

New Jersey Department of Education Office of Special Education



Part B Annual Performance Report #6 (FFY 2010: July 1, 2010 – June 30, 2011)

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Office of Special Education Programs
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Resubmission with USOSEP's Requested Clarifications
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Overview to State Performance Plan and Annual Performance Report Development FFY 2010

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

How the State obtained broad input from stakeholders

Stakeholder Meeting

A meeting was conducted on January 19, 2012 to report on NJOSE's progress/slippage in relation to each of the SPP indicators, and to obtain input and recommendations from stakeholders. A PowerPoint presentation provided targets, and target data for FFY 2010.

The agenda for the January 19, 2012 stakeholder meeting is provided below:

New Jersey Department of Education Office of Special Education State Performance Plan/Annual Performance Report Stakeholder Meeting January 19, 2012 Agenda

- | | |
|------------|--|
| 9:30 a.m. | <p>Welcome, Introductions and Review of Agenda
<i>Peggy McDonald, Director, Office of Special Education</i></p> |
| 9:45 a.m. | <p>Review of Student Outcomes and Progress Toward Targets: Preschool
<i>Barbara Tkach, 619 Coordinator</i></p> <ul style="list-style-type: none"> ▪ Indicator 7 Preschool Outcomes ▪ Indicator 12 Early Childhood Transition ▪ Indicator 6 Preschool LRE (not to be reported in Feb 2012) |
| 10:15 a.m. | <p>Review of Student Outcomes and Progress Toward Targets:
School Age
<i>Peggy McDonald, Director, Office of Special Education</i>
<i>Perkie Cannon, LRC Consultant</i></p> <ul style="list-style-type: none"> ▪ Indicator 3 Assessment ▪ Indicator 5 School Age LRE ▪ Indicator 4A Suspension/Expulsion ▪ Indicator 4B Suspension/Expulsion - Race and Ethnicity ▪ Indicator 9 Disproportionality - Child with a Disability ▪ Indicator 10 Disproportionality - Eligibility Category |

- 11:15 a.m. **Break**
- 11:30 a.m. **Review of Student Outcomes and Progress Toward Targets:
Transition From School To Adult Life**
Bob Haugh and Bill Freeman, Transition Coordinators
Peggy McDonald, Director, Office of Special Education
- Indicator 1 Graduation Rates
 - Indicator 2 Drop Out Rates
 - Indicator 13 Secondary Transition
 - Indicator 14 Post School Outcomes
- 12:15 p.m. **Lunch**
- 1:00 p.m. **Review of Progress Toward Targets:
Parent Involvement and Compliance**
Peggy McDonald, Director, Office of Special Education
- Indicator 8 Parent Involvement
 - Indicator 11 Child Find
 - Indicator 15 Identification and Correction of Noncompliance
- 1:30 p.m. **Review of Progress toward Targets:
Dispute Resolution and Complaint Investigation**
*John Worthington, Acting Manager, Bureau of Policy & Planning,
Program Review and Program Development*
- Indicator 16 Complaint Timelines
 - Indicator 17 Due Process Timelines
 - Indicator 18 Hearing Requests Resolved by Resolution Sessions
 - Indicator 19 Mediation Agreements
- 2:00 p.m. **Review/Wrap-up**
Peggy McDonald, Director, Office of Special Education

The following organizations/agencies were represented at the January 19, 2012 stakeholder meeting:

- Autism New Jersey
- Disability Rights New Jersey
- New Jersey Department of Children And Families, Office of Education
- University of Medicine and Dentistry of New Jersey
- New Jersey Department of Labor, Division of Vocational Rehabilitation Services
- New Jersey Council on Developmental Disabilities
- New Jersey Juvenile Justice Commission
- New Jersey Department of Health and Senior Services
- New Jersey Coalition for Inclusive Education
- Statewide Parent Advocacy Network
- New Jersey Principal and Supervisors Association

12 members of the State Special Education Advisory Council participated in the stakeholder meeting, including 3 parent members.

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), NJOSE made New Jersey's FFY 2009 State Performance Plan/Annual Performance Report available to the public as indicated below. The NJOSE will use the same mechanisms to report annually to the public on the FFY 2010 SPP/APR regarding the State's progress/slippage in meeting the measurable and rigorous SPP targets.

Public Means, including posting on the Website of the State education agency: The SPP and APR were posted on the New Jersey Department of Education's website immediately following their submission to USOSEP on February 1, 2011. 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 1, 2012, and again in April 2012, following the submission to USOSEP with any requested clarifications.

NJOSE also posted the USOSEP response to the SPP/APR FFY 2009 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 NJOSE's SPP/APR FFY 2010 submission will again be posted at: <http://www.nj.gov/education/specialed/info/spp/>.

Distribution to the Media: Annually, upon submission to the USOSEP, NJOSE makes the SPP/APR available to the media through the NJDOE website and refers to the press to the SPP/APR website when press inquiries are relevant to the SPP indicators.

Distribution to public agencies: As reflected in the February 2011 minutes of the State Special Education Advisory Council, the Council was informed of the posting of the SPP/APR on the NJOSE website (see minutes at: <http://www.state.nj.us/education/sseac/minutes/2011/02.pdf>). The Council was informed of the USOSEP determination regarding the FFY 2009 SPP/APR submission and the posting of the determination letter from the USOSEP (see minutes at: <http://www.state.nj.us/education/sseac/minutes/2011/02.pdf>). The USOSEP Response Table was discussed in detail with the members of the SSEAC at the November 2011 SSEAC meeting. The SPP/APR is referenced in correspondence regarding the NJOSE 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 2010 APR, NJOSE 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: NJOSE posted the 2009-2010 local district profiles on June 1, 2011 and notified USOSEP of the posting (see <http://www.state.nj.us/education/specialed/sppi0910/> for district profiles).

NJOSE will prepare a profile of each local education agency that details its performance in relation to the SPP targets for FFY 2010. The profile will be posted on the NJDOE website at: <http://www.state.nj.us/education/specialed/sppi1011/>.

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 NJOSE website at: <http://www.nj.gov/education/specialed/> and <http://www.state.nj.us/education/specialed/sppi1011/>.

Distribution through public agencies: NJOSE 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 NJOSE website.

Indicator # 1: Graduation Rates

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 1 for the 2008-2009 school year were reviewed and the transition to the cohort graduation rate for the 2010-2011 school year was discussed.

NJOSE staff presented data for this indicator for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data (2010 graduates) to the SPP target and discussed improvement activities which may be contributing to a continued pattern of meeting SPP targets for this indicator. NJOSE staff again reviewed the transition to the new four-year cohort graduation rate beginning with the 2010-2011 school year. Data using this rate for all students will be reported in the next CSPR and APR. Stakeholders provided input regarding the new graduation rate calculation and the impact on students with disabilities and regarding improvement activities.

Monitoring Priority: FAPE in the LRE

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

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

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

According to the Part B Measurement above, states are required to report using the same data used for reporting to the Department under Title 1 of the Elementary and Secondary Education Act (ESEA). **New Jersey's Consolidated State Performance Report (CSPR), Part I, submitted in December 2010 reported a graduation rate for all students (94.3%), and reported a graduation rate for students with disabilities of 82.3%.**

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

Data are collected annually through the Report of Children with Disabilities Exiting Special Education to determine the graduation rate of students with disabilities. Data regarding the number of students with disabilities who graduated were collected by dividing the total number of students with disabilities ages 17 – 21 graduating by the total number of students with disabilities graduating plus the number of dropouts for the current year and the total number of students with disabilities who dropped out (ages 14 – 16) within the three year cohort for the students. The rate was also reported in New Jersey's CSPR.

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

There is only one State-endorsed high school diploma in New Jersey for all students, including students with disabilities. In order to graduate with a State-endorsed diploma in New Jersey, students must satisfy several requirements. Students must participate in a course of study consisting of a specified number of credits in courses designed to meet all of New Jersey's Core Curriculum Content Standards. State regulations at *N.J.A.C. 6A:8-5.1(a)1* delineate minimum required credit totals for language arts,

mathematics, science, social studies, health and physical education, visual or performing arts, world languages, technological literacy and career education. Methods for meeting the minimum credit requirements are also set forth at *N.J.A.C. 6A:8-5.1*.

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

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

FFY	Measurable and Rigorous Target
<p><i>FFY 2010</i> <i>(using 2009-2010 data)</i></p>	<p>80% of students with IEPs will graduate with a regular diploma.</p>

Actual Target Data for FFY 2009:

82.3% of students with IEPs graduated with a regular diploma in SY 2009-2010. New Jersey **exceeded** the target for Indicator #1: Graduation for FFY 2009 by 2.3%.

Actual Numbers Used in the Calculation:

14,353 total graduates divided by (14,353 (graduates) + 1,717 (2009-2010 dropouts) + 1,375 (three-year cohort of dropouts)) x 100 = **82.3%**

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Report of Progress/Slippage

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

Consistent with the instructions in the SPP/APR Measurement Table, the data reported in the APR for FFY 2010 due February 1, 2012 represents students who graduated in SY2009-2010 in comparison to the established target for 2009-2010 (FFY 2009). The graduation rate of 82.3% was the graduation rate for students with disabilities reported in New Jersey's CSPR for the 2009-2010 school year.

The graduation rate of students with disabilities for SY 2009-2010 exceeded the target of 80% for FFY 2009 by 2.3%.

Discussion of data and progress or slippage toward the targets:

The data reveal that the statewide graduation rate for students with disabilities has improved by 6.5% from the data reported in FFY 2005 (82.3% minus 75.8%). NJOSE continues to make progress with regard to increasing graduation rates.

Improvement Activities

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are noted by the symbol *.**

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

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

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

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

(Activity 2010-2011)***

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

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. Each district identified for self-assessment reviews their graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2010-2011)**

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2010-2011 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities.

Additionally, individualized technical assistance sessions were offered to all districts participating in the Indicator 13 review. Teams from 24 of the 57 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or

transition coordinators. Suggested improvements were provided to session participants based upon documentation reviewed during the technical assistance session along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. The data collection form used to review files for compliance with Indicator 13, modeled on the revised NSTTAC checklist, served as a guide for the discussion. Teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. **(Activity 2010-2011)****

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

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

During the 2010-2011 school year, four statewide proactive trainings were conducted on secondary transition. Over 230 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. Three additional proactive trainings were conducted on transition for groups of educators from Somerset County, Passaic County, and The New Jersey Commission for the Blind and Visually Impaired. A proactive training was also conducted for over 50 educators in Middlesex County on the topic of transition assessment. **(Activity: 2010-2011)****

b. Student Leadership “Dare to Dream” Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSE organized and conducted six Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2011. These conferences were held regionally throughout the state on college campuses. More than 1,500 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2010-2011)****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSE continued to support implementation of regulations that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences. A major benefit of this regulation is the flexibility provided in the assignment of staff to these positions thereby increasing local school districts’ capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Career and Technical Education, in consultation with NJOSE, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career education, and career orientation to effective transition planning and program development. **(Activity: 2010-2011)****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with

significant disabilities, NJOSE continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI). **(Activity: 2010-2011)*****

d.1. Administrators' Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September and October 2010. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were administrators or their designees from 125 school districts. **(Activity: 2010-2011)*****

d.2. Regional Trainings: During the 2010-2011 school year, one day and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Job Coach Training*, *Using Community-Based Instruction to Teach Social Skills*, *Management and Supervision of CBI Programs*, and *Job Development in Career Exploration for Students with Disabilities*. The training titled, *Foundations of Community-Based Instruction*, was directed to teachers, paraprofessionals and child study team members who are new to the practice of CBI. Topics included: strategies for selecting training environments, partnering with employers, and strategies for teaching in the community. *Job Coach Training* provided strategies for on-site job coaching for paraprofessionals or other educators who serve as job coaches. Topics addressed included: analyzing work and social demands of workplaces; assessing student skills, support needs, and progress; coordinating the implementation of needed supports so that students can be successful in their work environment; and how and when to alter or fade supports. *Using Community-Based Instruction to Teach Social Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: how to teach social skills in community settings, arrange opportunities for students to practice social skills with community members, and coordinate CBI with in-school instruction on social behavior. *Management and Supervision of CBI Programs* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: creating administrative structure and support for CBI programs, issues related to budgeting and scheduling, articulating with in-school programs and practices, staff selection for CBI Programs, staff training, systems of supervision, and ongoing program evaluation. *Job Development in Career Exploration for Students with Disabilities* provided training on how to locate and establish worksites for students with disabilities, ages 16-21, by creating partnerships with community businesses. Strategies included how to approach and communicate with businesses through warm and cold contacts using business-friendly promotional/sales techniques. A total of 374 educators attended one or more of these training sessions from 119 secondary programs. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2010-2011)****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 600 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2010-2011)****

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

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

(Activity: 2010-2011)**

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL):

To promote self-advocacy for students and families, NJOSE continued to support the Centers for Independent Living. NJOSE entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending March 31, 2011, the *Promoting Self-Advocacy* project assisted over 547 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 3,138 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by district/school/teacher requests to CILs staff to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2010-2011)****

h. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconference: To promote understanding of topics related to transition among parents of students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and provide a statewide teleconference titled *Secondary Transition Planning and the IEP: What Families Need to Know*. A total of 127 parents and educators participated in the transition teleconference. This presentation is available for download on the web at <http://www.spannj.org/START/transitionresources.htm> **(Activity: 2008-2009, 2010-2011)**

i. Interagency Collaboration - Statewide Parent Advocacy Network Community Based Instruction Mini Conference: To promote the practice of Community Based Instruction for students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and implement two half-day regional mini conferences for families and educators entitled *Learning in the Community*:

Preparing Students for Life after High School. Topics included career exploration in the community as well as recreation and other general community activities. A total of 109 parents, students and educators attended the two conferences held in October 2010. **(Activity: 2010-2011)**

j. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: NJOSE assisted in the recruitment of students in Cumberland, Bergen, Burlington and Passaic Counties to attend Business Simulation Boot Camp & Workshop. The LearnDoEarn Business Simulation Boot Camp & Workshop is an educational experience for ninth grade high school students that combine a series of instructional and motivational workshops with the excitement of competition. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. Students assumed the role of employers in launching a business that will design, manufacture, market, and sell a product; they make hiring and budgeting decisions. Participants worked in teams; their work product and performance were judged by a panel of business people. Through these and other activities, students discover, define, and commit to acquiring the academic knowledge, skills, and behaviors necessary to achieve success in the demanding and competitive worlds of college and work. The LearnDoEarn training targeted college bound students who were entering the tenth grade in the fall of 2011. Primary consideration was given to students with disabilities and special needs (70% of attendees). **(Activity: 2010-2011)**

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines

No revisions.

Indicator # 2: Drop-Out Rates

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 2 for the 2008-2009 school year were reviewed.

NJOSE staff presented data for Indicator 2 for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target and discussed improvement activities which may be contributing to a continued pattern of meeting SPP targets for this indicator. NJOSE staff discussed with stakeholders that from this year forward, the only dropout rate reported for students with disabilities will be the rate reported in the states CSPR and collected through NJSMART, New Jersey's student-level data system. Improvement activities for the indicators related to secondary transition were discussed. Stakeholders provided input regarding the improvement activities.

Monitoring Priority: FAPE in the LRE

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

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

Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.

In accordance with this requirement, the dropout rate reported in this indicator is the dropout rate for students with disabilities reported in **New Jersey's Consolidated State Performance Report (CSPR), Part I** for the 2009-2010 school year. The rate is an annual event school dropout rate for students leaving school in a single year determined in accordance with the National Center for Educational Statistics (NCES) Common Core of DTA (CCD) for the year prior to the reporting year. For the FFY 2010 APR, **data from SY 2009-2010** are to be used to compare to the SPP target.

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

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

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

FFY	Measurable and Rigorous Target
<i>FFY 2010</i> <i>(using 2009-2010 data)</i>	The drop-out rate for students with IEPs will be at or below 4.6%.

Actual Target Data for FFY 2010 (2009-2010 data):

The drop-out rate for students with IEPs was **3.9%**.

Actual Numbers Used in the Calculation:

2877 dropouts (including moved, not known to be continuing) divided by 74746 (total # of students with disabilities ages 14 – 21) x 100 = 3.9%

Report of Progress/Slippage

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

New Jersey's dropout rate for students with IEPs was 3.9% for FFY 2010. NJOSE met its target drop-out rate for the 2009-2010 school year.

Discussion of data and progress or slippage toward the targets:

This year, the NJDOE is reporting the dropout rate for students with disabilities reported in the CSPR for the 2009-2010 school year. Targets for this indicator were reviewed by the stakeholder group. The data for FFY 2009 showed that New Jersey improved by 0.53 percentage points from the previous year and was 0.7 percentage points below the state target for FFY 2009.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are noted by the symbol *.**

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

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

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

(Activity 2010-2011)**

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

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. Each district identified for self-assessment reviewed their graduation and dropout rates against the state annual SPP targets, completed a protocol to identify needs for continuous improvement in transition planning and reviewed related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 were reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification. **(Activity 2010-2011)**

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2010-2011 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities.

Additionally, individualized technical assistance sessions were offered to all districts participating in the Indicator 13 review. Teams from 24 of the 57 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Suggested improvements were provided to session participants based upon documentation reviewed during the technical assistance session along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. The data collection form used to review files for compliance with Indicator 13, modeled on the revised NSTTAC checklist, served as a guide for the discussion. Teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. **(Activity 2010-2011)****

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

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

During the 2010-2011 school year, four statewide proactive trainings were conducted on secondary transition. Over 230 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. Three additional proactive trainings were conducted on transition for groups of educators from Somerset County, Passaic County, and The New Jersey Commission for the Blind and Visually Impaired. A proactive training was also conducted for over 50 educators in Middlesex County on the topic of transition assessment. **(Activity: 2010-2011)****

b. Student Leadership “Dare to Dream” Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSE organized and conducted six Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2011. These conferences were held regionally throughout the state on college campuses. More than 1,500 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2010-2011)****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSE continued to support implementation of regulations that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences. A major benefit of this regulation is the flexibility provided in the assignment of staff to these positions thereby increasing local school districts’ capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Career and Technical Education, in consultation with NJOSE, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career education, and career orientation to effective transition planning and program development. **(Activity: 2010-2011)****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with significant disabilities, NJOSE continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI). **(Activity: 2010-2011)*****

d.1. Administrators’ Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September and October 2010. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were administrators or their designees from 125 school districts. **(Activity: 2010-2011)*****

d.2. Regional Trainings: During the 2010-2011 school year, one day and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Job Coach Training*, *Using Community-Based Instruction to Teach Social Skills*, *Management and Supervision of CBI Programs*, and *Job Development in Career Exploration for Students with Disabilities*. The training titled, *Foundations of Community-Based Instruction*, was directed to teachers, paraprofessionals and child study team members who are new to the practice of CBI. Topics included: strategies for selecting training environments, partnering with employers, and strategies for teaching in the community. *Job Coach Training* provided strategies for on-site job coaching for paraprofessionals or other educators who serve as job coaches. Topics addressed included: analyzing work and social

demands of workplaces; assessing student skills, support needs, and progress; coordinating the implementation of needed supports so that students can be successful in their work environment; and how and when to alter or fade supports. *Using Community-Based Instruction to Teach Social Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: how to teach social skills in community settings, arrange opportunities for students to practice social skills with community members, and coordinate CBI with in-school instruction on social behavior. *Management and Supervision of CBI Programs* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: creating administrative structure and support for CBI programs, issues related to budgeting and scheduling, articulating with in-school programs and practices, staff selection for CBI Programs, staff training, systems of supervision, and ongoing program evaluation. *Job Development in Career Exploration for Students with Disabilities* provided training on how to locate and establish worksites for students with disabilities, ages 16-21, by creating partnerships with community businesses. Strategies included how to approach and communicate with businesses through warm and cold contacts using business-friendly promotional/sales techniques. A total of 374 educators attended one or more of these training sessions from 119 secondary programs. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2010-2011)****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 600 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2010-2011)****

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

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

(Activity: 2010-2011)**

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL): To promote self-advocacy for students and families, NJOSE continued to support the Centers for Independent Living. NJOSE entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific

regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending March 31, 2011, the *Promoting Self-Advocacy* project assisted over 547 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 3,138 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by district/school/teacher requests to CILs staff to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2010-2011)****

h. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconference: To promote understanding of topics related to transition among parents of students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and provide a statewide teleconference titled *Secondary Transition Planning and the IEP: What Families Need to Know*. A total of 127 parents and educators participated in the transition teleconference. This presentation is available for download on the web at <http://www.spannj.org/START/transitionresources.htm> **(Activity: 2008-2009, 2010-2011)**

i. Interagency Collaboration - Statewide Parent Advocacy Network Community Based Instruction Mini Conference: To promote the practice of Community Based Instruction for students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and implement two half-day regional mini conferences for families and educators entitled *Learning in the Community: Preparing Students for Life after High School*. Topics included career exploration in the community as well as recreation and other general community activities. A total of 109 parents, students and educators attended the two conferences held in October 2010. **(Activity: 2010-2011)**

j. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: NJOSE assisted in the recruitment of students in Cumberland, Bergen, Burlington and Passaic Counties to attend Business Simulation Boot Camp & Workshop. The LearnDoEarn Business Simulation Boot Camp & Workshop is an educational experience for ninth grade high school students that combine a series of instructional and motivational workshops with the excitement of competition. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. Students assumed the role of employers in launching a business that will design, manufacture, market, and sell a product; they make hiring and budgeting decisions. Participants worked in teams; their work product and performance were judged by a panel of business people. Through these and other activities, students discover, define, and commit to acquiring the academic knowledge, skills, and behaviors necessary to achieve success in the demanding and competitive worlds of college and work. The LearnDoEarn training targeted college bound students who were entering the tenth grade in the fall of 2011. Primary consideration was given to students with disabilities and special needs (70% of attendees). **(Activity: 2010-2011)**

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines

No revisions.

Indicator #3: Assessment

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 3 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 3 for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP targets and discussed improvement activities.

NJOSE selected Indicator 3 as the results indicator as part of USOSEP's verification process conducted during 2011. During the USOSEP's onsite visit in November, 2011, members of the SSEAC participated in a stakeholder meeting to provide input regarding activities planned to improve state assessment performance and expand family involvement in the learning process. NJOSE is partnering with the NJDOE, Office of Literacy, and the State Parent Advocacy Network (SPAN) on the project. During the January 19th meeting, NJOSE staff and the co-director of SPAN updated stakeholders on the status of the project activities. Stakeholders provided input regarding the regarding improvement activities.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

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

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

C. Proficiency rate percent = $\left[\frac{\text{(# of children with IEPs enrolled for a full academic year scoring at or above proficient)}}{\text{(total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right]$.

Targets and Actual Target Data for FFY 2010**3.A - Actual AYP Target Data for FFY 2010:**

Content Area(s)	Number/Percent of Districts Meeting Minimum “n” and AYP Objectives for FFY 2010
Mathematics	$476/502 \times 100 = 94.82\%$
Language Arts Literacy	$470/502 \times 100 = 93.62\%$
Mathematics and Language Arts Combined Overall	$439/502 \times 100 = 87.45\%$

Districts with a disability subgroup that meet the State’s minimum “n” size AND met the State’s AYP 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 AYP for FFY 2010	Percent of Districts
FFY 2010 (2010-2011)	628	502	439	87.45%

3.B – Actual Participation Target Data for FFY 2010:

Disaggregated Target Data for Math Participation:

Statewide Assessment 2010-2011		Math Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	Total	
									#	%
a	Children with IEPs	17330	18475	18085	17718	17453	17517	15499	122077	
b	IEPs in regular assessment with no accommodations	5080	4279	3125	2701	2212	2089	1642	21128	17.31
c	IEPs in regular assessment with accommodations	10857	12727	13552	13614	13834	14026	12371	90981	74.53
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	1189	1262	1196	1171	1160	1087	1145	8210	6.72
g	Overall (b+c+d+e+f) Baseline	17126 98.82%	18268 98.88%	17873 98.83%	17486 98.69%	17206 98.58%	17202 98.20%	15158 97.80%	120319	98.56
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.	204	207	212	232	247	315	341	1758	1.44

Disaggregated Target Data for Reading Participation:

Statewide Assessment 2010-2011		Reading Assessment								
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 11	Total	
										#
a	Children with IEPs	17330	18475	18085	17718	17453	17517	15499	122077	
b	IEPs in regular assessment with no accommodations	5073	4279	3127	2697	2205	2096	1654	21131	17.31
c	IEPs in regular assessment with accommodations	10824	12690	13523	13594	13843	14076	12415	90965	74.51
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	1233	1315	1223	1173	1167	1085	1119	8315	6.81
g	Overall (b+c+d+e+f) Baseline	17130 98.85%	18284 98.97%	17873 98.83%	17464 98.57%	17215 98.64%	17257 98.52%	15188 97.99%	120411	98.63
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.	200	191	212	254	238	260	311	1666	1.37

3.C – Actual Performance Target Data for FFY 2009

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

Statewide Assessment 2010-2011		Math Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	15116	16169	16030	15619	15428	15744	13937	108043	
b	IEPs in regular assessment with no accommodations	3803	3147	2235	1518	802	848	568	12921	11.96
c	IEPs in regular assessment with accommodations	5409	6317	6370	5402	3570	3964	4020	35052	32.44
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	685	616	740	721	691	595	636	4684	4.34
g	Overall (b+c+d+e+f) Baseline	9897	10080	9345	7641	5063	5407	5224	52657	48.74

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

Statewide Assessment 2010-2011		Reading Assessment Performance							Total	
		Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade HS	#	%
a	Children with IEPs	15131	16186	16030	15603	15434	15785	13954	108123	
b	IEPs in regular assessment with no accommodations	2915	2466	1657	1161	718	1094	945	10956	10.13
c	IEPs in regular assessment with accommodations	2603	2890	3066	3227	2920	6176	7174	28056	25.95
d	IEPs in alternate assessment against grade-level standards	#	#	#	#	#	#	#	#	#
e	IEPs in alternate assessment against modified standards	#	#	#	#	#	#	#	#	#
f	IEPs in alternate assessment against alternate standards	801	840	727	788	700	659	603	5118	4.73
g	Overall (b+c+d+e+f) Baseline	5518	6196	5450	5176	4338	7929	8722	44130	40.81

Table 3C2 - Mathematics Proficiency

Grade	Number Proficient + Adv	Total Number of Valid Scores	Proficiency Rate %	FFY 2010 Target
3	9897	15116	65.47 **	83
4	10080	16169	62.34 **	83
5	9345	16030	58.30 **	83
6	7641	15619	48.92 **	80
7	5063	15428	32.82 **	80
8	5407	15744	34.34 **	80
11	5224	13937	37.48 **	86

**Although the FFY 2010 target was not met for this indicator, these data show significant enough progress to meet the requirements for safe harbor.

Table 3C2 - Language Proficiency				
Grade	Number Proficient + Adv	Total Number of Valid Scores	Proficiency Rate %	FFY 2010 Target
3	5518	15131	36.47 **	79
4	6196	16186	38.28 **	79
5	5450	16030	34.00 **	79
6	5176	15603	33.17 **	86
7	4338	15434	28.11	86
8	7929	15785	50.23 **	86
11	8722	13954	62.51 **	92

**Although the FFY 2010 target was not met for this indicator, these data show significant enough progress to meet the requirements for safe harbor.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Explanation of Progress or Slippage

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

There was a significant increase in the rate of LEAs that met the state's AYP objectives for the disability subgroup from 63.32 % in FFY 2009 to 87.45 in FFY 2010. There was an increase in the number of districts meeting the AYP district objective from 359 in FFY 2009 to 439 in FFY 2010.

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

Consistent with FFY 2009 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. The proficiency rate for children with IEPs measured against grade level standards and alternate achievement standards will equal or exceed the state AYP objectives for mathematics and language arts literacy at each tested grade level.

NJOSE, with the support of stakeholders, established NCLB AYP targets as the performance targets for the APR to maintain one standard of performance for all students. In mathematics, although state AYP benchmarks were not achieved by the disability subgroup, safe harbor was achieved at each tested grade level. In language arts literacy, safe harbor was achieved in all grades but grade 7. Safe harbor is achieved when the partially proficient rate is decreased by greater than 10% denoting significant progress even though the overall proficiency rate is well below the AYP benchmark.

Public Reporting Information:

On June 11, 2011, NJOSE was informed by OSEP that the State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State did not report the number of children with disabilities in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the district and school levels.

On September 23, 2011 NJOSE provided USOSEP with revised public reports that meet the requirements of 34 CFR §300.160. USOSEP accepted the reports pending public reporting of 2011-2012 state assessment results. State assessment results, which meet the requirements of 34 CFR §300.160, will be posted at the web site below following presentation to the New Jersey State Board of Education in February 2012.

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

The NJOSE will alert the USOSEP New Jersey state contact when results are posted.

Improvement Activities implemented during FFY 2010-2011:

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are represented by the symbol ***

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

Targeted Activities**a. Collaborative Assessment and Planning for Achievement (CAPA):**

The New Jersey Department of Education has instituted a review process for schools in need of improvement titled Collaborative Assessment and Planning for Achievement (CAPA). This process has established performance standards for schools related to school leadership, instruction, analysis of state assessment results, and use of assessment results to inform instruction for all students in the content standards. Through a collaborative effort between the Office of Special Education and the Office of title 1, Division of Programs and Operations, the CAPA process includes a review of the inclusion of students with disabilities and special education staff members in school-based initiatives focused on improving results for students. Individuals with knowledge of special education are part of the CAPA review teams and a protocol for interviewing teachers and administrators relative to the needs of students with disabilities within school-based improvement initiatives has been developed and implemented. Findings from completed reports and improvement plans applicable to special education include: analysis of student data to inform instruction; inclusion of special education staff in curriculum articulation meetings; collaborative lesson planning for co-taught classes; training on differentiated of instruction, modifications for students with disabilities and other research-based practices; and supervision of staff to verify, monitor and evaluate instruction. This information is used as part of NJOSE's monitoring process and for decisions related to training and technical assistance activities. **(Activity: 2010-2011)*****

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

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also supports additional instruction beyond the literacy block for any student, including students with disabilities, who require more systematic, focused instruction. As part of the collaboration between the three offices, special education literacy resource coaches (SELRCs) have been supported, through

cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts. Of the 44 participating districts, NJOSE funded 26 districts through cooperative agreements (CA) during the 2009-2010 school year. Fourteen (14) former Abbott districts participated in the CA "Providing Quality Intensive Early Literacy (IEL) Instruction to Students with Disabilities (K-4) – Year 45" and twelve (12) other low performing districts participated in the Initiative for the Development of Early Achievement in Literacy (IDEAL) through the CA "Providing IDEAL Instruction to Students with Disabilities (K-4) –Year 4". Both initiatives address the same three tiered intervention model of literacy practices. During 2010-2011 the NJDOE Offices of Language Arts Literacy Education and Reading First continued to provide training and technical assistance to SELRCs, districts and schools from the IEL and IDEAL.

c. Early Literacy Project

As part of the USOSEP's verification process, New Jersey was required to develop a project to improve results relative to one of the performance indicators in the State Performance Plan. Due to continued performance gaps between students with and without disabilities on state assessments, the NJOSE selected Indicator 3 for the project. Due to the success of the IEL initiative, NJOSE once again is collaborating with the Office of Literacy to implement an early literacy initiative. The NJOSE has expanded the project to preschool and included the State Parent Advocacy Network to provide technical assistance to parents within selected school in facilitating learning to read in the home. Literacy experts from the Office of Literacy, accompanied by NJOSE staff will conduct walk-throughs to evaluate the literacy programs in 10 schools identified for large achievement gaps between students with and without disabilities. SPAN staff will conduct training for parents on strategies for family involvement in literacy involvement and project staff will work with school staff to identify activities for improvement. Project staff and school staff will work together to develop action plans to improve literacy skills. Assessments to measure progress will be identified as part of the project. Funds will be provided for schools to purchase literacy materials for students with disabilities. **(Activity 2011-2012)*****

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

During 2006-2007, the Office of Educational Technology and NJOSE collaborated in the development of a multi-year targeted grant focused on middle grades (5th through 8th) math curriculum. The INCLUDE project is designed to ensure that all students in the general education classroom, including those with disabilities, struggling students and English language learners, are provided access to math instruction through the use of educational technology, thereby improving their mathematics achievement. The grant was available to districts designated as "high need" in terms of student achievement. In 2007-2008 thirteen districts were selected to receive the grant based on an application process. Through this grant, teachers received specialized training in differentiation and effective use of educational technology to support the different learning styles, languages and disabilities of ALL students using a Universal Design for Learning approach.

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

During 2008-2009, NJOSE personnel provided an on-line interactive training session to INCLUDE Grant personnel on Respectful and Responsive Classrooms to support the needs of all students, including students with IEPs identified as have some behavioral challenges. During the 2009-2010 and 2010-2011 school year, NJOSE personnel continued to consult and collaborate with the NJDOE, Office of Educational Technology personnel in support of the INCLUDE project, as needed. Additionally, in 2011-2012 the INCLUDE grant has been extended to three INCLUDE schools to implement an inclusive

program through Universal Design for Learning (UDL) to one higher grade level or to add English Language Arts.

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

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

NJOSE continued to implement a “training of trainers” series on differentiated instruction for districts identified during the self-assessment/monitoring process who did not meet state targets for LRE. During the first year (2007-2008), 10 districts participated in the training. During the second year (2008-2009), 16 districts participated in the training. In the third year (2009-2010), 20 districts participated in the training. In the fourth year (2010-2011), 18 districts participated in the training. The four day “training of trainers” series was designed to increase the district capacity to differentiate instruction within general education classrooms, enabling special and general educators to address the needs of students with disabilities within those settings. District personnel attended the turnkey training as teams of general and special educators with the explicit purpose of sharing the knowledge and strategies of differentiated instruction with other general and special education staff within their district. The training presented the principles and practices of differentiated instruction through mini-lectures and hands-on activities that participants can turnkey within their districts. Information, including turnkey training materials (e.g., power point presentations, activities and handouts, sample lessons), are provided to participants for this purpose. During each session, teams learned new strategies, reflected and problem solved around implementation issues and received feedback. Teams were also assisted in planning for implementation of differentiated instruction practices within their districts. In the fourth year (2010-2011), the training series expanded to include a one-day, summer workshop for administrators. This training provided administrators an overview of vocabulary and foundational concepts of differentiated instruction as well as a planning considerations framework for district administrators to support implementation of their district-wide action plans. Administrators from 58 districts attended the training. **(Activity 2010-2011)*****

State Level Capacity Building

a. Self-Assessment/Monitoring:

The monitoring system in place during 2010-2011 was aligned with the SPP indicators. The system linked compliance, data and programs and services by requiring districts to review compliance in areas related to SPP indicators and to examine their data compared to state targets. Each district identified for monitoring had completed a self-assessment reviewing their state assessment performance and participation rates against the state annual SPP targets, completing a protocol to identify needs for continuous improvement in curriculum and instruction and reviewing compliance requirements related to participation in state assessments. The protocol for state assessment was adapted from a document used as part of the Quality Single Accountability System, the general monitoring system for all districts in the state. IDEA requirements related to state assessment participation and IEP development were reviewed through desk audit and onsite visits. Districts that participated in monitoring were required to correct noncompliance, in accordance with the USOSEP 09-02 memo, within one year of identification. **(Activity 2010-2011)*****

b. New Jersey Quality Single Accountability (NJQSAC)

NJQSAC is a system for evaluating and monitoring public school districts throughout New Jersey to determine the extent to which public school districts are providing a thorough and efficient education. The NJQSAC system, through the use of the District Performance Review (DPR), focuses on five key components of school district effectiveness: instruction and program, personnel, fiscal management, operations, and governance. Within the NJQSAC components are the standards and indicators designed to assess for all students' achievement in literacy and mathematics, progress toward proficiency, local capacity, and the need for support and assistance. The results of the NJQSAC monitoring will be used to review district practices and to coordinate program improvement planning with an emphasis on student achievement for students with disabilities. **(Activity 2010-2011)**

c. New Jersey Policy Implementation and Guidance Regarding State Assessments**Alternate Proficiency Assessment (APA)**

NJOSE continued to work collaboratively with the Office of Assessment on the Alternate Proficiency Assessment (APA), New Jersey's alternate assessment for students with the most significant cognitive disabilities. In the Fall of 2010, training on the Alternate Proficiency Assessment (APA) was provided to administrators throughout the state providing guidance and instruction on the implementation of regulations for the upcoming school year based on the assessment. Trainings were held in September of 2010 at four regional locations to ensure access by all administrators and APA coordinators. These statewide trainings were coordinated and provided through both offices by representative staff members in conjunction with the APA contractor, Pearson Measurement and its subcontractor, the Inclusive Large Scale Standards and Assessment group (ILSSA). Training for teachers was provided via a series of web based modules that could be accessed at their school or home locations throughout the APA assessment period. These training modules were designed with input from both offices, posted and accessed through the NJDOE website. As per the direction of the USDOE, the design of the APA continues to address the specific grade level NJCCCS, Strands and Cumulative Progress Indicators (CPIs) that are aligned with the general assessment for grades 3-8 and at the high school level.

During 2010-2011, the two offices continued to collaborate on the Alternate Proficiency Assessment inclusive of the range finding process and determination of scoring procedures. Both offices continued to work with DOE content specialists, assessment specialists, ILSSA personnel and Pearson to ensure that the APA design and structure continues to be aligned with the grade-level content standards and made some minor adjustments to the CPI links for the upcoming 2011-2012 school year. Both offices collaborated on the development of a content resource guide, which more completely addressed instruction of grade level content and skills for all grade levels in Math, LAL and Science. The content resource guide was posted on the NJDOE website and included sample test items for a wide array of content skills and samples of appropriate portfolio evidence for 'matched', 'near' and 'far' CPI links within Math, LAL and Science at the various grade levels. 'Matched', 'near' and 'far' represent the three levels of alignment of APA skills to grade level content standards and indicators. The resource provided teachers of students with disabilities additional guidance and support in meeting the students' educational needs.

The APA Advisory Committee met during the year and provided input and feedback regarding the process guiding the testing system within New Jersey. This committee consists of a diverse group of stakeholders inclusive of local education agency personnel, private special education schools, NJEA members, state personnel from various agencies, and other interested parties and continues to be a critical resource to the NJDOE assessment process. **(Activity 2010-2011)*****

Dynamic Learning Maps Alternate Assessment Consortium

New Jersey is a member of 13 state grant project funded by USOSEP entitled, The Dynamic Learning Maps Alternate Assessment Consortium (DLM). The group is developing a new alternate assessment framework to measure academic achievement of students with the most severe cognitive disabilities. This assessment system will allow students with significant cognitive disabilities to show what they know in ways other than traditional assessments. Representatives from the NJDOE and selected mathematics and language arts teachers from New Jersey participated in project activities to identify

essential elements and grade level descriptors based on the Common Core Standards. This work was organized and coordinated through the Center for Educational Testing and Evaluation (CETE). NJOSE participates in monthly national conference calls as part of the assessment development and training and technical assistance around curriculum alignment and assessment of students with significant cognitive disabilities. **(Activity 2010-2011)****

General Statewide Assessment Training Sessions

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

(Activity 2010-2011)**

d. Regional Proactive Trainings

The Learning Resource Center Network sponsors regional trainings on IEP, academic skills for students with moderate to severe cognitive disabilities, and differentiated instruction as a way to support the diverse learning needs of students with disabilities in general education classrooms. These trainings are open to district personnel statewide.

IEP:

- **IEP Development and Implementation: An Overview of Required Components and Considerations (Grades K – 12)** This workshop provided an overview of required IEP components and considerations as mandated by IDEA 2004 and the New Jersey Special Education Regulations, N.J.A.C. 6A:14. Participants gained an understanding of the IEP decision making process and learned how to create a coherent document that brings together the collective perspectives of educators, families, and students. The following IEP components were emphasized: present levels of academic achievement and functional performance; behavior intervention plans; measurable annual academic and functional goals; supplementary aids and services; supports for school personnel; transition to adult life; and placement in the least restrictive environment. **(Activity 2010-2011)****
- **IEP Development and Implementation: Emphasis on Measurable Annual Goals and Student Progress (Grades K-12)** This workshop presented a decision making process for linking goals and objectives to identified student's needs that result from his/her disabilities to enable the student to be involved in and progress in the general education curriculum. Elements needed to make an annual goal measurable, examples of performance criteria, evaluation procedures for measuring student progress, and methods of informing parents of their child's progress will be addressed. **(Activity 2010-2011)****

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 addressed the content areas of math, science and language arts literacy. Participants learned how to link individual student learning objectives to grade level standards and how to modify instruction so that students can learn the same content as their non-disabled peers. **(Activity 2010-2011)****

Differentiated Instruction:

- **Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on Mathematics (Grades 4 and 5)** The first set of regional trainings focused on mathematics. During this one day workshop, math skills critical for grades 4 and 5

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

e. Assistive Technology

The New Jersey State Department of Education, Office of Special Education, continued to support a statewide initiative to facilitate the consideration of Assistive Technology (AT) during the IEP process and the use of AT to support the education of students with disabilities in general education settings. This initiative was implemented initially by NJOSE in collaboration with the Department of Children and Families (DCF), Office of Education through the 2008-2009 school year. During the 2009-2010 school year NJOSE worked in collaboration with the Statewide Parent Advocacy Network (SPAN) with a focus on family involvement in the AT decision making process. The following activities were collaboratively planned and conducted during 2009-2010: *Understanding Assistive Technology within the IEP Process* Three (3) two-part regional proactive workshops that focused on *Understanding Assistive Technology within the IEP Process* were conducted during spring/summer 2010. A total of 72 parents and educators attended these trainings throughout the state. In addition, a condensed version of the training was co-presented by SPAN and NJOSE at the 2010 NJEA convention. *Understanding Assistive Technology within the IEP Process: A Lunchtime Teleconference* for parents and educators that focused on *Understanding Assistive Technology within the IEP Process* was conducted in December 2010. Registration was over 100 with approximately 60 individuals participating in the call. **(Activity 2010-2011)**

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

Response to March 9, 2012 Verification Letter

The State has taken the necessary steps to determine whether an LEA is administering a district-wide assessment and, if so, that children with disabilities are included in the assessments with appropriate accommodations and modifications. Specifically, the Office of Special Education has adopted procedures which require monitors to determine if district-wide assessments are administered and if alternate assessments are provided for those students who cannot participate in the general district-wide assessment. The monitors also review student IEPs to ensure that students are included in district-wide assessments, when appropriate and that accommodations and modifications are included in IEPs for district-wide assessments, when administered.

Monitoring procedures were revised to ensure that monitors determine whether or not district-wide assessment results are publicly reported and with the same frequency and detail as the results of

nondisabled students. In addition, questions about district-wide assessments and board policies and procedures regarding such assessments are included as part of the monitoring interview process.

The OSE is in the process of developing procedures that will ensure all LEAs are providing alternate assessments for district-wide assessments for students who cannot participate in general district-wide assessments as required under 34 CFR §300.160(a) and developing and implementing accommodation guidelines for those assessments in accordance with 34 CFR §300.160(b).

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

Statement from the Response Table	State's Response
<p>The State did not report publicly on the participation of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State did not report the number of children with disabilities in regular assessments who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the district and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p>	<p>NJDOE has revised its reporting mechanisms and will report the 2011 state assessment results to the public in accordance with 34 CFR §300.160(f). To date, district and school level state assessment results have not been posted on the NJDOE web site. Once results are posted, a link to the data will be forwarded to the USOSEP.</p>

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

The NJOSE will issue a letter to all districts reminding them of their obligation to meet requirements under 34 CFR §300. To develop alternate assessments for those students with disabilities who cannot participate in district assessments, with or without accommodations.

The NJOSE amended district and school level public reports to report the number of students who participated in regular assessments with accommodations.

Indicator #4A: Suspension and Expulsion

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 4A for the 2009-2010 school year and improvement activities were reviewed.

NJOSE staff presented data for Indicator 4A for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target and discussed improvement activities which may be contributing to a continued pattern of meeting SPP targets for this indicator. The targeted review process for reviewing the policies, procedures and practices in districts identified with a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year was discussed. Patterns of noncompliance were reviewed as well as training and technical assistance opportunities available to identified districts to assist with the implementation of positive behavioral interventions and supports. NJOSE informed the stakeholders that the data required for submission for the FFY 2010 APR are the data for the year prior to FFY 2010 which is the 2009-2010 school year. Stakeholders provided input regarding improvement activities for this indicator.

Monitoring Priority: FAPE in the LRE

Indicator 4A: Rates of suspension and expulsion:

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

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

Measurement:

<p>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.</p>
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<p>Include State's definition of "significant discrepancy."</p>

<p>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.</p>

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: NJOSE 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. NJOSE 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, NJOSE 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, NJOSE used a multiple of the baseline statewide average (i.e., more than 5 times the state average) to determine local districts demonstrating a significant discrepancy. **For FFY 2005 through FFY 2007, NJOSE 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 2010 APR, all LEAs were included in the calculation. 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%). No LEAs in the state were eliminated from the calculation.

FFY	Measurable and Rigorous Target
<p><i>FFY 2010</i> <i>(using 2009-2010 data)</i></p>	<p>Percent of districts identified as having a significant discrepancy in the rates of suspension and expulsion of children with disabilities for greater than 10 days in a school year will be at or below 2.6%.</p>

Actual Target Data for FFY 2010 - For this indicator, data reported is the data for the year before the reporting year (2009-2010 data), in accordance with the APR instructions.

<p>Actual Target Data for FFY 2010 APR:</p> <p>1.58% of districts were identified as having a significant discrepancy in the rates of suspension and expulsion of children with disabilities for greater than 10 days in a school year.</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 2.6% or below. The data reveal that 1.58% of districts had a significant discrepancy in the rate of suspension and expulsion. Therefore, New Jersey met the SPP target for FFY 2010.

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies*	Percent
FFY 2010 (using 2009-2010 data)	633	10	1.58%

Review of Policies, Procedures, and Practices:**a. NJOSE'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 desk audit or an onsite targeted review of discipline requirements, including policies, procedures and practices regarding development and implementation of IEPs, the use of positive behavioral interventions and supports and procedural safeguards. The targeted review includes: (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 NJOSE, is also disseminated to district staff. Districts are provided with additional training as described below (see discussion of improvement activities).

Of the 10 districts identified with significant discrepancies in their suspension rates, nine had recently participated in the targeted review described above based on 2008-2009 data. Noncompliance was identified in each of the nine districts in FFY 2009 based on those data for which the one-year timeline ended in FFY 2010. NJOSE verified correction during 2010-2011 and thus determined that the policies and procedures had not changed and that noncompliant practices were being corrected and no new noncompliance existed. In order to address the continued pattern of high suspension rates, NJOSE required the nine districts to conduct a more in-depth review of positive behavioral supports through self-assessment.

One new district participated in the targeted review based on the 2009-2010 data. Noncompliance was not identified in the district. All 10 districts were invited to participate in the positive behavioral supports initiative to implement school-wide positive behavioral supports.

Results of the Review: A report of findings was generated for the district that participated in the targeted review. Districts participating in the self-assessment of positive behavioral supports will develop action plans that will identify policies, procedures and/or practices that are not consistent with IDEA and activities to address them. The review will include analysis of EVVRS and school level suspension data.

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

20 findings of noncompliance were verified as corrected during 2010-2011 in the nine districts identified with a significant discrepancy during FFY 2009 (based on FFY 2008 data) and FFY 2010 (based on FFY 2009 data).

No new changes to LEA policies, procedures, and practices were required in the one new district identified based on FFY 2009 data. Failure to correct noncompliance within one year of identification is considered in making special education determinations.

Correction of FFY 2009 Findings of Noncompliance (based on FFY 2008 data) – Findings of noncompliance included in the table below includes only noncompliance identified as a result of the review required by 34 CFR §300.170(b).

1. Number of findings of noncompliance the State made in districts identified for a significant discrepancy based on the 2008-2009 data	20
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	20
3. Number of FFY 2009 findings from row 1 <u>not</u> verified as corrected within the 1 year timeline.	0

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

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

Specific actions that were taken to verify correction of noncompliance

To ensure correction of noncompliance, as stated above, nine districts were required to revise their policies, procedures and practices, and/or revise IEPs based on findings of noncompliance. This involved: (a) development or revision of district or school policies and procedures; (b) training of staff on those new or revised policies; (c) revision of individual student IEPs to reflect requirements; and (d) implementation of oversight mechanisms to ensure that parents and case managers are informed of suspensions. The findings made related to this indicator ranged from individual child files not including necessary documentation of a behavioral intervention plan or manifestation determination to districts or schools not having procedures in place.

To verify correction of noncompliance, when possible, NJOSE 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, NJOSE verified the presence of revised policies and procedures.

NJOSE 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 NJOSE 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. NJOSE 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.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Report of Progress/Slippage

As noted above, 1.58% of districts had a significant discrepancy in the rate of suspension and expulsion for FFY 2010. This represents progress with a decrease of 1.0% from the FFY 2009 rate of 2.58%, or a reduction of six districts. The NJOSE has targeted districts identified for this indicator for participation in the positive behavioral supports in schools improvement activities described below. Districts that continue to demonstrate a significant discrepancy are involved in a self-assessment and improvement process regarding practices in positive behavioral supports.

Improvement Activities

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are noted by the symbol *.**

Information Dissemination: Discipline Requirements

Discipline Requirements Brochure: In 2007-2008 NJOSE 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 NJOSE 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. **(2010-2011 Activity)*****

Statewide Training on Discipline Requirements: During 2007-2008, NJOSE 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 NJOSE 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 NJOSE monitors in collaboration with LRC consultants. **(2010-2011 Activity)*****

State Capacity Building: NJOSE is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSE's Learning Resource Center Network. Activities include: 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. 99 schools from 53 districts have been trained by the PBSIS State team and NJOSE on PBSIS practices by 2010-2011. An additional group of 33 schools from 28 districts will receive training and technical assistance support during 2011-2012. These schools will begin implementation in 2012-2013. **(2010-2011 Activity)****

a. Targeted Training and Technical Assistance on Positive Behavior Supports in Schools (PBSIS): NJOSE's technical assistance and monitoring staff meet annually to review statewide district and school data and identify those districts and schools that might benefit from implementing a tiered system of school-wide positive behavioral supports. Districts identified include those who had high rates of suspension/expulsion for two or more consecutive years, high rates of student placements in separate special education settings, or disproportionate representation of specific racial/ethnic groups in special education and related services. During September, 2007, two recruitment sessions were held for identified districts to learn about NJOSE's two-year training and technical assistance initiative on Positive Behavior Support in Schools (PBSIS). Through an application process, interested districts were selected for participation beginning in the fall of 2007 through 2009. Another group of districts was selected through an application process following a recruitment event conducted in May of 2008. This second group of districts and schools received initial training and technical assistance during the 2008-2009 school year. During 2009-2010, this second group of districts and schools began implementation of PBSIS practices with continued training and technical assistance support. Following four sessions of recruitment events in May 2010, a third group of districts was selected for participation in the PBSIS Initiative through an application process. These schools began training in PBSIS practices in the fall of 2010 through spring 2011 and will receive additional training and technical assistance to assist implementation of PBSIS practices in 2011 - 2012. In May and June of 2011, seven sessions of recruitment events were held to learn about PBSIS for both identified districts and other interested districts. Following an application process, a fourth cohort of schools was selected and will receive training and technical assistance in the fall of 2011 - spring 2012. Implementation and additional training will continue for the fourth cohort in 2012-2013.

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 Conduct/Discipline Referral procedures and forms for intervention decisions and monitoring effectiveness of PBSIS interventions;
 - identifying and developing school-wide or targeted group interventions based on data analysis; and
 - effective classroom management strategies that promote inclusive classroom environments.
- Targeted student interventions (Tiers 2 and 3)
 - function-based, 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. **(2010-2011 Activity)****

b. Statewide Training and Technical Assistance for Positive Behavior Supports: Training and technical assistance on positive behavior supports (PBS) continues to be provided statewide through the Boggs Center's Statewide Team for PBSIS in collaboration with the Learning Resource Center (LRC) Network. During 2010-2011, regional trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2010-2011)*****

c. PBSIS Network of Districts and Schools: In order to maintain and extend PBSIS practices by districts/schools who are implementing positive behavior supports, technical assistance support is provided through email and phone support by both the LRCs and the Boggs Center's PBSIS State Team. In addition, these districts/schools have been invited to further trainings to enhance practices including training on small group interventions and FBA/BIP. Follow-up with these districts indicated that schools who were implementing PBSIS practices reported improved school climate, reduced office discipline referrals and increased use of data to plan effective school-wide interventions. As part of this effort, a Coaches Network has been created to provide ongoing training opportunities for coaches of all implementing PBSIS schools. During 2010-2011, one coach event that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation was held in spring 2011. Additionally, two teleconferences were held in September 2010 and March 2011 for coaches to share information and problem-solve areas of need for PBSIS in their school. **(Activity 2010-2011)*****

d. Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSE supports the development and maintenance of a PBSIS website operated by the Boggs Center PBSIS State Team. The website contains information on promising practices in New Jersey as well as materials, tools, the New Jersey PBSIS newsletter and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. The website has received more than 185,850 visits since the launch of the website with over 42,595 visits during 2010-2011. **(Activity 2010-2011)*****

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

No Revisions

Indicator # 4B: Suspension by Race/Ethnicity

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

NJOSE staff presented data for Indicator 4B for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target of 0 percent. NJOSE staff discussed the required revision to the methodology for calculating the rate for this indicator. The targeted review process for reviewing the policies, procedures and practices in districts identified with a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year was discussed. Training and technical assistance opportunities available to identified districts to assist with the implementation of positive behavioral interventions and supports were discussed. NJOSE informed the stakeholders that the data required for submission for the FFY 2010 APR are the data for the year prior to FFY 2010 which is the 2009-2010 school year. Stakeholders provided input regarding improvement activities for this indicator.

Monitoring Priority: FAPE in the LRE

Indicator 4B: Rates of suspension and expulsion:

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

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

Measurement:

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

Overview of Issue/Description of System or Process:

As required by the USOSEP, the NJOSE modified its methodology for identifying LEAs with a significant discrepancy in suspension/expulsion rates by race/ethnicity. As a result of the directive to modify methodologies, the USOSEP granted states an extension for the completion of the review of policies, procedures and practices. As permitted, the NJOSE will conduct targeted reviews of policies, procedures and practices in the 39 districts identified with a significant discrepancy within the next few months and report the results for Indicator 4B in a revised APR to be submitted in April, 2012 following OSEP's clarification period.

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

NJOSE 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 2010 was 0.47%. The district rate for each racial/ethnic group was then compared to the state rate and if the district rate for a specific racial/ethnic group was greater than three times the state rate (or 0.47%), the district was determined to demonstrate a "significant discrepancy" for the specific racial/ethnic group.

NJOSE used a minimum "n" size for these analyses. All LEAs with five or more students of a specific racial/ethnic group, suspended for more than 10 days, were included in the calculation. 74 LEAs were removed from the analysis of the black subgroup, 57 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 577 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.**

Using the criteria established above, NJOSE determined that **39 school districts** met the definition of significant discrepancy for Indicator 4B.

~~The NJOSE will conduct targeted reviews of policies, procedures and practices in the 39 districts identified with a significant discrepancy within the next few months and report the results for Indicator 4B in the revised APR to be submitted in April, 2012, as allowed by USOSEP.~~

~~Targeted reviews will consist of a review of each LEA's suspension/expulsion data and an onsite review to determine if the LEA's policies, procedures and practices 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. Following the onsite review, districts will receive a written report of findings with specific correction actions to ensure correction and timelines for completion. Correction will be verified through desk audit and onsite visits. Corrective~~

~~actions include revision or development of policies and procedures related to discipline requirements and positive behavioral interventions and supports, revision of IEPs, provision of services to students and implementation of requirements and oversight of implementation. Correction will be verified consistent with the USOSEP Memorandum 09-02 dated October 17, 2008.~~

District Review of Policies, Procedures and Practices/NJOSE Verification

For FFY 2010, 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 a result of the self-assessment two LEAs had findings of noncompliance in one or more of the requirements reviewed. Each LEA receives a report of findings, with corrective action and is directed to correct the noncompliance within one year of identification. Verification of correction is being conducted in accordance with the verification process described below.

FFY	Measurable and Rigorous Target
<i>FFY 2009</i> <i>(using 2009-2010 data)</i>	0%

Actual Target Data for FFY 2010:

.32% of LEAs had a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsion so of greater than 10 days in a school year for children with IEPs and policies, procedures or 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.

A total of 39 districts had a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsion so of greater than 10 days in a school year for children with IEPs.

~~NJOSE will complete its targeted review of policies, procedures and practices that may be contributing to the significant discrepancies within the next few months. NJOSE will submit the remaining actual target data for this indicator in the revised APR submitted in April following USOSEP's clarification period. In that submission, NJOSE will also discuss any progress or slippage that occurred in FFY 2010 and compare the actual target data to the established target.~~

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies , by Race or Ethnicity, and policies, procedures or practices that contribute to the significant discrepancy and do not comply with the	Percent
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		requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedures safeguards.	
FFY 2010 (using 2009-2010 data)	633	2	.32%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Report of Progress/Slippage

Indicator 4B was not required for the FFY 2009 APR. As a result, progress or slippage cannot be reported. As noted above, .32% of districts had a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsion so of greater than 10 days in a school year for children with IEPs and policies, procedures or 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.

Discussion of Improvement Activities Completed:

NOTE: Activities that occurred in 2010-2011 and that are ongoing during the course of the SPP, are represented by the symbol *.**

Data Analysis: NJOSE will conduct analysis of discrepancy data and finding of noncompliance to identify patterns of noncompliance by race/ethnicity. These data will be used to inform training and technical assistance activities related to discipline. **(Activity 2010-2011)*****

Discipline Requirements Brochure: In 2007-2008 NJOSE 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 NJOSE 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. **(2010-2011 Activity)*****

Statewide Training on Discipline Requirements: During 2007-2008, NJOSE 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 NJOSE 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 NJOSE monitors in collaboration with LRC consultants. **(2010-2011 Activity)*****

State Capacity Building: NJOSE is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSE's Learning Resource Center Network. Activities include: targeted training and technical assistance; statewide proactive training and technical assistance; implementation of a PBSIS network of districts and schools; and information/resource dissemination activities. 80 schools from 53 districts have been trained by the PBSIS State team and NJOSE on PBSIS practices during 2009-2010. An additional group of 19 schools from 14 districts will receive training and technical assistance support during 2010-2011. These schools will begin implementation in 2011-2012. **(2010-2011 Activity)*****

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

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

- School-wide practices (Tier 1) - Training and support for school-wide teams and building coaches who will lead the implementation of school-wide positive behavior practices within their buildings on:
 - school-wide assessment of building climate and behavior to establish priorities for interventions;
 - developing staff, community and student buy-in for PBSIS;
 - proactive practices for teaching and recognizing positive behavior;
 - analysis of Office Discipline Referral procedures and forms for intervention decisions and monitoring effectiveness of PBSIS interventions;
 - school-wide targeted interventions based on data analysis; and
 - effective classroom management strategies that promote inclusive classroom environments.
- Targeted student interventions (Tiers 2 and 3)
 - proactive targeted interventions for students with challenging behavior;
 - best practices for Function of Behavior Analysis and Behavior Intervention Plans (FBA and BIPs); and
 - self-assessment of FBA and BIP practices following training. **(2009-2010 Activity)*****

b. Statewide Training and Technical Assistance for Positive Behavior Supports: Training and technical assistance on positive behavior supports (PBS) continues to be provided statewide through the Boggs Center's Statewide Team for PBSIS in collaboration with the Learning Resource Center (LRC) Network. During 2009-2010, trainings were conducted on Functional Behavioral Assessment and Design of Behavior Intervention Plans. **(Activity 2010-2011)*****

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

coaches of all implementing PBSIS schools. During 2009-2010, two coaches' events that provided an opportunity for coaches to network, share resources, and problem solve around areas of implementation were held. **(Activity 2010-2011)*****

d. Resource and Information Dissemination: NJPBSIS website: To provide information statewide on PBSIS practices, NJOSE supports the development and maintenance of a PBSIS website operated by the Boggs Center PBSIS State Team. The website contains information on promising practices in New Jersey as well as materials, tools, the New Jersey PBSIS newsletter and resource information. There is a special section for parents and for coaches to provide information on PBSIS practices. The website has received more than 145,179 visits since the launch of the website with over 34,061 visits during 2009-2010. **(Activity 2010-2011)*****

Correction of FFY 2009 Findings of Noncompliance *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 2008-2009 data	39
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the district of the finding)	39
3. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

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

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

Specific actions that were taken to verify correction of noncompliance

To ensure correction of noncompliance, as stated above, 7 districts were required to revise their policies, procedures and practices, and/or revise IEPs based on findings of noncompliance. This involved: (a) development or revision of district or school policies and procedures; (b) training of staff on those new or revised policies; (c) revision of individual student IEPs to reflect requirements; and (d) implementation of oversight mechanisms to ensure that parents and case managers are informed of suspensions. The findings made related to this indicator ranged from individual child files not including necessary documentation of a behavioral intervention plan or manifestation determination to districts or schools not having procedures in place.

To verify correction of noncompliance, when possible, NJOSE 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, NJOSE verified the presence of revised policies and procedures.

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

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010

No revisions

Indicator # 5: School Age LRE

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 5 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 5 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP targets and discussed improvement activities and a continued trend of exceeding state targets for this indicator. Stakeholders provided input regarding the continuum of placements available in New Jersey and improvement activities.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

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

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

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

Data analyzed for this indicator were based on the 618 Education Environments data collected October 15, 2010¹

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 2010 (2010-2011)</p>	<p>A. 44.0 percent of students with disabilities will be removed from regular class less than 21% of the day.</p> <p>B. 19.0 percent of students with disabilities will be removed from regular class greater than 60% of the day.</p> <p>C. 8.0 percent of students with disabilities served in public or private schools, residential placements or homebound or hospital placements.</p>

Actual Target Data for FFY 2010:

A. 48.23 percent of students with IEPs were served inside the regular class 80% or more of the day.

Actual numbers used in the calculations: $96646 / 200405 = .4823 \times 100 = 48.2\%$

B. 16.32 percent of students with IEPs were served inside the regular class less than 40% of the day.

Actual numbers used in the calculations: $32,706 / 200,405 = .163 \times 100 = 16.32\%$

C. 7.96 percent of students with IEPs were served in separate schools; residential facilities; or homebound/hospital placements.

Actual numbers used in the calculations: $15,950 / 200,405 = .0796 \times 100 = 7.96\%$

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Report of Progress/Slippage

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

Discussion of data and progress or slippage toward targets:

New Jersey exceeded each of the three targets for LRE. For students with disabilities educated within general education settings for 80% or more of the day (**Target A**), New Jersey exceeded the target by 4.23% (48.23%-44%=4.23%). For students educated within from general education programs for less than 40% of the day (**Target B**), New Jersey exceeded the target by 2.7% (19%-16.32% = 2.68%). For students educated in separate settings (**Target C**), New Jersey exceeded the target by 0.4% (8.0%-7.96%=0.4%). NJOSE has continued to focus technical assistance, training and monitoring activities on educating students in general education settings. Local districts have also prioritized educating students in the least restrictive environment resulting in a trend of statewide achievement of SPP targets.

Discussion of improvement activities completed for FFY 2010:

NOTE: Activities that occurred in 2010-2011 and that are ongoing during the course of the SPP, including FFY 2010 are represented by the symbol *.**

Monitoring: During FFY 2010, in order to make progress toward each of the Indicator 5 LRE targets, NJOSE continued to implement activities targeted to those districts that have the greatest percentage of students with disabilities being educated in separate public/private educational settings. Targeting districts with a pattern of separate placements for specific activities, determining those districts as “Needs Assistance” based on their pattern of separate placements, and providing these districts with targeted technical assistance are among strategies being used. Districts identified for monitoring due to high rates of students placed in separate public or private settings continued to participate in onsite monitoring and targeted technical assistance conducted by monitors and consultants from the Learning Resource Centers. Activities included review of district data to identify placement patterns, planning to build capacity at the district and building level to support additional students in district schools, training for staff regarding decision making for placement within the IEP process and oversight of implementation of inclusive programming. **(Activity 2010-2011)*****

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

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

During 2009-2010, the NJDOE Offices of Language Arts Literacy Education, Reading First and Special Education continued to promote a literacy model characterized by a tiered system of assessment and intervention that promotes inclusive practices. The model emphasizes co-teaching support and promotes providing literacy instruction to students with disabilities; first within general education programs. The model also supports additional instruction beyond the literacy block for any student, including students with disabilities, who requires more systematic, focused instruction. As part of the collaboration between the three offices, special education literacy resource coaches (SELRCs) have been supported, through cooperative grant agreements (CA), in 44 districts including those formerly known as Abbott districts and other low performing districts. The SELRCs provide in-district training and coaching focused on students with disabilities. SELRCs also serve on district and building level teams to plan activities and monitor progress of students with disabilities. During this period, NJDOE staff conducted statewide training and technical assistance activities on effective practices for SELRCs and other district staff who support teachers in implementing these practices within their districts. Of the 44 participating districts, NJOSE funded 26 districts through cooperative agreements (CA) during the 2009-2010 school year. Fourteen (14) former Abbott districts participated in the CA “Providing Quality Intensive Early Literacy (IEL) Instruction to Students with Disabilities (K-4) – Year 45” and twelve (12) other low performing districts participated in the Initiative for the Development of Early Achievement in Literacy (IDEAL) through the CA “Providing IDEAL Instruction to Students with Disabilities (K-4) – Year 4”. Both initiatives address the same three tiered intervention model of literacy practices. During 2010-2011 the NJDOE Offices of Language Arts Literacy Education and Reading First continued to provide training and technical assistance to SELRCs, districts and schools from the IEL and IDEAL. **(Activity: 2010-2011)*****

Early Literacy Project

As part of the USOSEP’s verification process, New Jersey was required to develop a project to improve results relative to one of the performance indicators in the State Performance Plan. Due to continued performance gaps between students with and without disabilities on state assessments, the NJOSE selected Indicator 3 for the project. Due to the success of the IEL initiative, NJOSE once again is collaborating with the Office of Literacy to implement an early literacy initiative. The NJOSE has expanded the project to preschool and included the State Parent Advocacy Network to provide technical assistance to parents within selected school in facilitating learning to read in the home. Literacy experts from the Office of Literacy, accompanied by NJOSE staff will conduct walk-throughs to evaluate the literacy programs in 10 schools identified for large achievement gaps between students with and without

disabilities. SPAN staff will conduct training for parents on strategies for family involvement in literacy involvement and project staff will work with school staff to identify activities for improvement. Project staff and school staff will work together to develop action plans to improve literacy skills. Assessments to measure progress will be identified as part of the project. Funds will be provided for schools to purchase literacy materials for students with disabilities. **(Activity 2010-2011)*****

Inclusive Support Options:

Positive Behavior Supports in Schools

NJOSE is continuing to expand the use of positive behavior supports statewide through training and technical assistance initiatives conducted in collaboration with the Elizabeth M. Boggs Center, UMDNJ and through the efforts of NJOSE's Learning Resource Center Network. Activities include: Positive Behavior Support State Team Training and Technical Assistance: PBSIS network of districts and schools; and information/resource dissemination activities. Through 2009-2010, 81 schools from 53 districts have been trained by the PBSIS State team and NJOSE on PBSIS practices. An additional group of 18 schools from 13 districts are receiving training in 2010-2011 to begin implementation in 2011-2012. In 2011-2012, 33 schools from 28 districts will receive training and technical assistance support. These schools will begin implementation in 2012-2013. **(Activity: 2010-2011)*****

Array of Supports Training

During the fall of 2008 and early winter of 2009, NJOSE conducted county-based training for directors of special education and charter school administrators on an array of supports for including students with disabilities in general education programs. The purpose of these sessions was to describe various ways of supporting the academic and behavioral needs of students with disabilities within general education programs to inform the IEP decision making process. As part of this session, statewide placement data trends were reviewed as well as State Performance Plan targets for Least Restrictive Environment (LRE). A discussion of the self-assessment monitoring process was also presented as well as the requirement for continuous improvement for those districts that did not meet the target. The session described a variety of supports as well as the decision making process regarding the individual determination of appropriate supports in general education programs. Support options described in the training included: (a) curricular/instructional modifications and specialized instructional strategies, (b) assistive technology devices and services, (c) positive behavior supports, (d) consultation services, (e) teacher aides, (f) in-class resource programs, and (g) supplementary instruction. Directors of special education were provided an opportunity to reflect on current practices in their districts/buildings and identify their needs to develop and/or expand supports within their buildings/district in order to build capacity for including students with disabilities. In addition, implementation considerations and strategies for building district capacity to educate students with disabilities in general education programs were addressed. The training materials were posted on the NJOSE website to facilitate turnkey training by Directors to their fellow administrators and instructional staff. In addition, training for child study team personnel was conducted through the regional learning resource centers during February and March, 2009. NJOSE continued to provide technical assistance to districts on the array of supports throughout 2010-2011. **(Activity 2010-2011)*****

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

During 2006-2007, the Office of Educational Technology and NJOSE collaborated in the development of a multi-year targeted grant focused on middle grades (5th through 8th) math curriculum. The INCLUDE project is designed to ensure that all students in the general education classroom, including those with disabilities, struggling students and English language learners, are provided access to math instruction through the use of educational technology, thereby improving their mathematics achievement. The grant was available to districts designated as "high need" in terms of student achievement. In 2007-2008 thirteen districts were selected to receive the grant based on an application process. Through this grant, teachers received specialized training in differentiation and effective use of educational technology to support the different learning styles, languages and disabilities of ALL students using a Universal Design for Learning approach. During 2007-2008, NJOSE personnel conducted training for middle school general and special education math teachers, CST members, middle school principals and special

education directors on the provision of supports and accommodations for learners of varying ability levels within general education classrooms. Training was also provided on the array of supports to promote access to the general education curriculum by students with IEPs. During 2008-2009, NJOSE personnel provided an on-line interactive training session to INCLUDE Grant personnel on Respectful and Responsive Classrooms to support the needs of all students, including students with IEPs identified as have some behavioral challenges. In the 2009-2010 and 2010-2011 school years NJOSE personnel continued to consult and collaborate with the NJDOE, Office of Educational Technology personnel in support of the INCLUDE project, as needed. Additionally, in 2011-2012 the INCLUDE grant has been extended to three INCLUDE schools to implement an inclusive program through Universal Design for Learning (UDL) to one higher grade level or to add English Language Arts.

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

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

NJOSE continued to implement a “training of trainers” series on differentiated instruction for districts identified during the self-assessment/monitoring process who did not meet state targets for LRE. During the first year (2007-2008) 10 districts participated in the training. During the second year (2008-2009), 16 districts participated in the training. In the third year, (2009-2010), 20 districts participated in the training. In the fourth year (2010-2011), 18 districts participated in the training.

The four day “training of trainers” series was designed to increase the district capacity to differentiate instruction within general education classrooms, enabling special and general educators to address the needs of students with disabilities within those settings. District personnel attended the turnkey training as teams of general and special educators with the explicit purpose of sharing the knowledge and strategies of differentiated instruction with other general and special education staff within their district. The four day “training for trainers” series presented the principles and practices of differentiated instruction through mini-lectures and hands-on activities that participants can turnkey within their districts. Information, including turnkey training materials (e.g. power point presentations, activities and handouts, sample lessons), are provided to participants for this purpose. During each session teams learned new strategies, reflected and problem-solved around implementation issues and received feedback. As part of the training, districts were assisted to plan for implementation of practices learned within their districts. In the fourth year (2010-2011), the training series expanded to include a one-day, summer workshop for administrators. This training provided administrators an overview of vocabulary and foundational concepts of differentiated instruction as well as a planning considerations framework for district administrators to support implementation of their district-wide action plans. Administrators from 58 districts attended the training.

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

- a revision of the administrator walkthrough for teacher classroom observations to include evidence of differentiated instruction;
- enhanced strategies and learning activities by teachers in the classroom;
- more use of grouping as a way to include students with varying levels of ability in the general education classroom;
- revisions of grade-level curricula to include differentiated instruction activities; and
- a shared vocabulary and vision of inclusive practice in professional learning communities at the school level. **(Activity 2010-2011) *****

Inclusive Schools Climate Initiative: Focus on Students with Disabilities (ISC)

The New Jersey Department of Education, Office of Special Education, using IDEA funds and the Office of Student Support Services, using Title IV funds, collaborated with the Center for Applied Psychology, Graduate School of Applied and Professional Psychology (GSAPP), located at Rutgers, the State University. This collaboration, which began in October 2010, is designed to include 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. In 2011, 10 middle schools were selected through an application process to participate in ISCI. In 2011-2012, the selected school will receive training and technical assistance from the ISCI project team to develop and promote positive, inclusive school climates for students with disabilities for targeted school districts. In 2011, comprehensive school climate surveys will disseminated to parents, students and school staff to determine the level of inclusiveness at the school. Using an analysis of survey results, selected schools will develop an Individualized School Climate Improvement Plan (ISCIP). Based on the ISCIP, the ISCI team will provide training and technical assistance needs. Factors demonstrating high reliability to measure aspects of school environments deemed most salient to school climate are being collected as a resource of best practice strategies for New Jersey schools. The project team will also maintain and update the existing list of evidence-based alcohol, tobacco and other drug and violence prevention programs posted on the Rutgers Safe and Drug-Free Schools and Communities Project Web site as a resource for schools in New Jersey. **(Activity: 2010-2011)*****

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

SPAN, in collaboration with NJOSE staff, conducted regional workshops and conferences to inform educators and parents/caregivers of best practices for educating students with disabilities within general education settings. **(Activity: 2010-2011)*****

Decision Making in the IEP Process: Focus on LRE workshop

In a collaborative training, a parent from SPAN and a NJOSE Special Education Consultant team jointly presented, *Decision making in the IEP Process: Focus on LRE*. Trainings were held at regional locations of the Learning Resource Centers in December 2010. All districts in self-assessment and monitoring were invited to send a team consisting of a special education administrator and at least one parent representative from the special education advisory group. The purpose of the trainings was to provide a resource to districts to assist with district-based discussions and/or trainings for educator and families regarding the IEP decision making process for LRE. A total of 201 people attended the training representing 109 districts. 67 were parents and 125 were educators.

Outcomes

- Parent-educator teams have: (a) an increased understanding of the characteristics of a collaborative team, (b) an increased understanding of effective communication, collaboration and problem solving, and (c) strategies and resources that support parent-educator partnerships.
- Parents and educators have an increased awareness of levels of parent involvement at the school/district level and a means of planning discussions at the school/district level to enhance and increase parent involvement.
- Workshop materials have been added to the web-based resources available at the SPAN website and website data indicates a high level of activity regarding the use of these resources.
- Parent-educator teams report turnkey training for parents, for district staff

Summer Teleconference

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

Regional Proactive Trainings

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

- ***IEP Development and Implementation: An Overview of Required Components and Considerations (Grades K – 12)*** This workshop provided an overview of required IEP components and considerations as mandated by IDEA 2004 and the New Jersey Special Education Regulations, N.J.A.C. 6A:14. Participants gained an understanding of the IEP decision making process and learned how to create a coherent document that brings together the collective perspectives of educators, families, and students. The following IEP components were emphasized: present levels of academic achievement and functional performance; behavior intervention plans; measurable annual academic and functional goals; supplementary aids and services; supports for school personnel; transition to adult life; and placement in the least restrictive environment. **(Activity 2010-2011)*****
- ***IEP Development and Implementation: Emphasis on Measurable Annual Goals and Student Progress (Grades K-12)*** This workshop presented a decision making process for linking goals and objectives to identified student's needs that result from his/her disabilities to enable the student to be involved in and progress in the general education curriculum. Elements needed to make an annual goal measurable, examples of performance criteria, evaluation procedures for measuring student progress, and methods of informing parents of their child's progress will be addressed. **(Activity 2010-2011)*****
- ***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 addressed the content areas of math, science and language arts literacy. Participants learned how to link individual student learning objectives to grade level standards and how to modify instruction so that students can learn the same content as their non-disabled peers. **(Activity 2010-2011)*****

Differentiated Instruction:

- ***Facilitating Inclusion through Differentiated Instruction in General Education Classrooms: Focus on Mathematics (Grades 4 and 5)*** The first set of regional trainings focused on mathematics. During this one day workshop, math skills critical for grades 4 and 5 were emphasized through a hands-on approach that **incorporates** flexible grouping, tiered assignments and varied levels of questioning. The workshop was targeted to general and special education teachers of elementary mathematics responsible for educating students with disabilities in general education programs in grades 4 and 5. **(Activity: 2010-2011)*****
- ***Lesson Planning with Differentiated Instruction to Support Students with Disabilities in General Education Classrooms (Grades 1 – 6)*** The second set of regional trainings was designed to facilitate the inclusion of students with disabilities in general education classrooms within science, social studies or language arts/literacy in grades 1-6. During this two-day training, general and special education teaching pairs learned to apply the basic principles and practical applications of differentiated instruction to the design of small group instruction and mini-lessons. Participants were introduced to a unit planning process and framework that includes essential curricular questions, instructional strategies, tiered questioning and leveled

activities. The development of phonics, vocabulary, and comprehension skills and grouping strategies that accommodate the needs of diverse learners was emphasized. The target audience was general and special education teachers in grades 1- 6. **(Activity 2010-2011)*****

Student Support Options:

- **Supporting Students with Disabilities in General Education Programs through In-Class Resource Program Instruction (Grades K-12)** This two day workshop will provide general and special education teaching pairs with the basic knowledge and skills needed to implement in-class resource program instruction. The workshop provided a variety of in-class resource program arrangements; defined roles and responsibilities; explored effective techniques that foster general and special educator collaboration; and provided approaches and formats that facilitate instructional planning. **(Activity 2010-2011)*****
- **Functional Behavioral Assessment (FBA) and Design of Intervention Plans (Grades K-12)** 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. **(Activity 2010-2011)*****
- **Supporting Students with Disabilities in General Education Programs through Collaborative Consultation (Grades K – 12)** The provision of consultation services is one way to support students with disabilities in general education settings. This workshop introduced methods and strategies that can be used to assist the general education teacher and/or teacher aide in implementing educational supports for an individual student or a group of students with disabilities in the general education classroom. **(Activity 2010-2011)*****
- **Designing Programs for Students with Moderate to Severe Cognitive Disabilities within General Education Programs: Focus on Communication, Social Interactions and Social Network (Grades K-12)** During this two day workshop, building based teams learned practical ways to design programs that facilitate the development of age appropriate communication and social skills for students with moderate to severe cognitive disabilities. Discussion focused on classroom routines and procedures, ways to create active and responsive lessons, as well as instructional strategies and techniques that support communication, social interactions, and the development of school-based social networks for these students within general education programs and settings. **(Activity 2010-2011)*****
- **Supporting the Inclusion of Students with Disabilities in General Education Programs through the Development of Respectful Classroom Environments (Grades K-12)** Students with disabilities benefit from a learning environment that proactively promotes, teaches and reinforces positive behaviors. Through group discussion and activity based instruction, this workshop provided participants with the following: strategies to develop and implement consistent, positive classroom management practices; an understanding of the reasons students may engage in challenging behaviors; and de-escalation strategies for students who are exhibiting challenging behaviors. **(Activity 2010-2011)*****
- **Transition from School to Adult Life: Making the Process Meaningful (Grades 7 – 12)** This workshop presented key strategies and activities to make the transition planning process meaningful and consistent with state and federal requirements. Particular emphasis was placed on strategies to facilitate collaboration among educators, the student and families as well as the following transition components: Age Appropriate Transition Assessment, Involvement of Other Agencies, Student Self-Advocacy, and IEP Statements of Transition Services. **(Activity 2010-2011)*****
- **Transitioning Students with Disabilities To and Within General Education Settings (Grades K-12)** The successful transition of students with disabilities from a separate educational setting to an in-district program requires deliberate and systematic planning. Similar planning is needed to effectively transition students from in-district resource and special class programs to general education classes. This workshop provided tools and a framework for

analysis of student, school and family considerations. Such analysis provides the information necessary to effectively match the provision of supports, accommodations and modifications with individual student needs to successfully transition students with disabilities to and within general education settings. Strategies that enable families and educators to work collaboratively throughout the transitioning process were emphasized. **(Activities 2010-2011)*****

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010

No Revisions

Indicator # 6: Preschool LRE

Part B State Annual Performance Report (APR) for FFY 2010

States are not required to report on Indicator 6 in this APR. In accordance with the SPP/APR Instructions disseminated by the USOSEP, baseline data, targets and improvement activities will be established in the FFY 2011 submission of the SPP due February 1, 2013.

Indicator # 7: Preschool Outcomes

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 7 were reviewed.

NJOSE staff presented data for this indicator for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. An overview of the indicator was provided to the stakeholders including a review of the process for collecting of preschool child outcome data. The calculations and the summary statements for each outcome were provided. Progress and slippage for each of the two statements for each of the three outcomes addressing improvement for children were discussed within the context of improvement strategies for data collection, analysis and program improvement strategies. Stakeholders provided input regarding improvement activities.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

Progress data categories for outcomes A, B and C:

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

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$.

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

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

Measurement for Summary Statement 1:

Percent = $[\# \text{ of preschool children reported in progress category (c) plus } \# \text{ of preschool children reported in category (d)} \div [\# \text{ of preschool children reported in progress category (a) plus } \# \text{ of preschool children reported in progress category (b) plus } \# \text{ of preschool children reported in progress category (c) plus } \# \text{ of preschool children reported in progress category (d)}] \times 100$.

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 = $[\# \text{ of preschool children reported in progress category (d) plus } \# \text{ of preschool children reported in progress category (e)} \div \text{the total } \# \text{ of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)}] \times 100$.

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

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

Contract: The New Jersey Department of Education, Office of Special Education, 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 districts submit assessment data through a web based system for the purpose of providing entry and exit preschool special education outcome data utilizing the New Jersey BDI-2 Data Manager web user license.

As approved in New Jersey's sampling plan for this indicator, a representative sample of districts was selected for the FFY 2010 study reflecting the following parameters: district enrollment (size), number of preschool students with disabilities, % of minority students, gender and socio-economic status.

NJOSE 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, NJOSE was able to identify a representative sample of districts for FFY 2010.

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%.

NJOSE 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 2010 (2010-11):

For FFY 2010, the tables below show the progress data for preschool children with disabilities ages three through five who were in preschool programs for a minimum of six months and exited between July 1, 2010 and June 30, 2011. The data provided below, include preschool students who entered the program in 2007, 2008, 2009 or 2010 and who exited the program during 2010-2011. A total of 411 entry and exit records were complete and analyzed, and are being reported for FFY 2010.

Table I shows FFY 2010 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 2010 targets for the summary statements for each of the three outcomes (A, B, and C). The state used the ECO Summary Statements Calculator to generate the actual target data for the Table II below.

The Criteria for Defining “Comparable to Same Age Peers”

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

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

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

Table 1
Actual Data for Preschool Children Exiting 2010-2011
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	22	5.4
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	38	9.2
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	26	6.3
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	108	26.3
e. Percent of children who maintained functioning at a level comparable to same-aged peers	217	52.8
Total	N=411	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	14	3.4%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	91	22.1%
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	108	26.3%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	104	25.3%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	94	22.9%
Total	N=411	100%
C. Use of appropriate behaviors to meet their needs:	Number of children	% of children
a. Percent of children who did not improve functioning	17	4.1%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	101	24.6%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	49	11.9%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	89	21.7%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	155	37.7%
Total	N=411	100%

Table 2

**FFY 2010-2011 Data
Summary Statements by Outcomes – A, B, and C**

Summary Statements	Targets FFY 2010 (% of children)	Actual FFY 2010 (% 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: $[(c+d) / (a+b+c+d)] \times 100$	73.8	69.1
2. The percent of children who were functioning within age expectations in Outcome A by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	71.7	79.1
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)		
1. Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program. Calculation: $[(c+d) / (a+b+c+d)] \times 100$	63.4	66.9
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	49.8	48.2
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: $[(c+d) / (a+b+c+d)] \times 100$	62.0	53.9
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program. Calculation: $[(d+e) / \text{Total}] \times 100$	58.2	59.0

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Discussion of data and progress of slippage toward targets:

Summary Statement One:

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

In two outcomes, the SPP targets for FFY 2010 were not met. Slippage occurred in:

- A. Positive social-emotional skills (including social relationships); (4.7% slippage)
- C. Use of appropriate behaviors to meet their needs (8.1% slippage).

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

This slippage for Outcome A when compared to the actual % from 2009 (69.4%) to the current actual percentage from 2010 (69.1%) is a -.3 difference. Although the target for Outcome C was not met for FFY 2010, there was an improvement of 2.7% from FFY 2009 (51.2%) to FFY 2010 (53.9%).

Strategies currently in place for technical assistance in the areas of social-emotional development and gross, fine and perceptual motor were discussed at the stakeholder meeting.

In Outcome B the SPP target for FFY 2010 was met or exceeded.

- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy) (3.5% above target)

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 two outcomes the SPP target for FFY 2010 were met or exceeded.

- A. Positive social-emotional skills (including social relationships); (7.4% above target); and
- C. Use of appropriate behaviors to meet their needs (.8% above target).

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

In outcome B, the SPP target for FFY 2010 was not met. Slippage occurred in:

- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); (1.6 % slippage).

The actual percentage in the d category improved, the decrease was in the e category of children participating in the program.

Improvement Activities / Timelines / Resources for FFY 2011

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP, including FFY 2010, are represented by the symbol *.**

Annually, NJOSE meets with administrators participating in the study to discuss progress of the data collection and any changes to the requirements. **(Activity: 2010-2011)*****

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

Data Management

NJOSE updated internal data management system to enable NJOSE to monitor the collection of district data on an ongoing basis and to facilitate analyses of data. **(Activity: 2010-2011)*****

Data Analysis

NJOSE completed further data analysis by outcome and sub-domain to determine potential program-wide weaknesses to assist with targeted technical assistance to impact program improvement. **(Activity: 2010-2011)*****

Use of Assessment Results

NJOSE shared the progress of the FFY 2009 outcome study and findings with districts and in technical assistance trainings and individual sessions. **(Activity: 2010-2011)*****

Training on Outcome Areas

NJOSE through the preschool LRC network conducted trainings on data based interventions related outcome areas. These trainings addressed reviewing assessment information to identify areas of need for IEP development, designing and providing interventions, collecting progress data and reporting on progress. After a review of the 2009-2010 data, in response to Outcome B, Communication and Outcome C, Motor was targeted as a training need. The LRC Network provided training to professionals working with English Language Learners and in early literacy regarding curriculum modifications based on analysis of results of the study. **(Activity: 2010-2011)**

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

No Revisions

Indicator # 8: Parent Involvement

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 8 for the 2009-2010 school year were reviewed.

NJOSE staff presented data for Indicator 8 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. During 2010-2011, a representative sample of 139 districts participated in NJOSE's fifth cohort for the parent involvement survey. The results of the survey, including response rate and the percent of respondent parents who reported that schools facilitated parent involvement were presented to the stakeholders. The stakeholders expressed satisfaction with this year's data from cohort V districts in which 84.2% of New Jersey's families agreed that schools facilitated their involvement in their child's program. The stakeholders were informed that the data represent a fifth year of positive results regarding schools' facilitation of parent involvement. New Jersey exceeded this year's target of 82.6% by 1.6% and improved over last year's results of 83.4% by 0.8%. Stakeholders provided input regarding improvement activities.

Monitoring Priority: FAPE in the LRE

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

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

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

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

NJOSE used the *Sampling Calculator* developed by the National Post-Secondary Outcomes Center (NPSO) to select a representative sample of districts to be included each year of the study. Characteristics used to select each sample of districts included: district size, number of students with disabilities, disability type, gender, race/ethnicity and Abbott* status. Each year, one sample (or cohort) of districts is participating in the survey. Over the life of the SPP, all districts will participate. **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%. NJOSE established a $\pm 3\%$ sampling error, i.e. the sample that is chosen will be representative of districts serving students with disabilities within the state at a level of error that will be plus or minus 3% -- an error band of 6%. Through the establishment of the $\pm 3\%$ sampling error and the use of the NPSO sampling calculator, selection bias should be prevented.

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

Data Collection:

Beginning in 2006-2007, NJOSE conducted a survey of how schools/districts facilitate parental involvement among families of student with disabilities, ages 3-21, within a randomly selected, representative sample of New Jersey districts. The results of the survey for the first year (baseline) were reported in the State Performance Plan (SPP) for FFY 2006. Each year of the SPP/APR, NJOSE continues to survey families in a randomly selected, representative sample of districts.

During FFY 2010, 139 districts participated in the cohort V data collection. These districts represented the last cohort of the FFY 2006-2010 SPP cycle. All districts and charter schools participated in the survey once between FFY 2006 and FFY 2010.

Instruments/Surveys Used to Gather the Data

For the fifth year of the survey, ***NJOSE 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 NJOSE.

For the fifth cohort of districts, NJOSE requested and obtained mailing information from 139 local districts, enabling the dissemination of the surveys to parents of preschool age children and parents of school-age students. NJOSE 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. 48,654 surveys were mailed to all families of students with disabilities in the 139 districts participating in the cohort three data collection. This number included: 2757 preschool surveys and 45,897 school-age surveys.

Surveys were mailed initially in mid-May of 2011. In an effort to increase response rates, NJOSE, through the Bloustein Center, sent a second mailing, three weeks later, to all parents who had not responded to the initial mailing by returning a completed questionnaire by mail or submitting a response via the web-based questionnaire. In all, a ten week window for response was provided. Once the survey window was closed, a database of survey responses was created by using a double entry verification process; then analyses were completed in collaboration with the Bloustein Center for Survey Research. Additionally, NJOSE conducted two technical assistance sessions on the parent survey for administrators in participating districts. During these sessions strategies to submit accurate address information to NJOSE as well as strategies to increase response rates were stressed. Following these sessions, correspondence was sent to all administrators in participating districts highlighting these strategies. A preformatted CD Excel template was mailed to each district with written instructions of how to complete parent address information. Three teleconferences were conducted to train district administrators and support staff on how to complete the Excel CD template. Further support was provided through phone technical assistance to monitor progress and to problem solve issues regarding the creation and submission of the address files. On-site technical assistance and telephone conferences were provided to increase response rates particularly among districts with high rates of minority students.

FFY	Measurable and Rigorous Target
2010 (2010-2011)	82.6% of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Actual Target Data for FFY 2010:

84.2% of parents with a child receiving special education services reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Actual Numbers Used in the Calculation:**Cohort Five Data for Facilitation of Parental Involvement: 2010-2011**

A combined total of 10,441 completed surveys were returned to the Bloustein Center. Completed surveys were excluded from the analysis if parents did not complete or selected “does not apply” to a majority of the 25 items. A total of 68 surveys were eliminated from the analyses for this reason. The remaining completed surveys were analyzed as follows: each survey was scored to determine the number and percentage of items that had been positively rated as “agree, strongly agree or very strongly agree”. Surveys were included in the analysis only if 50% or more of the items had been answered. Each survey, for which a majority of items (≥51%) had been rated in one of the three agreement responses, was counted as agreement with “schools facilitating parental involvement”. The number of respondent surveys that indicated this level of “agreement” was used as the numerator in the analysis of outcome data. The denominator was the total number of completed and analyzed surveys. A percentage of parents reporting that schools facilitated their involvement was calculated separately for parents of preschool and school-age students. Additionally, this percentage was calculated reflecting the combined score for families of both preschool and school-age students. This combined percentage was used as the measure of facilitation of parental involvement for Indicator #8. The combined percent of preschool and school-age parents that reported their schools facilitated their involvement for FFY 2010 was calculated as **8,736 divided by 10,373 = 84.2%**. The table below outlines results for those in the preschool, school-age and combined samples over the past five years.

Percent of Parents that Reported Schools Facilitated Parent Involvement as a Means of Improving Services and Results for Children with Disabilities															
	Pre-School					School Age					Combined				
	2007	2008	2009	2010	2011	2007	2008	2009	2010	2011	2008	2009	2009	2010	2011
A. Completed Surveys	284	762	866	887	790	2,438	7,302	9,630	10,816	9651	2,722	8,064	10,496	11,703	10,441
B. Eliminated from Analysis: Surveys where parent did not answer or selected "does not apply" for a majority of items	0	5	8	8	2	0	62	101	77	66	0	67	109	85	68
C. Completed & analyzed surveys	284	757	858	879	788	2438	7240	9529	10,739	9,585	2722	7997	10387	11,618	10,373
D. Surveys with a majority of items rated as agree, strongly agree or very strongly agree (4 to 6 on a 6 point scale)	240	621	722	746	685	1,955	5,861	7,929	8,944	8,051	2,195	6,482	8,651	9,690	8,736
E. Percent of parents with a majority of items rated positively – as agree, strongly agree or very strongly agree (Row D/Row C) ²	84.5%	82.0%	84.1%	84.9%	86.9%	80.2%	81.0%	83.2%	83.3%	84.0%	80.6%	81.1%	83.3%	83.4%	84.2%

¹ In 2007, a 'does not apply' response option was added to questions 1 thru 25 on the survey. Overall, fewer than 1% of respondents failed to rate items on a 6-point scale for a majority of questions in subsequent years.

² Majority of items rated positively was determined by dividing questions answered agree, strongly agree or very strongly agree (4 thru 6) by all questions answered. Respondents had to rate over 50% of questions answered as positive in order to be counted as positive. Analysis is based on questions where respondent rated the item on the 1 to 6 scale. Questions skipped or answered as 'does not apply' were excluded from the denominator.

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

Of the 10,373 completed and analyzed surveys received from *both* preschool and school-age parents, **84.2%** (8,736) of parents agreed that “schools facilitated parent involvement as a means of improving services and results for their children with disabilities.”

New Jersey exceeded the SPP target of 82.6% for FFY 2010 by 1.6% and improved over last year’s results of 83.4% by 0.8%. The data represent a fifth year of positive results regarding schools’ facilitation of parent involvement.

Description of how the State has ensured that the response data are valid and reliable, including how the data represent the demographics of the State**Response Rate for FY 2010**

A total of 10,441 completed preschool and school-age surveys were returned for a combined response rate of 21.46%. Response rate was calculated by dividing the number of completed surveys returned (F) by the number of surveys mailed (A) as indicated in the table below.

This year’s combined response rate of 21.46% was slightly lower than last year’s response rate of 21.67%; however, the rate is consistent with the high rates achieved over the past three years of 21.48% in 2008, 21.67% in 2009 and 21.46% in 2010. This year, 790 preschool surveys were returned for a response rate of 28.65% (790 divided by 2757). A total of 9,777 school-age surveys were returned for a response rate of 21.03% (9,777 divided by 45,897). A total of 1488 of the surveys were completed on-line, with a slightly higher percentage of families with preschool students selecting this option (15.36% of completions) versus families of school-age students (13.96% of completions).

1682 surveys were returned to NJOSE due to incomplete addresses. This represented 3.46% 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, NJOSE uses a number of strategies to secure current addresses. NJOSE held teleconferences with districts prior to the data collection in an effort to obtain complete, accurate mailing information as well as to enlist their assistance in publicizing the surveys to increase the response rate. Each district was given a CD with a preset EXCEL template to complete and submit district parent address files to NJOSE. Additionally, a series of EXCEL training sessions, phone technical assistance and edit checks were conducted to obtain accurate address files.

Survey Dissemination and Response Rate				
Cohort V: FFY2010				
139 Districts				
		Preschool	School-Age	Combined
A	Surveys mailed	2757	45897	48654
B	Mailings returned undeliverable	89	1593	1682
C	Surveys returned total	801	9777	10578
	▪ 1st mailing	514	6047	6561
	▪ 2 nd mailing	164	2365	2,529
	▪ Web survey	123	1365	1488
D	Valid Mailing Address	2668	44304	46972
E	Ineligible - Total	11	126	137
	E ¹ - Surveys returned but less than 50% of the questions 1-25 answered and therefore excluded	6	78	84
	E ² - Surveys returned but excluded for incorrect student age	5	48	53
	• preschool surveys reported on child age 7 or older.			
	• school age surveys reported on child age 4 or younger.			
F	Completed surveys	790	9651	10441
	Preschool Response Rate (F1 / A)	28.65%		
	School-age Response Rate (F2 / A)		21.03%	
	Combined Response Rate (F3/ A)			21.46%

Representativeness of Respondents:

Representativeness of respondents to families of all students with disabilities in cohort V 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 V districts was obtained using district data from the federally required Annual Data Report. Because NJOSE 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 V 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, NJOSE considered this analysis appropriate.

Consistent with the results of the surveys conducted in FFY 2009, the respondents were similar to the target population of cohort V districts for: gender and for the disability categories of emotional disturbance and mental retardation. Once again, differences were found for learning disabilities, other categories of disability as well as for Abbott and minority status. Statistical differences continue to be found for Abbott and minority subgroups. A total of 3,209 minority families responded to the survey this year (3,858 in 2009-2010 versus 2,927 in 2008-2009) representing 34.71% of the completions but minorities were 41.65% of the total cohort for a difference of -6.94%. Also, 834 families in Abbott districts responded to the survey this year (1,657 in 2009-2010 versus 1,082 in 2008-2009) representing 8.70% of completions but Abbott families were 19.17% of the total cohort for a difference of -10.47%. Numbers of respondents in these subgroups was down from past years. Improvement activities will continue to seek an increase in response rates for successive cohorts, particularly among those districts where the discrepancies exceed + 3%.

Representativeness of Respondents (2011)

	Overall	Q31 Primary Disability				Q32 Child's Gender	Q30 Race/ Ethnicity	District
		LD	ED	MR	AO	Female	Minority	Abbott
Target Population Cohort 5	45,472	19,710	2,532	1,107	22,123	15,134	18,938	8,715
Respondents Cohort 5 (Completed Surveys)	9,585	3,079	353	113	4,779	2,813	3,209	834
Question Sample Size*		(n=8324)				(n=9171)	(n=9244)	(n=9585)
Target population representation		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%

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 2010)

Discussion of data and progress or slippage toward targets:

New Jersey exceeded the SPP target of 82.6% for FFY 2010 by 1.6% and improved over last year's results of 83.4% by 0.8%. The data represent a fifth year of positive results regarding schools' facilitation of parent involvement.

NJOSE will continue the following improvement activities:

Improvement Activities/Timelines/Resources:

I. Data Collection and Analysis

To increase response rates and accuracy of mailing addresses, NJOSE conducted two teleconferences for districts participating in the fifth cohort of districts to explain the parent survey and their role in data collection. Emphasis was placed on facilitating parent involvement from minority families, a need identified from prior data collection years. Suggestions for publicizing the parent survey and encouraging parent participation were provided. Districts were given an EXCEL template that included formatting and entry checks to provide consistency in the data entry of parents' names and addresses. Districts were also provided with a timeline for return of completed mailing information. NJOSE offered districts compensation through a reimbursement contract for expenditures associated with preparation of parent address files and for activities associated with informing parents of the survey mailing, based on the number of students with disabilities. Scheduled teleconferences as well as ongoing telephone assistance were provided to districts to assist in using the EXCEL template to compile parent address files. NJOSE used a tracking system to monitor receipt of address files from each district and to

determine completeness of the mailing information. Follow-up contact was made with districts who provided incomplete address files or who missed timelines for submission of address files. Beginning in 2007-2008 and continuing for subsequent cohorts, in addition to a paper survey, parents were given the option of responding to the survey on-line. Additional data analysis will be conducted within responding districts where significant discrepancies in response rates occur. **(Activity: 2010-2011)****

Targeted Assistance: In addition to the previously mentioned strategies, during the winter of 2010 and spring of 2011, NJOSE provided targeted technical assistance to participating districts in cohort V with large enrollments of minority students with disabilities (including but not limited to Abbott districts) to facilitate collection of accurate mailing addresses for families. Districts were contacted individually *prior to the submission* of their address files to review directions for the compilation and submission of address files. In addition, prior to the dissemination of the survey, technical assistance was provided to individual districts with large enrollments of minority students (including but not limited to Abbott districts) in order to systematically plan and implement strategies to increase the participation of minority families of students with disabilities who reside in these districts. **(Activity: 2010-2011)****

II. Systems Administration:

NJOSE contracted with Rutgers University's Bloustein Center for survey research to provide assistance with completing the preparation, dissemination and analysis of the parent survey. **(Activity: 2010-2011)****

III. Publicity

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

NJOSE employed a number of additional strategies to publicize the parent survey within each district. During the parent survey technical assistance sessions, NJOSE asked participating districts to contact their parent groups for help in disseminating advance information about the survey to encourage parent participation. In addition, NJOSE provided districts with a sample letter that districts could use to inform parents in advance about the survey. A checklist of about 20 strategies was developed and shared with the districts during the introductory teleconference as well as in followup discussions. Additionally, suggestions were made to inform parents during IEP meetings and other parent events about the parent survey and the importance of their participation. **(Activity: 2010-2011)****

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

IV. Use of Survey Results

NJOSE will continue to conduct data analysis from each cohort to identify items with less favorable responses to determine potential areas for improvement planning. As one area of consistent concern from parents is need more information about special education, NJOSE will continue to encourage districts to offer information and support to parents within district Parent Groups. Topics related to Parent Involvement and the IEP Process presented jointly with SPAN (the Statewide Parent Advocacy Network) address this issue of concern for parents. Additionally, continuing to enhance resources for Parents on the NJDOE website as well as responding in a timely fashion to parent requests as collected through Governor requests, parent hotlines, and parent letters collected at the state Department of Education website will help to address this parent need. NJOSE is also incorporating this information into existing parent involvement activities, online parent resources and to enhance existing activities and/or development of new activities.

NJOSE will continue to share the results of item level and district level analyses with monitoring and compliance units to determine implications for those activities. **(Activity: 2010-2011)****

V. Regulations

The department proposed regulations on November 2, 2005 requiring each district board of education to ensure that a special education parent advisory group is in place in the district to provide input to the district on issues concerning students with disabilities. This requirement was adopted on September 5, 2006. **(Activity: 2010-2011)****

VI. Self-Assessment/Monitoring Process

NJOSE has realigned its self-assessment /monitoring system to be consistent with the SPP indicators. Section V. of the self-assessment is entitled Parent Involvement and requires districts to review their compliance with the IDEA requirements related to Indicator 8 identified in USOSEP's Related Requirements document. Compliance with requirements is also reviewed by state monitors as part of the monitoring process. **(Activity: 2010-2011)**

VII. Personnel Development

NJOSE Partnership with the Statewide Parent Advocacy Network (SPAN)

Between July 1, 2010 and June 30, 2011, NJOSE continued its partnership with the Statewide Parent Advocacy Network (SPAN), through the START project, to further family-school collaborative relationships, increase family resources, and enhance the involvement of parents/caregivers in program and placement decisions. A component of this partnership was the regional workshops, mini-conferences and teleconferences on inclusive practices for families and educators and web-based resources for families on inclusive practices.

SPAN, in collaboration with NJOSE staff, conducted regional workshops and conferences to inform educators and parents/caregivers of best practices for educating students with disabilities within general education settings. **(Activity: 2010-2011)*****

- Two (2) regional mini-conferences on Inclusion benefits and strategies highlighting educational practices that support inclusion of children with disabilities in general education were held, with the topic of the conferences being Universal Design for Learning (UDL). Representatives for the New Jersey Department of Education Office of Technology presented with input from district staff members who were recipients of an Inclusive Schools – INCLUDE Grant initiative. Students, parents and teachers made up a panel who presented their experiences to students and parents and educators in attendance. The conference was presented in October, 2011.
- A teleconference for parents and educators that focused on Best Practices in Inclusive Education for parents and educators was held in the summer of 2011. Led by a district team, this teleconference highlighted best practices in inclusive education as the district shared strategies that had been used to increase the number of students with disabilities in general education classrooms.

Outcomes

- Parents and educators received information on the benefits of inclusive education as it related to Universal Design for Learning. Over 500 families and educators were in attendance for the two regional conferences.
- Parents and educators received information on Best Practices in Inclusive Education from a district team that included a director of special services and child study team members and a parent. Over 200 people attended this teleconference, with registration limited at 200 due to the availability of phone connections.
- Parents and educators gained an awareness of the Learning Resource Center Network including resources and services that are available to assist in the education of students with disabilities.
- Parents and educators gained an awareness of the Statewide Parent Advocacy Network website and resources that are available to assist in the education of students with disabilities.

SPAN in collaboration with NJOSE provided direct training and technical assistance to enhance collaboration and communication between parents/caregivers and special education professionals in

order to increase effective parent involvement in the education of children with disabilities. The following trainings for parents and educators were conducted across the state. **(Activity: 2010-2011)*****

Workshop topics that focused on Family-Educator in the IEP Process and Planning for Effective Involvement of Parents of Students Receiving Special Education Services were provided in district trainings as it related to the development of parent groups in districts. Parent Group Specialists worked to identify the groups that will be targeted to receive technical assistance to enhance collaboration and communication between parents and educators.

Outcomes

- Parent-educator teams have: (a) an increased understanding of the characteristics of a collaborative team, (b) an increased understanding of effective communication, collaboration and problem solving, and (c) strategies and resources that support parent-educator partnerships.
- Parents and educators have an increased awareness of levels of parent involvement at the school/district level and a means of planning discussions at the school/district level to enhance and increase parent involvement.
- Workshop materials have been added to the web-based resources available at the SPAN website and website data indicates a high level of activity regarding the use of these resources.

SPAN provided direct technical assistance and leadership development expertise of parent group specialists and a multicultural specialist to work to establish and sustain local special education parent groups and to develop new local parent/family groups with an increased focus on groups where the majority of participants are parents/caregivers with African-American or Hispanic/Latino children who are receiving special education services. **(Activity: 2010-2011)*****

- START staff provided technical assistance to identify and develop over 50 groups (new and pre/emerging) over the course of a 12 month period. Technical assistance was provided to parents and educators throughout the state through informational phone calls and e-mail correspondences. In addition, START staff attended group meetings and either presented or facilitated at approximately 150 meetings.

Outcomes

Parent leaders reported receiving assistance in areas including, but not limited to, developing an avenue of input with the District, best practices of parent groups that are highly effective, parent group structure, meeting the needs of families in districts where many families are Spanish-speaking, cultivating parent leaders to step into active roles, networking with other parent groups, and ways to increase parent involvement.

Through web-based information and support, SPAN served families of children with disabilities and supported the enhancement of New Jersey special education programs. **(Activity: 2010-2011)*****

- Disseminated resources and information for local Parent Support Groups including contact information on parent groups throughout the state of New Jersey and information on for parents and educators on how to form and support a parent group in local school districts.
- Disseminated resources and information for schools, educators, administrators, parents and students on Inclusion, Decision-making and the IEP Process, Parent Involvement, Family-Educators Collaboration and Transition-to-Adult-Life.
- Disseminated resources and information for schools, educators, administrators, parents and students on inclusive practices, including: *Universal Design for Learning* practices that support the inclusion of preschool children with disabilities in general education preschool programs.
- Disseminated resources and information for schools, educators, administrators, and parents on *Parent Involvement in the Self-Assessment/Monitoring Process*.

- Developed and disseminated resources and information for parents and educators on strategies for collaboration and partnerships for improving outcomes for children receiving special education and related services.
- Disseminated information on parent involvement strategies that have been successfully implemented by schools and parent groups.
- Posted archived versions of teleconferences to be referenced on Transition, Inclusion, and Assistive Technology.
- Posted information and online registration for SPAN/DOE collaborative trainings.

Outcomes

Opportunities for families to access information and resources were enhanced by ongoing implementation and maintenance of the Project START website. Over the course of 12 months, the START project website received an average of 2000 visitors and about 5000 page views each month. This is up significantly from last year when there were less than 500 visitors and about 200 page views per month.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /

No revisions

Indicator #9 – Disproportionality Child with a Disability

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

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 9 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 9 for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP targets and discussed improvement activities. The process for identifying disproportionate representation and significant disproportionality and the process for identifying inappropriate identification that may result in disproportionate representation were reviewed. In addition, NJOSE discussed a comprehensive technical assistance opportunity that will take place in February and May in collaboration with the Regional Resource Center Network. Stakeholders provided input regarding the process for identification and improvement activities.

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. (20 U.S.C. 1416(a)(3)(C))

Measurement:

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

Calculation – Total number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by the total number of districts in the state (9/640) * 100 = 1.40%.

For the FFY 2010 APR submission, NJOSE used data from its Fall Survey Data Collection (October 2000) and data from the IDEA 2010 Child Count collection.

Overview/Description of Issue, Process, System – Disproportionality

State's Definition of "Disproportionate Representation" and Methodology

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

Functional Definition:

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

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

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

The measures included three descriptive statistics:

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

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

In order to determine **persistence**, districts were ranked on each of the three measures (risk ratio, risk rates, and a measure of impact (i.e. number of students impacted by the disproportionality (**over-identification/under-identification**)) for a consecutive three year period, including the FFY being reported in the SPP/APR. Ranks for the three-year period were totaled and those districts with the lowest ranks (e.g. Ranks of 1 to 50) and an impact number of more than 25 students were identified as having a disproportionate representation. A total of 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.

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, NJOSE determined that **39 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/NJOSE Verification**

For FFY 2010, 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 nine LEAS had findings of noncompliance in one or more of the requirements reviewed. Each LEA receives a report of findings, with corrective action and is directed to correct the noncompliance within one year of identification. Verification of correction is being conducted in accordance with the verification process described below.

Actual Target Data for (FFY 2011):

FFY	Measurable and Rigorous Target
FFY	0%

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

Year	Total Number Of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
2010	640	39	9	1.40%

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

The data for this indicator indicate slippage from .97% (6 LEAs) in FFY 2009 to 1.40% (9 LEAs) in FFY 2010, representing an increase of 3 districts in the state that demonstrated disproportionate representation of racial ethnic groups in special education and related services that is the result of inappropriate identification. Although the number of findings with requirements related to this indicator is insufficient to identify statewide trends or patterns regarding the root cause of the inappropriate identification, examples of findings of noncompliance include monitoring of prereferral interventions, provision of notices to parents in native language and ensuring that parents or adult students were provided copies of evaluation reports prior within 10 days of eligibility meetings. Technical assistance was provided to districts regarding procedural changes needed to expedite correction. **NJOSE will verify that the findings of noncompliance made in FFY 2010 are corrected, consistent with OSEP Memorandum 09-02, as described below.**

Improvement Activities

NOTE: Activities that occurred in 2010-2011 and that are ongoing during the course of the SPP, including FFY 2010, are represented by the symbol.***

Technical Assistance through the Regional Resource Center Network: NJOSE is working, under coordination of the Northeast Regional Resource Center (NERRC) with the Equity Assistance Center (EAC), Data Accountability Center (DAC), National Center on RTI, and the disproportionality priority team from mid-south and western RRCs to provide technical assistance related this indicator to LEAs identified through step 1 in this indicator, those with disproportionate representation. The areas of focus will be analysis of district-level data, overview of disproportionate representation and assistance in completion of a comprehensive "practice" protocol assessment. The protocol focuses on the areas of administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual

considerations. The purpose is to assist LEAs with identifying and implementing practices that may lead to a reduction in disproportionality. **(Activity 2010-2011)****

Correction of FFY 2009 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2008 for this indicator: .97%

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2009 through June 30, 2010)	9
2. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	9
3. Number of FFY 2009 findings not verified as corrected within one year [(1) minus (2)]	0

Verification of Correction:

To verify correction of noncompliance, the NJOSE 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, NJOSE 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, NJOSE verified the presence of revised policies and procedures prior to ensuring that they were implemented.

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

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

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

No Revisions

Indicator # 10 – Disproportionality **Eligibility Category**

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

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 10 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 10 for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP targets and discussed improvement activities. The process for identifying disproportionate representation and significant disproportionality and the process for identifying inappropriate identification that may result in disproportionate representation were reviewed. In addition, NJOSE discussed a comprehensive technical assistance opportunity that will take place in February and May in collaboration with the Regional Resource Center Network. Stakeholders provided input regarding the process for identification and improvement activities.

Monitoring Priority: Disproportionality

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

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

Measurement:

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

Calculation – Total number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by the total number of districts in the state (10/640) * 100 = 1.56%.

For the FFY 2010 APR submission, NJOSE used data from its Fall Survey Data Collection (October 2010) and data from the IDEA 2010 Child Count collection.

NJOSE 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

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

Functional Definition:

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

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

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

- 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.

Using the criteria established above, NJOSE determined that **43 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/NJOSE Verification**

For FFY 2010, 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 10 LEAS had findings of noncompliance in one or more of the requirements reviewed. Each LEA receives a report of findings, with corrective action and is directed to

correct the noncompliance within one year of identification. Verification of correction is being conducted in accordance with the verification process described below.

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

Actual Target Data for FFY 2011:

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

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
2010	640	43	10	1.56%

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

Report of Progress/Slippage

The data for this indicator indicate slippage from ~~4.29%~~ 0.48% (3 LEAs) in FFY 2009 to 1.56% (10) LEAs in FFY 2010, of districts in the state that demonstrated disproportionate representation of racial ethnic groups in special education and related services that is the result of inappropriate identification. Although the number of findings with requirements related to this indicator is insufficient to identify statewide trends or patterns regarding the root cause of the inappropriate identification, examples of findings of noncompliance include monitoring of pre-referral interventions, provision of notices to parents in native language and ensuring that parents or adult students were provided copies of evaluation reports prior within 10 days of eligibility meetings. Technical assistance was provided to districts regarding procedural changes needed to expedite the distribution of reports. **NJOSE will verify that the findings of noncompliance made in FFY 2010 are corrected, consistent with OSEP Memorandum 09-02, as described below.**

Improvement Activities

NOTE: Activities that occurred in 2010-2011 and that are ongoing during the course of the SPP, including FFY 2010, are represented by the symbol.***

Technical Assistance through the Regional Resource Center Network: NJOSE is working, under coordination of the Northeast Regional Resource Center (NERRC) with the Equity Assistance Center (EAC), Data Accountability Center (DAC), National Center on RTI, and the disproportionality priority team from mid-south and western RRCs to provide technical assistance related this indicator to LEAs identified through step 1 in this indicator, those with disproportionate representation. The areas of focus will be analysis of district-level data, overview of disproportionate representation and assistance in completion of a comprehensive "practice" protocol assessment. The protocol focuses on the areas of administrative oversight, general education interventions and supports, parent-family involvement, assessment tools and strategies, written reports of assessment findings, eligibility decision-making process, and bilingual considerations. The purpose is to assist LEAs with identifying and implementing practices that may lead to a reduction in disproportionality. **(Activity 2010-2011)*****

Correction of FFY 2009 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: .48%

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	3
2. Number of FFY 2009 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 2009 findings not verified as corrected within one year [(1) minus (2)]	0

Verification of Correction:

To verify correction of noncompliance, the NJOSE 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, NJOSE 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, NJOSE verified the presence of revised policies and procedures prior to ensuring that they were implemented.

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

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

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

[If applicable]

No Revisions

Indicator # 11: Childfind

Part B State Annual Performance Report (APR) for FFY 2010

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 11 for the 2009-2010 school year were reviewed and the process for identification and verification of correction of noncompliance was discussed.

NJOSE staff presented data for Indicator 11 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target and discussed improvement activities which may be contributing to the increase in the compliance rate for this indicator. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / Child Find

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

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

Measurement:

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

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

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

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

In accordance with 34 C.F.R. §300.301(c)(1)(ii) and 34 C.F.R. §300.301(c)(1)(ii), New Jersey has established a timeline within which evaluations must be completed and has also established procedures by which eligibility is determined. New Jersey's system of evaluation and determination of eligibility includes the following procedures which must be completed within specific timelines from when a parent provides consent for evaluation, as detailed in New Jersey's special education regulations. These include providing written notice of a meeting; disseminating to the parents any evaluations or reports that will be used to determine eligibility, at least 10 days prior to the eligibility meeting; conducting the eligibility meeting; and if the student is eligible, conducting an IEP meeting; providing written notice of the IEP; obtaining consent to implement the IEP; and having a program that is in place for the student. To comply with the requirement to have the entire process completed within 90 days from the date parental consent is obtained, **the data for this indicator are collected based on the requirement that evaluations and a written report must be completed no later than the 65th day from parental consent.**

FFY	Measurable and Rigorous Target
FFY 2010	100%

Actual Target Data for FFY 2010:

93% of children with parental consent to evaluate were evaluated within New Jersey's established timeline.

Method Used to Collect Data for Indicator 11

Statewide census data for this indicator are collected through the Annual Data Report which is now reported to NJDOE through the New Jersey Standards Measurement and Resource for Teaching (NJSMART) student level data base on October 15th of each year. LEAs report dates of consent and dates for the completion of evaluations, by student. Reasons for any delays in meeting evaluation timelines are also reported by student. Data are aggregated to the district and state level for reporting in Indicator 11 and for analysis to identify and correct noncompliance. Data for Indicator 11 represent evaluations conducted for the entire reporting year – July 1, 2010 – June 30, 2011, reported by districts on October 15, 2011.

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

a. Number of children for whom parental consent to evaluate was received	19219
b. Number of children whose evaluations were completed within 60 days (or State-established timeline)	1787
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)	93%

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

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

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

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

<u>Reason</u>	<u>Number of Delayed Evaluations</u>	
	Not Valid	Valid
Mediation or due process hearing (valid reasons)		9
Additional evaluations were needed	308	
Specialized evaluations were needed	346	
Evaluation related issues (not valid)	654	
Vacancies of child study team or related services personnel	84	
Child study team or related services personnel were unavailable	503	
Staff related issues (not valid)	587	
Incomplete residency/enrollment information (not valid)	52	
No reason for delay reported (not valid)	48	
Missing Data	11	
Total:	1352	9

The 1341 evaluations listed above in the column on the left account for all students in (a) but not included in (b).

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

In addition, because there is an automatic stay-put whenever mediation or due process hearing is initiated, this was also determined by NJOSE 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 NJOSE 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	12	12	7	12	6	2	1	52
Additional Evaluations Needed	51	62	56	68	40	14	17	308
Specialized Evaluations Needed	80	80	73	62	30	11	10	346
Vacancies of Child Study Team or Related Services Personnel	11	21	17	18	7	6	4	84
Child Study Team or Related Services Personnel were Unavailable	139	128	115	80	27	8	6	503
No Reason or No Valid Reason	15	10	7	11	1	1	3	48
Total	308	313	275	251	111	42	41	1341

* This table does not include the 11 evaluations with missing data.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010:

Discussion of data and progress or slippage toward targets:

The rate of evaluations completed within the state established timeline increased from 92% reported in the FFY 2009 APR to 93% reported in this FFY 2010 APR. Overall, there was a decrease of 1,048 evaluations reported for the 2010-2011 school year from the previous year. The number of delayed evaluations reported with no reason for the delay decreased significantly from 337 reported last year to 48 reported above indicating improvements in data entry. This enabled the NJOSE to analyze patterns of delay for the vast majority of delayed evaluations. Delayed evaluations due to the need for specialized evaluations increased by 3 and delays due to staffing issues decreased by 66 from last year.

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

Improvement Activities:

NOTE: Activities that occurred in 2010-2011 and that are ongoing during the course of the SPP, including FFY 2010, are represented by the symbol *.**

Targeted Reviews - Districts identified in NJOSE's FFY 2009 APR, with delays based on the analysis of FFY 2009 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 NJOSE regarding timelines for evaluations conducted subsequent to FFY 2009 to determine if the state established timeline was being met. Interviews were conducted with directors as needed to identify barriers to timely evaluations. Policies, procedures and practices were discussed with directors as needed. All districts identified with delays demonstrated correction within one year of identification.

The targeted review described above was completed for the districts identified for delays in meeting child find timelines in FFY 2009. Findings and correction of those findings are listed below. Targeted reviews are being conducted currently in the districts reported for delays in meeting evaluation timelines based on NJOSE's review of FFY 2010 data which was reported to OSEP in October 2011. Results of the targeted reviews will be reported in the FFY 2010 APR. **(Activity: 2010-2011)*****

Self-Assessment/Monitoring: Districts with delays in completing initial evaluations within the state established timeline receive a separate targeted review as described above; however, *requirements related to the evaluation process* are also reviewed in all districts selected for self-assessment and monitoring. NJOSE's current monitoring system is aligned with the priorities established in the SPP. Policies, procedures and practices regarding the initial evaluation of students referred to determine eligibility for special education and related services are reviewed during the monitoring process. During the onsite visits, technical assistance is provided, as needed, with regard to policies, procedures, and practices relating to timely evaluation of students. **(Activity: 2010-2011)*****

Data Collection and Analysis:

Beginning in the fall of 2009, collection of data for Indicator 11 was changed from an aggregate count submitted by each district and charter school to a student level count and the date was moved from December 1 to October 15. Districts are provided with technical assistance regarding data input annually and the collection process is reviewed annually to ensure that the required information is captured accurately and efficiently. **(Activity: 2010-2011)*****

Correction of Findings of Noncompliance Made Based on FFY 2009 Data (if State reported less than 100% compliance):

Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 92 %

4. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2009 through June 30, 2010)	64
5. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	64
6. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction Consistent with OSEP Memorandum 09-02:

As required by OSEP Memorandum 09-02, NJOSE 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 NJOSE 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 2009 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 2009. 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 NJOSE 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.

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

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

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

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

No revisions

Indicator # 12: Early Childhood Transition

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 12 for the 2009-2010 school year were reviewed and the targeted review process for identifying and correcting noncompliance was discussed.

NJOSE staff presented data for Indicator 12 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target and discussed improvement activities which may be contributing to progress from 86%, reported for FFY 2009, to 91% reported for FFY 2010. 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 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 who were referred to 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. 20 U.S.C. 1416(a) (3) (B)), New Jersey has adopted regulations to enable a smooth and timely early childhood transition from Part C to Part B. Specifically, these regulations state:

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

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

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

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

In order to ensure implementation of new Part C regulations regarding early childhood transition, the NJOSE is working with the Department of Health and Senior Services, the Part C lead agency for New Jersey.

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 2010	100%

Actual Target Data for FFY 2010:

91% of children referred by Part C prior to age 3 were found eligible for Part B, and had an IEP developed and implemented by their third birthday.

Method used to Collect Data for Indicator 12

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

Actual State Data (Numbers)

a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.	1954
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	0
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	1338
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.	340
e. # of children who were referred to Part C less than 90 days before their third birthdays.	136
# in a but not in b, c, d, or e.	140
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	91%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:**Discussion of Children who are included in 'a' but not included in b, c, d or e:**

NJOSE 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 NJOSE 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 NJOSE determined that all other reasons for a delay in timelines are either not valid or not permitted in regulation.

Range of days beyond the timeline, when the evaluation was completed and reasons for the delays: With respect to the length of delay, the majority of the evaluations were delayed between 1 and 5 days and 30 and 60 days beyond the third birthday. Incomplete residency information, the need for additional or specialized evaluations and staff related issues continue to be cited most frequently as the reason for the delay.

<u>Reason</u>	<u>Number of Delayed Evaluations</u>	
	Not Valid	Valid
Mediation or due process hearing (valid)		3
Additional evaluations were needed (after initial evaluation plan)	16	
Specialized evaluations were needed	14	
Evaluation related issues (not valid)	30	
Vacancies of child study team or related services personnel	8	
Child study team or related services personnel were unavailable	27	
Staff related issues (not valid)	35	
Incomplete residency/enrollment information (not valid)	37	
No reason for delay and/or no consent dates reported (not valid)	4	
Missing Data	34	
Total	140	3

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

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

Delay Reason	Between n 1-5	Between 6-15	Between 16-30	Between 31-60	Between 61-90	Between 91 and 120	More than 120	Total
01: Incomplete residency	13	3	5	11	4	0	1	37
02: Additional Evaluations Needed	2	3	1	3	3	3	1	16
03: Specialized Evaluations Needed	3	1	6	4	0	0	0	14
06: Vacancies of Child Study Team or Related Services Personnel	0	1	1	3	2	1	0	8
07: Child Study Team or Related Services Personnel were Unavailable	3	8	5	3	2	2	4	27
08. Wrong Code and No Reason (Blanks)	0	0	1	2	0	0	1	4
Total	21	16	19	26	11	6	7	106

* The 34 evaluations reported with missing data are not included in the table above.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

Discussion of data and progress or slippage toward targets

The data for this indicator indicate an increase of 5%, from 86% reported in the FFY 2009 APR, to 91% reported in the APR for FFY 2010. There was an increase in the number of delays due to vacancies and in the number of delays due to unavailability of child study team or related services personnel. There was a slight decrease in the number of delays due to incomplete residency information. There was an increase in the number of delays due to the need for specialized evaluations or additional evaluations. Districts report that, at times, they have difficulty scheduling specialists who are not district employees. Although the evaluations were not completed within required timelines, **NJOSE 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. NJOSE followed up on any child for whom a date was missing and verified that the IEP did occur, although late.**

Improvement Activities:

NOTE: Activities that occurred in 2010-2011 and that are ongoing during the course of the SPP, including FFY 2010, are represented by the symbol *.**

Targeted Reviews - For the districts identified in Indicator 12 in NJOSE's FFY 2009 APR for delays based on the analysis of FFY 2009 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 2009 APR (Indicator 12) were completed. Seven districts were issued findings of noncompliance 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 NJOSE were reviewed to determine if the reasons for delays in evaluations had been addressed, resulting in correction of noncompliance with the timeline requirement.

All 7 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 2012 in the districts reported for delays in meeting evaluation timelines based on NJOSE's review of FFY 2010 data. Results of the targeted reviews will be reported in the FFY 2010 APR due February 1, 2012. **(Activity: 2010-2011)*****

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

During the monitoring process, technical assistance is provided, as needed, with regard to policies, procedures, and practices relating to this indicator. **(Activity: 2010-2011)*****

Data Collection and Analysis:

Beginning in the fall of 2008, collection of data for Indicator 12 was changed from an aggregate count submitted by each district and charter school to a student level count and the date was moved from December 1 to October 15. Annually, the collection of data for this indicator is reviewed to ensure that all required elements are collected accurately. Data are reviewed statewide to identify patterns of noncompliance and barriers to timely transition. **(Activity: 2010-2011)*****

Coordination across Systems: The NJOSE 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 (NJOSE) and NJEIS; and
- work with the New Jersey Head Start Collaboration Office and the Division of Early Childhood in the dissemination of information on early childhood transition to Head Start and childcare. **(Activity: 2010-2011)*****

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2009 APR):Level of compliance (actual target data) State reported for FFY 2009 for this indicator: 86%

7. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	7
8. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	7
9. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

As required by OSEP Memorandum 09-02, NJOSE aggregates 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 NJOSE 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 2009 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 2010. 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. NJOSE 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.

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

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

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

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

No revisions

Indicator # 13: Secondary Transition

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011 NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Although data was not reported for Indicator 13 in the FFY 2009 APR, the targeted review process conducted in 2010-2011 was discussed.

NJOSE staff presented data for this indicator for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target and discussed the slippage from baseline data reported in the revised SPP submitted to USOSEP in February 1, 2011. The revised process for identifying and verifying correction of noncompliance was presented along with improvement activities. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

Overview/Description of Issue, Process, System

Method Used to Collect Data for Indicator 13

Data for this indicator are monitoring data and were obtained for FFY 2010 through a targeted review process. During FFY 2010, a selection of 57 districts with students, aged 16 and above was selected to participate in the targeted review. These districts represented the last cohort of the FFY 2005-2010 SPP cycle. Two teleconferences were conducted in October 2010 to review age 16 transition requirements and the process for targeted review. State and national resources for materials on transition assessment and transition planning were presented. A sample of student files was collected from each district representing a variety of disability categories, racial/ethnic groups, grade levels and placements. The

revised checklist developed by the National Secondary Transition Technical Assistance Center (NSTTAC) was used by state monitors to review each student file. Files were determined noncompliant if one or more of the 8 questions on the checklist received a response of “no.” Targeted technical assistance was offered to all districts in the cohort. 24 districts participated in the technical assistance.

A report of findings was issued to each district participating in the targeted review. To verify correction of noncompliance, the NJOSE monitors determined through desk audits and onsite visits that each LEA with a finding of noncompliance:

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

FFY	Measurable and Rigorous Target
2010 (2010-2011)	100%

Actual Target Data for FFY 2010:

78.38% 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 interview for a total of 407 students, aged 16 and above. Findings of noncompliance were identified for 88 students in 13 districts and charter schools yielding a percentage for Indicator 13 of 78.38% ($319/407 \times 100$).

Discussion of Data: A total of 57 LEAs participated in the targeted review for this indicator. Of those LEAs and charter schools, noncompliance was identified in 13 districts or charter schools. There were a total of 319 students for whom documentation demonstrated compliance and 88 students whose IEPs and supporting documentation demonstrated noncompliance. The most common occurrence resulting in a finding of noncompliance (63 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 (41 IEPs) was the absence of evidence that the student was invited to the IEP team meeting where transition services were discussed.

Report of Progress/Slippage

Discussion of data and progress or slippage toward the targets:

The FFY 2010 (2010-2011) data of 78.38% indicates slippage from the baseline data (90%) reported for FFY 2009 (2009-2010) in the revised SPP. Intensive technical assistance and training opportunities are offered annually to assist districts with identifying strategies to improve transition planning and outcomes. Improvement activities were modified for the 2011-2012 school year to respond to the findings above.

Correction of FFY 2009 Findings of Noncompliance (if State reported less than 100% compliance in its FFY 2009 APR):

Level of compliance (actual target data) State reported in the SPP for FFY 2009 for this indicator: 90%

10. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010)	29
11. Number of FFY 2009 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	29
12. Number of FFY 2009 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	0

Verification of Correction (either timely or subsequent):

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

To verify correction of noncompliance, the NJOSE monitors determined through desk audits and onsite visits that each LEA with a finding of noncompliance:

- is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, based on the level of noncompliance, that demonstrate compliance; and
- has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction by reviewing a sample of the files found to have noncompliance, consistent with OSEP Memo 09-02.

Specific actions that the State took to verify the correction of findings of noncompliance identified regarding FFY 2009 data:

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

Districts were also required to submit updated data such as, IEPs and/or other documentation generated for students subsequent to the date of their targeted review report to demonstrate current implementation of the requirements at 100% compliance. Districts where oversight was a root cause of noncompliance were 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 2009 were verified as corrected within one year of identification.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010:

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are noted by the symbol *.**

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

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

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

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

(Activity 2010-2011)***

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

Monitoring activities in the areas of graduation rate, dropout rate and transition service needs are linked in the monitoring system. Each district identified for self-assessment reviews their graduation and dropout rates against the state annual SPP targets, completes a protocol to identify needs for continuous improvement in transition planning and reviews related compliance requirements. Federal requirements related to SPP Indicators 1 and 2 are reviewed during onsite monitoring visits if a district in the self-assessment cohort did not meet the SPP target for Indicator 1 and/or Indicator 2. Noncompliance with requirements related to SPP Indicators 1, 2, 13 and 14 must be corrected within one year of identification.
(Activity 2010-2011)

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2010-2011 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for

self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities.

Additionally, individualized technical assistance sessions were offered to all districts participating in the Indicator 13 review. Teams from 24 of the 57 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Suggested improvements were provided to session participants based upon documentation reviewed during the technical assistance session along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. The data collection form used to review files for compliance with Indicator 13, modeled on the revised NSTTAC checklist, served as a guide for the discussion. Teams learned about student, family and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. **(Activity 2010-2011) *****

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

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

During the 2010-2011 school year, four statewide proactive trainings were conducted on secondary transition. Over 230 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. Three additional proactive trainings were conducted on transition for groups of educators from Somerset County, Passaic County, and The New Jersey Commission for the Blind and Visually Impaired. A proactive training was also conducted for over 50 educators in Middlesex County on the topic of transition assessment. **(Activity: 2010-2011)*****

b. Student Leadership “Dare to Dream” Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSE organized and conducted six Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2011. These conferences were held regionally throughout the state on college campuses. More than 1,500 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2010-2011)*****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSE continued to support implementation of regulations that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences. A major benefit of this regulation is the flexibility provided in the assignment of staff to these positions thereby increasing local school districts’ capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Career and Technical Education, in consultation with NJOSE, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career

education, and career orientation to effective transition planning and program development. **(Activity: 2010-2011)*****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with significant disabilities, NJOSE continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI). **(Activity: 2010-2011)*****

d.1. Administrators' Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September and October 2010. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were administrators or their designees from 125 school districts. **(Activity: 2010-2011)*****

d.2. Regional Trainings: During the 2010-2011 school year, one day and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Job Coach Training*, *Using Community-Based Instruction to Teach Social Skills*, *Management and Supervision of CBI Programs*, and *Job Development in Career Exploration for Students with Disabilities*. The training titled, *Foundations of Community-Based Instruction*, was directed to teachers, paraprofessionals and child study team members who are new to the practice of CBI. Topics included: strategies for selecting training environments, partnering with employers, and strategies for teaching in the community. *Job Coach Training* provided strategies for on-site job coaching for paraprofessionals or other educators who serve as job coaches. Topics addressed included: analyzing work and social demands of workplaces; assessing student skills, support needs, and progress; coordinating the implementation of needed supports so that students can be successful in their work environment; and how and when to alter or fade supports. *Using Community-Based Instruction to Teach Social Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: how to teach social skills in community settings, arrange opportunities for students to practice social skills with community members, and coordinate CBI with in-school instruction on social behavior. *Management and Supervision of CBI Programs* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: creating administrative structure and support for CBI programs, issues related to budgeting and scheduling, articulating with in-school programs and practices, staff selection for CBI Programs, staff training, systems of supervision, and ongoing program evaluation. *Job Development in Career Exploration for Students with Disabilities* provided training on how to locate and establish worksites for students with disabilities, ages 16-21, by creating partnerships with community businesses. Strategies included how to approach and communicate with businesses through warm and cold contacts using business-friendly promotional/sales techniques. A total of 374 educators attended one or more of these training sessions from 119 secondary programs. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2010-2011)*****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 600

parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2010-2011)*****

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

- New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Rehabilitation Council
 - New Jersey Department of Human Services, Commission for the Blind and Visually Impaired State Rehabilitation Council
 - New Jersey Department of Community Affairs, Commission on Recreation for People with Disabilities
 - New Jersey State Agency Directors Forum
 - New Jersey Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
 - The State Employment & Training Commission's Disability Issues Committee
- (Activity: 2010-2011)*****

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL): To promote self-advocacy for students and families, NJOSE continued to support the Centers for Independent Living. NJOSE entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending March 31, 2011, the *Promoting Self-Advocacy* project assisted over 547 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 3,138 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by district/school/teacher requests to CILs staff to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2010-2011)*****

h. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconference: To promote understanding of topics related to transition among parents of students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and provide a statewide teleconference titled *Secondary Transition Planning and the IEP: What Families Need to Know*. A total of 127 parents and educators participated in the transition teleconference. This presentation is available for download on the web at <http://www.spannj.org/START/transitionresources.htm> **(Activity: 2008-2009, 2010-2011)**

i. Interagency Collaboration - Statewide Parent Advocacy Network Community Based Instruction Mini Conference: To promote the practice of Community Based Instruction for students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and implement two half-day regional mini conferences for families and educators entitled *Learning in the Community*:

Preparing Students for Life after High School. Topics included career exploration in the community as well as recreation and other general community activities. A total of 109 parents, students and educators attended the two conferences held in October 2010. **(Activity: 2010-2011)**

j. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: NJOSE assisted in the recruitment of students in Cumberland, Bergen, Burlington and Passaic Counties to attend Business Simulation Boot Camp & Workshop. The LearnDoEarn Business Simulation Boot Camp & Workshop is an educational experience for ninth grade high school students that combine a series of instructional and motivational workshops with the excitement of competition. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. Students assumed the role of employers in launching a business that will design, manufacture, market, and sell a product; they make hiring and budgeting decisions. Participants worked in teams; their work product and performance were judged by a panel of business people. Through these and other activities, students discover, define, and commit to acquiring the academic knowledge, skills, and behaviors necessary to achieve success in the demanding and competitive worlds of college and work. The LearnDoEarn training targeted college bound students who were entering the tenth grade in the fall of 2011. Primary consideration was given to students with disabilities and special needs (70% of attendees). **(Activity: 2010-2011)**

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /

No revisions.

Indicator #14: Post School Outcomes

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 14 for the students who exited during the 2009-2010 school year were reviewed

NJOSE staff presented final data for this indicator for submission in the FFY 2010 APR to the (SSEAC) and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff compared FFY 2010 data to the SPP target and discussed the results of the post school outcomes survey conducted for the fifth cohort of 75 districts whose students exited school during 2010-2011. Discussion included response rate, demographic representation and progress in achieving the target. Stakeholders provided input regarding improvement activities for this indicator.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

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

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

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

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

NJOSE 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 who 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 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 75 districts was selected to participate in the fifth cohort of districts. From June through September of 2011, districts contacted former students with disabilities who had exited school during 2009-2010 (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 2009-2010 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 anytime in the year since leaving high school.

Competitive employment - NJOSE used the Vocational Rehabilitation Act (VRA) (29 USC 705(11) and 709(c)) definition of competitive employment. It reads: Competitive employment means work—(i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled. (Authority: Sections 7(11) and 12(c) of VRA.) 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
2010 (2010-2011)	Of youth who are no longer in secondary school (exited during 2009-2010) and had IEPs in effect at the time they left school: A = Percent enrolled in higher education will be 45% B = Percent enrolled in higher education or competitively employed will be 74% C = Percent enrolled in higher education or in some other postsecondary education or training program or competitively employed or in some other employment will be 84%

Actual Target Data (Achieved Engagement Outcomes: Cohort 5 Data for FFY 2010)

The calculations and results for the data collection of students with disabilities who exited school during the 2009-2010 school year (cohort 5) are as follows:

There were 3053 total respondents.

1 = 1489 respondent leavers were enrolled in higher education.

2 = 797 respondent leavers were engaged in competitive employment (and not counted in 1 above).

3 = 202 of respondent leavers were enrolled in some other post-secondary education or training (and not counted in 1 or 2 above).

4 = 103 of respondent leavers were engaged in some other employment (and not counted in 1, 2, or 3 above).

Thus,

Measurement A = 1489 (#1) divided by 3090 (total respondents) = 48.8%

Measurement B = 1489 (#1) + 797 (#2) divided by 3090 (total respondents) = 74.9%

Measurement C = 1489 (#1) + 797 (#2) + 202 (#3) + 103 (#4) divided by 3053 (total respondents) = 84.9%

Response Rate and Representativeness:

Response rate overall increased from 75.55% (Cohort IV- FFY 2009) to 76.10% (Cohort V- FFY 2010). As seen in Table 1 Response Rate Calculation, 4049 students exited school during the 2009-2010 school year based upon data verification with all 75 districts in cohort 5. A total of 37 questionnaires were excluded because they had indications that they should not be entered because of re-enrollment in school or the individual was deceased, thus, leaving 4012 eligible for the study. Local districts were able to successfully contact 3053 youth or their family members.

Table 1 Response Rate Calculation

Number of Exiters in New Jersey	4049
Subtract the number of youth ineligible (those who had re-enrolled or were deceased)	-37 = 4012
Number of respondents (completed Part 2 of the survey)	3053
Response Rate: 3053/4012	76.1%

Representativeness: Using the NPSO Response Calculator (see Table 2) NJOSE calculated the representativeness of respondents to all student exiters from cohort five districts. Representativeness is calculated for each demographic category by subtracting the percentage of respondents from the percentage of all student exiters in cohort five for each category. A difference of $\pm 3\%$ is considered a statistical difference. The sample of respondents very closely matched the target leavers for all categories except for students who dropped out (-3.06% difference), for minority students (-3.91%). Student exiters who responded to the survey were representative of all student exiters from 2009-2010 for all categories of disability, gender and students in separate, out of district placements. Response rates among demographic groups were similar to last year with some exceptions - response rates for out-of-district students fell from 71.4% to 64.0%; and response rates for those with MR fell from 76.6% to

72.2%; while Abbott district rates increased from 64.8% to 67.9%. All the other categories were within +/- 3%.

Table 2 Representativeness of Respondents to Student Exiters

	Overall	LD	ED	MR	AO	Female	Minority	OOD	Dropout	Abbott
Target Leaver Totals	4012	2251	366	90	1305	1365	1538	559	375	638
Response Totals	3053	1764	245	65	979	1034	1051	358	192	433
Target Leaver Representation		56.11%	9.12%	2.24%	32.53%	34.02%	38.33%	13.93%	9.35%	15.90%
Respondent Representation		57.78%	8.02%	2.13%	32.07%	33.87%	34.43%	11.73%	6.29%	14.18%
Difference		1.67%	-1.10%	-0.11%	-0.46%	-0.15%	-3.91%	-2.21%	-3.06%	-1.72%

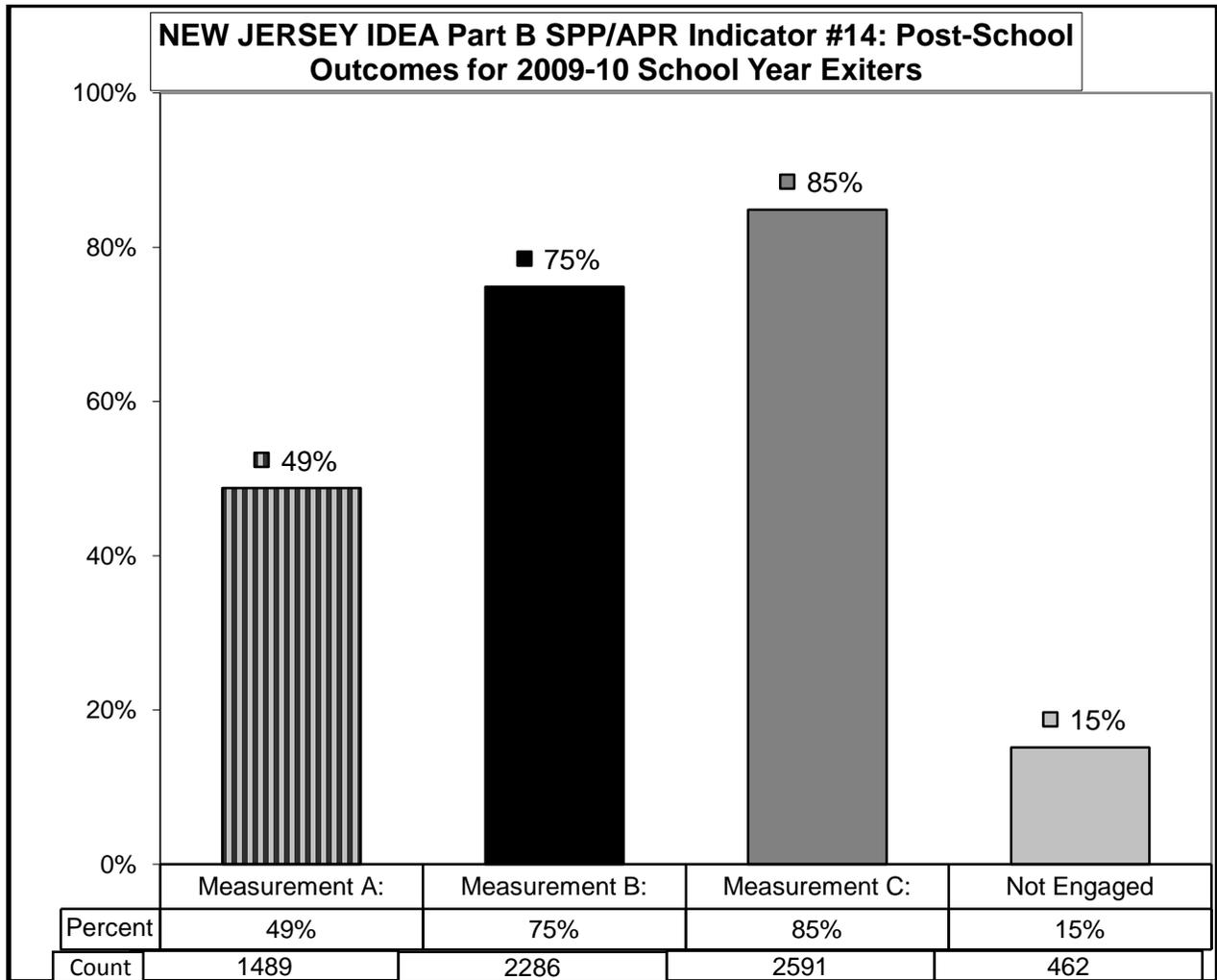
Representativeness Comparison

As with last year, the only groups to differ in representativeness by more than +/- 3.0% were minorities (-3.91% in 2011; -3.25% in 2010) and dropouts (-3.06% in 2011; -3.82% in 2010); therefore, these two groups were underrepresented. Out of district students were underrepresented (-2.21% in 2011; -0.64% in 2010); but there were improvements in females (-0.15% in 2011; 1.11% in 2010) and those with LD (0.54% in 2011; 1.67% in 2010). All the other percentages for subgroups were very close to 2010 in terms of representativeness. Continued efforts will be directed toward increasing representation of dropouts and minorities.

Actual Numbers Used in the Engagement Calculation: The calculation for engagement rate was the total number of student exiters who were engaged (2591) divided by the total number responded (3053) to the survey resulting in an **84.9% overall engagement rate**. The **Student Engagement** frequency and percent are broken out in the following table.

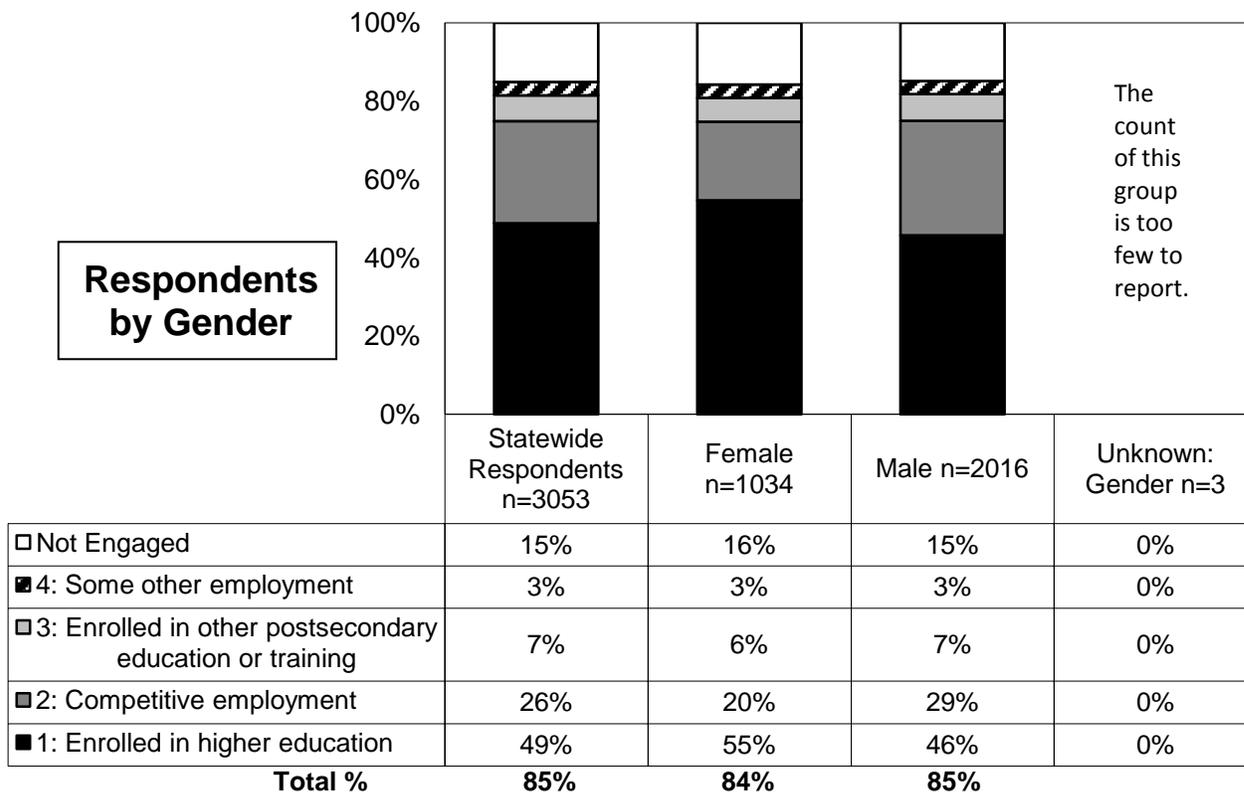
Engagement Response		Frequency	Percent	Cumulative Percent
1.	Enrolled in Higher Education	1489	48.8	48.8
2.	Competitive Employment	797	26.1	74.9
3.	Enrolled in Other Postsecondary Education or Training	202	6.6	81.5
4.	Some Other Employment	103	3.4	84.9
5.	Not Engaged	462	15.1	15.1
	Total	3053	100.0	100.0

As you can see in the table above, almost half (49%) of students respondents reported they completed at least one semester in higher education. An additional 26% of students were competitively employed as defined by Indicator 14.



Outcomes by Gender

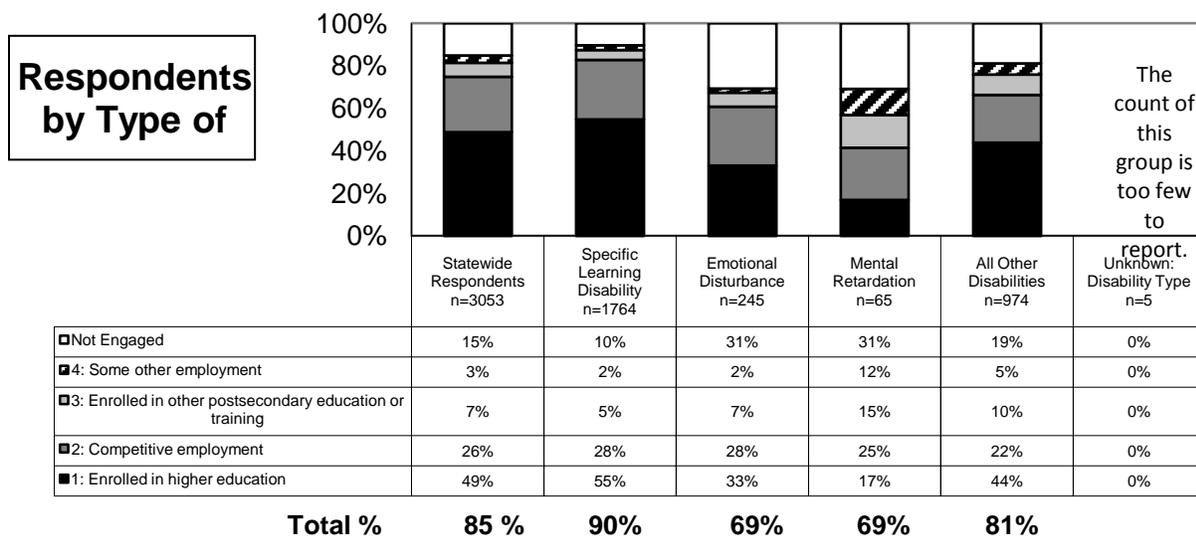
In the figure below, **Respondents by Gender**, 55% of New Jersey female youth enrolled in higher education compared to 46% of male youth. However, males were competitively employed at a higher rate (29%) than females (20%). Statewide, the overall percentage of engagement for males and females is essentially the same, 85% and 84%.



Outcomes by Disability

The highest percentage of engagement based on disability was students with learning disabilities at 90%. However, of concern are students with mental retardation and emotional disturbance who were only engaged at 69% for each category.

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2009-10 School Year Exiters



Outcomes by Ethnicity

The highest rates of engagement among ethnicity groups were Asian students at 92% compared to a low of 73% among black students. White students were engaged at 89%; while Hispanic students were engaged at 80%.

Ethnicity		Enrolled in Higher Education	Competitive Employment	Enrolled in Other Postsecondary Education or Training	Some Other Employment	Not Engaged	Total	%
	White	1070	522	110	59	226	1987	89%
	Black	176	111	48	22	129	486	73%
	Hispanic	190	151	40	17	100	498	80%
	Asian	39	8	4	4	5	60	92%
	American Indian or Alaskan Native	2	0	0	0	2	4	
	Native Hawaiian-Pacific Islander	1	0	0	0	0	1	
	Multiracial	1	0	0	1	0	2	
	Missing	10	5	0	0	0	15	
Total		1489	797	202	103	462	3053	

Outcomes by Type of Exit

Students who graduated were engaged at a rate of 88%; while students who dropout were only engaged at a rate of 57%. Students who were reported as reached maximum were engaged at a rate of 65%.

How Student Exited School		Enrolled in Higher Education	Competitive Employment	Enrolled in Other Postsecondary Education or Training	Some Other Employment	Not Engaged	Total	% Engaged
	Graduated	1470	729	146	70	341	2756	88%
	Reached Max Age	9	6	23	25	34	97	65%
	Dropout	10	59	33	7	83	192	57%
	Missing	0	3	0	1	4	8	
Total		1489	797	202	103	462	3053	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010:

Report of Progress/Slippage

The target for the 2010-2011 was 84% and the actual total engagement was 84.9%; therefore, the target for measure C was met for Indicator 14. In measure A, an increase of almost 4% was obtained (48.8% in 2011 – 45% in 2010) for students engaged in higher education. In measure B, however, there was a decrease by 3% in competitive employment (29% in 2010 dropping to 26.1 in 2011).

Baseline Data (Reported in New Jersey's SPP submitted to USOSEP in February 2011)

The calculations and results for the baseline data collection of students with disabilities who exited school during the 2008-2009 school year (cohort 4) are as follows:

There were 3090 total respondents.

1 = 1381 respondent leavers were enrolled in higher education.

2 = 894 respondent leavers were engaged in competitive employment (and not counted in 1 above).

3 = 213 of respondent leavers were enrolled in some other post-secondary education or training (and not counted in 1 or 2 above).

4 = 111 of respondent leavers were engaged in some other employment (and not counted in 1, 2, or 3 above).

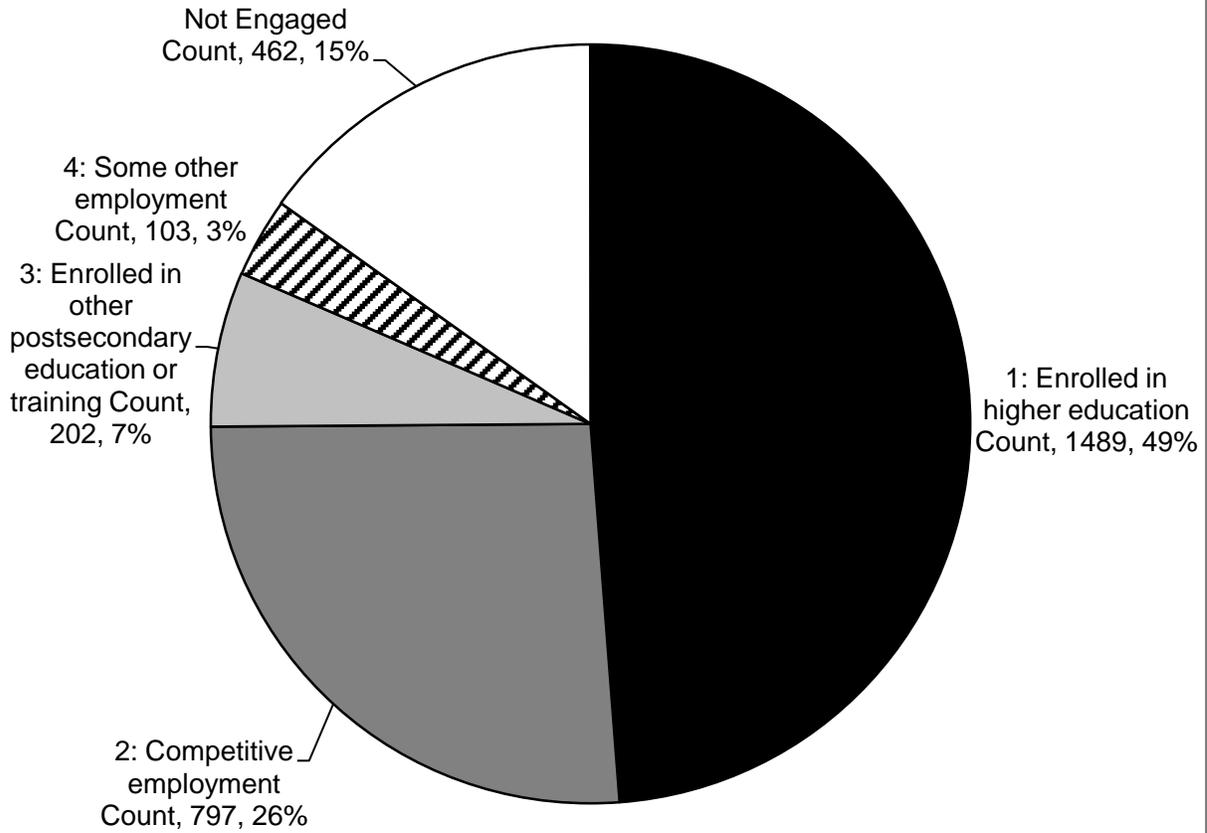
Thus,

Measurement A = 1381 (#1) divided by 3090 (total respondents) = 45%

Measurement B = 1381 (#1) + 894 (#2) divided by 3090 (total respondents) = 74%

Measurement C = 1381 (#1) + 894 (#2) + 213 (#3) + 111 (#4) divided by 3090 (total respondents) = 84%

NEW JERSEY IDEA Part B SPP/APR Indicator #14: Post-School Outcomes for 2009-10 School Year Exiters



SPP #14 Measurement A:	49%	Equals Segment 1
SPP #14 Measurement B:	75%	Equals Segments 1+2
SPP #14 Measurement C:	85%	Equals Segments 1+2+3+4

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

Improvement Activities

NJOSE will continue to implement the improvement strategies described below.

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

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

(Activity 2010-2011)***

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

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

(Activity 2010-2011)

Targeted Technical Assistance Related to Transition to Adult Life: Two teleconferences regarding transition planning were held for districts selected for the 2010-2011 SPP Indicator 13 compliance review. Federal requirements related to Indicators 1, 2, 13, and 14 were reviewed. Resources detailing best practices in transition planning were disseminated and aligned with the elements of the checklist used for New Jersey's Indicator 13 review. The checklist is based on the checklist developed for states by the National Secondary Transition Technical Assistance Center. Districts were provided with a process for self-review to ensure compliance with Indicator 13 and appropriate transition planning for students with disabilities.

Additionally, individualized technical assistance sessions were offered to all districts participating in the Indicator 13 review. Teams from 24 of the 57 districts participated. Teams included: special education administrators, general education administrators, child study team members, guidance personnel and/or transition coordinators. Suggested improvements were provided to session participants based upon documentation reviewed during the technical assistance session along with discussion and resources intended to clarify regulatory requirements and describe effective practices to enhance transition planning and services. The data collection form used to review files for compliance with Indicator 13, modeled on the revised NSTTAC checklist, served as a guide for the discussion. Teams learned about student, family

and transdisciplinary school involvement in IEP development and transition planning; interagency resources and linkages; and preparation for integrated employment, independent living, and postsecondary education. **(Activity 2010-2011)****

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

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

During the 2010-2011 school year, four statewide proactive trainings were conducted on secondary transition. Over 230 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. Three additional proactive trainings were conducted on transition for groups of educators from Somerset County, Passaic County, and The New Jersey Commission for the Blind and Visually Impaired. A proactive training was also conducted for over 50 educators in Middlesex County on the topic of transition assessment. **(Activity: 2010-2011)****

b. Student Leadership “Dare to Dream” Conferences: To promote self-advocacy and self-determination among New Jersey youth with disabilities, NJOSE organized and conducted six Student Leadership “Dare to Dream” conferences for students with disabilities in the spring of 2011. These conferences were held regionally throughout the state on college campuses. More than 1,500 high school students, parents, and school personnel from over 100 schools were provided training and guidance in the areas of self-advocacy and legal rights and responsibilities. The conferences featured presentations by youth and young adults with disabilities. **(Activity: 2010-2011)****

c. Interagency Collaboration - Structured Learning Experience/Career Orientation: NJOSE continued to support implementation of regulations that established a training requirement enabling certified teachers to serve as coordinators of career awareness, career exploration, and/or career orientation. The regulation also established the requirement for a district to assign an individual to coordinate structured learning and career orientation experiences. A major benefit of this regulation is the flexibility provided in the assignment of staff to these positions thereby increasing local school districts’ capacity to provide appropriate transition services through work-based learning. To support implementation of the structured learning experience requirements, the Office of Career and Technical Education, in consultation with NJOSE, sponsored workshops that: (a) enable appropriate school staff to meet the training requirement; (b) encourage community-based instruction as a means of supporting the education of students with disabilities; and (c) relate opportunities for career awareness, career education, and career orientation to effective transition planning and program development. **(Activity: 2010-2011)****

d. Interagency Collaboration - Community-Based Instruction (CBI): To promote the use of community-based instruction for students with disabilities, including a specific focus for students with significant disabilities, NJOSE continued a partnership with the Boggs Center, University of Medicine and Dentistry of New Jersey (UMDNJ) to conduct regional trainings and technical assistance for districts statewide that focus on the development and improvement of community-based instruction (CBI). **(Activity: 2010-2011)*****

d.1. Administrators' Trainings: Because the knowledge and support of district administration is critical to the development and/or expansion of the practice of CBI, two statewide teleconferences for administrators were held in September and October 2010. These sessions described quality components of CBI programs for students with disabilities, essential administrative supports to implement CBI, as well as upcoming staff training opportunities. In order for staff to register for CBI trainings, administrators were required to participate in one of these administrative sessions. Participating in these sessions were administrators or their designees from 125 school districts. **(Activity: 2010-2011)*****

d.2. Regional Trainings: During the 2010-2011 school year, one day and two day staff training sessions were conducted regionally on the topics of *Foundations of Community-Based Instruction (CBI)*, *Job Coach Training*, *Using Community-Based Instruction to Teach Social Skills*, *Management and Supervision of CBI Programs*, and *Job Development in Career Exploration for Students with Disabilities*. The training titled, *Foundations of Community-Based Instruction*, was directed to teachers, paraprofessionals and child study team members who are new to the practice of CBI. Topics included: strategies for selecting training environments, partnering with employers, and strategies for teaching in the community. *Job Coach Training* provided strategies for on-site job coaching for paraprofessionals or other educators who serve as job coaches. Topics addressed included: analyzing work and social demands of workplaces; assessing student skills, support needs, and progress; coordinating the implementation of needed supports so that students can be successful in their work environment; and how and when to alter or fade supports. *Using Community-Based Instruction to Teach Social Skills* was designed for teachers and paraprofessionals who work with students in community settings. Topics included: how to teach social skills in community settings, arrange opportunities for students to practice social skills with community members, and coordinate CBI with in-school instruction on social behavior. *Management and Supervision of CBI Programs* was designed for School Administrators and CBI program coordinators who are responsible for developing and/or managing a CBI program. Topics included: creating administrative structure and support for CBI programs, issues related to budgeting and scheduling, articulating with in-school programs and practices, staff selection for CBI Programs, staff training, systems of supervision, and ongoing program evaluation. *Job Development in Career Exploration for Students with Disabilities* provided training on how to locate and establish worksites for students with disabilities, ages 16-21, by creating partnerships with community businesses. Strategies included how to approach and communicate with businesses through warm and cold contacts using business-friendly promotional/sales techniques. A total of 374 educators attended one or more of these training sessions from 119 secondary programs. Additional on-site technical assistance was provided, upon request, to participating programs. **(Activity: 2010-2011)****

e. Interagency Collaboration - Pathways to Adult-Life for Parents: To promote interagency collaboration and support for parents of students with developmental disabilities (ages 14-19), the NJDOE, Office of Special Education, organized and participated in an interagency parent training initiative with the New Jersey Family Support Center, New Jersey Department of Labor, Division of Vocational Rehabilitation Services; the New Jersey Department of Human Services, Division of Disability Services and the Division of Developmental Disabilities. This training was designed for parents of students with developmental disabilities (ages 14-19) and provided specific information regarding referral, eligibility determination, and the range of service options available through these state agencies. More than 600 parents participated in 12 regional sessions that were held throughout New Jersey. **(Activity: 2010-2011)****

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

- New Jersey Department of Labor, Division of Vocational Rehabilitation Services State Rehabilitation Council
- New Jersey Department of Human Services, Commission for the Blind and Visually Impaired State Rehabilitation Council

- New Jersey Department of Community Affairs, Commission on Recreation for People with Disabilities
 - New Jersey State Agency Directors Forum
 - New Jersey Department of Human Services, Division of Disability Services Interagency Stakeholder Group on DiscoverAbility
 - The State Employment & Training Commission's Disability Issues Committee
- (Activity: 2010-2011)****

g. Interagency Collaboration - Centers for Independent Living - Promoting Self Advocacy (CIL): To promote self-advocacy for students and families, NJOSE continued to support the Centers for Independent Living. NJOSE entered into an interagency cooperative agreement with the New Jersey Department of Labor, Division of Vocational Rehabilitation Services, enabling each of the twelve Centers for Independent Living in New Jersey to continue implementation of the *Promoting Self-Advocacy* project. This project is focused on the following: 1) increasing the number of students, families, and school personnel that are aware of and use the resources and services of the Centers for Independent Living in New Jersey; 2) increasing students' knowledge of rights, responsibilities and resources; 3) increasing students' use of self-advocacy, self-determination, and self-help skills in their daily lives; and 4) increasing students' participation and decision making in the transition planning process with specific regard to postsecondary resources, services and linkages. Each Center for Independent Living offers self-advocacy, self-determination, and self-help programs and services to students with disabilities, their families and schools using current and effective materials and resources. During the project period ending March 31, 2011, the *Promoting Self-Advocacy* project assisted over 547 students (ages 14-21) in developing and implementing an individualized plan to increase self-advocacy skills in the areas of independent living, community participation, employment, and/or recreation. An additional 3,138 students received information and referral services during this period.

Outcomes from the project include: increased numbers of students and school staff who have become aware of and use the services provided by the Centers for Independent Living; increased collaboration amongst the Centers for Independent Living throughout the State; and increased collaboration with school districts as evidenced by district/school/teacher requests to CILs staff to provide direct instruction to students with disabilities on their rights, responsibilities and resources. **(Activity: 2010-2011)****

h. Interagency Collaboration - Statewide Parent Advocacy Network Transition Teleconference: To promote understanding of topics related to transition among parents of students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and provide a statewide teleconference titled *Secondary Transition Planning and the IEP: What Families Need to Know*. A total of 127 parents and educators participated in the transition teleconference. This presentation is available for download on the web at <http://www.spannj.org/START/transitionresources.htm> **(Activity: 2008-2009, 2010-2011)**

i. Interagency Collaboration - Statewide Parent Advocacy Network Community Based Instruction Mini Conference: To promote the practice of Community Based Instruction for students with disabilities, NJOSE collaborated with the Statewide Parent Advocacy Network to organize and implement two half-day regional mini conferences for families and educators entitled *Learning in the Community: Preparing Students for Life after High School*. Topics included career exploration in the community as well as recreation and other general community activities. A total of 109 parents, students and educators attended the two conferences held in October 2010. **(Activity: 2010-2011)**

j. LearnDoEarn – Collaboration with the New Jersey Chamber of Commerce: NJOSE assisted in the recruitment of students in Cumberland, Bergen, Burlington and Passaic Counties to attend Business Simulation Boot Camp & Workshop. The LearnDoEarn Business Simulation Boot Camp & Workshop is an educational experience for ninth grade high school students that combine a series of instructional and motivational workshops with the excitement of competition. Students gained a more complete understanding of the business world, and their potential role in it, through interactive presentations, exercises, and games. Students assumed the role of employers in launching a business that will design, manufacture, market, and sell a product; they make hiring and budgeting decisions.

Participants worked in teams; their work product and performance were judged by a panel of business people. Through these and other activities, students discover, define, and commit to acquiring the academic knowledge, skills, and behaviors necessary to achieve success in the demanding and competitive worlds of college and work. The LearnDoEarn training targeted college bound students who were entering the tenth grade in the fall of 2011. Primary consideration was given to students with disabilities and special needs (70% of attendees). **(Activity: 2010-2011)**

Data Collection and Analyses

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

b. Incentives: New Jersey continued to employ an incentive system for response rates. Districts were offered reimbursement through a contract for specific expenses associated with conducting this study (e.g., salary costs to interview students after school and during weekends). The amount of compensation was based on the number of student exiters and the number of completed, returned surveys. Approximately half of the districts received payment for completing the study requirements. **(Activity: 2010-2011)*****

c. NJOSE Oversight/Technical Assistance: Throughout the year, technical assistance was provided to all districts participating in the study NJOSE staff monitored progress in data collection prior to and throughout the data collection period with a focus on districts with large minority populations and/or dropouts. When progress in data collection was delayed, or when districts reported initially low response rates, individualized technical assistance meetings were conducted by NJOSE with district administrators and personnel directly responsible for data collection to address improvement strategies. The oversight and technical assistance provided by NJOSE contributed to the **76.1% response rate** for the study. **(Activity: 2010-2011)*****

d. Post School Outcome Study Protocol: The revised post-school outcome study protocol developed by the NPSO Center was used without changes for 2009-2010 exiters.

e. Assistance from NPSO Center: NJOSE received continued technical assistance from the NPSO Center. The technical assistance provided through phone, web conferences and on-site meetings has been and will continue to be a valuable source of support for this work. The staff at NPSO has been an invaluable resource in problem solving issues related to transition and conducting this study. **(Activity: 2010-2011)*****

f. Data Analysis: Trend analysis on response rates, representation and outcomes are being conducted to inform targets and improvement activities. **(Activity: 2010-2011)*****

Application of Data from the Post School Outcomes Study

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

a. Follow-up Technical Assistance for Participating Districts

In March of 2011, districts who participated in the fourth cohort of districts were provided with individual district reports of their post school outcome data to use in planning improvement activities. Feedback from districts was very positive in terms of the usefulness of this data. **(Activity: 2010-2011)*****

b. Self Assessment/Monitoring/Technical Assistance: Data from the post-school outcome study will continue to be used to inform the self-assessment monitoring process. As districts are selected for monitoring, information on exiters will be used in conjunction with other data (e.g. dropout rates, graduation rates, post-school goals, linkages to other agencies) regarding areas of need and improvement plan development as well as strategies to direct training or technical assistance. **(Activity: 2010-2011)*****

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

No Revisions

Indicator #15: Identification and Correction of Noncompliance

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). Data for Indicator 15 for the 2010-2011 school year were reviewed.

At a stakeholder meeting held on January 19, 2012, NJOSE reviewed its performance on identifying and correcting noncompliance within one year. Stakeholders were informed that reductions in staff contributed to the FFY 2009 rate for this indicator. Stakeholders were also informed that additional monitors and complaint investigators have been hired this year in an effort to ensure identification and timely correction of noncompliance with the requirements of the IDEA.

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

FFY	Measurable and Rigorous Target
<i>FFY 2009</i>	<i>100%</i>

Actual Target Data for FFY 2010:

Actual Target Data (from Table B15): *(Target data for FFY 2010 – the percent shown in the last row of the Indicator 15 Worksheet [(column (b) sum divided by column (a) sum) times 100])*

Percent of noncompliance corrected in one year of identification = (column [b] sum divided by column [a] sum) * 100 $524/577 \times 100 = 90.81\%$

90.81% of noncompliance identified through the general supervision system (including monitoring, complaints, etc) and related to monitoring priority areas and indicators during FFY 2009 was verified as corrected within one year of identification

Describe the process for selecting LEAs for Monitoring:

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

Monitoring

The findings of noncompliance included in Table B-15 from monitoring activities were identified in districts selected for monitoring 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 NJOSE following desk audit, onsite file review, data review and interviews with staff and parents. Monitors reviewed compliance with IDEA requirements related to SPP indicators. Districts were required to correct noncompliance identified during monitoring activities within one year of identification. If noncompliance was not corrected, state-directed corrective action plans were required that included specific activities, timelines and documentation required to demonstrate correction. Corrective action activities included the development or revision of policies and procedures, training, activities related to implementation of procedures and/or oversight of implementation of procedures. In addition to requiring corrective actions that address any root causes of noncompliance, NJOSE 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 will be conducted in collaboration with the Office of Fiscal Accountability and Compliance as part of a comprehensive monitoring activity. A team of monitors will review federal programs simultaneously in order to facilitate efficient use of local district staff time and reduce any negative impact on instruction. Monitors from the NJOSE will conduct monitoring of compliance with federal and state special education regulations and use of IDEA-B funds. This will allow special education monitors to review how LEAs use their IDEA funds to provide required special education programs and services. Fiscal IDEA B monitoring will also be conducted by fiscal staff as part of this consolidated monitoring process. The requirements related to SPP and other IDEA compliance indicators reviewed in prior years will continue to be monitored through desk audit, onsite file review, data review and interviews with staff and parents.; however, districts will not conduct a self-assessment and develop an improvement plan prior to the onsite visit. Districts will be required to create a corrective action plan following receipt of a consolidated monitoring report of findings of noncompliance. Verification of correction will continue to be conducted by NJOSE in accordance with the USOSEP 09-02 memo.

Targeted Review

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

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

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

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

Complaint Investigation

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

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

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2010:

Discussion of data and progress or slippage toward targets:

The rate of correction for findings corrected in FFY 2010 (90.81%) demonstrates an increase of 1.71% from the rate of correction reported for findings corrected in FFY 2009 APR (89.1%). Staff shortages impacted NJOSE's ability to ensure correction of noncompliance within one year of identification. Additionally, although districts received technical assistance if they had difficulty correcting noncompliance, some districts could not ensure implementation of new or revised procedures for some requirements.

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

Improvement Activities

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

Monitoring Process and Procedures

- a.** NJOSE continues to direct specific activities to correct noncompliance identified within district targeted review and complaint reports. A short timeline for correction is provided to LEAs to ensure timely provision of services to students with disabilities and ample time for targeted technical assistance with the correction process, if necessary, in order to ensure correction within one year of identification. **(Activities 2010-2011)*****
- b.** Targeted technical assistance continues to be provided for districts in need of assistance and in need of intervention in areas where the districts have demonstrated an inability to correct noncompliance.

Sessions are focused on the specific barriers identified by the district staff and the monitors. Timelines for verification are established as a mechanism to track the effectiveness of the assistance and as an incentive for correction. Sessions thus far have focused on speech and language services, evaluation timelines, transition, discipline, evaluation and placement decision making. **(Activity 2009-2010)*****

Note: For this indicator, report data on the correction of findings of noncompliance the State made during FFY 2009 (July 1, 2009 through June 30, 2010).

Timely Correction of FFY 2009 Findings of Noncompliance (corrected within one year from identification of the noncompliance):

1. Number of findings of noncompliance the State made during FFY 2009 (the period from July 1, 2009 through June 30, 2010) (Sum of Column a on the Indicator B15 Worksheet)	577
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	524
3. Number of findings <u>not</u> verified as corrected within one year [(1) minus (2)]	53

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

4. Number of FFY 2009 findings not timely corrected (same as the number from (3) above)	53
5. Number of FFY 2009 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	33
6. Number of FFY 2009 findings <u>not</u> yet verified as corrected [(4) minus (5)]	20

Actions Taken if Noncompliance Not Corrected

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

Monitoring

A total of 18 monitoring findings in 4 districts from FFY 2009 remain uncorrected. As part of NJOSE's oversight, a monitoring team was assigned to conduct onsite visits to these districts. During the onsite visits, the monitors reviewed files, interviewed staff, visited classrooms and provided technical assistance. Data from district databases were also reviewed. When necessary, the county supervisor of child study, a Learning Resource Center Consultant, the 619 coordinator and/or the manager of the monitoring unit participated in the meetings. Root causes for the noncompliance include lack of oversight of staff and lack of implementation of district procedures. Technical assistance was designed to provide strategies to

address the specific barriers that have delayed correction of noncompliance. Topics include modifying data systems, placement decision making, oversight strategies, monitoring evaluation timelines, procedures for provision of notice, and data analysis. Student data and records were also required to be submitted to NJOSE for desk audit to expedite correction depending upon the extent of the noncompliance.

As part of the verification process, monitors identify root causes for failure to correct noncompliance. If the root cause is a lack of procedures to implement a specific requirement resulting in noncompliance, the district may be directed to submit new or revised procedures along with documentation of the method used to disseminate the procedures to appropriate staff (e.g, email, training, staff meeting discussion, modification to district procedural manual). If the district has the appropriate procedures and mechanism to implement the specific requirement; however, the procedures are not implemented, the district is directed to train staff and/or put in place the required systems to enable staff to implement the requirement. If the root cause of continued noncompliance appears to be lack of oversight, the district is directed to submit documentation of an oversight mechanism that ensures ongoing implementation of the requirements and frequent evaluation of implementation. In 2 districts, former district special education directors were hired to provide technical assistance and oversee the implementation of activities to correct findings. Technical assistance regarding strategies for implementing requirements is also provided by monitors and other NJOSE staff members who have expertise in identified areas.

Complaints

A total of 2 FFY 2009 dispute resolution findings, made as a result of complaint investigations in one district, remain uncorrected. NJOSE staff members have required additional, more frequent, documentation from the district to monitor correction. In addition, complaint investigators and the district's monitoring team leader have met and are working collaboratively to ensure correction through technical assistance, onsite visits and review of data submitted by the district.

Verification of Correction for findings of noncompliance reported in the FFY 2010 APR (either: timely or subsequent): The Indicator B-15 worksheet includes findings of noncompliance identified through: LEA monitoring, targeted review, complaint investigation and dispute resolution. All findings of noncompliance must be corrected within one year of identification.

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

- Is correctly implementing the specific regulatory requirements by reviewing updated data for a period of time, determined based on the level of noncompliance, that demonstrate compliance (i.e. 100%);
- For a child-specific requirement, has corrected each individual case of noncompliance, unless the child is no longer in the jurisdiction of the LEA, by reviewing a sample of files previously found to have noncompliance; and
- For a child-specific timeline requirement has completed the required action, although late, unless the child is no longer within the jurisdiction of the LEA, by reviewing statewide data that demonstrated that the required activities were completed for each child.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2009 (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 NJOSE took to verify correction of findings with specific indicators are also included in those indicators.

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

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

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

4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	61
5. Number of findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	61
6. Number of findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

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

No Revisions

PART B INDICATOR 15 WORKSHEET

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	4	5	5
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other: Targeted Review	5	24 59	20 59
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	3	3	2
5. Percent of children with IEPs aged 6 through 21 -educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	11	18	16
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution: Complaints, Hearings	0	0	0
8. Percent of parents with a child receiving special education services who report that schools	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk	15	39	29

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
facilitated parent involvement as a means of improving services and results for children with disabilities.	Audit, On-Site Visits, or Other			
	Dispute Resolution: Complaints, Hearings	13	19	13
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. 10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	9	28	27
	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other: Targeted Review	216	216	216
	Dispute Resolution: Complaints, Hearings	1	2	0
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other: Targeted Review	74	74	74
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other:	0 13	0 29	0 29
	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	14	84 13	72 4
	Dispute Resolution: Complaints, Hearings	36	40	26

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2009 (7/1/09 to 6/30/10)	(a) # of Findings of noncompliance identified in FFY 2009 (7/1/09 to 6/30/10)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	12	27	21
	Dispute Resolution: Complaints, Hearings			
Other areas of noncompliance:	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	3	3	2
	Dispute Resolution: Complaints, Hearings			
Sum the numbers down Column a and Column b			577	524
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.				90.81%

Indicator #16: Complaint Timelines

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with the State Special Education Advisory Council (SSEAC). Data for Indicator 16 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 16 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff discussed both the target and actual target data for FFY 2010. NJOSE also discussed how complaint timelines are tracked and the oversight mechanisms used to issue reports within the 60-day timeline. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

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

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

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

Complaint investigations were typically conducted by one of three full time complaint investigators, as well as part-time staff to assist with the process. A full-time coordinator oversees the process. Due to attrition and a hiring freeze of State employees, for the first half of FFY 2010, the NJOSE employed only one full time complaint investigator and a manager who coordinated the complaint investigation process. In order to work toward achieving compliance with this indicator, NJOSE utilized staff from other bureaus within the office to assist with tasks associated with the complaint process; however, additional staff members were needed to meet timeline requirements. A full-time coordinator was hired in December of 2010 and two full-time investigators were hired in March of 2011. These changes have resulted in timely completion of complaint investigations thus far during FFY 2011. Between July 1, 2011 and the present, 96.4% (53 of 55) of signed written complaints with reports were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

FFY	Measurable and Rigorous Target
2010 (2010-2011)	100% of signed written complaints with reports are resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Actual Target Data for FFY 2010:

81% of signed written complaints with reports were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

Actual Numbers Used in the Calculation:

72 reports within timelines + 11 reports within extended timelines/102 = 81%

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

NJOSE received 219 signed written complaints for the 2010-11 school year, which represents a decrease of 34 cases from the previous school year of 2009-10. Although NJOSE has maintained its efforts toward achieving the target of 100% of written complaints resolved within the required timeline, the target was not achieved.

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

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

NJOSE has maintained its efforts toward the target of 100%. In FFY 2009, NJOSE reported 86% of complaints were completed within the required timeline or an extended timeline. The NJOSE has reported a decrease in the percentage of complaints completed within timelines by 5% from the previous year.

NJOSE has maintained its efforts toward the target of 100%. In FFY 2011, as of April 12, 2012, 97.36% of signed written complaints with reports were resolved within the 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

68 reports within timelines + 6 reports within extended timelines/76 = 97.36%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010.**Discussion of improvement activities completed for FFY 2010:**

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP, including FFY 2010, are represented by the symbol *.**

Monitoring and working toward meeting Timelines

- The NJOSE utilized staff from other bureaus within the office to attempt to complete required activities within the mandated timelines, but a lack of sufficient staff within NJOSE resulted in the target of 100% not being met. **(Activity 2010-2011)**
- As a result of the lifting of the hiring freeze in the Office of Special Education, the office was able to replace the coordinator of complaint investigations and hire sufficient staff to complete investigations, issue reports and verify correction of noncompliance in a timely manner. This additional staffing will provide the NJOSE the necessary resources to work toward achieving the target of 100% of complaint investigations being completed within the 60 day time period or an appropriately extended time period for FFY 2011. **(Activity 2010-2011)*****
- In order to achieve or make progress toward the target of 100% for this indicator, NJOSE maintained its oversight for tracking the receipt of the complaint, the assignment of the complaint to a complaint investigator, the completion of the report, the review of the report and the final approval of the report by the NJOSE director in accordance with the 60-day timeline or an appropriately extended time period. **(Activity 2010-2011)*****
- Regular staff meetings were conducted throughout the year with complaint investigators, including meetings dedicated to strategies for organizing investigations and generating reports in order to meet the required timeline. **(Activity 2010-2011)*****

Response to March 9, 2012 Verification Letter

In response to the Verification Letter, the State has taken the necessary steps to ensure that complaints challenging the appropriateness of a child's educational program or services, or the provision of a free appropriate public education, are investigated to determine whether the district has followed the required procedures to reach that determination and also whether the LEA reached a decision that is consistent with the requirements in Part B of the IDEA.

Specifically, the State identified all complaints received during the 12 months preceding the date of the March 9, 2012 letter that the State declined to accept or were dismissed without resolution. There were 55 complaints identified. Of those complaints, one was resolved through a due process hearing that addressed all allegations; three have been resolved through a court decision or settlement agreement pursuant to the IDEA or other State procedures that addressed all allegations; none involved children who no longer reside within the jurisdiction in which the complaint was filed; and one involved a child who has graduated.

The remaining 50 complainants were reviewed to determine which should have been resolved. Of those complaints, two were sent a letter which offered to reopen and resolve the complaint. Of those cases, one was reopened and is in the process of being resolved. In accordance with the March 9, 2012 letter, documentation which indicates all complaints have been resolved will be forwarded within the required 90 day timeline. To ensure that this procedure is implemented properly, OSE staff has been trained on the procedure and received updated information for their complaint resolution manuals.

In addition, in response to the Verification Letter, the State has revised its model forms to indicate that use of the model form is not required. A notation (*) was also added to indicate which information on the form is requested but not required by 34 CFR §§300.153(b) and 34 CFR 508(b). The model complaint form may be accessed at: <http://www.state.nj.us/education/specialed/complaint/>. The model due process form may be accessed at: <http://www.state.nj.us/education/specialed/due/>.

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

Due to the lifting of the hiring freeze in the Office of Special Education, the NJOSE was able to hire staff during FFY 2010 to meet requirements for the completion of complaint investigations and anticipates showing significant improvement on this Indicator in the FFY 2011 APR.

Indicator #17 – Due Process

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with the State Special Education Advisory Council (SSEAC). Data for Indicator 17 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 17 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. New Jersey's performance with respect to the percent of fully adjudicated cases within the required timelines was reviewed. Stakeholders were informed of progress in this area. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B/General Supervision

Measurement Information

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

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

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

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

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

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

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

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

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

FFY	Measurable and Rigorous Target
2010 (2010-2011)	100% of fully adjudicated Due Process cases will be fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Actual Target Data for FFY 2010:

98% of fully adjudicated due process cases were fully adjudicated within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

Actual Numbers Used in the Calculation:

36 cases within 45-day timeline + 11 cases within extended timelines/ 48 = 98%

Data Analysis (Including Trend Data to Demonstrate Progress)

The following table includes trend data for this indicator demonstrating a consistently high rate of cases meeting the 45-day timeline requirement.

FFY	Number of Fully Adjudicated Cases	Number Adjudicated within the 45-day timeline	Percent Adjudicated within the 45-day timeline
2006	55	54	98.1%
2007	88	80	91%
2008	42	40	95%
2009	54	54	100%
2010	48	47	98%

Report of Progress/Slippage

Discussion of data and progress or slippage toward targets:

As indicated in the SPP, New Jersey receives approximately 1,400 due process and mediation cases each year. Consistent with that number, 1,593 requests for due process and mediation were filed in FFY 2010. In New Jersey, the Office of Administrative Law (OAL) is the agency that adjudicates all due process cases. The number of fully adjudicated due process cases decreased from 54 cases in FFY 2009 to 48 cases in FFY 2010.

The NJOSE was unable to meet the goal of 100% in all 48 cases. A slight decrease of 2% was made from FFY 2009, which represents only one case. In order to address this slight decrease the OAL will continue to review and provide the NJOSE with frequent and regular progress reports of the timeliness of cases, and communicate regularly with NJOSE in order to assess progress or slippage and quickly address issues to ensure completion of cases within the required timelines. This enhanced oversight and communication, and the resultant immediate resolution of issues, should allow NJOSE and OAL to achieve 100% compliance with this indicator.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Discussion of improvement activities completed for FFY 2010:

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are represented by the symbol *.**

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

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

Training was provided throughout FFY 10 to ensure all ALJ's had the requisite knowledge required to adjudicate special education cases. Training was provided on special education law, case management, scheduling and federal timelines, among other topics. **(Activity 2010-2011)*****

Data Collection and Analysis: The database system is fully operational and periodic meetings to ensure coordination with Office of Administrative Law are conducted. The OAL continued to work with the ALJs to ensure proper paperwork and procedures are followed for each special education due process case. **(Activity 2010-2011)*****

Memorandum of Understanding with OAL: The NJOSE and the OAL completed a new Memorandum of Understanding (MOU) whereby funds were allocated to process and conduct special education due process cases. The scope of the MOU between the NJOSE and the OAL was expanded to hire an additional administrative law judge. Through the MOU, the ALJs are provided training in special education law, decision writing and case management, including federal timelines. **(Activity 2010-2011)*****

Response to March 9, 2012 Verification Letter

In response to the Verification Letter, the State has taken the necessary steps to ensure that all corrective actions a due process hearing officer orders in a due process hearing decision are implemented.

Specifically, Office of Special Education (OSE) staff members are assigned to review each decision as it is received from the Office of Administrative Law (OAL). OSE staff identifies the corrective actions required of the district and the corresponding implementation dates. The dates are then entered onto an internal tracking calendar. Once the decision is reviewed, and the dates are verified, OSE staff generates an acknowledgment letter that is sent to both parties. This letter summarizes the activities and/or dates for implementation of the hearing decision. OSE staff then continues to follow-up with each party following the implementation date to confirm the action is taking place as required.

In cases where a district does not implement a decision, OSE anticipates issuing a corrective action letter. The OSE will continue to monitor each decision until all actions are completed. Once all aspects of the decision are implemented, OSE staff will send a confirming letter to the parties and close the OSE file. To ensure that this procedure is implemented properly, OSE staff has been trained on the procedure and received updated information for their due process manuals.

In addition, in response to the Verification Letter, the State has revised its model forms to indicate that use of the model form is not required. A notation (*) was also added to indicate which information on the form is requested but not required by 34 CFR §§300.153(b) and 34 CFR 508(b). The model complaint form may be accessed at: <http://www.state.nj.us/education/specialed/complaint/>. The model due process form may be accessed at: <http://www.state.nj.us/education/specialed/due/>.

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

No revisions

Indicator #18: Resolution Agreements

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with the State Special Education Advisory Council (SSEAC). Data for Indicator 18 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 18 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff indicated that the target was exceeded. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B/General Supervision

Measurement Information

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

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

Measurement: (3.1)(a) 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 Department of Education (NJDOE) have the option of holding a resolution session or mediation session. When the cases are filed, the petitioner may indicate in the petition his or her preference for resolution session or mediation. The parent's preference is noted in a log that the Coordinator of Dispute Resolution maintains and reviews on a daily basis.

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

Preferably, the district notifies NJDOE of its decision to conduct a resolution session or request mediation. Since the district does not always notify NJDOE regarding the resolution session, it is NJDOE's practice to have a representative of the NJOSE, on or about day 15 of the 30-day resolution period, call the parties to see whether a resolution session has been held or whether the parties consent to schedule mediation. A representative of the NJOSE contacts the parties on or prior to day 30 to ensure that the resolution session was held and to determine if a resolution was reached.

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

FFY	Measurable and Rigorous Target
2010 (2010-2011)	50-60% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements.

Actual Target Data for FFY 2010:

61% of hearing requests that went to resolution sessions were resolved through resolution session settlement agreements. NJOSE met the target for FFY 2010.

Actual Numbers Used in the Calculation:

20 resolution session agreements / 33 resolution sessions = 61%

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

In FFY 2010, a total of 33 resolution sessions were held. Of that total 20 resulted in a settlement agreement which calculates to a rate of 61%. NJOSE exceeded the state target range (50-60%) for FFY 2010.

Report of Progress/Slippage

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

Discussion of data and progress or slippage toward targets:

In October 2007, the stakeholders revised the targets for Indicator 18 and set a "range" for the number of hearing requests resolved through resolution session settlement agreements. The range is more in keeping with the number of mediation agreements reported in Indicator 19. The NJOSE believed that the new ranges would more accurately reflect the rate of settlement for hearing requests in New Jersey whether through a resolution session or through mediation.

A comparison of the FFY 2010 data (61% of the resolution sessions resulting in agreement) with the previous year's data (57% of the resolution sessions resulting in agreement) reveals that the percentage of cases resolved through a resolution session increased by 4%, and New Jersey has exceeded the target.

Discussion of improvement activities completed for FFY 2010:

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are represented by the symbol*.**

Data Collection: If a resolution session results in a signed agreement by all parties, NJOSE is notified in writing and the case is closed in the database with the outcome listed as "Resolution Agreement." This allows NJDOE to track the number of resolution agreements reached each year. Data for this indicator are collected through the NJOSE database system which allows NJDOE to input the outcome of all

resolutions sessions held in the state on a case-by-case basis. Thus, NJOSE is using a tracking system that results in the accurate collection and reporting of data. **(Activity 2010-2011)*****

Procedures: NJDOE continues to implement procedures to call the district/parent before the end of the 30-day resolution period, to see if they have held a resolution session or prefer to schedule mediation (with consent from all parties). NJDOE also reaches out to the parties on day 30 prior to transmitting the case to the Office of Administrative Law (OAL) to see if a resolution was reached. **(Activity 2010-2011)*****

Response to March 9, 2012 Verification Letter

In response to the Verification Letter, the State has taken all necessary steps to monitor LEA compliance with IDEA resolution meeting requirements and anticipates issuing findings of noncompliance when an LEA fails to comply with 34 CFR §300.510(a) and will ensure correction of the noncompliance as soon as possible and in no case later than one year from the date of the identification of noncompliance. Specifically, the OSE has revised its internal database and procedures to ensure tracking of resolution meeting dates. Additionally, the due process acknowledgment letters have been revised to include a statement asking the parties to forward a copy of the resolution meeting participant attendance sheet to the OSE to further enable the OSE to confirm the meeting was conducted as required.

The revised procedures require that the Coordinator of Dispute Resolution contact 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, OSE staff contacts the parties to confirm the resolution meeting took place and seeks further clarification regarding the status of the case. If it is determined that the resolution meeting did not take place, a corrective action plan (CAP) is issued. The date the CAP is issued is entered into the due process database. OSE 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 entered into the due process database. To ensure that this procedure is implemented properly, OSE staff has been trained on the procedure and received updated information for their de process manuals.

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

[If applicable]

No Revisions

Indicator #19: Mediation Agreements

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with the State Special Education Advisory Council (SSEAC). Data for Indicator 19 for the 2010-2011 school year were reviewed.

NJOSE staff presented data for Indicator 19 for submission in the FFY 2010 APR to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. Stakeholders were reminded that according to the measurement chart, the USOSEP allows states to utilize a range to set targets for this indicator and of the amended targets determined at the January 21, 2010 stakeholder meeting and extended targets determined in January 2011. The actual data for FFY 2010 were also discussed at the meeting. Stakeholders provided input regarding improvement activities.

Monitoring Priority: Effective General Supervision Part B/General Supervision

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

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

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

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

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

FFY	Measurable and Rigorous Target
2010 (2010-2011)	34-41% of mediations held will result in mediation agreements.

Actual Target Data for FFY 2010:

161 mediation agreements/ 536 = 30% of mediations held resulted in mediation agreements.

Actual Numbers Used in the Calculation:

65 mediation agreements /308 mediations related to due process = **21%**

96 mediation agreements/ 228 mediations not related to a due process hearing = **42%**

161 mediation agreements/ 536 = 30% of mediations held resulted in mediation agreements.

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

$$65 + 96 / 536 \times 100 = 30\%$$

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

In the 2010-11 school year the NJOSE received a total of 687 requests for mediation (of which 151 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 687 requests for mediation, a total of 536 mediations were held. Of those, 308 were mediations related to due process and 228 were mediations not related to due process. Of the 308 mediations related to due process, 65 resulted in mediation agreements (21%). Of the 228 mediations not related to due process, 96 resulted in mediations agreements (42%). This translates to a total of 30% of mediations held in FFY 2010 resulting in a mediation agreement. New Jersey did not meet its revised target for this indicator.

While NJOSE did not meet the target, there was only a slight decrease in the agreement rate from FFY 2009 to FFY 2010. 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 NJOSE exceeding its target range for FFY 2010.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010**Discussion of improvement activities completed for FFY 2010:**

NOTE: Activities that occurred in 2010-2011 and are ongoing during the course of the SPP are represented by the symbol *.**

Data Collection and Analysis

Database System: NJOSE continues to update its database system to accurately capture all information and outcomes related to mediations that are filed each year. Regular maintenance and evaluation of the system occurs to ensure accurate reporting of all data. **(Activity: 2010-2011)*****

Information Dissemination

Parental Rights in Special Education: The Parental Rights in Special Education (PRISE) document continues to be disseminated which includes updated due process and mediation information forms. **(Activity: 2010-2011)*****

Technical Assistance: NJOSE staff responds to parent information requests regarding the nature of the mediation process. This assistance enables parents to gain an understanding of the proceedings and helps them to prepare for the mediation meeting.
(Activity: 2010-2011)***

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, NJOSE is coordinating with the Justice Center of Atlanta to provide additional training on effective techniques for resolving special education mediations. **(Activity: 2010-2011)*****

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2010

No Revisions

Indicator #20: State Reported Data

Part B State Annual Performance Report (APR) for FFY 2010

Overview of the Annual Performance Report Development:

On November 19, 2011, NJOSE staff discussed New Jersey's FFY 2009 APR Response Table, issued by the United States Department of Education, with our State Special Education Advisory Council (SSEAC). NJOSE staff presented data for the FFY 2010 to the SSEAC and other stakeholders at a meeting conducted on January 19, 2012. NJOSE staff reported on the data collections and analyses regarding each of the SPP/APR indicators.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Measurement Information

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate. (20 U.S.C. 1416(a)(3)(B))

Measurement:

State reported data, including 618 data and annual performance reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
- b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

Overview/Description of Issue, Process, System – State Reported Data

Collection of Data Under Section 618 of the IDEA

NJOSE 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

NJOSE forwarded all required revisions and clarifications regarding the Sampling Plans for Indicators 7 and 8 on September 27, 2007. The sampling plans were then approved by USOSEP. The sampling plan for Indicator 14 had been approved previously. A description of the Sampling Plans for

Indicators 7, 8, and 14 each provided under each of these indicators (see SPP for Indicator 7 and SPP/APR for indicators 8 and 14).

Description of the State's mechanisms for ensuring error free, consistent, valid, and reliable data and evidence these standards are met

The NJDOE publishes a *Special Education Data Handbook*, a reference guide that defines and maintains a set of standards for educational data collection and submissions and provides for student data elements that are uniform and consistent. In order to ensure consistency in data collection, error checks have been built into the system (e.g. error will occur if the field is *NULL*; error will occur if data element falls outside of date parameters; an error will occur if Referral Date is *NULL*, or empty); an error date will occur if the required dates do not follow the specified sequence).

With respect to the ADR and EOY data collections, NJOSE 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, NJOSE 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 NJOSE or the NJ SMART vendor for online technical support. The LEA superintendent or special education director must certify the data prior to submission to NJOSE. Upon receipt of complete data from all LEAs and other entities, NJOSE 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 NJOSE 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 NJOSE 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.

NJOSE provides guidance and ongoing technical assistance to local programs/public agencies regarding requirements and procedures for reporting data under Section 618 of the IDEA, with an emphasis on the need for timely and accurate data submissions. (See for example: Special

Education Annual Data Report Instructions and Forms at: <http://www.nj.gov/education/specialed/data/adrinst/> and Special Education End of the Year Report, User Manual, Frequently Asked Questions, etc. at <http://homerom.state.nj.us/eoy.htm>).

Local school district personnel are trained in each LEA to enter data for the web based data system. In addition, call-in assistance is available to staff responsible for data entry to assist with accurate and timely collections and reporting. Assistance is also available from the NJDOE County Supervisors who have been trained on the State data systems. The County Supervisors meet monthly to discuss issues including data issues and provide NJOSE with suggestions for revisions to data collection instructions and procedures and training/technical assistance.

Timely Submission – District Level Data

To ensure that New Jersey’s districts submit their data to NJDOE in a timely manner, representatives of NJOSE 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 NJOSE or the NJ SMART vendor for online technical support.

During FFY 2010 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 NJOSE staff for anomalies and contacts to districts when anomalies are identified
- Defined values for data elements
- Validations/edit checks to prevent data mismatches to be submitted
- Edit checks to prevent null and invalid values to be submitted
- Written technical instructions outlining application use
- Collected and calculated data in a consistent manner for all LEAs
- Help desk support

FFY	Measurable and Rigorous Target
2010	100% of state reported data are submitted in a timely and accurate manner.

Actual Target Data for FFY 2010:

100% of state reported data were submitted in a timely and accurate manner.

Actual Numbers used in the calculation:

See attached work sheets for actual numbers and calculations.

Report of Progress/Slippage

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

Discussion of data and progress or slippage toward targets

NJOSE met the target of 100%. The state reported data were submitted in a timely and accurate manner for FFY 2010.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2010

The NJOSE achieved a rate of 100% once again for this indicator. The NJDOE continues to expand the NJSMAST student-level data system to include more special education collections and improve efficiency and consistency in data collection for all students in the state, including students with disabilities.

Improvement activities completed FFY 2010:

NOTE: Activities that occurred in 2010-2011 and will continue through 2012-2013 are represented by the symbol *.**

Data Submission Timelines: NJOSE maintained a timetable to ensure that data was submitted to USOSEP in a timely manner. All state reported data required under Section 618 and the Annual Performance Report were submitted in a timely manner during the 2010-2011 school year. **(Activity: 2010-2011)*****

The following steps were taken with respect to the submission of data from school districts:

- Clarifying directions to districts regarding the Exiting, Personnel, Child Count, and Discipline counts with clear and concise timelines for them to follow;
- Ensuring prompt phone response from NJOSE staff to questions and technical problems that occurred while districts were preparing their online data submission; during the actual data submission; and after the data submission to NJDOE;
- Expanding NJSMAST to include;
 - all exit data for special education students;
 - collection of personnel data; and
 - all the non-public students.
- Providing local school districts with strict instructions that specify the data submission deadlines and penalties for those districts not adhering to the deadlines. **(Activity: 2009-2010)*****

New Jersey Standards Measurement and Resource for Teaching (NJ SMART) Student Data Base: Significant progress in implementing the New Jersey Department of Education student level database. Student identification numbers have been assigned to all students and districts are uploading data to the system.

The Special Education Student Data Handbook is updated to conform to federal reporting requirements.

Districts were required to **submit their file, correct any errors, and release the file as final to NJ DOE by February 29, 2009**. In an effort to assist Districts and Charters in preparation of the Special Education snapshot file, the NJDOE NJ SMART vendor hosts web-based **NJ SMART Special Education Data Element** trainings (Webinars). These Webinars provided an overview of all the required special education data elements.

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

Not applicable. There were no revisions for proposed targets, improvement activities, or timelines.

SPP/APR Data - Indicator 20			
APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	40
APR Score Calculation	Timely Submission Points - If the FFY 2010 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		45.00

618 Data - Indicator 20					
Table	Timely	Complete Data	Passed Edit Check	Response to Data Note Requests	Total
Table 1 - Child Count Due Date: 2/2/11	1	1	1	1	4
Table 2 - Personnel Due Date: 11/2/11	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/2/11	1	1	0	1	3
Table 4 - Exiting Due Date: 11/2/11	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/2/11	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 12/15/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/2/11	1	1	1	N/A	3
Table 8 - MOE/CEIS Due Date: 5/1/11	1	N/A	N/A	N/A	1
				Subtotal	21
618 Score Calculation			Grand Total (Subtotal X 2.045) =		43

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	43.00
C. APR Grand Total (A) + 618 Grand Total (B) =	88.00
Total N/A in APR	0
Total N/A in 618	0
Base	90.00
D. Subtotal (C divided by Base*) =	.978
E. Indicator Score (Subtotal D x 100) =	97.8%