to correct noncompliance identified through monitoring, complaint investigation or due process, within one year of identification, received a determination of needs assistance or needs intervention depending upon the extent of the noncompliance and other factors considered in the determination process.

Complaints

A total of 3 FFY 2011 findings, made as a result of complaint investigation, remain uncorrected. All three findings of noncompliance resulted in an order of compensatory therapy services, as a component of the corrective action and while the districts are working diligently to provide the compensatory services, it is taking a considerable amount of time due to the amount and nature of the services owed. It should be noted that two of the three complaints involve severe medical issues that interfere with the delivery of the compensatory services and the third complaint was systemic and involves district-wide compensatory services. In order to correct the remaining areas of noncompliance, the NJOSEP is conducting the following activities:

- Regular monthly review of IEPs or parent notification to ensure that compensatory services were considered when required; and
- Regular monthly review of the delivery of required compensatory services; noncompliance will not be considered until all required compensatory services are delivered.
- Regular monthly consultation with district staff to review the steps the district is taking to deliver the required compensatory services.

Verification of Correction for findings of noncompliance reported in the FFY 2012 APR (identified in FFY 2011) (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 and complaint investigators 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 2011 (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 Remaining FFY 2010 Findings of Noncompliance (if applicable):

1. Number of remaining FFY 2010 findings noted in OSEP’s July 1, 2013 FFY 2011 APR response table for this indicator	37
2. Number of remaining FFY 2010 findings the State has verified as corrected	36
3. Number of remaining FFY 2010 findings the State has NOT verified as corrected [(1) minus (2)]	1

Verification of Correction of Remaining FFY 2010 findings:

36 of the 37 findings not timely corrected made during FFY 2010 were verified as corrected during FFY 2011. The remaining uncorrected FFY 2010 finding is a monitoring finding that 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, and provision of compensatory services to students. NOSEP receives regular reports from the district and special monitor and continues to work with the district to oversee development and implementation of policies and procedures to eliminate causes for delays.

Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2010:

To verify correction of noncompliance consistent with OSEP Memo 09-02, the NJOSEP monitors and complaint investigators 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.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12)	(a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12)	(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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
2. Percent of youth with IEPs dropping out of high school.				
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	4	2
7. Percent of preschool children with IEPs who demonstrated improved outcomes.				
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	2	2	1
4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Dispute Resolution: Complaints, Hearings	0 3	0 3	0 3
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	26	51	46
6. Percent of preschool children aged 3 through 5 – early childhood placement.				

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12)	(a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
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	29	66	58
	Dispute Resolution: Complaints, Hearings	0	0	0
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	3	3	3
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	408 160	408 160	408 159
	Dispute Resolution: Complaints, Hearings	4	4	4
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	24 32	24 32	24 32
	Dispute Resolution: Complaints, Hearings	1	1	1
13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	4	18	18
	Dispute Resolution: Complaints, Hearings	13	35	26
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	35	263	238
	Dispute Resolution: Complaints, Hearings	35	45	37
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other			

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2011 (7/1/11 to 6/30/12)	(a) # of Findings of noncompliance identified in FFY 2011 (7/1/11 to 6/30/12)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
	Dispute Resolution: Complaints, Hearings		60	60
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			684 747	626 688
Percent of noncompliance corrected within one year of identification =			(b) / (a) X 100 =	
(column (b) sum divided by column (a) sum) times 100.			91.52% 92.1%	

Indicator #16: Complaint Timelines

Part B State Annual Performance Report (APR) for FFY 2012

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>

Indicator #17: Due Process
Part B State Annual Performance Report (APR) for FFY 2012

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 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 18 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. 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) divided by 3.1 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 a resolution session or mediation session. When a case is filed, the petitioner parent 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 NJOSEP 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, including if a settlement was reached. 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 for hearing.

FFY	Measurable and Rigorous Target
2012 (2012-2013)	55-65% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.

Actual Target Data for FFY 2012:

86% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. NJOSEP met the target for FFY 2012.

Actual Numbers Used in the Calculation:

12 resolution session agreements / 14 resolution sessions = 86%

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

In FFY 2012, a total of 14 resolution sessions were held. Of that total, 12 resulted in a signed settlement agreement, which calculates to a rate of 86%. NJOSEP exceeded the state target range (55-65%) for FFY 2012.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /Resources for FFY 2012:

No revisions.

Indicator #19: Mediation Agreements

Part B State Annual Performance Report (APR) for FFY 2012

Overview of the Annual Performance Report Development:

NJOSEP staff presented data for Indicator 19 to the State Special Education Advisory Council (SSEAC) and other stakeholders at meetings conducted on May 16, 2013 and October 17, 2013. 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
2012 (2012-2013)	37- 43% of mediations held will result in mediation agreements.

Actual Target Data for FFY 2012:

241 mediation agreements/ 686 = 35% of mediations held resulted in mediation agreements.

Actual Numbers Used in the Calculation:

104 mediation agreements / 365 mediations related to due process = **28%**

137 mediation agreements/ 321 mediations not related to a due process hearing = **43%**

241 mediation agreements/ 686 = 35% of mediations held resulted in mediation agreements.

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

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

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2012:

Discussion of data and progress or slippage toward targets:

In the 2012-13 school year the NJOSEP received a total of 783 requests for mediation (of which 97 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 783 requests for mediation, a total of 686 mediations were held. Of those, 365 were mediations related to due process and 321 were mediations not related to due process. Of the 365 mediations related to due process, 104 resulted in mediation agreements (28%). Of the 321 mediations not related to due process, 137 resulted in mediations agreements (43%). This translates to a total of 35% of mediations held in FFY 2012 resulting in a mediation agreement. NJDOE did not meet its revised target for this indicator but showed significant progress from the previous year.

While NJOSEP did not meet the target, there was a 6% increase in the agreement rate from FFY 2011 to FFY 2012. 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 2012.

A consolidated list of improvement activities is included as Appendix A to this APR beginning on page 107.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

Indicator #20:

Part B State Annual Performance Report (APR) for FFY 2012

The New Jersey Department of Education, per OSEP instruction in the 2014 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 2012 APR submission on February 3, 2014. 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 of Child Study 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. Monthly meetings with local directors of special education also provide an opportunity for 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.

Activities conducted during FFY 2012 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

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2012:

No revisions.

APPENDIX A Improvement Activities FFY 2012

During FFY 2012, the activities listed below were implemented in an effort to improve results for students with disabilities and ensure compliance with IDEA regulations. Although the activities were designed to focus on improvement in one or two priority areas, the NJOSEP has aligned improvement efforts to support the overall NJDOE goal, articulated in the state's NCLB waiver application, of achieving college and career readiness for all New Jersey students. This includes readiness for postsecondary education, employment and living as independently in the community as possible. Activities were designed to build capacity to provide supports for success specific to the needs of students with disabilities and to support NJDOE initiatives to improve achievement in mathematics and literacy, improve instruction and support the academic and social-emotional needs of all learners in the general education classroom. Specific attention was given to focus and priority schools, identified as such for low achievement and significant achievement gaps.

Academic Achievement

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. **(Indicators 3, 5, 6)**

Data Collection and Analysis - Child Find: 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. **(Indicator 11)**

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 schools (including one priority school identified as part of the NCLB waiver process) 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 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 are being 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. For the 2012-2013 school year the project included ongoing training and technical assistance. A first year baseline was also established. A webinar was created as a result of the project on organizing the LAL block, in both general and special education classrooms, for teachers which will be posted on the NJDOE web site shortly for use statewide. **(Indicators 3, 5)**

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, through 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 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. For the 2012-2013 school year the program provided continued support for schools already involved and targeted new schools for training and technical assistance. **(Indicator 5)**

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. **(Indicator 3)**

Instructional Supports in the Co-Taught Gen Ed Classroom Grades K-8

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. This training was offered to focus on priority schools and schools in need of continuous improvement for LRE. **(Indicators 3,5)**

Monitoring Process and Procedures - Identification and Correction of Noncompliance: 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.

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. **(Indicator 15)**

Monitoring - School Age LRE: 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. **(Indicator 5)**

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. **(Indicators 1, 2, 11, 13, 14)**

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. **(Indicators 1, 2, 3, 5)**

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. **(Indicator 5)**

Statewide Training Including Students with Disabilities in General Education Grades 6 – 12: Focus on Technology to Support Literacy Across the Curriculum The training featured technology approaches that address the following content areas: Literacy Skills, Mathematics, Social Studies, Science, Art, Music, Study Skills. The training was presented statewide to interested district teams. **(Indicator 3, 5)**

Supporting Students with Disabilities in General Education Programs through In-Class Resource Program Instruction (Grades K-12) This initiative included a one day training for general and special education teaching pairs with the basic knowledge and skills needed to implement in-class resource program instruction. The training 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. A two-day training with ongoing technical assistance was provided for selected districts. **(Indicators 3, 5)**

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. **(Indicators 3, 5)**

Targeted Reviews - Child Find: 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. **(Indicator 11)**

The 90 Minute Literacy Block for English Language Arts: Focus on Early Literacy (Grades K-3) was offered as a targeted training for these ILA schools. Understanding and implementing

the essential elements of The 90 Minute Literacy Block will provide a variety of reading resources and strategies for students as they move along the continuum of learning to read. Rich examples of effective classroom practices were presented as key to improving literacy achievement for all students, including students with disabilities. This workshop provided turn-key information for ILA school teams on the following: Tiered instruction including: Whole group instruction, effective read-alouds and shared reading; Small group instruction, guided reading; Targeted skill-based intervention; Interactive word walls; Meaningful literacy centers; Explicit teaching of tier 2 academic vocabulary; and Building comprehension skills and strategies. The afternoon session included an interactive session during which participants work with colleagues to plan a read aloud, guided reading lesson, and literacy center focusing on a specific strategy while incorporating academic vocabulary. The Common Core State Standards for your grade level, and grade appropriate books (such as your core reading program and leveled readers) to create a lesson for a read aloud and guided reading. **(Indicators 3, 5)**

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. **(Indicators 3, 5)**

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. **(Indicators 1, 2, 3, 5, 13, 14)**

Post-School Outcomes

Community-Based Instruction (CBI) - 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 2012. 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 125 school districts participated in these sessions. **(Indicators 1, 2, 13, 14)**

Community-Based Instruction (CBI) Regional Trainings: During the 2012-2013 school year, a seven-day training series was conducted for district and school teams regionally on the subject of Community-Based Instruction (CBI). The CBI training series included the following topics: *Foundations of CBI, Management and Supervision of CBI, Using Community-Based Instruction to Teach Recreation and Life Skills, and Using CBI for Career Exploration.* A total of 2013 educators, from 50 secondary programs attended the training series. Additional on-site technical assistance was provided, upon request, to participating programs. **(Indicators 1, 2, 13, 14)**

Community-Based Instruction (CBI)- Interagency Collaboration: 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). **(Indicators 1, 2, 13, 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. **(Indicators 1, 2, 13, 14)**

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. **(Indicators 1, 2, 13, 14)**

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 Programs participated on the following statewide councils and committees:

- New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Rehabilitation Council
- New Jersey Department of Human Services, Commission for the Blind and Visually Impaired State Rehabilitation Council
- New Jersey Department of Community Affairs, Commission on Recreation for People with Disabilities
- New Jersey Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
- The State Employment & Training Commission's Disability Issues Committee

(Indicators 1, 2, 13, 14)

Interagency Collaboration - Pathways to Adult-Life for Professionals and Parents: To promote interagency collaboration and support for parents of students with developmental disabilities, the NJDOE, Office of Special Education Programs, 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 Developmental Disabilities and the Department of Children and Families, Children's System of Care. This training was designed for professionals and parents of high school students with developmental disabilities and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 160 professionals and parents participated in 3 regional sessions that were held throughout New Jersey. **(Indicators 1, 2, 13, 14)**

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. **(Indicators 1, 2, 13, 14)**

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. **(Indicators 1, 2, 13, 14)**

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

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

(Indicators 1, 2, 13, 14)

Promoting Effective Transition to School Life Using Person-Centered Approaches: The New Jersey Department of Education (NJDOE), Office of Special Education Programs (OSEP), in partnership with the Elizabeth M. Boggs Center, will conduct planning, development, and pilot activities aimed at promoting effective transitions for students with disabilities through the use of person-centered approaches. These activities will be conducted through the coordination of a planning committee with representatives from the New Jersey Department of Education (NJDOE), Department of Developmental Disabilities (DDD), Division of Vocational and Rehabilitation Services (DVRS), Department of Children and Families (DCF), selected district

personnel, and families in effort to improve post-school outcomes of young adults with disabilities. The planning committee will be co-chaired by a representative of the NJDOE and supported by the Boggs Center. Initial planning by this committee will result in the development of a pilot by the Boggs Center whereby three (3) school districts will be selected to participate in training and technical assistance activities aimed at meaningfully infusing person-centered approaches into transition planning and Individualized Education Program (IEP) development as well as increasing the districts' ability to offer a life span approach to providing families with information and linkage to the various service systems and community-based resources. The work of the planning committee will continue throughout the pilot and will be aimed at identifying barriers, and making recommendations that will aid in the expanded use of evidence-based practice. **(Indicators 1, 2, 13, 14)**

State Level Capacity Building - Transition: 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. **(Indicators 1, 2, 13, 14)**

Statewide Technical Assistance and Training – Transition: 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 2012-2013 school year, eight 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. **(Indicators 1, 2, 13, 14)**

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 2013. 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. **(Indicators 1, 2, 13, 14)**

Targeted Technical Assistance Related to Transition to Adult Life: A webinar regarding transition planning was held for districts selected for the 2012-2013 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 during 2012-2013. Teams from 18 of the 74 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. **(Indicators 1, 2, 13, 14)**

Pre-School Outcomes

Coordination Across Systems - Early Childhood Transition: 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. **(Indicator 12)**

Coordination of Efforts Related to Preschool LRE: NJOSEP (619) and the NJOSEP Preschool Consultants will coordinate efforts with New Jersey Office of Early Childhood, (NJOEC) in the following areas: the dissemination of information on the importance of an evidence based preschool curriculum for all students, the alignment of the curriculum to the New Jersey Preschool Teaching and Learning Standards to a curriculum, and the utilization of an early childhood rating scale for classroom improvement, and literacy and math improvement. The NJOSEP (619) will coordinate with NJOEC in reviewing district plans and in validation visits promoting the inclusion of preschool children with IEP's in state funded preschool programs. **(Indicator 6)**

Data Analysis - Preschool LRE:

Specific Data Analysis: NJOSEP will review placement data by age, size of district, and racial/ethnic groups to determine whether any adjustments should be made to targets or strategies. The results of this data review and analysis will be shared at future stakeholder meetings.

Ongoing Data Analysis: NJOSEP will continue to review all placement data to determine whether strategies and activities are effective in meeting the targets. The results of this data review and analysis will be shared at future stakeholder meetings. **(Indicator 6)**

Data Analysis - Preschool Outcomes: Annually, NJOSEP meets with administrators participating in the preschool outcomes study to discuss progress of the data collection and any changes to the requirements. 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. **(Indicator 7)**

Data Collection and Analysis - Early Childhood Transition: 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. **(Indicator 12)**

Data Management - Preschool Outcomes: 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. **(Indicator 7)**

Master Teacher Inclusion Specialist Training Series: The LRC Preschool Consultants will coordinate efforts with the Office of Early Childhood to support the Master Teacher Inclusion Specialists and Head Start Disabilities Coordinators from the state funded preschool districts. This year-long technical assistance series will focus on improvement strategies for supporting preschoolers with disabilities into general education preschool classes, including the use of an early childhood inclusive classroom rating scale. **(Indicator 6)**

NJOSEP (619) will (1) coordinate efforts with New Jersey Department of Health and Senior Services, Early Intervention System in the following areas: the dissemination of information to parents and early intervention staff on inclusion and the research; (2) continue to work with the Department of Human Services, Early Care and Education Office in the dissemination of information on inclusion to parents and childcare centers and (3) continue to work with the New Jersey Council for Young Children and the interdepartmental early childhood committee to implement projects to improve the quality of early childhood settings to assist in increased access and supports to programs serving preschool children with disabilities. **(Indicator 6)**

Policy/Regulation Related to Preschool LRE: On May 7, 2012, the NJOSEP issued a guidance memorandum on least restrictive environment requirements for preschool children. The memorandum contained a link to a document issued by the USDE, OSERS, dated February 29, 2012, which reiterates that the least restrictive environment requirements of the IDEA apply to all children with disabilities who are served under Part B. **(Indicator 6)**

Professional Learning Communities: The LRC Preschool Consultants will support select district level Professional Learning Communities that highlight continuous inquiry and improvement in the area of preschool inclusion. **(Indicator 6)**

Project EQuIP (Enhancing the Quality of Inclusion in Preschool): The LRC Preschool Consultants will coordinate with the Office of Early Childhood and Project EQuIP trainers to establish three regional district demonstration sites. The purpose of developing inclusion demonstration sites will be to promote the Individualizing Inclusion Model which will focus on embedding specially designed instruction and interventions into the daily routine of the general education preschool classroom. The three regional sites will receive onsite coaching and online mentoring from project EQuIP and the LRC Preschool Consultants. The demonstration sites will be used to turnkey professional development in future years. **(Indicator 6)**

Self-Assessment/Monitoring - Early Childhood Transition: 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. **(Indicator 12)**

Targeted Reviews - Early Childhood Transition: 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. **(Indicator 12)**

Targeted Technical Assistance Related to Preschool LRE: Districts identified as noncompliant for issues related to placement of students with disabilities in the least restrictive environment and/or high rates of placement in separate special education settings will be targeted for technical assistance regarding the development and implementation of improvement strategies including the development of a plan to transition students from separate special education settings to education settings with nondisabled peers. **(Indicator 6)**

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. **(Indicator 7)**

Use of Assessment Results - Preschool Outcomes: NJOSEP shared the progress of the FFY outcome study and findings with districts and in technical assistance trainings and individual sessions. **(Indicator 7)**

School Climate

Data Analysis - Suspension and Expulsion: 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. **(Indicators 4A, 4B)**

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. **(Indicators 4A, 4B)**

Positive Behavior Supports in Schools (PBSIS)

State Level Capacity Building - Suspension/Expulsion/LRE/Student Achievement: NJOSEP continues 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. 158 schools from 82 districts have been trained by the PBSIS State team and NJOSEP on PBSIS practices by 2012-2013. An additional group of 38 schools from 13 districts will receive training and technical assistance support during 2013-2014. These schools will begin implementation in 2014-2015. **(Indicators 3,4A, 4B, 5)**

Targeted Training and Technical Assistance on Positive Behavior Supports in Schools (PBSIS): NJOSEP's technical assistance and monitoring staff met 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. Four targeted cohorts of schools were recruited from 2007 - 2011 following an orientation and application process. NJOSEP's technical assistance and NJDOE's RAC teams collaborated to identify schools within schools identified as priority or focus schools by NJDOE's NCLB waiver that would benefit from an improved school climate for all students, including students with disabilities and greater supports for students with disabilities and challenging behaviors. During the fall of 2012, a new cohort of 29 schools from 12 districts was recruited from schools identified as priority or focus schools. These schools received training and technical assistance in spring of 2013. An additional sixth cohort of 38 schools from 13 districts has been recruited from priority and focus schools and will receive training and technical assistance 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. **(Indicators 3, 4A, 4B, 5)**

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 2012-2013, three two-day trainings at north, central and south Learning Resource Centers were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Indicators 3, 4A, 4B, 5)**

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 2012-2013, one coach event that provided an opportunity for coaches and other school personnel to network, share resources, and problem solve around areas of implementation was held in spring 2013. **(Indicators 3, 4A, 4B, 5)**

Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSEP supports the development and maintenance of a PBSIS website, www.njpbs.org, operated by the Boggs Center PBSIS State Team. The website contains information on promising practices in New Jersey as well as materials, tools, templates, presentations, samples and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. NJPBSIS website has had a total of 310,768 page loads and 95,859 unique visits since the site launched in 2004. On average www.njpbs.org has 2,653 unique visitors and 6,064 page loads per month. **(Indicators 3, 4A, 4B, 5)**

Statewide Training: Functional Behavior Assessment (FBA) and Design of Intervention Plans This two-day workshop presented a proactive, educative approach to understanding the functions and conditions affecting challenging behavior of students with disabilities. Through this workshop, participants learned best practice strategies to conduct functional assessments of student behavior. Participants also learned to use this information to design intervention plans that promote the use of positive behavioral supports and to teach students alternative skills and/or coping strategies. **(Indicator 5)**

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. **(Indicators 4A, 4B)**

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. **(Indicators 3, 5)**

Disproportionality

Disproportionality - Self-Assessment: 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. **(Indicators 9, 10)**

Parent Involvement

Database System - Mediation Agreements: 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. **(Indicator 19)**

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. **(Indicators 18, 19)**

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. **(Indicator 19)**

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. **(Indicator 19)**

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. **(Indicator 5)**

