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To: Chief School Administrator
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From: Roberta L. Wohle, Acting Director
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Subject: State Performance Plan Requirements
Special Education Self-Assessment/Monitoring Process

The Individuals with Disabilities Education Act of 2004 (IDEA 2004) and implementing regulations set forth requirements for the development and implementation of a State Performance Plan (SPP) and the annual public reporting of local school district's performance against SPP indicators and targets. Additionally, IDEA 2004 establishes federal monitoring priorities that necessitate modification to the New Jersey special education monitoring process. The purpose of this correspondence is to provide background information regarding these new requirements.

State Performance Plan Requirements

The reauthorized IDEA, signed on December 3, 2004, requires each state to have in place a SPP evaluating the state's implementation of Part B and describing how the state will improve such implementation. The SPP includes 20 indicators focused on areas and requirements intended to improve educational results and outcomes for children with disabilities.

The New Jersey Department of Education, Office of Special Education Programs' (NJOSPEP) SPP, developed with input from a group of special education stakeholders, was submitted to the United States Department of Education, Office of Special Education Programs (USOSEP) on December 2, 2005 and approved by USOSEP on March 28, 2006. New Jersey's SPP, including a description of and the measurement for the 20 SPP indicators, is available for review at www.nj.gov/njded/specialed/info/spp/.

IDEA 2004 also mandates that the state report annually to the USDOE Secretary of Education on its performance according to its SPP targets through the submission of an

Annual Performance Report (APR). The NJOSEP is required to submit the APR to the federal government on February 1, 2007.

Public Reporting Requirements

IDEA 2004 requires each state to report annually to the public on the performance of each of its local educational agencies according to the targets in its SPP. The state also must report annually to the USDOE on its performance according to its SPP targets. The federal special education rules and regulations, published on August 14, 2006 (effective October 13, 2006), further require that each state:

- Use the targets established in the SPP to analyze the performance of each local school district;
- Report annually to the public on the performance of each local school district in the State on the SPP targets; and
- Report annually to the USOSEP on the performance of the State through an Annual Performance Plan.

Special Education Monitoring Process

As part of the state's responsibility for general supervision of the implementation of IDEA 2004, the NJDOE will begin a new monitoring cycle of special education programs and services during the 2006-2007 school year.

According to IDEA 2004, the primary focus of each state's monitoring activities must be on:

- Improving educational results and functional outcomes for all children with disabilities; and
- Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

In response to the requirements of IDEA 2004, the USDOE Secretary of Education established monitoring priority areas for states along with the 20 SPP indicators discussed above. The federal monitoring priority areas include: General Supervision, Placement of Students with Disabilities in the Least Restrictive Environment and Disproportionality.

Within the priority area of general supervision, one of the indicators is identification and correction of noncompliance. One method the NJDOE uses to identify and correct noncompliance is the special education monitoring system. In response to the federal requirements, NJOSEP is modifying its monitoring system.

The revised monitoring system will be data driven and aligned to the SPP indicators, including the federal monitoring priorities of least restrictive environment and disproportionality. Consistent with the monitoring priorities established by IDEA 2004,

NJOSEP is analyzing data to identify local school districts demonstrating one or more of the following:

- The greatest percentage of students with disabilities being educated in separate public and private educational settings; and/or
- Significant disproportionality based on race and ethnicity with respect to one or more of the following: eligibility, placement, disciplinary actions.

The new monitoring process will retain several of its previous features, including the requirement for the local education agency or charter school to initially conduct a comprehensive self-assessment and involvement of a steering committee. The steering committee and district staff will be given the opportunity to design their own activities to correct noncompliance through the development of an improvement plan. As in the past, each local education agency and charter school will be monitored once during a six-year cycle.

To address the new requirement for improving results, as part of the self-assessment process, the steering committee in each selected local education agency and charter will be required to conduct analyses of data related to the federal monitoring priorities and SPP indicators. In addition to identifying activities to correct noncompliance, each steering committee will be responsible for developing activities designed to assist the school district in progressing toward the state data targets in the SPP.

Local school districts will be notified in December if they have been identified for participation in the self-assessment process for the 2006-2007 school year. As in the past, local education agencies and charters will be reimbursed for selected expenses related to the self-assessment process. Every effort will be made to ensure that the self-assessment is a collaborative process, intended to result in improved outcomes for students with disabilities and their families.

RW/pm/hl

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