Massachusetts Part B
Annual Performance Report for
FFY 2005 - 2010

Submitted to the
Office of Special Education Programs
February 1, 2010
Revised April 8, 2010
# Part B Massachusetts Annual Performance Report (MA APR) for FFY 2008

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**Attachments – Documentation Responsive to the OSEP Verification Visit Letter of March 5, 2009**
(submitted in hard copy format under separate cover)  
  - Attachment 1: List of Districts with Onsite Visits for Indicator 15  
  - Attachment 2: Sample of 10 Corrective Action Plans (CAPs) for Indicator 15  
  - Attachment 3: Sample of Extended State Complaints for Indicator 16  
  - Attachment 4: Hearing Rules of Special Education Appeals for Indicator 17
Submitted February 1, 2010
Revised April 9, 2010

U.S. Department of Education
Office of Special Education Programs
Potomac Center Plaza
Mail Stop 2600, Room 4129
550 12th Street S.W.
Washington, DC 20202

Re: Massachusetts Part B Annual Performance Report (MA APR) for FFY 2008

Dear Sir or Madam:

On behalf of the Massachusetts Department of Elementary and Secondary Education (MASSDE), I have enclosed the Massachusetts Annual Performance Report (MA APR) for FFY 2008. The MA APR responds directly to the indicators identified by the Office of Special Education Programs (OSEP) in Information Collection 1820-0624, Part B State Performance Plan (Part B-SPP) and Annual Performance Report (Part B-APR), and described in the OSEP Memorandum 10-3, submitted to state on December 3, 2009. The MA APR contains individual reports for Indicators 1, 2, 3, 4A, 5, 8, 9, 10, 11, 12, 13 (report not required in FFY 2008 but submitted voluntarily), 14 (report not required in FFY 2008 but submitted voluntarily), 15, 16, 17, 18, 19, and 20. Each report also contains information responsive to the areas identified in the Massachusetts Part B FFY 2007 SPP/APR Letter and Response Table on June 1, 2009, and to the OSEP Verification Visit letter of March 5, 2009.

In FFY 2008 and since the date of the last report to OSEP, MASSDE has continued to work with stakeholders including the Statewide Special Education Steering Committee, the Statewide Advisory Council, statewide advocacy groups and parent organizations, and other state and local agencies that share MASSDE’s priority for improving our work on behalf of children with disabilities, their families, and their educators. New and updated inter- and intra-agency initiatives have refined MASSDE’s data collection methods, technical assistance available to and resources provided for local education agencies (LEAs), and methods for verifying correction noncompliance, among other things. The positive effects of these initiatives are demonstrated in the improvement shown in the MA APR’s indicator areas. MASSDE has continued to make progress toward or continued to meet measurable and rigorous targets, despite the unique challenges during FFY 2008 and beyond that have significantly affected these efforts. The demands presented to state and local governments associated with the severe economic downturn, and the resulting reallocation of funding priorities and administrative resources toward stimulus spending, has affected the traditional ways in which MASSDE has supported school districts in meeting state and federal education requirements for students with disabilities. However, these competing mandates did not lessen the focus of MASSDE’s work toward meeting our goals for special education.

Consistent with prior years’ public reporting efforts, the completed MA APR will be made widely available for public review and discussion. MASSDE will share this with the various interest groups referred to above, at the Statewide Advisory Council meeting(s), and other conferences and meetings throughout the year. Also, MASSDE makes this report and the underlying data available on the agency’s website at http://www.doe.mass.edu/sped/spp/ and distributes hard copies of the report to key constituents and to the media. Districts’ indicator data are publicly reported at http://profiles.doe.mass.edu/special_ed.aspx; this information is being updated currently for FFY 2008.

Per instruction from Massachusetts Part B State Contact Ken Kienas, I am sending to his attention under separate cover hard copies of the additional documentation that MASSDE is required to submit with this APR submission – Attachments 1, 2, 3, and 4. OSEP instructed MASSDE in the Verification Visit Letter of March 5, 2009, to submit this documentation with the FFY 2008 APR.
In response to the opportunity for clarification of SPP/APR data that MASSDE received from OSEP on March 31, 2010, MASSDE has provided the following additional information or corrections to the report submitted on February 1, 2010. These revisions are noted through the track changes function.

1. For Indicator 5 (footnote 2 at page 30), MASSDE explained the reason that Massachusetts’ 618 data reported in Table 3 for Indicator 5C are not the same as the data reported here, and describes the method of calculation that MASSDE uses in determining the percent of children with IEPs aged 6 through 21 served in out-of-district placements.

2. For Indicator 11 (at page 52), Indicator 12 (at pages 54-55), Indicator 13 (at pages 58-59 and 62-63), and Indicator 15 (at pages 71-72), MASSDE included additional information about its process for verifying correction of noncompliance, consistent with OSEP Memorandum 09-02, dated October 17, 2008.

3. For Indicator 14 (at pages 64-67) MASSDE corrected an error in the actual target data and in the data reported in the chart entitled Post-School Outcomes of FFY 2008 Cohort Respondents. MASSDE also made additional corrections to data reported in the section entitled Explanation of Progress and Slippage.

4. For Indicator 20, at pages 87-88, MASSDE amended the calculation to reflect an error identified in reporting 618 data. The correction is also reflected in Appendix F at page 110.

Please contact me at 781.338.3388 or mmmittnacht@doe.mass.edu, if you have any questions or if you need additional information.

Sincerely,

Marcia Mittnacht
State Director of Special Education
Special Education Planning and Policy Development Office
Massachusetts Department of Education

Cc: Mitchell D. Chester, Ed.D, Commissioner, Massachusetts Department of Elementary and Secondary Education
Overview of the Annual Performance Report Development:

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.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>Students with IEPs Graduation Rate: 65.0%</td>
</tr>
</tbody>
</table>

Actual Target Data for FFY 2007 (as reported in the FFY 2008 Annual Performance Report (MA APR) based on the instructions for a one year data lag):

<table>
<thead>
<tr>
<th></th>
<th># of Students in 2007-08 cohort</th>
<th># of Students in 2007-2008 cohort who graduated in four years or less</th>
<th>2007-2008 Graduation Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students with IEPs</td>
<td>14,629</td>
<td>9,376</td>
<td>64.1%</td>
</tr>
</tbody>
</table>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007 (2007-2008):

Explanation of Progress or Slippage

The revised Part B SPP/APR Indicator 1 information collection requirements, approved by OMB on February 25, 2009, specify that States are no longer required to compare the graduation data for youth with disabilities to that of all students; States must report using the graduation rate calculation and timeline established by the Department under Title I of the ESEA. Additionally, States’ reports are now subject to a one year data lag, which requires reporting of actual target data for FFY 2007 against the FFY 2007 measurable and rigorous target. As a result, this is the same data reported in last year’s Indicator 1 APR.

In response to the new requirements, this report uses the graduation data for students with IEPs using FFY 2007 graduation rate data for students with IEPs (reflecting the data lag requirement), and uses revised graduation rate targets approved by MASSDE in December 2009. This modification of statewide targets represents the third consecutive year that MASSDE has chosen to increase the state’s graduation rates standard. In addition, the Massachusetts Board of Elementary and Secondary Education adopted
the new targets of 95% percent for the statewide four-year graduation rate and 100% for the statewide five-year graduation rate to be achieved by 2018. MASSDE has modified the FFY 2007 target in this report and in the Massachusetts State Performance Plan (MA SPP) to reflect the new targets.

By way of background, in order to receive a diploma from a Massachusetts public high school, all students must earn a Competency Determination (earned by achieving a specified level of proficiency on the Grade 10 English Language Arts and Mathematics statewide assessments administered through the Massachusetts Comprehensive Assessment System (MCAS), or on the MCAS-Alt), and meet local graduation requirements. (Note: Students who receive a diploma in four years or less are counted as graduates for purposes of reporting these data in the Massachusetts State Performance Plan (SPP) and Annual Performance Report (APR).)

**Graduation Rate: Students with IEPs**

<table>
<thead>
<tr>
<th>Graduation Rate: Students with IEPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduation Rate</td>
</tr>
<tr>
<td>FFY2005: 61.1%</td>
</tr>
<tr>
<td>FFY2006: 62.8%</td>
</tr>
<tr>
<td>FFY2007: 64.1%</td>
</tr>
</tbody>
</table>

From FFY 2005 to FFY 2007, the graduation rate for students with disabilities in Massachusetts increased from 61.1% to 64.1%. While MASSDE did not meet the measurable and rigorous target of 65.5% in FFY 2007, the 3.0% improvement of graduation rate for students with IEPs shows continued progress. Additionally, MASSDE notes that since the targets for students with disabilities are set high in order to close the gap between students with and without disabilities, MASSDE notes continued progress in this area. The progress toward the target is attributable in part to a number of improvement activities that were completed in this period, including further development of public reporting of special education data, a variety of professional development initiatives for educators, and certain initiatives and programs described in Appendix A and below. During the current reporting year MASSDE continued to focus on previously identified improvement activities, and increased the number and intensity of improvement activities that directly affect students’ graduation rates. These projects are also described below.

Although MASSDE is not required to use a five-year graduation rate, MASSDE regularly calculates this rate because a significant number of students require more than four years to meet graduation standards. The five-year graduation rate for students with IEPs in the FFY 2007 cohort is 68.3%; 1.1% of students with IEPs in this cohort graduated in five years instead of four. MASSDE would have met its target using a five-year graduation rate. Massachusetts will continue to calculate and publicly report the five-year rate for subsequent cohorts as an additional measure of year-to-year progress for students with and without IEPs.
Massachusetts Improvement Activities

MASSDE’s Student Support, Career, and Education Services Unit (SSCE); Special Education Planning and Policy Development Office (SEPP); and the Massachusetts Rehabilitation Commission (MRC) have engaged in the following improvement activities that directly affect graduation rates for students with IEPs:


- **The Dropout Prevention and Recovery Work Group**’s (SSCE) focus is to support district team action planning and to facilitate the sharing of promising practices in order to prevent student dropout thereby increasing the graduation rate.

- **The Dropout Prevention, Intervention, and Recovery Website** (SSCE) includes an extensive collection of graduation and dropout prevention related news and trainings, articles/reports, and websites for students, parents, and educators.

- **Educational Proficiency Plans (EPP)** (SSCE) - The purpose of the EPP is to increase the support students need to stay in school to meet graduation standards, and will have the requisite skills needed for post-secondary success.

- **Trauma Sensitive Schools Initiative** (SSCE) – Through this initiative MASSDE is working to bring “trauma sensitive” practices to schools across the Commonwealth. These efforts include annual trainings and technical assistance around safe and supportive student learning environments by reducing barriers that may affect classroom behavior, relationships, and academic performance thereby creating a climate that encourages students to stay in school.

- The ARRA Title II-D Technology competitive grants (SSCE) funding will support 69 school districts in implementing 34 projects to create robust, technology-infused environments to strengthen education, drive reforms, and improve results for students. The 34 sustainable projects will provide another avenue for at-risk students to graduate on time.

- **Massachusetts FOCUS Academy (MFA)** (SEPP) provides online, graduate level coursework to middle and high school educators across the state. One content area, Universal Design for Learning (UDL), has a significant effect on supporting improved graduation rates for students with disabilities. The courses help educators gain a better understanding of how disability affects student learning, and provides educators with improved skills in the areas of curriculum design, instruction, and technology; these skills translate into improved student outcomes, which will lead to higher graduation rates. Since the introduction of the UDL courses in FY 2007, 155 educators from 50 districts participated in them. Additional MFA courses that positively affect student success and promote increased graduation rates include Positive Behavioral Supports, Family Engagement, and Post-Secondary Transition.

- **Secondary Transition: Transition Works: Innovative Strategies for Transitioning Youth with Disabilities from School to Work** (MRC) – The Transition Works grant, awarded to the MRC by the U.S. Department of Education, is intended to help support transitioning youth with disabilities from school to work and post-secondary planning and improve outcomes for students with disabilities. A member of the SEPP office participates on the grant’s advisory board.

Many of the factors that contribute to student graduation are consistent for students with disabilities and their non-disabled peers. Therefore, MASSDE has combined efforts within the agency and with other key
stakeholders to develop a series of graduation initiatives targeted toward at-risk youth and the communities in which they reside. The following list is of activities that are underway as well as projects planned for the future. Each of the initiatives allows for inter/intra-agency collaboration, program development for students with disabilities, and professional development.

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA
- Collaboration with Stakeholders
- Curriculum, Instruction, and Assessment Summit
- Secondary School Reading Grant
- Special Education Professional Development Institutes

For detailed information about these activities, please see Appendix A.

MASSDE continues to report graduation data publicly, and data are available at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx). Updates to the mapping portion of the public website will be available soon. Please note that pursuant to OSEP’s instructions for a data lag, the FFY 2008 data for Indicator 1 will be discussed in the FFY 2009 Annual Performance Report (MA APR), to be submitted in February 2011.

MASSDE will continue to focus its efforts on improving the graduation rate for students with IEPs, and looks forward to reporting on the results of these efforts in the FFY 2009 APR for Indicator 1.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

The Part B State Performance Plan (SPP) and Annual Performance Report (APR) have been amended to reflect the changed requirements for Indicator 1 and its measurement, including alignment with the annual graduation rate target under Title 1 of the Elementary and Secondary Schools Education Act (ESEA), and elimination of data comparing graduation rates for students with and without IEPs. For this reason, reported data now include only students who have IEPs.

MASSDE has revised measurable and rigorous targets for Indicator 1 in the MA SPP and APR to reflect the changes, and has revised Improvement activities to include updated activities and revised activity titles. See the MA SPP for changes.
Overview of the Annual Performance Report Development:

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.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>Students with IEPs Dropout Rate of 5.1%</td>
</tr>
</tbody>
</table>

Actual Target Data for FFY 2007 (as reported in the FFY 2008 Annual Performance Report (MA APR) based on the instructions for a one year data lag):

<table>
<thead>
<tr>
<th>FFY 2007</th>
<th># of Students Enrolled (Grades 9-12)</th>
<th># of Dropouts (Grades 9-12)</th>
<th>FFY 2007 Dropout Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students with IEPs</td>
<td>44,448</td>
<td>2,429</td>
<td>5.5%</td>
</tr>
</tbody>
</table>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007 (2007-2008):

Explanation of Progress or Slippage

The revised Part B SPP/APR Indicator 2 information collection requirements, approved by OMB on February 25, 2009, specify that States are no longer required to compare the data for youth with disabilities to that of all students; States must report data source and measurement aligned with Title I of the ESEA. Additionally, States’ reports are now subject to a one year data lag, which requires reporting of actual target data for FFY 2007 against the FFY 2007 measurable and rigorous target. As a result, for Massachusetts, this is the same data reported in last year’s Indicator 2 APR. (Please note that last year MASSDE identified the data as “preliminary.” The data have since been verified as valid and reliable for this period.)

Since there has been a change in both the indicator language and the measurement, this report will focus on the dropout data for students with IEPs rather than report on statistics for all students, as required in prior reporting years.

In Massachusetts, a dropout is defined as a student in grades 9-12 in a public school who leaves school prior to graduation for reasons other than a transfer to another public school, and does not re-enroll before the following October 1. MASSDE amends dropout data used to calculate this rate, obtained through the Student Information Management System (SIMS), after districts submit their reports on October 1, and omits from the final count students identified as enrolled on October 1 students who
earned a GED. “Summer dropouts” are also identified and their totals are added into the count. For additional information, see the overview of Indicator 2 in the Massachusetts Part B State Performance Plan (SPP) for FFY 2005-2010.

In FFY 2007, the dropout rate for students with IEPs was 5.5%, a decrease from the FFY 2006 rate of 5.8%. As illustrated in the graph below, there has been fluctuation in dropout rates for students with IEPs since MASSDE reported baseline data for FFY 2004. This fluctuation mirrors that of students without IEPs, and can be attributed to several changes in MASSDE’s method of collecting data. Starting in FFY 2005, the state began to cross reference data from the Student Information Management System (SIMS) with the General Educational Development (GED) Testing Service data. As a result, MASSDE was able to track students who previously had been calculated as a dropout, thereby contributing to the decrease in dropout rates between FFY 2004 and FFY 2005. In FFY 2006 MASSDE implemented a wider range of reporting codes and verification procedures in SIMS that resulted in additional fluctuation. In the past, districts often incorrectly listed some dropouts as “transfer students” when they students had dropped out without notice to the district. The new SIMS codes require districts to verify the location of each transfer student, a clarification that results in confirmation of students’ actual enrollment status and allows MASSDE to determine whether those students are reported in other districts’ enrollment in SIMS. These new codes may have contributed to the increase in dropout rates between FFY 2005 and FFY 2006 since the changes resulted in fewer dropouts being identified incorrectly as transfers.

Through these refinements to the data collection and verification processes, MASSDE has been able to collect more accurate data on dropouts. MASSDE notes a decrease in dropout rates from FFY 2006 to FFY 2007. MASSDE and its partners will continue to focus on improvement activities focused on reducing the dropout rate for students with IEPs. We look forward to reporting continued improvement in the FFY 2009 reporting period.

**Improvement Activities**

MASSDE’s Student Support, Career, and Education Services Unit (SSCE); Special Education Planning and Policy Development Office (SEPP); and the District and School Accountability and Assistance Office (DSAA) have engaged in the following improvement activities that directly affect graduation rates for students with IEPs:

![Annual Dropout Rates for Students with IEPs Over Time](image-url)
The Graduation and Dropout Prevention and Recovery Commission (SSCE) was charged with examining current statewide policies and making recommendations on how to retain at-risk students. The Commission's focus was on all students, and included an examination of issues related to students with disabilities. The Commission's final report, Making the Connection, was released in October 2009 and is available at http://www.mass.gov/Eeoe/doc/Dropout_Commission_Report_10_21_2009.pdf.

The Dropout Prevention and Recovery Work Group's (SSCE) focus is to support district team action planning and to facilitate the sharing of promising practices in order to prevent student dropout thereby increasing the graduation rate.

The Dropout Prevention, Intervention, and Recovery Website (SSCE) includes an extensive collection of graduation and dropout prevention related news and trainings, articles/reports, and websites for students, parents, and educators.

Educational Proficiency Plans (EPP) (SSCE) - The purpose of the EPP is to increase the support students need to stay in school to meet graduation standards, and will have the requisite skills needed for post-secondary success.

Trauma Sensitive Schools Initiative (SSCE) – Through this initiative MASSDE is working to bring "trauma sensitive" practices to schools across the Commonwealth. These efforts include annual trainings and technical assistance around safe and supportive student learning environments by reducing barriers that may affect classroom behavior, relationships, and academic performance thereby creating a climate that encourages students to stay in school.

The ARRA Title II-D Technology competitive grants (SSCE) funding will support 69 school districts in implementing 34 projects to create robust, technology-infused environments to strengthen education, drive reforms, and improve results for students. The 34 sustainable projects will provide another avenue for at-risk students to graduate on time.

Worked-Based Learning Plans (WBLP) for Students with Disabilities (SSCE) - Through work-based learning experiences, students have an opportunity to learn about various career areas and try different work styles, find out what type of work they enjoy, find out how they learn best in a workplace setting, and find out what natural supports are available. By providing the opportunity to explore a variety of career areas and discover what type of work they enjoy in the context of their academic environment, the WBLP promotes students with disabilities staying in school.

In partnership with the Central Massachusetts Communities of Care (CMCC) Positive Behavioral Interventions (PBIS) Grant, MASSDE provided grant funds to support districts in Worcester County with the development and implementation of Positive Behavioral Interventions and Supports (PBIS) and with developing "wrap-around" mental health services and supports. The participating districts receive professional development as well as onsite assistance in developing and implementing the principles of PBIS. In the first year of the program, four districts totaling six schools and over 50 school personnel (including teachers, administrators, related service providers, paraprofessional, parents, and students) participated. In the second year, this first cohort of districts moved from the planning stage to implementation, and the second cohort of six districts entered the first stage. Now, in the third year of the grant, the second cohort is completing the implementation stage and a third cohort of four districts and six schools is participating in the initial, planning stage. This professional development opportunity is intended to help teachers provide services that will keep students with disabilities in school.

Massachusetts FOCUS Academy (MFA) (SEPP) provides online, graduate level coursework to middle and high school educators across the state. One content area, Universal Design for Learning (UDL), has a significant effect on supporting improved graduation rates for students with disabilities. The courses help educators gain a better understanding of how disability affects...
student learning, and provide educators with improved skills in the areas of curriculum design, instruction, and technology; these skills translate into improved student outcomes, which will lead to higher graduation rates. Since the introduction of the UDL courses in FFY 2007, 155 educators from 50 districts participated in them. Additional MFA courses that positively affect student success and promote decreased dropout rates include Positive Behavioral Supports, Family Engagement, and Post-Secondary Transition.

- **National Association of State Directors of Special Education (NASDSE) Satellite Series (SEPP)** - The National Association of State Directors of Special Education (NASDSE), with support from the Pennsylvania Department of Education and the Pennsylvania Training and Technical Assistance Network (PaTTAN), provides the NASDSE Satellite Series. These telecasts bring nationally recognized experts to the state using technology, providing an affordable means of quality personnel development for a variety of stakeholders. This year MASSDE participated in a telecast on bullying that was relevant to the topic of dropout prevention.

- **District and School Assistance Centers (DSACs)** – MASSDE has opened six regionally-based DSACs to help identified districts and their schools strategically access and use professional development and targeted assistance to improve instruction and raise achievement for all students. MFA courses (see above), including UDL Creating Positive Classroom Environments, and Transition Planning have been integrated into the menu of professional development options available to districts.

Many of the factors that contribute to student dropout are consistent for students with disabilities and their non-disabled peers. Therefore, MASSDE has combined efforts within the agency and with other key stakeholders to develop a series of dropout initiatives targeted toward at-risk youth and the communities in which they reside. The following summarizes the activities that are underway as well projects planned for the future. Each of the initiatives allows for inter/intra-agency collaboration, program development for students with disabilities, as well as professional development.

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA
- Collaboration with Stakeholders
- Curriculum, Instruction and Assessment Summit
- Secondary School Reading Grant
- Secondary Transition- TransitionWorks: Innovative Strategies for Transitioning Youth with Disabilities from School to Work
- Special Education Professional Development Institutes

For detailed information about these activities, please see Appendix A.

MASSDE continues to report dropout data publicly, and data are available at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx). Updates to the mapping portion of the public website will be available soon. Please note that pursuant to OSEP’s instructions for a data lag, the FFY 2008 data for Indicator 2 will be discussed in the FFY 2009 Annual Performance Report (MA APR), to be submitted in February 2011.

MASSDE will continue to focus its efforts on improving the dropout rate for students with IEPs, and looks forward to reporting the results of these efforts in the FFY 2009 APR.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

The Part B State Performance Plan (SPP) and Annual Performance Report (APR) have been amended to reflect the changed requirements for Indicator 2 and its measurement, including alignment with targets.
established under Title 1 of the Elementary and Secondary Schools Education Act (ESEA), and elimination of the requirement to compare dropout rates for students with and without IEPs in the Commonwealth. For this reason, reported data now include only students who have IEPs.

MASSDE has revised measurable and rigorous targets for Indicator 2 in the MA SPP and APR to reflect the changes, and has revised Improvement activities to include updated activities and revised activity titles. See the MA SPP for changes.
Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

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

A. Percent of districts that have a disability subgroup that meets the State’s minimum "n" size that meet the State’s Adequate Yearly Progress (AYP) objectives for progress for disability subgroups.

B. Participation rate for children with IEPs.

C. Proficiency rate for children with IEPs against grade level, modified¹ and alternate academic achievement standards.

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

<table>
<thead>
<tr>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. AYP Percent = [(# of districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State’s minimum “n” size)] times 100.</td>
</tr>
<tr>
<td>B. Participation rate = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.</td>
</tr>
<tr>
<td>C. Proficiency rate = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].</td>
</tr>
</tbody>
</table>

Measurable and Rigorous Targets

<table>
<thead>
<tr>
<th>FFY 2008 (2008-2009)</th>
<th>% Districts Meeting AYP for Disability Subgroup (3A)</th>
<th>Participation Rate for Students with IEPs (3B)</th>
<th>Proficiency Rate (CPI) for Students with IEPs (3C)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ELA</td>
<td>MATH</td>
<td>ELA</td>
</tr>
<tr>
<td>Targets</td>
<td>50%</td>
<td>40%</td>
<td>99%</td>
</tr>
<tr>
<td>Actual Data</td>
<td>68.3%</td>
<td>51.4%</td>
<td>98.1%</td>
</tr>
</tbody>
</table>

¹ Please note that Massachusetts does not have modified academic achievement standards for students with disabilities.
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

Explanation for Progress or Slippage for 3A – Percent of districts that have a disability subgroup that meets the State’s minimum “n” size meeting that State’s Adequate Yearly Progress (AYP) targets for disability subgroups.

To receive a positive AYP determination in FFY 2008, schools and districts must meet a state-established student participation requirement, a student attendance or graduation requirement, and either the State’s FFY 2008 performance target for that subject or the district, school, or subgroup’s own FFY 2008 improvement target. (See Table 1 on the following page for Massachusetts’ calculation of AYP determinations.)

Table 1 – Calculation of AYP Determinations
A + (B or C) + D = Affirmative AYP Determination

<table>
<thead>
<tr>
<th></th>
<th>MCAS Participation Rate</th>
<th>MCAS Performance</th>
<th>MCAS Improvement*</th>
<th>Additional Indicator</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>95% or greater participation in Massachusetts Comprehensive Assessment System (MCAS) and MCAS-Alternate Assessment (MCAS-Alt) tests</td>
<td>90.2 or greater Composite Performance Index (CPI) in English language arts (ELA); 84.3 or greater CPI in mathematics</td>
<td>Meet or exceed 2009 improvement target (Specific to schools, districts and student groups)</td>
<td>Grades 1-8: 92% or higher attendance rate, or 1% improvement over 2008; High Schools: 4-year graduation rate of 65 percent applied to the 2008 graduation cohort, or 5-year graduation rate of 70 percent applied to the 2007 graduation cohort, or 2 percentage point increase in 4-year graduation rate from the 2007 cohort to 2008 cohort.</td>
</tr>
</tbody>
</table>

*NOTE: A group can also make AYP for improvement by reducing the percentage of non-proficient students by 10% from 2008 to 2009 (NCLB’s safe harbor provision).

Following is the actual data and calculation for the determination of the number of districts that have a disability subgroup that met AYP targets for the subgroup in FFY 2008.

LEAs Meeting AYP for Disability Subgroup

<table>
<thead>
<tr>
<th>Number of LEAs with disability subgroup</th>
<th>Number of LEAs with disability subgroup meeting AYP</th>
<th>Percent of LEAs with disability subgroup meeting AYP</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>Math</td>
<td>ELA</td>
</tr>
<tr>
<td>290</td>
<td>292</td>
<td>198</td>
</tr>
<tr>
<td></td>
<td></td>
<td>68.3%</td>
</tr>
</tbody>
</table>
For FFY 2008, there were 290 LEAs with a disability subgroup for English Language Arts (ELA) and 292 LEAs with a disability subgroup for Mathematics in Massachusetts for whom MASSDE made AYP determinations. MASSDE calculated AYP determinations for the disability subgroup if the group consisted of:

1. 40 students or more assessed in each year for which performance data were being analyzed and the number of subgroup members was at least 5% of the number of students whose assessment results were included in the school or district's aggregate AYP calculation; OR
2. 200 or more members.

Using the above criteria, of the school districts with a disability subgroup for ELA, 68.3% (or 198) received a positive AYP determination. Of the school districts with a disability subgroup for Mathematics, 51.4% (or 150) received a positive AYP determination. The measurable and rigorous targets for FFY 2008 are increased by four percentage points above the FFY 2007 target for ELA (to 50% from 46%), and two percentage points above the FFY 2007 target for Mathematics (to 40% from 38%). Massachusetts reports an increase in the percentage of districts making AYP for students with disabilities in both ELA and Mathematics from FFY 2007 to FFY 2008 using this new methodology. MASSDE will continue to work to identify the performance gaps in our schools and districts, and to provide them with appropriate resources so that the performance of Massachusetts’ students with disabilities continues to improve.

MASSDE met its measurable and rigorous target for FFY 2008.

The chart below illustrates the actual data from FFY 2005 to FFY 2008 for this indicator, and compares the data to the actual target for FFY 2008. The aggregate increase from FFY 2005 to FFY 2008 is 43.3 and 32.4 percentage points in ELA and Mathematics, respectively.

As described in the Massachusetts FFY 2007 APR for Indicator 3, there was an increase in the number of school districts making AYP for special education subgroups from FFY 2005 to FFY 2006 because of a change in MASSDE’s method of calculating AYP determinations. The changes, which were approved by the U.S. Department of Education in 2006, relate to the identification of a district for improvement or corrective action only if the district fails to make AYP in the same subject area for each of the elementary, middle, and high school grade-spans for students in the aggregate or any subgroup for two consecutive years; reporting AYP determinations separately for three-grade spans (grades 3-5, 6-8, and 9-12); and changes in the calculation of AYP that simplified the process for calculating AYP. More information about these changes is available in the Massachusetts FFY 2007 Annual Performance Report (APR) for Indicator 3.
Explanation for Progress or Slippage for 3B – Participation rate for children with IEPs

The participation rate for students with IEPs for FFY 2008 is the number of students included in the disability subgroup who participated in MCAS and MCAS-Alt tests divided by the number of students included in the disability subgroup enrolled on the date the tests were administered. Students absent during testing, including those with a medical excuse, were counted in school and district participation rates as non-participants. A student was neither a participant nor a non-participant (i.e., excluded from both the numerator and the denominator in participation rate calculations) if all of the following statements were true: (1) the student transferred during the testing window (between the first day of ELA testing and the last day of testing for Mathematics or Science); (2) the student missed at least one entire session of the test in question; and (3) the student was not medically excused or absent for the test in question.
Following is the actual data and calculation for the determination of the FFY 2008 participation rate for students with IEPs in the ELA and Mathematics tests.

### FFY 2008 Participation Count

<table>
<thead>
<tr>
<th></th>
<th>Number of students with IEPs in grades assessed (a)</th>
<th>Number of students with IEPs in regular assessment with or without accommodations (b) &amp; (c)</th>
<th>Number of students with IEPs in alternate assessment against grade level and alternate achievement standards (d) &amp; (e)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ELA</td>
<td>Math</td>
<td>ELA</td>
</tr>
<tr>
<td>Grades*&lt;br&gt;3-5</td>
<td>38,824</td>
<td>38,850</td>
<td>34,634</td>
</tr>
<tr>
<td>Grades 6-8</td>
<td>40,714</td>
<td>40,703</td>
<td>36,489</td>
</tr>
<tr>
<td>Grade 10</td>
<td>11,994</td>
<td>12,008</td>
<td>10,577</td>
</tr>
<tr>
<td>State Total</td>
<td>91,532</td>
<td>91,561</td>
<td>81,700</td>
</tr>
</tbody>
</table>

*Note: The data presented above are presented by the grade spans used for making AYP determinations (as described in Indicator 3A).

### ELA and Math – Participation Rate

Overall percent = \(\frac{(b + c + d + e)}{(a)} \times 100\).

<table>
<thead>
<tr>
<th></th>
<th>(b) &amp; (c)</th>
<th>(d) &amp; (e)</th>
<th>(a)</th>
<th>Overall Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELA</td>
<td>81,700</td>
<td>8,124</td>
<td>91,532</td>
<td>98.1%</td>
</tr>
<tr>
<td>MATH</td>
<td>81,677</td>
<td>8,355</td>
<td>91,561</td>
<td>98.3%</td>
</tr>
</tbody>
</table>

In FFY 2008, of the 91,532 students with IEPs enrolled in all grades assessed for ELA, 81,700 participated in the regular assessment and 8,124 participated in an alternate assessment. The total participation rate for ELA was 98.1%. In Mathematics, 91,561 students with IEPs enrolled in all grades assessed, and of those students, 81,677 participated in the regular assessment and 8,355 participated in an alternate assessment. The total participation rate for Mathematics was 98.3%.
The difference of 29 students with IEPs in grades assessed from Mathematics (91,561) to ELA (91,532) may have included cases in which a student was repeating 10th grade who previously took MCAS, a student was removed from the calculation on appeal (e.g., a student with a medically-documented absence whose non-participation caused a school as a whole to not make AYP), and a student transferred in or out of the district during the testing period and therefore did not complete testing in that year.

The following graph illustrates the increase in participation rates of students with disabilities in statewide assessments from FFY 2005 to FFY 2008.

The measurable and rigorous target for participation rate for students with IEPs in FFY 2008 remained at 99%. In this period the participation rate for students with IEPs on statewide assessments was 98.1% for ELA and 98.3% for Mathematics. This is an increase of 0.2 percentage points above the FFY 2007 participation rate for ELA, and an increase of 0.3 percentage points for Mathematics. Participation rates since FFY 2005 have increased by at least 0.5%, and high rates of participation by students with disabilities on statewide assessments have continued.

Explanation for Progress or Slippage for 3C – Proficiency rate for children with IEPs against grade level standards and alternate academic achievement standards.

To calculate proficiency rate, Massachusetts uses the CPI, a 100-point index that assigns 100, 75, 50, 25, or 0 points to each student participating in the Massachusetts Comprehensive Assessment System (MCAS) and MCAS Alternate Assessment (MCAS-Alt) tests based on their performance. The total points assigned to each student are added together and the sum is divided by the total number of students assessed. The result is a number between 0 and 100, which constitutes a district, school, or subgroup’s
CPI for that subject and student group. CPIs are generated separately for ELA and Mathematics, and at all levels – state, district, school, and student subgroup. For additional details on the CPI, please see the School Leaders’ Guide to the 2009 AYP Reports (http://www.doe.mass.edu/sda/ayp/2009/schleadersguide.doc).

Following are the data and calculation for the FFY 2008 proficiency rate for children with IEPs.

### Proficiency Count and Rate

<table>
<thead>
<tr>
<th></th>
<th>ELA</th>
<th>Math</th>
<th>ELA</th>
<th>Math</th>
<th>ELA</th>
<th>Math</th>
<th>ELA</th>
<th>Math</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grades 3-5</td>
<td>38,445</td>
<td>38,558</td>
<td>8,117</td>
<td>7,919</td>
<td>21.1%</td>
<td>21.1%</td>
<td>64.0</td>
<td>59.5</td>
</tr>
<tr>
<td>Grades 6-8</td>
<td>39,964</td>
<td>40,043</td>
<td>12,445</td>
<td>5,807</td>
<td>31.1%</td>
<td>13.7%</td>
<td>69.2</td>
<td>50.8</td>
</tr>
<tr>
<td>Grade 10</td>
<td>11,415</td>
<td>11,431</td>
<td>4,840</td>
<td>4,225</td>
<td>42.4%</td>
<td>32.8%</td>
<td>76</td>
<td>69.5</td>
</tr>
<tr>
<td>State Total</td>
<td>89,824</td>
<td>90,032</td>
<td>25,402</td>
<td>17,951</td>
<td>28.3%</td>
<td>19.9%</td>
<td>67.9</td>
<td>56.9</td>
</tr>
</tbody>
</table>

For FFY 2008, 89,824 students with IEPs in all grades were assessed for ELA, and of those students, 25,402 students scored proficient or above as measured by the regular and alternate assessment. The percent of students with IEPs scoring proficient or above on the ELA statewide assessment was 28.3%, and the Composite Performance Index (CPI) for students with disabilities was 67.9.

In Mathematics, 90,032 students with IEPs in all grades were assessed, and of those students, 17,951 scored proficient or above as measured by the regular and alternate assessment. The percent of students with IEPs scoring proficient or above on the Mathematics statewide assessment was 19.9%, and the CPI for students with disabilities was 56.9.

MASSDE has continued to set targets for students with IEPs that are the same as the targets for all students. In FFY 2008, the target CPI for all students was 90.2 in ELA, and 84.3 in Mathematics. Actual FFY 2008 data show that the CPI for student with disabilities (67.9 in ELA and 56.9 in Mathematics) fell short of these targets. Nonetheless, there has been continued progress for the disability subgroup this year. The FFY 2008 data reflect an increase of 2.0 points over FFY 2007 totals in ELA and 1.5 points in
Mathematics. Also, since FFY 2005, the CPI for this subgroup has increased 5.4 points in Mathematics and 3.1 points in ELA. These increases are reported in the graphs below. MASSDE will continue to work to improve results students with disabilities in this area in FFY 2009.

**Improvement Activities**

In FFY 2008 MASSDE engaged in intra-agency activities and initiatives intended to improve outcomes for all students. SEPP’s presence in the planning and implementation stages of these activities has ensured that the needs of students with IEPs are addressed. SEPP staff is participating in discussions and program development in cooperation with the following units in MASSDE (see Appendix A for specific activities):

- School and District Accountability and Assistance
- Curriculum and Instruction
- Secondary School Services
- Elementary School Services
- Student Support Services
- Student Assessment

In FFY 2008, MASSDE also engaged in a number of improvement activities to improve results for students with disabilities on statewide assessment. The following activities had a direct affect on Indicator 3.

- MASSDE has a long standing relationship with the **Federation for Children with Special Needs (FCSN)**, the Parent Training and Information Center federally funded to provide free information, support, technical assistance, and workshops to Massachusetts’ families who have children with disabilities. FCSN provides training and technical assistance to families throughout
Collaboration between MASSDE Curriculum and Instruction Mathematics Office and Special Education Planning and Policy Development Office (SEPP) was initiated in FFY 2008 after the MA Urban Math Liaisons network (math directors who provide guidance and support around mathematics in Massachusetts public schools) identified the need to support better students with disabilities as a critical priority in urban districts. In response to this need, meetings of the Math Specialist Support group at MASSDE will be dedicated to developing a district level collaboration between special educators and mathematics specialists. This will have a direct affect on access and success of students with IEPs on statewide Mathematics assessments.

MASSDE holds an annual Curriculum, Instruction, and Assessment Summit, the purpose of which is to share MASSDE resources for strengthening curriculum, instruction and assessment, identify needs for future development of curriculum resources and technical assistance, and build capacity of the department, districts, and schools through regional partnerships. In FFY 2008, the topics from the Summit that related to statewide assessment were: Starting Out Right: Preventing and Closing the Achievement Gap; Curriculum Alignment; Online Courses and Resources for Standards-Based Teaching and Learning; Narrowing Achievement Gaps in Reading and Writing; Addressing the Achievement Gap: Parents as Teachers and Partners; Effective Math Instruction for English Language Learners; The Integration of Science and Literacy; The Role of the Arts in Raising Academic Achievement; Tools for Differentiated Curriculum and Instruction; Implementing a Balanced Assessment System; Supporting Student Achievement in Science and Technology/Engineering; and Math Learning Communities in Practice.

District and School Assistance Centers (DSACs) - MASSDE has opened six regionally-based DSACs to help identified districts and their schools strategically access and use professional development and targeted assistance to improve instruction and raise achievement for all students. MFA courses (see below), including UDL Creating Positive Classroom Environments, and Transition Planning have been integrated into the menu of professional development options available to districts.

Educational Proficiency Plans (EPP) - School districts must develop an EPP for any student in the class of 2010 who does not score at 240 or above on the grade 10 ELA and Mathematics MCAS tests. The EPP must identify the student's strengths and weaknesses, based on MCAS and other assessment results, coursework, grades, and teacher, student, and counselor input. The purpose of the requirement is to increase the likelihood that students will meet state and local standards to graduate from high school, including achieving success on the MCAS tests, and will have the requisite skills needed for post-secondary success.

The Secondary School Reading grant is a grant program that selects middle schools, high schools, and vocational schools with poor MCAS performance or unusually large special education populations to receive four years of funding to develop and implement a school-wide approaches to improving reading achievement across content areas, including: involvement of and training for all professional and paraprofessional staff, reading across content areas, multiple targeted intervention programs for struggling readers, adequate time for reading instruction, assessment that drives instruction, flexible grouping patterns, and leadership structures that provide ongoing support and guidance for all students. These efforts have a direct affect on student participation in and performance on the ELA MCAS tests.

Special Education Professional Development Summer Institutes offered professional development opportunities to educators in FFY 2008 in a variety of areas to allow educators to improve their capacity to provide differentiated, responsive classroom instruction, which in turn will lead to improved academic outcomes for students with disabilities. Some of the topics related to statewide assessment included Access to Print: A Framework for All Learners; Assessing English Language Learners (ELL) with Disabilities; Managing Behavior in an Inclusive Classroom;
Mathematics and/or Science and Technology; American Sign Language (ASL) and Other Signed Systems; Topics in Teaching Literacy to Students Who Are Deaf or Hard-of-Hearing; and Special Education Professional Development Seminar for Educators of Students Who Are Deaf or Hard-of-Hearing.

- The **Special Education Program Improvement Grants – Fund Code 274** offered to every LEA in 2008 included Curriculum Development, Assessment, and Instruction. The goal of this priority was to assist the skills and capacity of educators to meet the diverse instructional and curricular needs of students with disabilities. Districts were able to use funds provided through this grant to provide ongoing professional development to general and special educators.

- **Massachusetts FOCUS Academy (MFA)** provides online, graduate level coursework to middle and high school educators across the state. One content area, Universal Design for Learning (UDL), has a significant effect on providing access for students with disabilities. The courses help educators gain a better understanding of how disability affects student learning, and provides educators with improved skills in the areas of curriculum design, instruction, and technology; these skills translate into improved student outcomes. Since the introduction of the UDL courses in FFY 2007, 155 educators from 50 districts participated in them.

- MASSDE also participated in and supported professional development opportunities provided through the **National Association of State Directors of Special Education (NASDSE)** whereby national experts provide information via telecast on a variety of high-interest topics, including improvement of instruction, increasing student engagement, and improving methods of participation for students with disabilities on statewide assessments.

Numerous activities focused on student assessment contributed to the state’s continued success in meeting its target for Indicator 3. The MASSDE Special Education Planning and Policy Development Office (SEPP) works to ensure students with disabilities needs are addressed by the following improvement activities:

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA
- Collaboration with Stakeholders
- Secondary Transition- TransitionWorks: Innovative Strategies for Transitioning Youth with Disabilities from School to Work
- Sign Language Video Resource Library
- Special Education Leadership Academies and Seminars
- Special Education Program Improvement Grants – Fund Code 249

For detailed information about the activities listed above, please see Appendix A.

In addition to the improvement activities described above, MASSDE maintained web-based resources for professionals including **MCAS-Alt Newsletters, resource guides, and educators’ manuals**, including an updated **Requirements for the Participation of Students with Disabilities in MCAS** guide. The purpose of this document is to provide guidelines for the participation of students with disabilities in statewide tests and to familiarize educators, and parents and guardians, with available test accommodations. Also, the Student Assessment Services unit in MASSDE holds annual sessions for school personnel about conducting the MCAS-Alt tests for students.

MASSDE continues to report publicly assessment data. This information can be viewed at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx)

MASSDE will continue to focus its efforts on improving outcomes for students with IEPs, and looks forward to reporting the results of these efforts in the FFY 2009 for Indicator 3.

The Part B State Performance Plan (SPP) and Annual Performance Report (APR) have been amended to reflect the changed requirements for Indicator 3 and its measurement, including alignment with the Title 1 of the Elementary and Secondary Schools Education Act (ESEA).

MASSDE has revised improvement activities to in the SPP to include updated activities and revised activity titles and timelines. See the MA SPP for changes.
Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

A. 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; and

B. 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:

A. 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.

B. 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.

Massachusetts’ definition of “significant discrepancy” is a suspension/expulsion rate of five times the state rate for two consecutive years.

Indicator 4A – 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.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>FFY2007</td>
<td>The % of districts with a significant discrepancy finding will be 0%</td>
</tr>
</tbody>
</table>
Actual Target Data for FFY 2007 (as reported in the FFY 2008 Annual Performance Report (MA APR) based on the instructions for a one year data lag):

<table>
<thead>
<tr>
<th>2007-2008 Special Education Enrollment</th>
<th>2007-2008 State Suspension/Expulsion Rate</th>
<th>% of districts with suspension/expulsion rate that is five times State Rate*</th>
<th>% of districts with a finding of “significant discrepancy”**</th>
</tr>
</thead>
<tbody>
<tr>
<td>164,298</td>
<td>1.2%</td>
<td>1.4% (5 districts)</td>
<td>0.57% (2 districts)</td>
</tr>
</tbody>
</table>

*The 348 districts with more than 30 students receiving special education services were statistically reviewed in the above analysis.

** The calculation is (2 / 348) x 100.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 ((based on 2007-2008 data reflecting one year data lag):

Explanation of Progress or Slippage:

The revised Part B SPP/APR Indicator 4 information collection requirements approved by OMB on February 25, 2009, specify that States’ reports are now subject to a one year data lag, which requires reporting of actual target data for FFY 2007 against the FFY 2007 measurable and rigorous target. As a result, this is the same data reported in last year’s Indicator 4 APR.

The data are based on the state’s definition of “significant discrepancy” -- a district having a suspension/expulsion rate of five times the state rate for two consecutive years. In the FFY 2007 reporting year, two districts (0.57% of all districts) met the threshold of determining significant discrepancy. For districts found to be significantly discrepant, MASSDE reviews the districts’ policies, procedures, and practices related to the development and implementation of IEPs; the use of positive behavioral interventions and supports; and procedural safeguards; and has required the LEAs to revise their policies, practices, and procedures as appropriate. Using this process, MASSDE conducted reviews for the two LEAs identified as significantly discrepant. Both have corrected their identified areas of noncompliance (see section below titled “Massachusetts Response to the OSEP Part B FFY 2007 SPP/APR Letter and Review Table”). MASSDE notes that 42 districts in the state have fewer than 30 students identified as eligible for special education. Although each of these districts was individually considered, no findings of discrepancy were made and the numbers were deemed too small for statistical analysis.

Over the past four years, a trend has emerged in school districts’ rates of long-term suspension and expulsion for students with IEPs, and the data demonstrates that the state’s rate for students with disabilities has increased (Figure 1). In FFY 2004, the rate was 0.514%; 0.916% in FFY 2005; 1.0% in FFY 2006; and 1.2% in FFY 2007. MASSDE’s analysis of and response to the increase continues to focus on activities that ensure that the data are accurate, as well as seeking methods of obtaining comparable data for students without disabilities (see description of improvement activities below).
The following chart illustrates the trend from FFY 2004 to FFY 2007.

Despite the increase in the statewide suspension/expulsion rates, the number of districts identified with a suspension/expulsion rate that is five times greater than the state rate in a given year has been relatively consistent. There were six districts in FFY 2004, four in FFY 2005 and FFY 2006, and five in FFY 2007. MASSDE considers this variation in data to be a result of inconsistent district definitions, policies, and procedures related to suspension and expulsion, and will continue to work with districts to increase consistency in the future.

**Indicator 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.

**States are not required to report on Indicator 4B in the Part B Annual Performance Report for FFY 2008.**

**Improvement Activities**

The majority of MASSDE’s improvement activities for Indicator 4 in FFY 2008 were focused on (1) analyzing the comments and recommendations from meetings with LEAs and advisory groups held in FFY 2006 and FFY 2007 regarding rates of suspension and expulsion of students with IEPs, (2) formulating policies and technical assistance for districts to address the identified issues in a manner consistent with MASSDE guidelines, and (3) ensuring that the two districts identified with significant discrepancies in FFY 2007, one of which was also found to be significantly discrepant in 2006, were in compliance as required by 34 CFR § 300.170(b).

MASSDE’s Student Support, Career, and Education Services unit (SSCE); Special Education Planning and Policy Development Office (SEPP); and the Program Quality Assurance (PQA) unit have engaged in the following improvement activities that directly affect suspension/expulsion rates for students with IEPs:
The Dropout Prevention and Recovery Workgroup (SSCE) is designed to target assistance to districts for special populations. The Workgroup includes 18 urban districts that account for nearly half of the State’s students who drop out. This year’s focus is to review and analyze district policies regarding discipline, homework, and attendance, which have are significant issues relative to suspension and expulsion of students with IEPs.

Trauma Sensitive Schools Initiative (SSCE) – Through this initiative MASSDE is working to bring “trauma sensitive” practices to schools across the Commonwealth. These efforts include annual trainings and technical assistance around safe and supportive student learning environments by reducing barriers that may affect classroom behavior, relationships, and academic performance thereby creating a climate that encourages students to stay in school.

Disability Workgroups (SEPP) – MASSDE convened disability workgroups were in March 2009, which were comprised of a range of experts in the field of each disability category. Although the workgroups’ agendas were broad and not limited to issues regarding suspension and expulsion, central to the groups’ discussions were issues about the suspension of students with specific disabilities, such as Asperger syndrome, Tourette syndrome, and other neurodevelopmental disabilities characterized by atypical behaviors.

Data Collection and Practices Improvement Self Assessment (SEPP)- Based on the feedback and expertise of the participants in the many stakeholder group meetings, MASSDE is working to create an advisory document on data collection and program improvement self assessment that districts can use to assist them in developing and implementing practices consistent with federal and state regulations regarding the reporting of student discipline. The results of these efforts will allow districts to more accurately report data regarding the removal of a student with an IEP from his/her classroom(s), and will help districts determine whether such removal constitutes an in-school suspension. The advisory is presented in two parts: (1) guidelines for determining whether a removal of a student with an IEP constitutes an in-school suspension, and (2) assistance in developing data collection practices for in-school suspensions and reporting them to MASSDE through the School Safety and Discipline Report (SSDR) and the Student Information Management Systems (SIMS). It is expected that the Data Collection and Practices Improvement Self Assessment will increase awareness of current, district-specific suspension programs, alternatives to suspension, and the affects of suspension data. MASSDE will pilot the tool with a select, cross-section of districts with and without significant discrepancies in their rates of suspensions and expulsions of students with IEPs, and will include it as part of its Technical Assistance Advisory to all districts. This will help to support districts’ timely correction of noncompliance.

MASSDE is currently developing a Suspension/Expulsion Technical Assistance Seminar (SEPP) to be held in FFY 2009 that will include staff from the significantly discrepant LEAs identified in FFY 2007 and in the FFY 2008 data collection, and districts identified as having a rate that is five times the state rate for a single year. The objectives of the seminar are to clarify appropriate definitions of in-school suspension, increase awareness of current district data collection systems through use of the Data Collection and Program Improvement Self Assessment tool, analyze disaggregated data provided by MASSDE to identify trends within each district, and identify programmatic services that may be provided rather than having a student experience in-school suspension. Providing LEAs with this information will assist in the self-assessment process and begin to increase awareness of the data being reported to MASSDE. In addition to data analysis, the significantly discrepant LEAs will be encouraged to pilot the Data Collection and Practice Improvement Self Assessment developed by MASSDE in an effort to begin the restructuring of suspension programs and the logistical coordination of reporting data to MASSDE.

MASSDE was awarded a State Personnel Development grant to continue and build upon the previous success of Project FOCUS Academy. The Massachusetts FOCUS Academy (MFA)’s (SEPP) purpose is to enhance Massachusetts educators’ skills and knowledge for creating
environments that encourage positive behavior in addition to providing professional development that fosters sound instructional and assessment methodologies to improve outcomes of students with IEPs. MFA is an online network offering college-level, course work in a variety of key areas, four of which are especially relevant to suspension and expulsion of students with IEPs: *Universal Design for Learning (UDL): Meeting the Needs of Diverse Learners; Creating Positive Learning Environments (CPLI) I and II; Differentiated Instruction; and The Collaborative/Co-Teaching Model.*

- In partnership with the [Central Massachusetts Communities of Care (CCMC) Positive Behavioral Interventions (PBIS) Grant (SEPP)](https://www.mea.state.ma.us/), MASSDE provided grant funds to support districts in Worcester County with the development and implementation of Positive Behavioral Interventions and Supports and with developing “wrap-around” mental health services and supports. The participating districts receive professional development as well as onsite assistance in the development and implementation of the principles of PBIS. In the first year of the program, four districts totaling six schools and over 50 school personnel (including teachers, administrators, related service providers, paraprofessional, parents, and students) participated. In the second year, this first cohort of districts moved from the planning stage to implementation, and the second cohort of six districts entered the first stage. Now, in the third year of the grant, the second cohort is completing the implementation stage and a third cohort of four districts and six schools is participating in the initial, planning stage.

- [Special Education Professional Development Summer Institutes](https://www.mea.state.ma.us/) (SEPP) offered professional development opportunities to educators in FFY 2008 in a variety of areas to allow educators to improve their capacity to provide differentiated, responsive classroom instruction, which in turn will lead to improved academic outcomes for students with disabilities. Specifically related to suspension/expulsion was the course titled *Managing Behavior in an Inclusive Classroom,*

- The [Special Education Program Improvement Grants – Fund Code 274](https://www.mea.state.ma.us/) (SEPP) offered to every LEA in 2008 included Meeting the Behavioral and Social Needs of a Diverse Student Population. The goal of this priority was to assist educators in developing the skills and capacity in order meet the diverse behavioral and social needs of students with disabilities. Districts were able to use funds provided through this grant to provide ongoing professional development to general and special educators.

- SEPP has collaborated with the [Program Quality Assurance/Comprehensive Program Review (PQA)](https://www.mea.state.ma.us/) unit of MASSDE, specifically around analyzing policies and procedures regarding in-school suspensions. Because PQA personnel are in school districts on a routine basis, they are afforded an insider’s view of district policies and how they are implemented at the local level. PQA’s experience in reviewing districts’ practices has underscored MASSDE’s understanding that the accuracy of the data reported to MASSDE is affected by lack of clarity about definitions as well as lack of identified personnel to report the data.

Numerous activities focused on suspension/expulsion contributed to the state’s continued success in meeting its target for Indicator 4. The MASSDE Special Education Planning and Policy Development Office (SEPP) works to ensure students with disabilities are supported by the following improvement activities:

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA
- Collaboration with Stakeholders
- Special Education Professional Development Institutes
- Special Education Program Improvement Grants – Fund Code 249

For detailed information about the activities listed above, please see Appendix A.
MASSDE has continued to report suspension/expulsion data publicly, and data for Indicator 4A are reported through tables available at http://profiles.doe.mass.edu/state_report/special_ed.aspx. From this table, viewers can select a specific district to access more detailed data. Additional updates to the special education data on MASSDE’s public website are forthcoming. Please note that pursuant to OSEP’s instructions for a data lag, the FFY 2008 data for Indicator 4 will be discussed in the FFY 2009 Annual Performance Report (MA APR), to be submitted in February 2011.

Massachusetts Response to the OSEP Part B FFY 2007 SPP/APR Letter and Response Table

OSEP instructed MASSDE to include in its FFY 2008 APR for Indicator 4 a report on its review, and if appropriate, revision, of policies, procedures, and practices related to the development and implementation of IEPs and procedural safeguards to ensure compliance with the IDEA for the LEAs identified with significant discrepancies for suspension and expulsion in both FFY 2006 and FFY 2007.

Correction of Significant Discrepancy from FFY 2006 and FFY 2007

As noted in the FFY 2006 APR, the LEA identified as significantly discrepant in its rates of suspension and expulsions of students with IEPs had fully corrected areas of noncompliance related to the use of positive behavioral interventions and supports, but only partially corrected areas related to (1) the development and implementation of IEPs, and (2) procedural safeguards to ensure compliance with the IDEA.

This same district was similarly identified in the FFY 2007 as demonstrating significant discrepancy. At the time of the FFY 2007 report, MASSDE was reviewing the district’s response to the partially completed procedures. Following completion of this review, MASSDE found that the LEA had successfully corrected most but not all areas of noncompliance and requested additional documentation of the LEA’s policies, procedures, and practices relating to the development and implementation of IEPs and procedural safeguards. MASSDE required the LEA to submit a Corrective Action Progress Report by January 2008. MASSDE conducted detailed analyses of the requested documentation and performed additional onsite visits to the LEA to ensure that the policies, procedures, and practices were being implemented. After extensive review of the additional information, MASSDE determined in June 2008 that the LEA had corrected all noncompliance for FFY 2006 and FFY 2007; the noncompliance identified in FFY 2007 was corrected within one year.

A second LEA was identified with a significant discrepancy in its rates of suspensions and expulsions of students with IEPs for greater than 10 days in FFY 2007. MASSDE reviewed the district’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavior interventions and supports, and procedural safeguards to ensure compliance with the IDEA. As a result of this review, MASSDE determined the LEA was not fully compliant in all of its policies, procedures, and practices relating to two areas: (1) the development and implementation of IEPs, and (2) procedural safeguards to ensure compliance with the IDEA. MASSDE required the LEA to submit a Corrective Action Plan for these areas. After reviewing this plan, MASSDE determined in September 2009 that the LEA had successfully corrected the noncompliance for FFY 2007.


MASSDE has revised improvement activities in the MA SPP for Indicator 4 to include updated activities, including revised activity titles. See the MA SPP for the revised activities. MASSDE has also revised the indicator measurement table to reflect the revised Part B SPP/APR information collection that was approved by OMB on February 25, 2009, to be used through February 29, 2012, and the data lag instructions for Indicator 4A.
Overview of the Annual Performance Report Development:

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; and
   C. In separate schools, residential facilities, or homebound/hospital placements.

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

Measurement:
   A. Percent = \left(\frac{\text{(# of children with IEPs served inside the regular class 80% or more of the day)}}{\text{(total # of students aged 6 through 21 with IEPs)}}\right) \times 100.
   B. Percent = \left(\frac{\text{(# of children with IEPs served inside the regular class less than 40% of the day)}}{\text{(total # of students aged 6 through 21 with IEPs)}}\right) \times 100.
   C. Percent = \left(\frac{\text{(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements)}}{\text{(total # of students aged 6 through 21 with IEPs)}}\right) \times 100.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Indicator 5A</td>
</tr>
<tr>
<td></td>
<td>% of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day (Full Inclusion)</td>
</tr>
<tr>
<td></td>
<td>Indicator 5B</td>
</tr>
<tr>
<td></td>
<td>% of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day (substantially separate placements)</td>
</tr>
<tr>
<td></td>
<td>Indicator 5C</td>
</tr>
<tr>
<td></td>
<td>% of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements (out-of-district placements)</td>
</tr>
<tr>
<td>2008 (2008-2009)</td>
<td>55.5%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicator 5A</th>
<th>Indicator 5B</th>
<th>Indicator 5C</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of children with IEPs aged 6 through 21 served inside the regular class 80% or more of the day (Full Inclusion)</td>
<td>% of children with IEPs aged 6 through 21 served inside the regular class less than 40% of the day (substantially separate placements)</td>
<td>% of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements (out-of-district placements)</td>
</tr>
<tr>
<td>Actual Data</td>
<td>56.8%</td>
<td>15.4%</td>
</tr>
</tbody>
</table>

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

**Explanation of Progress or Slippage**

**5A – Full Inclusion**

The total number of students with IEPs ages 6 through 21 in Massachusetts for FFY 2008 was 151,283. Of those students, 56.8% were served in the general education classroom 80% or more of the day (full inclusion). This exceeds the measurable and rigorous target of 55.5%, and is an increase of 1.1 percentage points over FFY 2007 (55.7%). MASSDE met its target for Indicator 5A in FFY 2008, and continues to demonstrate progress in this area. Improvement can be attributed to the fact that districts are implementing practices that promote full inclusion of all students.

**5B – Substantially Separate Placements**

In FFY 2008, 15.4% of students with IEPs ages 6 through 21 were served inside the general education class less than 40% of the day (substantially separate placements). This is greater than the rigorous target of 14.9%. MASSDE anticipated that many students in substantially separate placements would move to a less restrictive setting as MASSDE pursued this least restrictive environment (LRE) initiative; however, the majority of students who are moving to full inclusion are coming from the partial inclusion subgroup. MASSDE’s longitudinal analysis of the data shows that substantially separate placements have remained consistent over time, as represented in the State Trends in Educational Environments FFY 2005 – FFY 2008 chart below.

**5C – Out-of-district Placements**

The percent of children with IEPs aged 6 through 21 served in separate schools, residential facilities, or homebound/hospital placements (out-of-district placements) in FFY 2008 was 6.8. In calculating the rate of out-of-district placements, MASSDE includes public and private separate schools, private residential schools and public residential institutional facilities, and homebound/hospitals. MASSDE does not include the number of parentally-placed private school children with disabilities. This method is consistent with the calculation method that MASSDE used in calculating its FFY 2007 calculation for Indicator 5C. Additionally, MASSDE did not include the number of parentally-placed private school children with disabilities in the denominator when calculating the percentages of students in full inclusion, substantially separate placements, or out of district placements. Any difference that may exist between the data reported in the State’s 618 data reported in Table 3 for Indicator 5C and the data reported here is the result of this calculation method.
longitudinal analysis of the data shows that there is no increase over time. Rather, MASSDE reports a consistent rate of out-of-district placements from FFY 2005 (6.7%) to FFY 2008 (6.8%).

In order to understand better this data over time, MASSDE has produced the following charts and tables demonstrating trends in educational settings for the period FFY 2005 to FFY 2008. The chart on the following page illustrates the trends in educational environments to date, and demonstrates an increase over time in full inclusion environments, with a commensurate decrease in partial inclusion, while more separate environments have stayed relatively stable.

Further analysis of the data by disability category from FFY 2005 through FFY 2008 indicates that rates of full inclusion increased for all disability categories over this time period, while at the same time the rate of partial inclusion decreased in all but one disability category. The disability category that did not conform to this trend was sensory/hard-of-hearing. Since 2005, the rates of full inclusion and partial inclusion for this disability category have increased by 4.7 percentage points and 0.5 percentage points, respectively, and have shown decreases in the rates for substantially separate and out-of-district placements, by 3.7 percentage points and 1.6 percentage points, respectively.

The graph below that shows the actual percentage point changes for full inclusion in all disabilities categories for the period FFY 2005 to FFY 2008. During this period, there has been an increase in full inclusion across all disability groups.
The highest percent changes in full inclusion from FFY 2005 to FFY 2008 were the categories of specific learning disabilities (9.2 percentage point increase), physical (8.5 percentage point increase), and sensory vision impairment (7.7 percentage point increase).

Further analysis revealed five disability categories that increased in full inclusion and decreased in all other placement categories (partial inclusion, substantially separate, and out of district) from FFY 2005 to FFY 2008. These figures are illustrated in the table below.

<table>
<thead>
<tr>
<th>Percentage Point Change from FFY 2005 – FFY 2008</th>
<th>Sensory Vision</th>
<th>Emotional</th>
<th>Health</th>
<th>Specific Learning</th>
<th>Sensory Deafblind</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full Inclusion</td>
<td>7.7</td>
<td>6.1</td>
<td>7.6</td>
<td>9.2</td>
<td>3.2</td>
</tr>
<tr>
<td>Partial Inclusion</td>
<td>-4.4</td>
<td>-1.6</td>
<td>-7.4</td>
<td>-8.9</td>
<td>-0.8</td>
</tr>
<tr>
<td>Substantially Separate</td>
<td>-1.6</td>
<td>-2.9</td>
<td>-0.3</td>
<td>-0.3</td>
<td>-1.3</td>
</tr>
<tr>
<td>Out of District</td>
<td>-1.6</td>
<td>-1.6</td>
<td>-0.1</td>
<td>0.0</td>
<td>-1.1</td>
</tr>
</tbody>
</table>

The following chart illustrates the change in percentage points in out of district placements for all disability categories from FFY 2005 through FFY 2008.
The disability categories with the largest percentage point decreases in out of district placements from FFY 2005 to FFY 2008 were sensory/hard-of-hearing, physical, and health (all with a 1.6 percentage point decrease). The disability categories with the largest percentage point increases in out of district placements from FFY 2005 to FFY 2008 were multiple disabilities (1.3 percentage point increase), autism (1.2 percentage point increase), and intellectual (0.9 percentage point increase).

Improvement Activities

In FFY 2008, MASSDE engaged in numerous activities around the educational environment that contributed to the state’s increase in full inclusion. The Special Education Planning and Policy Development Office (SEPP) works to ensure students with disabilities and their educators are positively affected by the improvement activities sponsored across MASSDE. This coordination of efforts and initiatives has a positive effect on MASSDE’s ability to meet the needs of these populations. SEPP staff is participating in discussions and program development in cooperation with the following offices in MASSDE (see Appendix A for specific activities):

- School and District Accountability and Assistance
- Literacy
- Curriculum and Instruction
- Secondary School Services
- Elementary School Services
- Student Assessment
- English Language Acquisition
- Program Quality Assurance
- Educator Policy, Preparation, and Licensure
In FFY 2008, MASSDE engaged in a number of improvement activities to support IEP Teams in making appropriate placement decisions so that students with disabilities are educated in the LRE. The following improvement activities had a direct effect on Indicator 5.

- **Inclusive Schools Week™** highlights and celebrates the progress our schools have made in providing a supportive and quality education to all students, particularly those who have disabilities and those from culturally and linguistically diverse backgrounds. It also provides an important opportunity for educators, students, and parents to discuss what else needs to be done in order to ensure that their schools continue to improve their ability to successfully educate all students and youth. To promote awareness of this initiative, MASSDE encourages districts to highlight the accomplishments of students, families, school personnel, and community members in promoting inclusive education for all students.

The following additional FFY 2008 improvement activities directly affect LRE and other indicator areas (see Appendix A):

- Through the **Comprehensive System of Personnel Development (CSPD) Training Project**, MASSDE offers online training modules and face-to-face training to Massachusetts educators in a variety of topics. There are three training modules that provide content designed to provide resources to help educators and IEP Teams make appropriate placement decisions and to facilitate student inclusion: *The Massachusetts IEP Process, A Principal's Role and Special Education in Massachusetts, Is Special Education the Right Service?*, and *The Massachusetts Transition Planning Chart and Effective Transition Planning*.

- The **Massachusetts FOCUS Academy (MFA)** provides online, graduate level coursework to middle and high school educators across the state. Of the content areas offered in FFY 2008, universal design in learning (UDL) will have the greatest affect on Indicator 5. The courses help educators gain a better understanding of how disability affects student learning and provides them with improved skills in the areas of curriculum design, instruction, and assistive technology. This knowledge and skill-base better enable educators to address individual student needs in the LRE.

- In partnership with the **Central Massachusetts Communities of Care (CMCC) Positive Behavioral Interventions (PBIS) Grant**, MASSDE provided grant funds to support districts in Worcester County with developing and implementing Positive Behavioral Interventions and Supports (PBIS), and with developing “wrap-around” mental health services and supports. One of the priorities of the school district-CMCC partnership is to provide professional development and onsite assistance for PBIS. By increasing the use of PBIS, students with mental health concerns are more likely to receive the supports needed to participate in less restrictive environments.

- **Special Education Professional Development Summer Institutes** were sponsored by the MASSDE in partnership with school districts, educational collaboratives, institutions of higher education, and professional associations. The Institutes that directly affect Indicator 5 are designed to support districts’ efforts to ensure students are educated in the most appropriate, least restrictive environment for their educational needs. Courses included in the FFY 2008 Summer Institutes were: *Managing Behavior in an Inclusive Classroom; Occupational Therapy Services in Educational Settings; Strategies for Students with Sensory Integration Dysfunction in an Inclusive Classroom; Sustaining Braille Proficiency of Licensed Teachers of Students with Visual Impairments; Topics in Teaching Literacy to Students who are Deaf of Hard-of-Hearing; Mathematics and/or Science and Technology; American Sign Language (ASL) and Other Signed Systems; and Special Education Professional Development Seminar for Educators of Students who are Deaf or Hard-of-Hearing.*
The **Special Education Leadership Academies and Seminars** for special education administrators offered activities focused on instructional program design and improvement and access to the general education curriculum based on the Massachusetts Curriculum Frameworks.

In order to facilitate students’ with disabilities access to the general education curriculum in the LRE, MASSDE funded the **Secondary School Reading Grant**. Approaches in the grant program include involvement and training for all professional and paraprofessional staff, reading across content areas, multiple targeted intervention programs for struggling readers, adequate time for reading instruction, assessment that drives instruction, a variety of flexible grouping patterns, and leadership structures that provide ongoing support and guidance.

**Collaboration between MASSDE Curriculum and Instruction Mathematics Office and Special Education Planning and Policy Development Office (SEPP)** was initiated in FFY 2008. The MA Urban Math Liaisons network (math directors who provide guidance and support around mathematics in Massachusetts public schools) identified the need to better support students with disabilities in mathematics as a critical priority in the urban districts. In response to this need, this year the Math Specialist Support meetings will be dedicated to developing a district level collaboration between special educators and mathematics specialists. This will directly affect the participation of students with disabilities in the LRE.

MASSDE has a longstanding **Collaboration with Federation for Children with Special Needs (FCSN)**, which is the Parent Training and Information Center that is federally funded to provide free information, support, technical assistance and workshops to Massachusetts families who have children with disabilities. This year topics that relate to LRE included: Transition from Early Intervention to Special Education, Parent’s Rights, IEPs, and Understanding My Child’s Learning Style.

The **Community/Residential Education Project** was developed through an interagency agreement between MASSDE and the Massachusetts Department of Developmental Services (MDDS). This project supports less restrictive, more cost effective residential options, special education services, and community based supports.

The **District and School Accountability and Assistance Office** within the MASSDE’s Center for School and District Accountability reviews districts, with emphasis on how district systems and practices affect each of four groups of students: students with disabilities, English language learners, low-income students, and students who are members of racial minorities.

**District and School Assistance Centers (DSACs)** – MASSDE has opened six regionally based DSACs to help identified districts and their schools strategically access and use professional development and targeted assistance to improve instruction and raise achievement for all students. MFA courses (see above) have been integrated into the menu of professional development options available to districts.

The **Inclusive Concurrent Enrollment Partnership Programs for Students with Disabilities (ICE)** provides funding to establish and sustain partnerships between Massachusetts public high schools and public institutions of higher education to support students with severe disabilities, ages 18-22, who have not been able to earn a competency determination and do not have typical high school prerequisites, to enroll in post-secondary credit and non-credit classes with their non-disabled peers.

The **revision of the “Ten Step Guide for Comprehensive Educational Assessment of Students with Visual Impairments”** is in process and will include a new section describing the “hidden” characteristics of a vision loss that affect academic and social factors. Understanding these characteristics will enable non-vision specialists to facilitate meaningful inclusion and participation of students with visual impairments throughout the school day.
The purpose of the **Sign Language Video Resource Library** project is to develop mathematics and science/technology vocabulary reference tools that educational interpreters and teachers of students who are deaf or hard-of-hearing may incorporate into their instruction. This will support the education of students in the LRE.

The **Special Education Program Improvement Grants - Fund Code 249** offers funding to approved private special education schools for professional development activities that help improve the capacity of educators to meet the diverse needs of students with disabilities. Topics for professional development under the three priority areas for the FFY 2008 grant included a) Educator Quality and Effectiveness: Induction, Mentoring, and Retention; b) Supporting Schools and Students: Curriculum Development, Instructional Practices, and Classroom Assessment; and c) College and Career Readiness: Secondary Transition Planning. The three priorities will enable educators to provide quality instruction and responsive learning environments, thus allowing students with disabilities to access more inclusive environments.

The **Special Education Program Improvement Grants – Fund Code 274** offered to every LEA in 2008 included: Serving Students with Autism Spectrum Disorders in Inclusive Settings; Curriculum Development, Assessment, and Instruction; and Meeting the Behavioral and Social Needs of a Diverse Student Population. The goal of these grant priorities was to increase the skills and capacity of educators to meet the diverse needs of students with disabilities within the LRE. Districts were able to use funds provided through this grant to provide ongoing professional development to general and special educators.

The following activities focused on promoting inclusive practices and contributed to the state’s continued success in meeting its target for Indicator 5:

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA
- Collaboration with Stakeholders
- National Association of State Directors of Special Education (NASDSE) Satellite Series

More information about these initiatives is available in Appendix A.

MASSDE has continued to report school age LRE data publicly. This information, which is currently being updated, is available at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx)

MASSDE will continue to focus its efforts on improving outcomes for students with IEPs, and looks forward to reporting the results of these efforts in the FFY 2009 APR.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

The Part B State Performance Plan (SPP) and Annual Performance Report (APR) have been amended to reflect the changed requirements for Indicator 5 and its measurement. MASSDE has revised improvement activities to in the SPP to include updated activities and revised activity titles. See the MA SPP for changes.
Overview of the Annual Performance Report Development:

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of children aged 3 through 5 with IEPs attending a:

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

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

Measurement:

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

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

Note: States are not required to report on Indicator 6 in the FFY 2008 Annual Performance Report.

MASSDE has amended the Part B State Performance Plan (MA SPP) for Indicator 6 to reflect the new indicator and measurement. Pursuant to OSEP’s instructions, in the FFY 2009 submission, due February 1, 2011, MASSDE will establish a new baseline, targets, and, as needed, improvement activities for this indicator using the 2009-2010 data.
Overview of the Annual Performance Report Development:

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:
Outcomes:
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.

Progress categories for A, B and C:

a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.

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

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

d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.

e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers)] divided by (# of preschool children with IEPs assessed)] times 100.

Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):

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

Measurement for Summary Statement 1:
Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in...
progress category (c) plus # of preschool children reported in progress category (d)] times 100.

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

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

**Note:** States are not required to report on Indicator 7 in the FFY 2008 Annual Performance Report.

**MASSDE has established a new baseline and targets for Indicator 7, and has reported them in the State Performance Plan (MA SPP) for 2005-2010 submitted on February 1, 2010. Pursuant to OSEP's instructions, MASSDE will submit the MA APR for Indicator 7 in the FFY 2009 submission, due February 1, 2011.**
Overview of the Annual Performance Report Development:

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.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>76%</td>
</tr>
<tr>
<td>(2008-2009)</td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th># of Surveys Issued</th>
<th># of Surveys Returned</th>
<th>% of Surveys Returned</th>
<th># of Surveys Meeting Standard*</th>
<th>% of Surveys Meeting Standard*</th>
</tr>
</thead>
<tbody>
<tr>
<td>41,192</td>
<td>7,190</td>
<td>17.5%</td>
<td>5,555</td>
<td>77.3%</td>
</tr>
</tbody>
</table>

*The standard adopted to demonstrate “that schools facilitated parent involvement as a means of improving services and results for students with disabilities” requires the survey respondent to agree, strongly agree, or very strongly agree on at least 50% of the survey items (13 of 25).

Massachusetts met its measurable and rigorous target for FFY 2008.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

Explanation of Progress or Slippage

In order to collect data for this indicator, MASSDE uses the “School’s Efforts to Partner with Parents” scale from the Part B survey instrument developed by the National Center for Special Education Accountability Monitoring (NCSEAM). In FFY 2008, this 25-item survey was mailed to every parent of a student with an IEP in grades kindergarten and above in 98 districts across Massachusetts. See Appendix B for a copy of the Massachusetts Parent Involvement Survey.
In FFY 2008, 77.3% of parents reported that schools facilitated their involvement as a means of improving services and results for students with disabilities. As noted in the chart below, this is a slight decrease from the data reported in FFY 2007 (-0.2 percentage points), although it is an increase from the data reported in FFY 2005 (+1.3 percentage points) and in FFY 2006 (+0.3 percentage points). MASSDE does not consider this slight decrease from FFY 2007 to be significant; Massachusetts again exceeded its measurable and rigorous target. MASSDE intends to continue working with districts and stakeholder groups to increase districts’ efforts to facilitate parent involvement as a means of improving services and results for students with disabilities.

As a means of analyzing the survey results and targeted improvement activities, MASSDE stakeholder groups have identified the three survey statements that they believe are most crucial to the establishment of good parent partnerships. In order of importance, the FFY 2008 results are:

1. My child’s teachers give me enough time and opportunities to discuss my child’s needs and progress – 84%:
2. Teachers and administrators encourage me to participate in the decision-making process – 78%; and
3. Teachers are available to speak with me – 88%.

Of the 41,192 surveys issued in three languages in FFY 2008 – English, Spanish, and Portuguese – the overall return rate was 17.5%. This is a higher return rate than in previous years (2.0 percentage points over FFY 2007; 0.9 percentage points over FFY 2006, and 0.5 percentage points over FFY 2005). Following are the return rates for the surveys issued in the different languages in FFY 2008:

- English: 37,571 sent and 6,870 returned. Return rate = 18.3%.
- Spanish: 3,170 sent and 297 returned. Return rate = 9.4%.
- Portuguese: 338 sent and 23 returned. Return rate = 6.8%.

MASSDE collects data for Indicator 8 through a cohort model approved by OSEP. The 98 districts participating in the survey for FFY 2008 are representative of the state as a whole, and include one LEA (Boston) with an average daily membership of over 50,000 students; this district is included in each cohort. Information on the cohort model can be found at: [http://www.doe.mass.edu/sped/spp/datacollection.html](http://www.doe.mass.edu/sped/spp/datacollection.html). Additional review of FFY 2008 respondent data by geography, race/ethnicity, and disability category indicates that these data are representative of the state as a whole.
Massachusetts Improvement Activities

MASSDE engaged in several improvement activities in FFY 2008 that were designed to improve survey return rates and results, and to enable educators to effectively facilitate parent involvement. Those activities are described below:

- **Technical assistance teleconferences** were held throughout the year by MASSDE with districts regarding participating districts’ survey results. Once the surveys are returned and the results are analyzed by MASSDE, MASSDE sends each district a detailed report providing its survey results. The reports include information on respondent demographics, survey results by demographic group, and item-by-item results. MASSDE provides guidance to assist districts in interpreting and using these results, and holds periodic teleconferences with districts to discuss potential strategies for disseminating survey results and identifying areas of improvement.

- MASSDE provides a variety of **online resources for parents and educators**. The “Parent’s Rights in Special Education” online module (http://www.doe.mass.edu/sped/training.html) gives districts and Parent Advisory Councils materials to use in leading annual workshops on the state and federal special education laws and regulations. In addition, the “Parent Information” section of the MASSDE special education website (http://www.doe.mass.edu/sped/parents.html) offers a variety of resources for parents and educators, including the “Parent’s Guide to Special Education.” This technical assistance document, which was written in collaboration with the Federation for Children with Special Needs, the Massachusetts Parent Training and Information Center (PTI), continues to be used by parents and district personnel to provide information on the special education process to parents and schools.

In addition to the improvement activities described above, MASSDE engaged in other improvement activities in FFY 2008 that addressed multiple indicator areas and had components that directly affected the ability of districts to facilitate parent involvement. Please note that only the components that directly relate to Indicator 8 are included below. For a more information about these activities, please see Appendix A.

- Through MASSDE’s federal State Personnel Development Grant – **Massachusetts FOCUS Academy (MFA)** – two online courses in the area of family involvement were developed during FFY 2008. These courses are designed to equip educators with the knowledge and skills required to develop and strengthen collaborative partnerships with families of middle and high school students with disabilities, in order to assist students to successfully transition to adult life. The first course was offered in the fall of 2008 and the second course will be offered in the spring of 2009.

- MASSDE has a long-standing **Collaboration with the Federation for Children with Special Needs (FCSN)**, the federally-funded Parent Training and Information Center. This year’s jointly sponsored workshops for parents included sessions on **Transition from Early Intervention to Special Education**, Parent’s Rights, IEPs, The Massachusetts Comprehensive Assessment System (MCAS), Transition 101, and Understanding My Child’s Learning Style.

Numerous intra-agency activities focused on parent involvement contributed to the state’s continued success in meeting its target for Indicator 8. The MASSDE Special Education Planning and Policy Development Office (SEPP) works to ensure students with disabilities and their parents receive positive results from the following improvement activities:

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA
- Collaboration with Stakeholders
- Curriculum, Instruction and Assessment Summit
Massachusetts

- Special Education Leadership Academies and Seminars
- Special Education Professional Development Institutes

For detailed information about the activities listed above, please see Appendix A.

MASSDE has continued to reporting publicly parent involvement data. During FFY 2008, MASSDE worked with stakeholder groups and staff from a number of school districts to determine the best way to report data for Indicator 8 at an LEA level. In order to meet the public reporting requirement, MASSDE added data for Indicator 8 to the “Special Education Results” web page that is a part of each district’s profile on the agency’s website. The information is available at http://profiles.doe.mass.edu/state_report/special_ed.aspx. From this table, viewers can select a specific district to access more detailed data.

MASSDE will continue to focus its efforts on improving parent involvement for students with IEPs, and looks forward to reporting on the results of these efforts in the FFY 2009 APR.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

MASSDE has revised improvement activities in the MA State Performance Plan (MA SPP) for Indicator 8 to include updated activities and changes to activity titles. See the MA SPP for the revised activities including updated activity titles and timelines.
Overview of the Annual Performance Report Development:

**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 = \[\frac{(# \text{ of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification})}{(\text{# of districts in the State})}\] times 100.

**Definition of “Disproportionate Representation” and Methodology**

Using SPSS, Massachusetts defines “disproportionate representation” by using a calculation of weighted or alternate risk ratio and a review of the appropriateness of a district’s policies and procedures for identifying students as disabled.

MASSDE calculates a weighted or alternate risk ratio for each school district using the specific techniques described in Westat’s “Methods for Assessing Racial/Ethnic Disproportionality in Special Education” (http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf). The state uses a minimum cell size of 20 for each racial/ethnic group in every district. Cells less than 20 are reviewed individually to see if data irregularities for specific racial and ethnic groups in these districts would suggest disproportionate representation due to inappropriate identification. Once the calculation is made for each district, the weighted or alternate risk ratios are compared to the two previous years' weighted or alternate risk ratios. Districts are flagged if, for three consecutive years, they exhibit a weighted risk ratio of 3.0 or greater for possible over-representation, and 0.25 or less for possible under-representation.

All districts identified by way of this quantitative analysis are then subject to a review of the appropriateness of their policies, practices, and procedures (PPPs) for special education eligibility determination and disability identification.

**Determining if Disproportionate Representation is the Result of Inappropriate Identification**

Any district identified using the measurement techniques described above is required to submit its current PPPs to MASSDE to be reviewed by a policy analyst with expertise in special education policy and disproportionality. If the analyst concludes that the PPPs are inappropriate or otherwise inconsistent with federal and state regulations, and concludes that the PPPs likely caused the disproportionate representation at least to some degree, then the district is identified as having disproportionate representation due to inappropriate identification.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>0%</td>
</tr>
<tr>
<td>(2008-2009)</td>
<td></td>
</tr>
</tbody>
</table>

**Districts with Disproportionate Representation of Racial and Ethnic Groups**

*That was the Result of Inappropriate Identification*

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number of Districts</th>
<th>Number of Districts with Disproportionate Representation</th>
<th>Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification</th>
<th>Percent of Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>FFY 2008 (2008-2009)</td>
<td>380</td>
<td>0</td>
<td>0</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

**Explanation of Progress or Slippage**

Massachusetts used the October 1, 2008 enrollment and child count data to calculate disproportionality for the FFY 2008 Annual Performance Report (MA APR) submission. Using the criteria established above, MASSDE determined that zero out of 380 LEAs met the data threshold for disproportionate representation of racial and ethnic groups in special education and related services. As a result, MASSDE did not receive or review PPPs from school districts for its review of data for Indicator 9. MASSDE met its measurable and rigorous target.

**Improvement Activities**

Over this past year, MASSDE continued its communication with its stakeholder working group and staff from a number of school districts to determine the best way to publicly report data for Indicators 9 and 10 at the LEA level. Disproportionality information on the MASSDE’s public website has been updated (see [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx)). Through this website a user can select a specific district to access data on Indicators 9 and 10.

In support of efforts to strengthen the communications with and input from stakeholders, members of the stakeholder group participated in five webinars over the course of the spring and summer on the topic of disproportionality. The events were hosted by the Northeast Regional Resource Center (NERRC).

MASSDE is continuing to engage in a process for reviewing and refining the formula for calculating disproportionality. As identified by OSEP in its visit to Massachusetts in October 2008, MASSDE is reviewing ways to include in its calculation consideration of exceptional circumstances for school districts that receive many of their students with disabilities from other districts. The OSEP team suggested that MASSDE consider giving different weights to different districts based on their populations (i.e., regional vocational/technical school districts, regional secondary school districts, regional secondary charter schools). In FFY 2008, MASSDE sought technical assistance from NERRC and Westat to improve the calculation method, and researched ways in which the formula could be modified. The process of review and refinement is ongoing.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

The targets, timelines, and improvement activities for Indicator 9 described in the Massachusetts Part B State Performance Plan (MA SPP) for FFY 2005-2010 remain appropriate.
Overview of the Annual Performance Report Development:

**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:**

\[
\text{Percent} = \left(\frac{\text{(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification)}}{\text{( # of districts in the State)}}\right) \times 100.
\]

**Definition of “Disproportionate Representation” and Methodology**

Massachusetts defines “disproportionate representation” using a calculation of weighted or alternate risk ratio and a review of the appropriateness of a district’s policies and procedures for identifying students as disabled.

MASSDE calculates a weighted or alternate risk ratio for each school district using the specific techniques described in Westat’s “Methods for Assessing Racial/Ethnic Disproportionality in Special Education” ([http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf](http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf)). The state uses a minimum cell size of 20 for each race/ethnic group in every district. Cells less than 20 are reviewed individually to see if data irregularities for specific racial and ethnic groups in these districts would suggest disproportionate representation due to inappropriate identification. Once the calculation is made for each district, the weighted or alternate risk ratios are compared to the two previous years' weighted or alternate risk ratios. Districts are flagged if, for three consecutive years, they exhibit a weighted risk ratio of 4.0 or greater for possible over-representation, and .20 or less for possible under-representation.

All districts identified by way of this quantitative analysis are then subject to a review of the appropriateness of their policies, practices, and procedures (PPPs) for special education eligibility determination and disability identification.

**Determining if Disproportionate Representation is the Result of Inappropriate Identification**

Any district identified using the measurement techniques described above submits its current PPPs to MASSDE (or verifies that PPPs on file at MASSDE were still valid and current, if appropriate) where they are reviewed by a policy analyst with expertise in special education policy and disproportionality. If the analyst concludes that the PPPs are inappropriate or otherwise inconsistent with federal and state regulations, and concludes that the PPPs likely caused the disproportionate representation at least to some degree, then the district is identified as having disproportionate representation due to inappropriate identification.

**Actual Target Data for FFY 2008:**

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>0%</td>
</tr>
</tbody>
</table>
Districts with Disproportionate Representation of Racial and Ethnic Groups in Specific Disability Categories That was the Result of Inappropriate Identification

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Number of Districts</th>
<th>Number of Districts with Disproportionate Representation</th>
<th>Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification</th>
<th>Percent of Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>FFY 2008</td>
<td>380</td>
<td>18</td>
<td>0</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

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

Explanation of Progress or Slippage

MASSDE used the October 1, 2008 enrollment and child count data to calculate disproportionality for the FFY 2008 APR submission. Using the criteria established above, the state determined that 11 of 380 LEAs were identified as meeting the data threshold for disproportionate over-representation of racial and ethnic groups in the six disability categories. Additionally, the state determined that 7 of 380 LEAs met the data threshold for disproportionate under-representation of racial and ethnic groups in the six disability categories. Upon additional review of policies, practices, and procedures using the process described above, MASSDE determined that 0% of the districts had disproportionate over- or under-representation of racial and ethnic groups in specific disability categories that was due to inappropriate identification. In FFY 2008, MASSDE met its measurable and rigorous target of 0%.

Improvement Activities

In FFY 2008 MASSDE continued its communication with its stakeholder working group and staff from a number of school districts to determine the best way to [publicly report data](http://profiles.doe.mass.edu/state_report/special_ed.aspx) for Indicators 9 and 10 at the LEA level. Disproportionality information on the public website was updated, where users can select a specific district to access data on Indicators 9 and 10.

Members of the [stakeholder group](#) also participated in 5 webinars hosted by the Northeast Regional Resource Center. Due to fiscal conditions however, MASSDE was unable to hold a semi-annual conference to meet with stakeholders in person as it has in years past.

As identified in the MA APR for Indicator 9, MASSDE is continuing to engage in a process for [reviewing and refining the formula for calculating disproportionality](#). As identified by OSEP in its visit to Massachusetts in October 2008, MASSDE is reviewing ways to include in its calculation consideration of exceptional circumstances for school districts that inherit many of their students with disabilities from other districts. The OSEP team suggested that MASSDE consider giving different weights to different districts based on their populations (i.e., regional vocational/technical school districts, regional secondary school districts, regional secondary charter schools). In FFY 2008 MASSDE sought technical assistance from NERRC and Westat to improve the calculation method, and researched ways in which the formula could be modified. This process of review and refinement is ongoing.


The targets, timelines, and improvement activities for Indicator 9 described in the Massachusetts Part B State Performance Plan (MA SPP) for FFY 2005-2010 remain appropriate.
Overview of the Annual Performance Report Development:

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.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>100%</td>
</tr>
</tbody>
</table>

Actual Target Data for FFY 2008:

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Number of children for whom parental consent to evaluate was received</td>
<td>2713</td>
</tr>
<tr>
<td>b. Number of children whose evaluations were completed within 60 days (or State-established timelines)</td>
<td>2657</td>
</tr>
<tr>
<td>Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline)</td>
<td>98%</td>
</tr>
</tbody>
</table>

The FFY 2008 data is based on a cohort of 103 school districts reporting on initial evaluations begun in the months of October, November, and December, 2008. During this period, districts received parental consent for initial evaluation for 2,713 students. Initial evaluations were completed for 2,657 students. Of those, 1,088 students were found not eligible for special education services, and 1,559 were determined to be eligible for special education services. For FFY 2008, the percentage of students with parental consent for initial evaluation who were evaluated within the state established timeline is **98%**.
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY 2008:

Explanation of Progress or Slippage

The FFY 2008 result of 98% includes cases where the evaluation was completed within the state established timeline or cases in which the district had an acceptable reason for not meeting the timeline. Acceptable reasons for extending the timeline are those that are beyond the district’s control, including school cancellation due to weather, parent scheduling needs, and significant student absenteeism.

In order to obtain student level data, MASSDE required each district selected for this monitoring activity in FFY 2008 to collect information and report data on all initial evaluations conducted during October, November, and December, 2008. The MA SPP for this indicator provides additional information on OSEP’s approval of the cohort data collection for Indicator 11.

Since first reporting on Indicator 11, MASSDE has seen a rise in the percentage of students for whom initial evaluations were conducted within the state established timeline: FFY 2005 - 89%, FFY 2006 - 94%, FFY 2007 - 95%, and FFY 2008 - 98%. This year’s data show an increase of 3 percentage points over the FFY 2007 total, and 9 percentage points over the baseline established in FFY 2005. MASSDE reports continued progress toward meeting the state’s measurable and rigorous target.

![Percent of Children with Parental Consent to Evaluate, Who Were Evaluated within the State Established Timeline FFY 2005 - FFY 2008](chart.png)
As described Table 1 below, LEAs cited several reasons for inability to complete initial evaluations in a timely manner in the 56 cases where a district did not meet the state established timeline, and did not have an acceptable reason for extending it.

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insufficient staff availability to complete the evaluation on time (excessive caseload)</td>
<td>50%</td>
</tr>
<tr>
<td>Delay due to district’s scheduling need</td>
<td>16%</td>
</tr>
<tr>
<td>Delay due to evaluator reports not received on time</td>
<td>16%</td>
</tr>
<tr>
<td>Other reasons determined within the district’s control (e.g., staff member unavailable at the time of meeting)</td>
<td>14%</td>
</tr>
<tr>
<td>Delay due to lack of qualified staff to complete the evaluation on time</td>
<td>4%</td>
</tr>
</tbody>
</table>

In these cases, the most common reason for failure to meet state established timelines for evaluation was a delay due to staff not being available to complete the evaluation on time (i.e., excessive caseload). The next most common reasons for delay were the district’s scheduling need, and/or evaluator reports not received on time. MASSDE continues to work with school districts to ensure that extension of state established timelines is limited to cases only where there are acceptable extenuating circumstances. MASSDE recognizes and is working with school districts to help them recognize that staff availability and district resources are not appropriate reasons for extending evaluation timelines.

Of the cases that did not meet the state established timeline, the average number of days beyond the Massachusetts 45-day timeline for evaluation and eligibility determination was 10 school working days. This is a reduction in the average number of days delay that was reported in FFY 2007 (14.9 working days), FFY 2006 (15 working days), and the first data collection effort in FFY 2005 (17.5 working days). This reduction in the average number of days beyond established timelines represents continued efforts by MASSDE to ensure that districts meet required timelines for evaluation.

Of the LEAs that submitted data in the FFY 2008 reporting period, two received a finding of noncompliance via a letter dated December 14, 2009 and were required to complete corrective actions related to their policies, practices, or procedures that resulted in not meeting timelines for initial evaluations. MASSDE has verified that one LEA corrected the noncompliance within one year of the notice of the finding. The other LEA continues to work with MASSDE to remedy noncompliance and complete its corrective action. MASSDE anticipates that this noncompliance will be verified as corrected within one year of identification, and will report on this in the FFY 2009 APR for Indicator 11.

**Improvement Activities**

During FFY 2008, MASSDE completed several improvement activities in an effort to provide LEAs with additional resources for meeting required timelines for conducting an initial evaluation to determine eligibility for special education services.

MASSDE first reported in the FFY 2007 APR for Indicator 11 its work in developing **self-assessment tools** that LEAs can use to self-identify barriers to their ability to meet state established timelines for evaluation. One tool focuses on the reasons for not meeting state established timelines, and the other helps LEAs to identify trends in personnel and professional disciplines (e.g., speech and language pathology, psychologists, occupational therapists, special educators, etc.) that are involved in the initial evaluation process. Using these tools, districts can identify relevant discipline areas for the initial
evaluation/assessment and determine whether the professional personnel in that discipline area are meeting required timelines. LEAs can then use this information to focus their improvement activities on ways to address needs in specific disability areas and personnel timelines. MASSDE has received positive feedback from stakeholders on these tools, and has used the input of stakeholders to revise the tools as needed. During FFY 2008, 13 LEAs participated in a pilot program using these self-assessment tools. Based on MASSDE’s review of this pilot project, MASSDE will further refine them and anticipates offering these tools to more LEAs during FFY 2009. This self-assessment tool was well received by the districts that participated in this pilot process.

Other MASSDE improvement activities for Indicator 11 included professional development opportunities. As part of these professional development initiatives, special education administrators and school district staff participated in activities to generate effective systems change for compliance areas, including Indicator 11. See Appendix A for complete descriptions of these activities.

- **The Special Education Leadership Academies and Seminars** for special education administrators offered activities focused on a number of areas related to special education laws, regulations, and compliance, including initial evaluation timelines.

- **MASSDE revised the “Ten Step Guide for Comprehensive Educational Assessment of Students with Visual Impairments”** publication that, among other things, recommends types of assessments that may be useful in making a determination of eligibility for a student with a visual impairment for the initial eligibility determination or three-year reevaluation. It also helps to ensure a common understanding of the purpose and complexity of conducting the specialized educational assessment of students with visual impairments.

- **Special Education Summer Institutes** offered the professional course titled *Effective Evaluation of Special Education Programs*, focused on building the capacity of special education directors and district teams in evaluating a component or service of their special education programs. Participants gained increased ability to design and conduct program evaluations that inform school/district decision makers about their programs, build buy-in for the programs among participants, engage colleagues in collaborative study and learning that focus on programs they undertake to improve student outcomes, and document lessons learned and accomplishments.

- **The Special Education Program Improvement Grants – Fund Code 274** continued to offer funding in 2008 to every LEA for professional development activities that improved the skills and capacity of educators to meet the diverse instructional and curricular needs of students with disabilities. Topics for professional development under one of four grant priorities included district special education policies and procedures, federal and state special education legislation and regulations, and IEP development and process. These areas continue to assist special education personnel in completing initial evaluations in a timely manner.

The following activities focused on improving compliance with initial evaluation timelines and contributed to the state’s continued success in meeting its target for Indicator 11:

- **American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) – IDEA**

- **Collaboration with Stakeholders**

MASSDE has continued to pursue its public reporting of initial evaluation timelines data. This information can be viewed at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx)

MASSDE will continue to focus its efforts on improving outcomes for students with IEPs, and looks forward to reporting on the results of these efforts in the FFY 2009 APR for Indicator 11.
**Verification of Noncompliance Identified in FFY 2007**

The OSEP Part B FFY 2007 SPP/APR Letter and Response Table required MASSDE to report correction of the noncompliance in FFY 2007 regarding Indicator 11. In FFY 2007, five of 98 LEAs in the cohort group were determined to be noncompliant with state established timelines for evaluation upon MASSDE’s review of data collected by the state from the cohort participants. (See the SPP for Indicator 11 for additional information about the cohort model of data collection used here). MASSDE notified the LEAs in writing of the identified noncompliance, and of the requirement that the noncompliance be corrected as soon as possible, but in no case later than one year after identification. In determining the steps that each LEA needed to take to correct the noncompliance and to document its correction, MASSDE reviewed the data and available information and considered the following: whether the noncompliance was extensive or found only in a small percentage of files; whether it resulted in denial of basic rights under the Individuals with Disabilities Education Act (IDEA); and whether noncompliance was an isolated incident or the result of unique circumstances, or reflected a long-standing failure of the LEA to meet regulatory requirements.

In FFY 2007, MASSDE made no individual findings of noncompliance under Indicator 11. Rather, MASSDE determined that the identified noncompliance was the result of systemic problems in LEAs policies, practices, or procedures that contributed to or resulted in noncompliance. MASSDE required each LEA to take corrective actions in reviewing and revising policies, practices, or procedures that interfered with meeting timelines for initial evaluations and determinations of eligibility. Each LEA was required to document these actions and submit additional reports to MASSDE. MASSDE reviewed these reports and determined that the five LEAs made required corrections and amended practices as necessary in order to meet the specific regulatory requirements in 34 CFR § 300.301(c)(1). MASSDE also verified through communications about the corrective actions that the LEAs were implementing correctly all regulatory requirements. Four of the five LEAs made such corrections within the one year timeframe and one LEA made such corrections, but not within the one year timeframe. There are no outstanding findings of noncompliance from FFY 2007.

The processes for identifying and verifying correction of noncompliance are coordinated between units within MASSDE, including Special Education Policy and Planning, and Program Quality Assurance, to ensure consistency in MASSDE’s findings, required corrective actions, and verifications of correction.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

MASSDE has revised the measurement for Indicator 11 in the Part B State Performance Plan (MA SPP) for FFY 2005-2010 and the Annual Performance Report (APR) to reflect the simplified measurement (collapsing of former (b) and (c)). MASSDE has revised improvement activities in the MA SPP to include updated activities, new activities, and changes to activity titles.
Overview of the Annual Performance Report Development:

**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.

\[(20 \text{ U.S.C. } 1416(a)(3)(B))\]

**Measurement:**
- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibility was 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.
- 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 = \[(c) \div (a - b - d - e)\] times 100.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>100%</td>
</tr>
<tr>
<td>(2008-2009)</td>
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</table>

**Actual Target Data for FFY 2008 (2008-2009):**

- a. # of children who have been served in Part C and referred to Part B for Part B eligibility determination = 5873
- b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays = 985
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays = 3137
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services = 719
- e. # of children who were referred to Part C less than 90 days before their third birthdays = 626

Percent = \[3137 \div (5873 - 985 - 719 - 626)\] X 100 = 88.5%

Please note that states are not required to include (e) in the calculation in the FFY 2008 APR submission for Indicator 12. This number has been included in Massachusetts’ calculation in prior years and, therefore, is included in this report.
Massachusetts States are also required to indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays, for children included in (a) but not included in (b), (c), (d) or (e). MASSDE conducted a representative survey of districts regarding the time periods and reasons for delay. The results are as follows:

- Eligibility was determined and the IEP was developed:
  - no more than 10 days after the child’s third birthday – 13%
  - more than 10 days but less than one month after the child’s third birthday – 29%
  - more than one month after the child’s third birthday – 58%.

Reasons for delays included staff unavailability to complete evaluations on time, delay due to scheduling need or unavailability of staff at the time of meeting, and delay due to evaluator reports not received on time.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

Explanation of Progress or Slippage

As noted in the MA SPP, the Massachusetts Department of Early Education and Care (MEEC) distributes 619 funds to all LEAs through a grant process pursuant to an interagency services agreement (ISA) with MASSDE. Under the present agreement, MEEC is responsible for data collection, monitoring, verification of correction of noncompliance, and reporting regarding Indicator 12, in cooperation with MASSDE.

In FFY 2008, Massachusetts’ performance on Indicator 12 improved 5.6 percentage points over the FFY 2007 rate of 82.9%. Although MASSDE has not reached its measurable and rigorous target, MASSDE is pleased to demonstrate improvement in this area, and attributes improvement to the technical assistance and resources available to improve school districts’ practices, and to the improvements MEEC made to its data collection process, including use of a new online data collection tool.

Improvement Activities

Massachusetts’ Response to the OSEP Part B FFY 2007 SPP/APR Letter and Response Table

OSEP instructed MASSDE to include in its FFY 2008 APR for Indicator 12 a report on the status of its verification of correction of noncompliance regarding the noncompliance reported in the FFY 2007 APR.

Noncompliance reported in FFY 2006

As noted in the FFY 2007 APR for Indicator 12, nine school districts cited for noncompliance in FFY 2006 verified correction of noncompliance as of the date of the FFY 2007 report. As required by OSEP Memo 09-02, MEEC sent written Corrective Action Reports citing noncompliance to those districts on February 8, 2008. MEEC instructed districts to take specific actions to correct each individual case of noncompliance to ensure that children referred by Part C to Part B were evaluated and had an IEP developed. MEEC also instructed districts to review and revise policies, practices, and procedures to ensure that they were correctly implementing the specific regulatory requirements in 34 CFR § 300.124(b). Based on these actions, districts revised their data and provided MEEC with current data demonstrating correction of noncompliance. Through this process, which is consistent with OSEP Memo 09-02, MEEC verified correction of noncompliance for each district and there are no outstanding findings of noncompliance from FFY 2006.

Noncompliance reported in FFY2007

Of the districts identified as noncompliant with the requirements under Indicator 12 in FFY 2007, all but six districts have submitted required information and correction of noncompliance has been
verified within the one year timeframe using the method for verifying correction of noncompliance described above. Because these districts were notified of their compliance status for FFY 2007 on March 18, 2009, MEEC anticipates full correction of noncompliance for the remaining six districts no later than March 18, 2010, consistent with OSEP Memorandum 09-02. MASSDE will report on the results of its verification of correction for the remaining six districts in the FFY 2009 APR for Indicator 12.

Noncompliance reported in FFY 2008

On December 23, 2009, MEEC notified school districts of their FFY 2008 noncompliance status. These districts are in the process of reviewing and revising data to provide current information demonstrating correction of noncompliance to MEEC, and MEEC anticipates that verification will be completed in a timely manner. MEEC will report on the results of its verification of correction in the next Indicator 12 APR.

Massachusetts Part B FFY 2007 SPP/APR Response Table

Technical Assistance

Because OSEP identified Massachusetts as being in need of technical assistance for two consecutive years based on results for Indicator 12, OSEP advised Massachusetts in the Part B FFY 2007 SPP/APR Response Table of available technical assistance and required the state to report on (1) the technical assistance sources from which the state received assistance; and (2) the actions that Massachusetts took as a result of that technical assistance. In response to this instruction, MEEC engaged in the following activities since its last APR report:

- MEEC participated in a series of webinars and technical assistance calls on transition, and reviewed a variety of resources available from the National Early Childhood Transition Center (NEATC), the National Early Childhood Technical Assistance Center (NECTAC), SpecialQuest, and the Regional Resource and Federal Centers (RRFC) Network.

- At the National Inclusion Conference in July, 2009, MEEC participated in several sessions on transition. MEEC has used these resources to research further best practices for transition, to share ideas with colleagues in other states, and to develop resources to assist school districts in drafting transition protocol plans.

- MEEC has continued to collaborate with the Massachusetts Department of Public Health (MDPH) (the lead agency for Part C in Massachusetts), in consultation with the North Central Regional Resource Center (NCRRC), to develop online modules on transition, and a training program for districts and early intervention providers on developing appropriate transition protocols.

- Since the submission of the FFY 2007 APR for Indicator 12 to date, MEEC staff has participated in a variety of technical assistance activities that have overlapping affect on each of the Early Childhood Indicators – B6, B7, and B12. Staff gained knowledge and information through websites, articles, webinar trainings, conferences, committee work, and networking opportunities sponsored by OSEP, MDPH, the North Central Regional Resource Center, NASDSE, the National Early Childhood Transition Center (NECTAC), and SpecialQuest. These resources have informed the trainings MEEC provides for school districts across the Commonwealth to improve outcomes for young children with disabilities.

- In coordination with MASSDE, MEEC has adopted the “cohort model” previously used for other indicators and accepted by OSEP as appropriately reflecting the state as a whole for subsequent data collection for this indicator. Technical assistance related to this indicator has assisted in identifying major difficulties related to correcting and verifying correction of data for this indicator because of the use of aggregate numbers in reporting the data. For this APR and previous APRs, there has been no means of identifying individual students and tracking down sufficiently precise information on barriers to meeting the timelines. These have been challenges in
determining root causes of noncompliance. With the cohort model, MEEC will be able to identify and track the experience of individual students. MASSDE and MEEC anticipate that this will significantly improve outcomes for this Indicator.

Completed Improvement Activities

As identified in the FFY 2007 APR, in February 2008 MEEC was awarded the multi-year SpecialQuest grant to develop a Statewide Birth-Five Leadership Team to improve the inclusive opportunities for children with disabilities birth to five. Activities to date include roll-out of professional development at the statewide level to address systems of inclusive services, including transitions of young children with disabilities from Early Intervention (EI) to Early Childhood Special Education. In addition, our national technical assistance experts, in collaboration with the state leadership team, have supported the work of local systems development in several communities where transitions between Part C and Part B have been a focus.

In November and December 2009, MEEC hosted its Communities of Practice with the topic “Response to Intervention-RTI for Pre-K.” This program is available at no cost to the early childhood field. Participants from child care organizations, Head Start, Coordinated Family Community Engagement Grantees, school districts, and state agencies participated. MEEC program staff shared information on Response to Intervention (RtI) and showed a webinar on Recognition and Response findings from the Frank Porter Graham Child Development Institute. Participants were able to network and share their best practice strategies and strengths/concerns with each other, and to brainstorm ways to begin this model in their programs. The next focus of the Communities of Practice program will be on transition and common issues identified through districts’ corrective action plans.

MEEC also used online transition training models in the fall of 2008. In response to feedback from stakeholder groups that Indicator 12 improvement activities focus on ways to foster improved communication and partnerships between EI providers and LEAs, MEEC and MDPH created an online three unit training program on Transition from Part C to Part B. The agencies are making this a requirement for meeting EI competencies and a required activity for districts that are determined to be noncompliant with transition requirements. The modules look at transition from the perspectives of Part C and Part B, and the responsibilities agencies have in the transition process. Technical assistance from the lead agencies is a required element of each unit. The module Connecting the Dots: Massachusetts’ Early Childhood Transition Training was debuted in the fall of 2009 at a Transition Forum hosted by MEEC and MDPH. For more information please see http://guest.cvent.com/EVENTS/info/summary.aspx?e=d760ebdf-0573-495b-9354-ba138358874c.

MEEC continues to collaborate with MASSDE’s Program Quality Assurance (PQA) unit on annual scheduled compliance reviews. MEEC participates as a member of the PQA monitoring teams that visit school districts that as part of the 6 year monitoring cycle to examine issues under Indicator 12. MEEC staff reviews transition practices/timelines and children’s records, interviews district staff, and makes needed compliance findings and recommendations for improvement activities to improve school districts’ practice in this area. This helps to ensure that noncompliance is identified early, and timely correction is made.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2009 (2009-2010):

MASSDE/MEEC have revised the measurement table for Indicator 12 in the Part B State Performance Plan (MA SPP) for FFY 2005-2010 and the Annual Performance Report (APR) to reflect the additional exceptions to the timeline. Also, MASSDE/MEEC has revised improvement activities in the MA SPP to include updated and new activities.
Overview of the Annual Performance Report Development:

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 13:** Percent of youth aged 16 and above with transition planning that includes coordinated annual goals and transition services that will reasonably enable the student to meet his/her post-secondary goals in the identified areas.

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

**Measurement:** Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals) divided by the (# of youth with an IEP age 16 and above)] times 100.

<table>
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<tr>
<th>FFY</th>
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<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>100%</td>
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</table>

The change requiring Part B SPP/APR Indicator 13 language and measurement realignment with secondary transition requirements under the Individuals with Disabilities Education Act (IDEA) does not become effective until FFY 2009; States are not required to report data for new Indicator 13 until the FFY 2010 APR. MASSDE is voluntarily reporting on Indicator 13 for FFY 2008 in order to conclude its cohort cycle and ensure data consistency with the previous cohort years. FFY 2008 marked the last year of a four-year cohort cycle in Massachusetts to collect and report data regarding effective transition planning for students with IEPs. The cohort model for data collection was approved by OSEP on April 20, 2006. With this reporting cycle, every district in Massachusetts has now participated in data collection activities for Indicator 13.

The following report for FFY 2008 retains the language and measurement of former Indicator 13. As instructed by OSEP, required changes to the indicator and measurement will be reflected in a revised SPP for FFY 2009, and MASSDE’s first APR reporting for the revised indicator will be in FFY 2010.

**Actual Target Data for FFY 2008 (2008-2009):**

<table>
<thead>
<tr>
<th># of Student Records reviewed</th>
<th># of Student Records with transition planning that included coordinated annual goals and transition services</th>
<th>Percentage of student records in compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,029</td>
<td>2,020</td>
<td>99.5%</td>
</tr>
</tbody>
</table>
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

Explaination of Progress or Slippage

In order to obtain student-level data for Indicator 13, MASSDE required each district selected for this monitoring activity to collect information on a representative sample of students with IEPs, ages 16 through 21. Consistent with the data collection methods used in previous reporting years, MASSDE required participating school districts to use a review sheet created by MASSDE to assess student records for evidence of appropriate transition planning. If a school district does not find in each student’s file a completed Massachusetts Transition Planning Form (TPF 28M/9) documenting full transition planning discussion, then the district is required to find that there is no evidence of appropriate transition planning.

Of the 2,029 student records cohort 4 school districts reviewed during FFY 2008, 99.5% contained evidence of appropriate transition planning, including coordinated annual goals and transition services to reasonably enable the student to meet his/her post-secondary goals in the identified areas. As noted in the graph below, the percentage of student records with appropriate transition planning has continued to grow since MASSDE established baseline for Indicator 13 in FFY 2005.

Although MASSDE did not meet its measurable and rigorous target of 100% for FFY 2008, MASSDE continues to demonstrate a high rate of compliance for this indicator. Only 0.5% of cohort districts failed to meet this year’s target, which is an increase over last year’s results. This success may be attributable to LEAs using the required Massachusetts Transition Planning Form, issued by MASSDE in February 2007. The form must be used for every student of transition age with an IEP.

Of the LEAs that submitted data in the FFY 2008 cohort reporting period, three were found in noncompliance with Indicator 13. One LEA received a systemic finding of noncompliance from MASSDE. In addition, the three identified LEAs had individual student findings. MASSDE made these findings after reviewing data the cohort LEAs submitted from selected student records.
By way of background, the identification of noncompliance and verification of correction of noncompliance process is as follows. Cohort districts are required to provide MASSDE with data from selected records representing students across disability categories, ages, and placements. (See the SPP for Indicator 13 for more information.) MASSDE conducts a desk review, and when it finds that transition planning has not happened for an individual student(s), notifies the district by mail of the finding of noncompliance with Indicator 13 requirements. Districts are required to complete the required actions and submit documentation to MASSDE demonstrating that transition planning has occurred. Districts must also sign a statement of assurance certifying that the identified student(s) has received appropriate transition planning, and that the district has in place the appropriate policies, practices, and procedures to ensure that all students entitled to transition planning services receive such services in a timely manner.

For districts that are identified by MASSDE as noncompliant on the basis of their systemic procedures for transition planning, they must also document the following actions: (1) the date(s) of review of policies, practices, and procedures and steps taken to ensure that they are implementing the specific regulatory requirements of 34 CFR § 300.320(b), and (2) steps the districts took (e.g. trainings provided, review and revision of policies, practices and procedures) following such review to ensure proper implementation of all requirements. MASSDE staff reviews all documentation submitted, and communication, document review, and on-site visits, as appropriate, continue until the non-compliance is verified as corrected.

The three districts in the FFY 2008 identified for noncompliance had findings related to individuals students. One also was determined by MASSDE to have systemic noncompliance as the result of inappropriate policies, practices, or procedures. Each district submitted evidence of correction of the individual findings of noncompliance by providing MASSDE with documentation demonstrating that transition planning had been conducted for the identified students, and a signed assurance certifying that corrective actions to remedy noncompliance for the student(s) were taken. MASSDE conducted a desk review of this information and verified that the districts had successfully corrected identified noncompliance. Districts were notified by letter that noncompliance was resolved.

Additionally, the district that had an additional finding of noncompliance based on its policies, practices, and procedures was instructed to take action to remedy the identified systemic noncompliance. The district submitted written information indicating the dates of review of policies, practices, and procedures, and subsequent actions taken to revise them as needed to ensure correct implementation of the specific regulatory requirements for transition planning. MASSDE reviewed the additional information provided by the district, and subsequently verified the updated data to determine that the district had corrected all identified noncompliance. within one year of the notice of the finding of noncompliance. Information from the review of individual and district-level data is provided to the MASSDE compliance unit (Program Quality Assurance) to inform its decision-making in future monitoring activities.

**Improvement Activities**

In FFY 2008, MASSDE engaged in several activities for maintaining high levels of compliance related to effective transition. MASSDE continued to focus its efforts on professional development and creating tools and resources to support educators’ efforts to engage in effective transition planning for students as districts respond to the revised language and measurement for Indicator 13.

- **Massachusetts FOCUS Academy (MFA)** - MASSDE’s State Personnel Development Grant continues to offer several online courses in a variety of key areas, including Post-Secondary Transition Planning. The FCSN provided a course for educators on *Parent and Professional Partnerships: Transition Planning for Students with Disabilities in Middle and High School.* Additionally, MASSDE added a two-part course on post-secondary education for educators designed to instruct educators, family members, and adult agency personnel on the principle policies and practices related to transition planning for students with disabilities from the ages of 14 to 22 years old.

- **The Inclusive Concurrent Enrollment Partnership Programs for Students with Disabilities** grant program is focused on building partnerships between high schools and state public...
institutions of higher education to offer inclusive concurrent enrollment opportunities for students with severe disabilities. As part of the technical assistance provided to the 35 participating high schools, school personnel learned how to conduct person-centered planning for students with disabilities. This transition planning approach is student-led and promotes greater self-determination and self-advocacy skills in youth with disabilities. As part of the improvement and expansion of these programs, partnerships continue to develop their programs to include individualized community-based integrated employment opportunities that align with participating student career goals and course selection.

- **Secondary Transition – Transition Works: Innovative Strategies for Transitioning Youth with Disabilities from School to Work** is a five-year grant from the U.S. Department of Education awarded to the Massachusetts Rehabilitation Commission (MRC) that will help support transitioning youth with disabilities from school to work. As part of this initiative vocational rehabilitation counselors are collaborating with local school districts to support youth with disabilities in their transitions from school to work, post-secondary education, and independent living.

- **Work-Based Learning Plans (WBLP) for Students with Disabilities** – Through work-based learning experiences, students have an opportunity to learn about various career paths, explore different work styles, and learn about the environmental supports that are available. Additionally, they allow students to discover the type of work they enjoy, and how they learn best in a workplace setting. The WBLP assists district personnel and families to improve transition outcomes for students with disabilities. The WBLP contains a scoring rubric that serves as a student performance evaluation guide to facilitate employer assessment of each participating student’s WBLP Foundation Skills. Beginning in FFY 2008, SEPP began collaborating with the Student Support, Career and Education Service unit at MASSDE to develop a one page guidance document entitled *Using the Massachusetts Work-Based Learning Plan In Transition Planning Activities for Students with Disabilities* and to enhance the WBLP Scoring Rubric. The one page document is intended to encourage the inclusion of students with disabilities in WBLP programs; be used as an option for individual student transition planning; and support educators, employers, Connecting Activities field staff, Workforce Investment Boards, One Stop Career Centers, and Local School-to-Career Partnerships in the implementation of quality work-based learning for students with disabilities.

- **Comprehensive System of Personnel Development (CSPD) Training Project** was developed to supplement ongoing personnel preparation activities provided within school districts and other agencies. Two topic areas relate directly to secondary transition planning: 1) *Transition from Adolescence into Adulthood in Massachusetts* and 2) *The Massachusetts Transition Planning Chart and Effective Transition Planning*.  

- MASSDE offered distance-learning opportunities via satellite from the **National Association of State Directors of Special Education (NASDSE)** at no cost to school districts and educational organizations in Massachusetts. In December 2008, a presentation titled *Partners in Progress: Youth/Young Adult Leaders for Systems Change* was provided to special educators across the state. Forty-three districts participated.

- MASSDE has a long standing **Collaboration with Federation for Children with Special Needs (FCSN)**, which is the federally-funded Parent Training and Information Center that provides free information, support, technical assistance, and workshops to Massachusetts' families who have children with disabilities. This year’s topics that relate to transition included *Parent’s Rights, IEPs, and Transition 101*.

- **Educational Proficiency Plan (EPPs)** - The purpose of the EPP is to increase the support students need to stay in school to meet graduation standards and to have the requisite skills needed for post-secondary success.
The Special Education Program Improvement Grants – Fund Code 249 offered funding to approved private special education schools for professional development activities that helped improve the capacity of educators to meet the diverse needs of students with disabilities. The topic for professional development under one of the three priority areas for the grant related to secondary transition included College and Career Readiness: Secondary Transition Planning. This priority area will enable educators to provide quality instruction and transition planning, thus allowing students with disabilities to access to more inclusive environments, and to have appropriate transition plans in place.

The revision of “Ten Step Guide for Comprehensive Educational Assessment of Students with Visual Impairments” includes a new section describing the “hidden” characteristics of a vision loss that affect academic and social factors. Important to secondary transition planning, the revision of the document provides resources to help educators meet the unique needs of students with visual impairments and to prepare them for further education, employment, and independent living.

Community/Residential Education Project - The goal of this project is to facilitate effective transitions from school life to more independent life within the community for students receiving publicly-funded special education services who also meet the Massachusetts Department of Disability Services (MDDS) eligibility criteria for services. This goal is accomplished by supporting less restrictive, more cost effective residential options, special education services, and community based supports.

District and School Assistance Centers (DSACs) – MASSDE has opened six regionally-based DSACs to help identified districts and their schools strategically access and use professional development and targeted assistance to improve instruction and raise achievement for all students. MFA courses (see above), including UDL Creating Positive Classroom Environments, and Transition Planning have been integrated into the menu of professional development options available to districts.

Additionally, MASSDE/SEPP has engaged in the following planning activities that will inform next year’s work:

MASSDE is developing three new technical assistance documents that will assist educators better understand the revised Indicator 13 language and improve transition planning for students. These tools are the Transition Planning Flow Chart, the Transition Self-Evaluation Sheet, and the Individual File Review Teacher Checklist. MASSDE plans to pilot the tools with selected districts, solicit feedback, and roll-out the tools for use in the 2010-2011 school year.

MASSDE staff and representatives from the Federation for Children with Special Needs and the Institute for Community Inclusion participated in the 3rd Annual Secondary Transition State Planning Institute. The Institute, sponsored by: the National Dropout Prevention Center for Students with Disabilities (NDPC-SD); the National Post-School Outcomes Center (NPSO); and the National Secondary Transition Technical Assistance Center (NSTTAC) in conjunction with the IDEA Partnership, provided professional development on 1) secondary transition education and services, 2) school completion strategies, and 3) post-school outcome data. Of particular interest to the Massachusetts team were the content sessions related to transition assessment, student-focused planning, and interagency collaboration. During the institute, the Massachusetts team had the opportunity to meet with experts in the field and explore possible training opportunities. MASSDE is presently planning a transition summit to be held in FFY 2009.

The following activities focused on improving effective transition and contributed to the state’s continued success in meeting its target for Indicator 13:

American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) - IDEA
MASSDE has continued to report transition data publicly. This information, which is in the process of being updated, can be viewed at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx)

MASSDE will continue to focus its efforts on improving the transition planning for students with IEPs, and looks forward to reporting on the results of these efforts in the FFY 2009 APR.

**Massachusetts Response to the OSEP Part B FFY 2007 SPP/APR Letter and Response Table**

OSEP instructed MASSDE to include in its FFY 2008 APR for Indicator 13 a report on the compliance activities of LEAs participating in data activities for this Indicator in FFY 2007 and FFY 2008. Compliance activities for FFY 2008 are described in the explanation of progress and slippage above.

As reported in the Annual Performance Report (MA APR) for FFY 2007, of the LEAs that submitted data in FFY 2007, two were identified as not in compliance with Indicator 13. These findings involved 16 individual students. MASSDE identified noncompliance by reviewing data collected from the cohort participants’ review of individual student files. (The cohort model is described more fully in the SPP for Indicator 13.) MASSDE conducted a desk review of the data submitted, and determined whether districts had provided evidence of full transition planning. For one district in the cohort, MASSDE made an individual finding of noncompliance, and informed the district in writing of this finding. MASSDE ordered the district to take corrective action steps, and to demonstrate that transition planning occurred for this student by submitting to MASSDE a copy of the completed Transition Planning Form. Also, MASSDE required the district to submit a signed statement of assurance confirming the steps that it took to remedy this instance of noncompliance, and that the district had reviewed its policies, practices, and procedures to insure compliance with the specific regulatory requirements in 34 CFR § 300.320(b). MASSDE reviewed this documentation and verified that the district completed the required corrective action to remedy the identified noncompliance, within one year of identification.

In its desk review of data from the second district in the FFY 2007 cohort it identified as noncompliant, MASSDE determined that the district failed to meet requirements for transition planning for individual students, and also failed on a systemic level to meet regulatory requirements under 34 CFR § 300.320(b). MASSDE notified the district in writing of its noncompliance and ordered specific corrective actions to rectify it. The district was required to (1) submit completed Transition Planning Forms; (2) provide documentation to MASSDE about its review of policies, practices, and procedures and identification of steps to be taken to remedy the district’s deficiencies; (3) describe the steps taken following such a review (including staff training, and revision of policies, practices, and procedures) with regard to individual students as well correcting systemic noncompliance; and providing a statement of assurance confirming these actions taken to remedy all identified noncompliance and to ensure that all students receive transition services in a timely manner consistent with the regulatory requirements. MASSDE reviewed this documentation and its communications with the districts, and verified that the district corrected the identified noncompliance for individual students and systemically within one year of the finding. This process is consistent with requirements in OSEP Memorandum 09-02 for identifying and verifying correction of noncompliance.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

MASSDE has revised improvement activities in the MA SPP to include updated activities. See the MA SPP for the revised activities and amended activity titles and timelines. In response to the new Indicator 13, MASSDE will establish new baseline data, revise and review new targets, timelines, and activities, for the FFY 2009 SPP due February, 2011. MASSDE will begin reporting against the new Indicator 13 with the FFY 2010 report due February, 2012.
Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 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 both, within one year of leaving high school.

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

Measurement: 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 both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

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<tr>
<th>FFY</th>
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<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>93%</td>
</tr>
</tbody>
</table>

FFY 2008 marked the last year of a four-year cohort cycle in Massachusetts to collect and report post-secondary survey data regarding students with IEPs who graduated the previous year. While OMB approved new Part B SPP/APR Indicator 14 definitions of post-secondary education and competitive employment on February 25, 2009, they are not in effect until FFY 2009 and therefore states are not required to report on revised Indicator 14 until the FFY 2009 APR, to be submitted in February, 2011. MASSDE is voluntarily submitting this report for FFY 2008 in order to conclude the cohort cycle and ensure data consistency with the previous cohort years. The following report for FFY 2008 is consistent with the current indicator and measurement language and MASSDE’s definitions. As instructed by OSEP, required changes to the indicator and measurement will be reflected in the FFY 2009 APR for Indicator 14.


<table>
<thead>
<tr>
<th>Number of Students with Disabilities in the cohort who responded to the survey</th>
<th>Number of Respondents who have been competitively employed</th>
<th>Number of Respondents who have been enrolled in postsecondary education</th>
<th>Number of Respondents who have been competitively employed and enrolled in postsecondary education</th>
<th>% of Respondents who have been competitively employed and/or enrolled in postsecondary education</th>
</tr>
</thead>
<tbody>
<tr>
<td>2342</td>
<td>591</td>
<td>513</td>
<td>1062</td>
<td>92.4%</td>
</tr>
</tbody>
</table>

The FFY 2008 “Post-Secondary Outcomes Survey” and “CVTE Graduate One-Year Follow-Up Survey” cohort data collection process yielded responses from 2,342 students who exited high school within the 2008-2009 school year. Of the respondents, 92.4% have been competitively employed, enrolled in
postsecondary education, or both competitively employed and enrolled in postsecondary education, within one year of leaving high school. Further analysis of these data demonstrate that 21.9% (513) have been enrolled in postsecondary education within one year of leaving high school; 25.2% (591) have been competitively employed within one year of leaving high school; and 45.3% (1062) of respondents have been competitively employed and enrolled in postsecondary education within one year of leaving high school. This is illustrated in the chart below.

![Post-School Outcomes of FFY 2008 Cohort Respondents](chart)

**Definitions**

MASSDE defines *exiters* as students with IEPs who graduated from high school with a diploma or a certificate of attainment, aged out of special education, or dropped out of high school.

MASSDE has adopted the following *competitive employment* definition stated under the Rehabilitation Act:

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 the Act; 29 U.S.C. 705(11) and 709(c).)

MASSDE recognizes full-time military service and supported employment positions as competitive employment.

MASSDE defines *postsecondary school enrollment* as full-time or part-time enrollment in the following types of programs: a technical school, a vocational school, a two-year college or university, or a four-year college or university. MASSDE allows the definition of full-time and part-time enrollment to be dictated by postsecondary school program descriptions.
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

Explanation of Progress or Slippage

There were 5,486 students with disabilities who exited Massachusetts high schools during the 2007-2008 school year, the fourth year of the cohort cycle. School districts participating in the FFY 2008 cohort contacted 4,246 exiters (77.4% of the total number of exiting students) to request that they complete either the “Post-Secondary Outcomes Survey” or the “CVTE Graduate One-Year Follow-Up Survey.” MASSDE received survey responses from 2,342 exiters. This response rate of 55.2% is an increase of 5.3 percentage points over the FFY 2007 response rate. This is an overall response rate of 42.7% of all exiting students during that school year.

(Please note that as of the date of this report, five school districts have not submitted data from the “CVTE Graduate One-Year Follow-Up Survey” for 104 students surveyed. Therefore, data from another 104 surveys of students with disabilities may be added to the results for Indicator 14. MASSDE is continuing to work with these districts to compile and submit full data sets.)

Survey respondents are representative of the total population of students with disabilities who exited high school in FFY 2008. MASSDE compared the demographics of the respondents reported by districts to the Student Information Management System (SIMS) database. The respondents reported by districts are an appropriate representation of students with disabilities who exited high school within FFY 2008 with regard to various demographic factors such as race/ethnicity, gender, disability, level of need, and program placement.

In FFY 2008, there was slippage (-0.9 percentage points to 92.4%) over last year’s target rate of 93.3%. MASSDE does not consider this to be a significant change since it is only 0.6 percentage points below the FFY 2008 measurable and rigorous target, and because of unique national and statewide economic circumstances this year. The specific information provided by the respondents presents notable changes in the post secondary status of exiters. FFY 2008 data show a:

- 8.4 percentage point increase in the number of respondents who have been enrolled in post secondary education,
- 4.2 percentage point decrease in competitive employment, and
- 5.1 percentage point decrease in respondents reporting both competitive employment and enrollment in postsecondary education.

MASSDE believes that this slippage and these figures are related to the downturn in the economy and the resulting lack of available employment because data also show an increase of 12.1 percentage points between FFY 2007 and FFY 2008 in the total number of respondents searching for employment. Of respondents who were neither competitively employed nor enrolled in post-secondary education, 52.3% were searching for employment. This is a significant increase – 22.8 percentage points – over the number of these respondents who were prepared and able to work but could not secure employment in FFY 2007.

MASSDE recognizes that it is a continued challenge for districts to contact exiters who have dropped out because of the high rate of mobility within this population; districts often have outdated student contact information. The FFY 2008 cohort districts attempted to contact 261 students who dropped out. Of these students, 53 responded to the school districts’ outreach. While these 53 respondents represent 20.3% of the dropouts who were contacted, it represents only 4.3% of the total dropouts in this cohort. Although this does not affect the overall representativeness of the survey results, it is clear that students with disabilities who drop out of school are not well represented in the survey results. MASSDE continues to revise data collection protocols and provide technical assistance to school districts to help them improve their work toward increasing the validity of data for Indicator 14.
Prompted by the revised Indicator 14 definitions to be included in the FFY 2009 APR and revised SPP, in FFY 2008 MASSDE piloted new questions in the “Post-Secondary Outcomes Survey.” MASSDE will incorporate the results of this pilot into future data collection for Indicator 14, using the following definitions identified in the revised Indicator 14 measurement and language. (As noted above, these changes become effective in FFY 2009, and will be reported in the FFY 2009 APR.)

1. **Enrolled in higher education** means youth have been enrolled on a full- or part-time basis in a community college, college/university, or other institution that meets the definition of “Institution of Higher Education” in the Higher Education Act (HEA), for at least one complete term, at any time in the year since leaving high school. The HEA defines this as enrollment in:
   (a) an educational program to earn a degree or other recognized credential; OR
   (b) a training program that lasts at least one academic year to prepare for gainful employment in a recognized occupation.

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

3. **Enrolled in other postsecondary education or training program** means youth have been enrolled on a full- or part-time basis for at least one 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).

4. **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.).

The pilot survey yielded the following results in the FFY 2008 cohort:

- Of the 2,166 FFY 2008 engaged respondents, (92.9%), only 74.3% (1,610) of them would be counted as engaged under the new definitions.
- 40% (866) of the FFY 2008 engaged respondents would be counted in a different category of post-school outcome using the new definitions.

MASSDE anticipates that there will be a significant change in the Indicator 14 engagement rate using these new definitions in FFY2009. Furthermore, MASSDE noted the following effects in using the pilot survey:

- individual student responses to the pilot survey provided conflicting information regarding student involvement in post-secondary education and employment, and
- districts reported their discomfort in asking several of the survey questions, particularly questions about student earning capacity.

Based on these data, MASSDE will revise the FFY 2008 survey protocol, provide additional technical assistance to cohort districts and consider the use of informational flyers provided directly to students and families for FFY 2009. Please see Appendix C for the FFY 2008 "Post-Secondary Outcomes Survey," which includes the piloted questions.

**Improvement Activities**

In FFY 2008 MASSDE engaged in several activities to improve post-school outcomes. The following had a direct affect on Indicator 14.

MASSDE strives to increase student participation in theIndicator 14 survey process. For this reason, MASSDE conducts an annual **Survey Protocol Evaluation** to determine usability for students and
districts completing the data collection activity. Data validity is a priority during protocol evaluation. Analysis of individual student responses and survey assessment by cohort districts inform MASSDE’s annual protocol evaluation. Additionally, MASSDE provides Data Collection Technical Assistance to districts through conference calls and individual optional support and scripts for survey interviewers, and guidance on the overall survey process, the selection of survey personnel, and steps for contacting students.

The Special Education Planning and Policy Development Office (SEPP) is working to ensure that students with IEPs and their educators engaged in these improvement activities. SEPP works with the following Inter- and intra-agency offices to improve post-school outcomes for students with IEPs: Student Support, Career, and Education Services unit (SSCE); the District and School Accountability and Assistance Office (DSAA); the Massachusetts Rehabilitation Commission (MRC); and the Massachusetts Department of Developmental Services (MDDS). Following is a list of some of the FFY 2008 activities:


- **The Dropout Prevention and Recovery Work Group**’s (SSCE) focus is to support district team action planning and to facilitate the sharing of promising practices in order to prevent student dropout thereby increasing the graduation rate, which results in improved post-school outcomes.

- **The Dropout Prevention, Intervention, and Recovery Website** (SSCE) includes an extensive collection of graduation and dropout prevention related news and trainings, articles/reports, and websites for students, parents, and educators.

- **Educational Proficiency Plans (EPPs)** (EPP) (SSCE) - The purpose of the EPP is to increase the support students need to stay in school to meet graduation standards and will have the requisite skills needed for post-secondary success.

- **Worked-Based Learning Plans (WBLP) for Students with Disabilities** (SSCE) - Through work-based learning experiences, students have an opportunity to learn about various career areas and try different work styles, find out what type of work they enjoy, find out how they learn best in a workplace setting, and find out what natural supports are available. By providing students with disabilities the opportunity to explore a variety of career areas and discover what type of work they enjoy in the context of their academic environment, the WBLP promotes students staying in school.

- **Massachusetts FOCUS Academy (MFA)** (SEPP) provides online, graduate level coursework to middle and high school educators across the state. The course offerings titled *Promoting Post-Secondary Education* and *Youth Development and Self-Determination* have a significant effect on supporting improved post-school outcomes for students with disabilities. The courses help educators gain a better understanding of how disability affects student learning and provide educators with improved skills in the areas of curriculum design, instruction, and technology. These skills translate into improved student outcomes, which will lead to higher graduation rates.

- **The Inclusive Concurrent Enrollment Partnership Programs for Students with Disabilities (ICE)** (SEPP) continues to provide funding to establish and sustain partnerships between Massachusetts public high schools and public institutions of higher education to support students with severe disabilities, ages 18-22, who have not been able to earn a competency determination and do not have typical high school prerequisites, to enroll in post-secondary credit and non-credit classes with their non-disabled peers. During FFY 2008, ICE technical assistance emphasized development of additional course enrollment, campus social involvement, and
employment options for participating students through access to community-based transportation. The current focus of technical assistance for the ICE partnership program is increased emphasis on program sustainability and community-based integrated employment opportunities for participating students that relate directly to course selection and career goals.

- MASSDE provided professional development through the National Association of State Directors of Special Education (NASDSE) Satellite Series (SEPP). The 2008 series provided two telecasts that affect Indicator 14 titled, “News You Can Use: Resources and Supports for Students with Autism and their Families,” and “Partners in Progress: Youth/Young Adult Leaders for Systems Change.” Participants included school personnel from districts across Massachusetts, as well as staff from other units within MASSDE.

- The goal of the Community/Residential Education Project (MDDS) is to facilitate effective transitions from school life to more independent life within the community for students receiving publicly funded special education services who also meet the DMR eligibility criteria for services. This goal is accomplished by supporting less restrictive, more cost effective residential options, special education services and community based supports.

- **Secondary Transition – Transition Works: Innovative Strategies for Transitioning Youth with Disabilities from School to Work (MRC)** – The Transition Works: grant, awarded to MRC from the U.S. Department of Education, is intended to help support transitioning youth with disabilities from school to work and post-secondary planning and improve outcomes for students with disabilities.

The following additional activities focus on improving post-school outcomes and contributed to the state’s continued success in meeting its target for Indicator 14:

- American Recovery and Reinvestment Act: Saving and Creating Jobs and Reforming Education (ARRA) - IDEA
- Collaboration with Stakeholders
- Special Education Professional Development Summer Institutes

MASSDE has continued to report transition data publicly. Data for Indicator 14 are available at [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx). Additional updates to the special education data on MASSDE’s public website are forthcoming.

MASSDE will continue to focus its efforts on improving the effective transition for students with IEPs, and looks forward to reporting on the results of these efforts in the FFY 2009 APR.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:**

Improvement activities have been revised in the MA SPP to include updated activities. See the MA SPP for the revised activities and amended activity titles and timelines.

In response to the Indicator 14 revisions, MASSDE will collect baseline data, propose new targets, timelines, and activities, and begin reporting against the new definitions for Indicator 14 with the FFY 2009 APR due February, 2011.
Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:
Percent of noncompliance corrected within one year of identification:

a. # of findings of noncompliance.

b. # of corrections completed as soon as possible but in no case later than one year from identification.

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

States are required to use the “Indicator 15 Worksheet” to report data for this indicator. (See Appendix D.)

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>100%</td>
</tr>
</tbody>
</table>


a. MASSDE made 1,191 findings of special education noncompliance through the Problem Resolution System (PRS), Coordinated Program Reviews (CPRs), Mid-cycle Reviews (MCRs), State Performance Plan Compliance Indicators (SPPCI), or the Bureau of Special Education Appeals (dispute resolution system) (BSEA) between July 1, 2007 and June 30, 2008.

b. MASSDE uses the date on which it verifies in writing to the LEAs submission of data or documentation for evidence of correction of noncompliance as the date on which noncompliance is deemed corrected. For the FFY 2008 reporting period, 1,018 findings of noncompliance were corrected within one year of the finding.

Percent of noncompliance corrected within one year of identification: (1018 / 1191) x 100 = 85.5%.

All findings of noncompliance made in FFY 2008 have been corrected as of the date of this report, for an overall to-date correction rate of 100%.

See Appendix D, the Indicator 15 Worksheet for FFY 2008, for the disaggregation of findings made from July 1, 2007 to June 30, 2008.
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008:

Explanation of Progress or Slippage

Since the initial reporting period for Indicator 15, MASSDE has made significant progress in increasing the percentage of correction of special education noncompliance within a year of the noncompliance finding. Of the 1,191 findings of special education noncompliance made through the PRS, CPR, or MCR system, the SPPCI, or the BSEA in FFY 2008 (findings made from July 1, 2007 to June 30, 2008), MASSDE verified as corrected 85.5% (1,018) of them within one year, compared to the FFY 2007 total of 62.2%. Notable is that all findings of noncompliance from this reporting period have been corrected to date.

For findings of noncompliance identified through the CPR or MCR processes, MASSDE notified each district in writing of the finding and instructed the districts to take correction actions to remedy the noncompliance. For each finding, MASSDE required the LEA to submit to Program Quality Assurance Services additional documentation describing the actions taken by the district. For cases of individual noncompliance, the district was required to correct each individual case. Districts were also required to review and revise policies, practices, and procedures to ensure correct implementation of specific regulatory requirements where root causes of noncompliance were related to improper implementation of the regulatory requirements. MASSDE conducted desk reviews of this additional documentation provided by the districts, and conducted onsite verification visits as necessary to review student records and evidence of corrective actions taken to change policies, practices, or procedures. Through this process of additional review and verification, MASSDE determined that each LEA was correctly implementing the specific regulatory requirements, and had corrected each individual noncompliance as applicable. MASSDE notified all LEAs in writing of its verification of correction of noncompliance, consistent with the requirements of OSEP Memo 09-02. There are currently no outstanding findings of noncompliance from this reporting period.

Reasons for MASSDE’s progress related to Indicator 15 include the ongoing efforts to provide training and support to PQA staff about the one-year correction requirement, and to improve internal oversight of the complaint management systems and timelines. These efforts, along with the continued review and improvement of MASSDE protocols and procedures related to compliance monitoring, and training opportunities and technical assistance available to LEAs, has supported progress toward full compliance. The effect of these efforts, as described in the improvement activities below, is demonstrated in the target data reported here.

Improvement Activities

Massachusetts Part B FFY 2007 SPP/APR Response Table

Verification of Correction of Noncompliance

In the Massachusetts Part B FFY 2007 SPP/APR Response Table, OSEP required MASSDE to demonstrate the correction of the remaining noncompliance identified in FFY 2004 (nine findings), FFY 2005 (two findings), and FFY 2006 (nine findings) that MASSDE reported in the FFY 2007 APR were not yet corrected. All of these outstanding instances of noncompliance have been corrected to date.

MASSDE has verified the correction of the nine findings of noncompliance that remained outstanding from FFY 2004 in the following ways. One finding was corrected through LEA submission of evidence of correction through periodic progress reporting. Monitoring Team staff, consisting of a Monitoring Specialist and Supervisor, reviewed the LEAs submission, and upon determination that the noncompliance was corrected, issued a written verification of correction on May 12, 2009. MASSDE verified another finding of noncompliance through onsite observation by a Monitoring Specialist, and sent the LEA written verification of correction on September 25, 2009. Finally, MASSDE confirmed correction of the remaining seven findings of noncompliance (from a single LEA) through the web-based monitoring system Coordinated Program Review (WBMS CPR) process. The LEA conducted and submitted to MASSDE in the spring of 2009 a self-assessment consisting of student record and document review. The
MASSDE Monitoring Specialist then completed a desk review of the self-assessment submission, which was followed up with a review by the Monitoring Team Supervisor. (The Monitoring Teams group in the Program Quality Assurance unit in MASSDE is responsible for conducting compliance and monitoring activities for some state and federal education programs.) MASSDE staff conducted an onsite visit to the LEA in the fall of 2009 and reviewed additional student records, collected parent surveys, observed instructional settings, and interviewed a cross-section of administrative personnel, teaching staff and paraprofessionals. Though this process of desk review of evidence of correction and onsite verification of corrective actions, MASSDE determined that these seven findings of noncompliance had been corrected because of actions taken to correct individual cases of noncompliance, and through appropriate modifications to policies, procedures, and practices to ensure correct implementation of specific regulatory requirements. MASSDE sent written verification of correction to the LEA in a CPR Final report that MASSDE issued on January 27, 2010.

For the outstanding instances of noncompliance in FFY 2005 (two) and FFY 2006 (nine), MASSDE verified correction by examining the evidence submitted by the LEAs in their periodic progress reports. Monitoring Team staff, consisting of a Monitoring Specialist and Supervisor, reviewed the submissions, determined that the LEAs had corrected each individual case of noncompliance, and is correctly implementing specific regulatory requirements, consistent with OSEP Memo 09-02. MASSDE issued written notices to each LEA verifying correction of noncompliance on March 5, 2009 and May 1, 2009; May 6, 2009, May 26, 2009, May 28, 2009, and November 18, 2009, respectively.

Massachusetts’ Response to the March 5, 2009 Verification Visit Letter

Because OSEP identified MASSDE as being in need of technical assistance for two consecutive years, OSEP advised MASSDE in the Massachusetts Part B FFY 2007 SPP/APR Response Table and in the Verification Visit letter of March 5, 2009, of available technical assistance and required the state to report on (1) the technical assistance sources from which the state received assistance; and (2) the actions that Massachusetts took as a result of that technical assistance, related to Indicator 15.

In response to this instruction and MASSDE’s continued priority to address issues related to Indicator 15, MASSDE staff participated in several technical assistance opportunities and consulted multiple sources about general supervision and timely correction of noncompliance. PQA staff has participated in teleconferences with other members of the Northeast Regional Resource Center (NERRC) Local Monitoring and General Supervision Work Group about general supervision, including a webinar entitled Planning and Implementation of Effective Statewide Monitoring and Improvement Systems in October 2009.

In addition, PQA initiated project-specific technical assistance with NERRC to research the scope and key elements monitoring systems in states with populations similar to or larger than Massachusetts, which yielded referrals to other sources of technical assistance. MASSDE used this extensive information to inform its continued refinement of the special education compliance and monitoring system for school districts and charter schools, known as the CPR process. The information provided by NERRC and other agencies reinforced for MASSDE the positive effect of using multiple review and monitoring tools to enhance the monitoring in the CPR process, including LEA self-assessments and desk reviews, to improve existing processes and procedures. The effectiveness of these resources is notable in MASSDE’s significant improvement in the timely correction of noncompliance.

OSEP also required MASSDE to submit with this report the following data from monitoring visits conducted during FFY 2007:

1. the date of the onsite monitoring visit;
2. the date of the final report finding noncompliance;
3. the date that MASSDE verified that the noncompliance was corrected and notified the LEA of the correction; and
(4) a sample of 10 CAPs with approved activities that address correction of the noncompliant practices based on the statutory and/or regulatory requirements at issue and the root cause(s) of noncompliance.

In response to this request, MASSDE has prepared a table documenting dates of onsite visits, final reports, and correction of noncompliance. See Attachment 1. Copies of the requested CAPs are included as Attachment 2.

Additional Improvement Activities

OSEP provided MASSDE with invaluable technical assistance during its October 2008 visit that has helped MASSDE strengthen the role that school districts have in identifying and correcting noncompliance. As part of the CRP and MCR processes, PQA requires districts to report on the actions they take during corrective action periods to identify and respond to the root causes of identified noncompliance. After implementing corrective action, school districts must continue to monitor their compliance with the relevant requirement and to report results of this internal monitoring to PQA. The reports include dates of actions, names of district staff conducting the monitoring, and information about the records reviewed and the actions undertaken by the district to track and monitor its compliance status. This new system has engaged school districts as more active partners in correcting noncompliance by allowing them to identify root causes of noncompliance and target their efforts at correcting them.

Districts have become more engaged in the processes of self-identifying and self-correcting noncompliance because of the targeted support that PQA monitoring staff has been able to provide to school districts as a result of the reorganization of PQA. MASSDE discussed the reorganization priorities in the FFY 2007 MA APR for Indicator 15, and the restructuring plan became effective on July 1, 2008. Under this new structure, PQA’s public school staff members are now organized into four “monitoring teams” and two “PRS teams.” Under the former structure, regional teams were responsible for all aspects of complaint resolution and compliance monitoring. Now CPRs and MCRs are managed by a single monitoring unit and those processes are handled more efficiently and timely. Also, monitoring staff have greater opportunity to provide technical assistance to districts, including helping school districts to use data to identify root causes of noncompliance, and to work with districts to develop corrective action strategies that are more responsive to unique needs and situations. This has strengthened the sense of partnership between MASSDE and school districts and enhanced the quality of compliance activities. These proactive measures result in districts remedying noncompliance outside of the context of a formal review cycle, or in preventing noncompliance from occurring.

During FFY 2008, PQA has expanded the implementation of its web-based monitoring system (WBMS), piloted during FFY 2007. The eight pilot districts that conducted self-assessments through WBMS during the pilot year received onsite reviews during 2008-2009 using the new system. These districts are now engaged in the WBMS Corrective Action Planning and Progress Reporting, and were trained on these aspects of the system in May 2009. MASSDE initiated feedback sessions with the pilot districts and monitoring team staff who chaired those reviews to identify aspects of the protocol that presented challenges and make recommendations for system improvements. Those have been incorporated into the WBMS process.

The second cycle of WBMS reviews began in early 2009 when staff from 26 districts participated in MASSDE training on the self-assessment application. Participating districts submitted their self-assessments in the spring of 2009, and upon completion of desk reviews by monitoring team chairpersons, PQA staff began the onsite verification visits in October 2009. MASSDE is laying the foundation for the next monitoring cycle by conducting orientation sessions for staff in schools and districts that are scheduled for onsite reviews during the 2010-2011 (113 staff from 48 districts participated), and also training them in how to navigate the web-based system and how to complete entry data (168 staff from 48 districts participated). The PQA trainer, monitoring team supervisors, PQA’s data coordinator, and the assistant director for monitoring present at the WBMS orientation and training sessions. As this system is rolled out to all schools and districts in Massachusetts and school personnel
gain experience in identifying and correcting noncompliance, and preventing it from occurring, MASSDE expects to see a reduction in identified noncompliance and more timely correction of it.

Another key area of continued support that PQA has provided to school districts pertains to the electronic corrective action plan/progress reporting system (ECAP). First piloted in FFY 2006 and determined by participating districts to greatly improve their timely correction of noncompliance, this system of electronic exchange of materials has been expanded by PQA. In October 2009, PQA trained staff from 29 school districts participating in the FFY 2009 standard CPR process in the ECAP/progress reporting system. Districts receive supplemental onsite technical assistance from monitoring team chairpersons during the ECAP processes. This new protocol for reporting has increased MASSDE’s ability to verify correction of noncompliance by increasing the efficiency of information-sharing.

In addition to providing in-depth training sessions for school district staff on compliance and monitoring protocols and procedures, MASSDE has continued to strengthen its training programs for staff and supervisors regarding the one-year correction requirement and other elements of compliance monitoring. From March 2009 to December 2009, MASSDE held nine training sessions on updated monitoring protocols and procedures for monitoring specialists, supervisors, and other MASSDE and outside agency personnel who partner with PQA in staffing review teams. The state special education advisory group and other state advocacy groups participated in a training presentation in April 2009, September 2009, and January 2010 on updated procedures and the effect of the revised protocols on monitoring activities. Also, MASSDE provides ongoing training opportunities and “refresher courses” to monitoring staff about the ECAP process. The Director of PQA, the assistant directors, and the PQA trainer participate in and/or lead these sessions. This ongoing emphasis on training and information sharing within MASSDE and with school districts has helped districts and MASSDE to identify and correct in a timely manner all special education noncompliance.

MASSDE incorporated the learnings from the technical assistance received from external sources and feedback from districts and staff using the new monitoring system and tools to further refine its monitoring system to ensure timely correction of noncompliance. These resources have assisted MASSDE in identifying and tracking LEAs’ noncompliance, and ensuring that it is corrected as soon as possible and no later than one year from identification by MASSDE. The initial effects of these new and refined systems are seen in the improvement noted in this year’s target data of 85.5%.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

MASSDE has revised measurement language in the State Performance Plan (MA SPP) for Indicator 15 as appropriate. Targets, improvement activities, and timelines remain appropriate for FFY 2008.
Overview of the Annual Performance Report Development:

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 = \[\left(\frac{1.1(b) + 1.1(c)}{1.1}\right) \times 100\].

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>100%</td>
</tr>
</tbody>
</table>

**Actual Target Data for FFY 2008 (2008-2009):** \[\frac{(176 + 4)}{190} \times 100 = 94\%\]

1.1 – Complaint with reports issued: 190  
1.1(b) – Reports within timeline: 176  
1.1(c) – Reports within extended timelines: 4

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

**Explanation of Progress or Slippage**

In FFY 2008, MASSDE demonstrated progress toward meeting its measurable and rigorous target by increasing the percentage of signed written special education complaints with reports issued that were resolved within 60 days, or within a timeline extended for exceptional circumstances, to 94%. This is an increase by 2.5 percentage points over FFY 2007 (91.5%), and almost 4 percentage points over FFY 2006 (91.1%).

Notable is the progress MASSDE has made in reducing the number of complaint timelines extended for exceptional circumstances, and in increasing the number of complaint reports issued that were resolved within the extended timeline. In FFY 2007, the number of signed written complaints with reports issued whose timelines were extended was 38 (16%), and it was four in FFY 2008 (2%). In addition, MASSDE increased the percentage of signed written complaints with reports issued that were resolved within an appropriately extended timeline to 100% in FFY 2008, from 97.4% in FFY 2007.
Massachusetts

Improvement Activities

Massachusetts Part B FFY 2007 SPP/APR Response Table

Technical Assistance Sources and Actions Taken by MASSDE as a Result

Because OSEP identified MASSDE as being in need of technical assistance for two consecutive years, OSEP advised MASSDE in the Massachusetts Part B FFY 2007 SPP/APR Response Table of available technical assistance and required the state to report on (1) the technical assistance sources from which the state received assistance, and (2) the actions that Massachusetts took as a result of that technical assistance.

In response to this instruction, MASSDE staff has continued to examine specific areas of challenge in meeting the required timelines for all written complaints. Program Quality Assurance (PQA) staff has reviewed the SPP/APR Calendar’s “Technical Assistance for Part B, Indicator 16 Investigative Questions” and closely examined its data and resources from other states. Based on its finding that MASSDE consistently receives 2.5 to 3 times the mean of written state complaints according to the Part B: Rates Per 10,000 of Special Education Students Enrolled national data posted by CADRE for 2003-2004, 2004-2005, 2005-2006, and 2006-2007, MASSDE recognized that its current practice regarding the management of timeline extensions required revision, particularly with regard to the support provided to investigators managing complex issues that could potentially delay decisions, and in tracking complaints and milestones during the 60-day timeline.

As a result of this examination and needs assessment, PQA has implemented several changes to its supervision and communication systems. Supervisors and an assistant director meet weekly to review data and complaint timelines, and meet regularly with complaint investigators (PRS specialists) to review current complaints and rationale for extension to ensure that timelines are being met, or the reasons for extension are related to exceptional circumstances. They also ensure that any extensions granted are for conservative periods. Specifically with regard to the extension of timelines for complaint resolution, MASSDE has:

- directed staff to limit extensions to no more than 30-45 calendar days beyond the original 60 days, recommending that extensions be kept to 30 days or less whenever possible;
- instituted a policy that if complaint investigators obtain the material they need to investigate the complaint early in the extension period, they should resolve the complaint as early as possible;
- informed staff that complaint timelines may be extended only for extenuating circumstances; and
- required that extensions be approved by the assistant director of PQA in charge of PRS and by the complaint investigator’s supervisor.

MASSDE has also improved intra-agency communication about issues affecting complaints. The PQA assistant director coordinates communication between PRS specialists and other MASSDE offices (e.g., the legal office, and the career and vocational education office) when the involvement of other program staff is needed because of the nature of the complaint. This increased communication within PQA and with other agency staff helps to ensure that timelines are met and extensions are not sought for inappropriate purposes.

The effect of these communication and oversight strategies is seen in the progress that MASSDE made this year in increasing the number of complaint reports issued within appropriate timelines, and reducing the number of complaints that received extensions to 4 for FFY 2008.
Massachusetts’ Response to the March 5, 2009 Verification Visit Letter

Sample of State Complaints That Have Been Extended

In response to its findings during its October 2008 verification visit to MASSDE, OSEP required by letter dated March 5, 2009 that MASSDE submit with the FFY 2008 APR additional documentation regarding extension of complaints beyond the 60-day timeline for complaint resolutions. By way of background, during its October 2008 verification visit to MASSDE, OSEP noted the number of special education complaints for the 2007-2008 school year with extended timelines. Through its review of a sample of six of those extensions, OSEP determined that two were properly extended, and four were not. Of those four that were not properly extended, in one case MASSDE’s letter of extension was issued one day after the 60-day timeline had expired; one letter of extension failed to specify the length of the extension; and two letters of extension referred to reasons of exceptional circumstances even though the extensions were given to allow LEAs to gather additional information. Also, even when the district provided additional information immediately following the 60-day timeline, MASSDE did not issue its decision until the end of the extension period. OSEP required MASSDE to produce for the FFY 2008 APR a sample of ten extended complaints, including the letter of complaint, the letter extending the complaint, and the final written decision or disposition if the complaint was closed without a written decision.

As requested by OSEP, MASSDE is submitting additional documentation. (See Attachment 3.) Please note that although OSEP requested that MASSDE provide a sample of ten complaints that have been extended, including the letter of complaint, the letter extending the complaint, and the final written decision or disposition, MASSDE is submitting four. MASSDE issued only four extensions during FFY 2008. Of the four complaints, #09-0035 was not in conformity with the permissible reasons for granting an extension. Following is a summary of each complaint:

- **Complaint # 08-0963.** MASSDE received this complaint on July 8, 2008, soon after it began implementing its reorganization of PQA. The 60-day timeline required resolution by September 6, 2008. On July 17, MASSDE issued a Request for Local Report to the LEA, and the LEA’s response was due August 8. MASSDE learned that the data needed from the LEA’s related services providers were unavailable at the time of the information request because of staff unavailability during the summer months; this is a permissible reason for granting an extension. MASSDE identified the need for an extension and sent the complainant written confirmation of the need for extension by letter dated September 3. MASSDE stated that the extension period was not to exceed September 1 and that MASSDE would issue its findings by October 10, which was 34 days beyond the 60-day date. MASSDE’s findings were reported by letter dated October 23, which is 13 days beyond the original extension period. The reason for the delay was that the complainant had filed a rebuttal to the district’s response. This is a permissible reason for granting an extension beyond the initial timeline.

- **Complaint # 09-0067.** MASSDE received this complaint on August 29, 2008, and the 60-day timeline required resolution by October 28, 2008. On September 2, MASSDE issued a Request for Local Report to the LEA, and the response to the request was due September 16. This complaint involved a claim for compensatory services during a disciplinary period that involved a criminal matter and a court order that was issued in the prior year. MASSDE could have made a determination within the initial timeline that the agency lacked sufficient information to render a decision; however, MASSDE extended the complaint timeline in order to work with the parent and school district to obtain necessary additional information from the court about the order in the underlying criminal matter, and to determine the effect of that order on the student’s access to education. Although MASSDE’s stated reason for granting the extension was to “follow-up with our Department’s legal office,” that characterization is inaccurate. Rather, MASSDE, with the consent of the complainant and the school district, was continuing to investigate the matter in

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3 Personally identifiable information from the complaints and related documentation have been redacted in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g and 34 CFR Part 99, for this publicly available report.
order to make a substantive determination. After receiving and reviewing all necessary legal records (including a clarified court order) and information provided by the parties, MASSDE ordered the district to provide compensatory services in its December 17 letter of finding.

- **Complaint #09-0388.** MASSDE received this complaint on April 17, 2009, and the 60-day timeline required resolution by June 16, 2009. MASSDE issued a Request for Local Report to the LEA on May 8, and the response was due May 25. Because the LEA did not share with the complainant a copy of the school district’s Local Report, as required by MASSDE, MASSDE shared it with the complainant and granted an extension to allow the complainant time to file a rebuttal to the LEA’s response. MASSDE issued a letter of extension on June 16, and extended the period for resolution to July 17 (31 days beyond the 60-day timeline).

- **Complaint # 09-0035.** MASSDE received this complaint on August 12, 2008, and the 60-day timeline required resolution by October 11, 2008. MASSDE issued a Request for Local Report to the LEA on September 5, and the LEA’s response was due September 19. MASSDE granted an extension because the LEA did not respond to the request for Local Report on time, and recognizes that this is not a permissible reason for granting an extension. The extension letter identified November 14, 2008 as the date upon which a decision would be made. The complainant in this case filed additional documentation as a rebuttal in response to the LEA’s response. This information was received within the extension period and MASSDE issued its decision within the identified extension period.

**Revised Procedures for Granting Extensions in Exceptional Circumstances**

In its verification visit letter, OSEP required MASSDE to include with its FFY 2008 APR its revised procedures ensuring that an extension of the 60-day timeline for complaint resolutions is granted only if the requirements in 34 CFR § 300.152(b)(1) are satisfied, i.e., exceptional circumstances exist with respect to the particular complaint, or the parties agree to extend the time to engage in mediation or alternative dispute resolution. MASSDE uses the following criteria in considering whether to grant extensions for exceptional circumstances:

- The complaint is initiated during start of summer months and school district staff and/or documentation/data needed to address PQA investigation are not available.

- The complainant provides a rebuttal to the LEA’s submission, necessitating either additional follow-up by PQA, and/or additional response by the LEA, and/or additional time for MASSDE to review and render a determination.

- Documentation provided by one or both parties necessitates that PQA conduct an onsite visit. In this case, PQA subsequently shares onsite observations and interview results with both parties. The parties then may provide rebuttal or additional information for PQA’s consideration.

- The parties request extension. This occurs primarily when the parties are negotiating a local/private agreement to resolve the issue. In this case PQA does not investigate or direct the LEA to address the issue unless the parties do not reach agreement. The timeline is extended to allow PQA time to conduct its investigation.

When a complaint investigator believes that an extension beyond the 60-day timeline may be warranted, he or she initiates the following procedures:

- The complaint investigator consults with the supervisor and determines there is a need for an extension based on an exceptional circumstance and determines the length of the extension.

- The assistant director reviews the request for extension and either approves or disapproves it. If the extension is approved, the assistant director ensures that the length of the extension is reasonable, and is for as short a duration as possible under the specific circumstances.
Extensions may be granted for 30 days or less, and the maximum period for an extension period should not exceed 45 days.

- The complaint investigator records in the Remedy Action Request System ("Remedy") data tracking application the date he or she issues the extension letter, the date that the complaint has been extended to, and the exceptional circumstance(s) that necessitated the extension.

- To track all complaint timelines, including extensions, the supervisor and assistant director regularly review Remedy data, including the extension timeline information, using Crystal Reports software, and follow-up with the complaint investigator as needed to ensure that appropriate timelines are maintained.

Close attention to these criteria and procedures for granting extensions has significantly reduced the number of extensions to the 60-day complaint timeline granted by MASSDE. In FFY 2008, only 4 complaints (2%) were extended. The changes to procedure and oversight have allowed MASSDE to improve its performance in meeting complaint timelines.

In addition to the activities noted above, MASSDE continued to focus on previously identified improvement activities in FFY 2008. With regard to improvement of software and data systems, MASSDE is upgrading the Remedy System data tracking application to allow for automatic electronic reminders to PQA supervisors and the assistant director when an extension has been granted. This notice will increase MASSDE’s ability to oversee and track the complaints to ensure that no extensions are issued without prior review and approval, as noted in the above-referenced procedures on extension. In addition, the complaint investigator is now required to enter into Remedy the date on which he or she receives materials from the parties that were submitted in accordance with the allowed extension period. Tracking information in this manner helps to ensure that MASSDE’s final determination on the complaint is made as soon as possible after an extension has been granted.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:

The Massachusetts Part B State Performance Plan (MA SPP) and Annual Performance Report (APR) have been amended to reflect the changed requirements for aligning the language of Indicator 16 with federal regulations. The targets, improvement activities, timelines, and resources remain appropriate for FFY 2008.
Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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: Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>100%</td>
</tr>
</tbody>
</table>

Actual Target Data for FFY 2008 (2008-2009): \[\frac{(20 + 4)}{24} \times 100 = 100\%\]

3.2 – Hearings fully adjudicated: 24
3.2(a) – Decisions within timeline (including expedited): 4
3.2(b) – Decisions within extended timeline: 20

<table>
<thead>
<tr>
<th># of Hearings (fully adjudicated)</th>
<th>24</th>
</tr>
</thead>
<tbody>
<tr>
<td>Decisions issued within 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.</td>
<td>24</td>
</tr>
<tr>
<td>% of fully adjudicated due process hearing requests that were fully 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.</td>
<td>100%</td>
</tr>
</tbody>
</table>
Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

Explanation of Progress or Slippage
During FFY 2008, 24 hearings were fully adjudicated by the Bureau of Special Education Appeals (BSEA). Of those, four hearing decisions were issued during the 45-day timeline, and 20 were issued within a timeline that was properly extended by the hearing officer at the request of either party, or within the required timelines for an expedited hearing.

Since MASSDE established the baseline and target date in FFY 2004, the data for Indicator 17 has shown improvement. In FFY 2004, the baseline year, the percentage of fully adjudicated decisions within appropriate timelines was 91.6%; 88.8% in FFY 2005; 96.2% FFY 2006; and 94.4% in FFY 2007. During the FFY 2008 reporting period, Massachusetts met its measurable and rigorous target of 100%.

Improvement Activities
Massachusetts’ improvement in this area during this reporting period is due to the BSEA’s continued efforts to revise internal procedures to better manage hearing timelines. This year, the BSEA worked extensively with professional associations (e.g., through the Northeast Regional Resource Center (NERRC)) to exchange best practice resources with other state education agencies, and to access training opportunities for hearing officers. As a result of these interactions, and additional research about issues that affect timelines (including managing hearings involving pro se parties), the BSEA has continued to increase supervision and monitoring of hearing officers’ caseloads. Oversight and equalization of case loads help to ensure that multiple cases with overlapping procedural timeframes and decision deadlines are not assigned to a single hearing officer, thereby allowing hearing officers to conduct hearings and issue decisions in a timely manner. In addition, as reported in the October 1, 2009 letter from MASSDE to OSEP, the BSEA has drafted and implemented the use of a Guide for Pro Se Litigants and an accompanying Pro Se Reference Manual to assist with the management of hearing timelines and processes. The results of the ways that these publications affect the timely adjudication of due process hearing requests and related indicators will be reported in the FFY 2009 APR.
Massachusetts' Response to the March 5, 2009 Verification Visit Letter

With the FFY 2008 APR, MASSDE is required to submit documentation demonstrating procedures to ensure that LEAs convene a resolution session within 15 days of receipt of the parent's due process complaint, or within seven days of receipt of the parent's due process complaint on a disciplinary matter, and that timely resolution sessions have occurred consistent with these procedures unless the parent agrees in writing to waive the resolution meeting or the parties agree to engage in mediation. Information on monitoring activities related to resolution sessions is discussed fully in the APR for Indicator 18.

OSEP also requested that MASSDE submit documentation demonstrating that if the resolution process is unsuccessful in resolving the parent's due process complaint the 45-day due process hearing timeline commences at the expiration of the 30-day resolution period under 34 CFR § 300.510(a), or within the adjusted time period described in 34 CFR § 300.510(c). The BSEA has incorporated into its hearing rules a rule that specifically addresses advancement of the start of the hearing timeline when the resolution process is unsuccessful. Rule III.B (see Attachment 4), states:

A hearing may be held earlier than the assigned date when the parties jointly request advancement and notify the Hearing Officer in writing that the resolution session either has been waived or has been completed without resolution before the expiration of the thirty (30) day timeline for the resolution session.

In addition, the BSEA sends to each parent initiating a due process hearing request an Advancement/Postponement Request Form that allows the parent to request a change in hearing timelines to a date earlier than the initially assigned hearing date. This form is included in the informational materials sent to parents upon the filing of a due process hearing request in order to facilitate the process for advancing timelines, and help to ensure that hearings are convened in a timely manner upon the expiration of the resolution period or during adjusted time periods.


The Massachusetts Part B State Performance Plan (MA SPP) and Annual Performance Report (APR) have been amended to reflect the changed requirements for aligning the language of Indicator 17 with federal regulations. The targets, improvement activities, timelines, and resources remain appropriate for FFY 2008.
Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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:** Percent = (3.1(a) divided by 3.1) times 100.

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
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</thead>
<tbody>
<tr>
<td>2008</td>
<td>49%</td>
</tr>
</tbody>
</table>

Actual Target Data for FFY 2008 (2008-2009): \( \frac{20}{47} \times 100 = 42.5\% \)

3.1 – Resolution meetings: 47
3.1(a) – Written settlement agreements: 20

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

Explanation of Progress or Slippage

In prior years the Bureau of Special Education Appeals (BSEA) has reported difficulties with its data collection method(s) for Indicator 18, which resulted in a lack of reliability for baseline data and an under-reporting of information on resolution sessions and settlement agreements reached as a result of those sessions. Notable is the baseline data in FFY 2005 and actual data for FFY 2007, representing a rate of less than 4% of hearing requests that went to resolution session were resolved through resolution session agreements.

For FFY 2008, the BSEA significantly revised its data collection procedures and resources and is pleased to report increased validity and reliability of the data for Indicator 18. The rate of 42.5% is a significant improvement toward meeting the measurable and rigorous target of 49%.

Improvement Activities

Massachusetts’ Response to the March 5, 2009 Verification Visit Letter

OSEP advised MASSDE in the Massachusetts Part B FFY 2007 SPP/APR Response Table and in the Verification Visit letter of March 5, 2009, of available technical assistance and required the state to report on (1) the technical assistance sources from which the state received assistance; and (2) the actions that Massachusetts took as a result of that technical assistance, related to Indicator 18.

In response to this instruction and MASSDE’s continued efforts to improve the reliability of data, during FFY 2008 the BSEA engaged in a series of technical assistance efforts, including accessing available resources such as survey information of other states’ methods of data collection, to inform its review and
revision of its process for collecting data on resolution session and results. Recognizing the lack of reliability and likely under-reporting that resulted from LEAs reporting to the BSEA directly on resolution sessions, data collection is now incorporated in the hearing officers’ management of due process complaint timelines. Specifically, the hearing officer initiates a conference call with the parties nineteen (19) days after the initial hearing request, and asks the parties for information about the status of the resolution meeting and any agreement reached by the parties. This direct communication, the documentation of which is filed with the BSEA Assistant Director, has allowed for more accurate and timely reporting of sessions and outcomes in FFY 2008, thereby increasing the validity and reliability of the data reported, and resulting in significant progress toward meeting annual measurable and rigorous targets.

MASSDE has implemented changes to its procedures that help to ensure that LEAs convene a resolution session within 15 days of receipt of the parent’s due process complaint, or within seven days of receipt of the parent’s due process complaint on a disciplinary matter, and that timely resolution sessions have occurred consistent with these procedures unless the parent agrees in writing to waive the resolution meeting or the parties agree to engage in mediation. Through the Coordinated Program Review (CPR) and Mid-Cycle Reviews (MCR) processes, Program Quality Assurance (PQA) reviews LEAs’ compliance with standards and criteria regarding timely resolution sessions. Specifically, monitoring teams examine student records, copies of agreements to waive resolution sessions, and copies of resolution agreements to assess LEAs’ compliance with the federal requirements for timely convening of or waiver of resolution sessions, and resolution of disputes as a result of resolutions sessions, as described in 300 CFR § 300.510.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008:**

MASSDE has amended the timelines in the improvement activities section of the Massachusetts State Performance Plan (MA SPP) for Indicator 18 to reflect continued activities toward ensuring valid and reliable data collection procedures. See the MA SPP for revisions.
Overview of the Annual Performance Report Development:

**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 = \[\frac{(2.1(a)(i) + 2.1(b)(i))}{2.1}\] times 100.

<table>
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<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
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<tr>
<td>2008</td>
<td>75% - 86%</td>
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<td>(2008-2009)</td>
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</table>

**Actual Target Data for FFY 2008:** \[\frac{(43 + 672)}{846} \times 100 = 84.5\%\]

2.1 – Mediations held: 846  
2.1(a)(i) – Mediation agreements related to due process complaints: 43  
2.1(b)(i) – Mediation agreements not related to due process: 672

Although OSEP no longer requires states to submit Table 7, MASSDE is submitting with this report the *Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act, 2008-2009,* to document the data reported for Indicator 19. Please see Appendix E.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

**Explanation of Progress or Slippage**

The MASSDE mediation program is managed by the Bureau of Special Education Appeals, Mediation Office (BSEA-Mediation), and is nationally recognized as providing highly effective mediation services. The MA SPP identified our target setting for this indicator to be a maintenance target. Although BSEA-Mediation recognizes that tracking mediation agreements was important, it is not appropriate to suggest that we seek to "compel" parties in mediation to reach agreement in order to meet identified targets.

While the 84.5% reported for FFY 2008 represents a slight increase from the FFY 2007 percentage of 83.9%, and is slightly lower than our FFY 2004 baseline year of 85.9%, this percentage meets MASSDE’s essential goal of maintaining a high level of mediation success. Of note is the decrease in the number of mediations held in FFY 2008 (846) from the number of mediations held in FFY 2007 (906).

In FFY 2008, MASSDE met its revised measurable and rigorous target. The BSEA will continue to work toward meeting the target percentage range for this indicator.
Improvement Activities

In FFY 2008, BSEA-Mediation continued to focus on training and technical assistance in special education mediations to improve its mediation program. For example, mediators participated in training offered by the Association of Conflict Resolution (ACR), the U.S. Department of Education Office for Civil Rights (OCR), and the Massachusetts Department of Public Health (MASSDPH) on issues related to alternative dispute resolution, Section 504 of the Rehabilitation Act, and state school health laws. Each of these efforts informed mediators’ knowledge of substantive areas at issue in disputes. Also, BSEA-Mediation assisted in developing and implementing resources available to pro se parties engaged in dispute resolution, including mediation. (See the FFY 2008 APR for Indicator 17 for an overview of the Guide for Pro Se Litigants and Pro Se Reference Manual.)


MASSDE is submitting a revised State Performance Plan (MA SPP) for Indicator 19 that redefines measurable and rigorous targets in a range, beginning with FFY 2008. The consensus among mediation practitioners, and affirmed by OSEP, is that 75-85% is a reasonable rate of mediations that result in agreements, and is consistent with national mediation success rate data. MASSDE identifies 86% as the upper range for the target, consistent with the previously established targets for FFY 2006 through FFY 2010. See the MA SPP for the revised measurable and rigorous targets. Other improvement activities, timelines, and resources remain appropriate for FFY 2008.
Overview of the Annual Performance Report Development:

Monitoring Priority: Effective General Supervision Part B / General Supervision

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, State Performance Plan, 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 dispute resolution; and February 1 for Annual Performance Reports and assessment); and

b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Appendix F).

<table>
<thead>
<tr>
<th>FFY</th>
<th>Measurable and Rigorous Target</th>
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<tbody>
<tr>
<td>2008 (2008-2009)</td>
<td>100%</td>
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</table>

Actual Target Data for FFY 2008 (2008-2009): a. 100% submitted on or before due-dates; and b. 97.7% of data submitted accurately

Indicator #20 Calculation

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>A. APR Grand Total</td>
<td>43</td>
</tr>
<tr>
<td>B. 618 Grand Total</td>
<td>45</td>
</tr>
<tr>
<td>C. APR Grand Total + 618 Grand Total</td>
<td>88</td>
</tr>
<tr>
<td>Total N/A in APR</td>
<td>0</td>
</tr>
<tr>
<td>Total N/A in 618</td>
<td>-4</td>
</tr>
<tr>
<td>Base</td>
<td>90</td>
</tr>
<tr>
<td>D. Subtotal (C divided by Base*)</td>
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</tr>
<tr>
<td>E. Indicator Score (Subtotal D x 100)</td>
<td>97.7</td>
</tr>
</tbody>
</table>
The target data for FFY 2008 were based on MASSDE’s ability to produce its required data submissions for FFY 2008 (618 data: Tables 1-7, and the APR submission) in a manner consistent with OSEP’s data submission requirements. The percent compliance indicates the percentage of data submissions that were deemed to be successfully submitted for FFY 2008. For further explanation on how this calculation was derived, please refer to the scoring rubric located in Appendix F.

**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

**Explanation of Progress or Slippage**

In FFY 2008, with a score of 97.7% for Indicator 20 MASSDE has slight slippage in its performance on Indicator 20 over the FFY 2007 score of 98.8%. MASSDE voluntarily submitted data for Indicators 13 and 14 in order to conclude the cohort cycles and to ensure consistency of reporting throughout the cohort period. (See APR for Indicators 13 and 14 above.) In the 618 data section of the scoring rubric, MASSDE recognized that an error in its reporting of data for Table 5 – Discipline that affected its score for this section. Although MASSDE corrected this error and resubmitted corrected 618 data through EdFacts prior to the February 1, 2010 APR submission, MASSDE reflected this error as a “0” in the data report.

**Improvement Activities**

FFY 2008 was the second year in which MASSDE collected individual-level personnel data using Massachusetts Education Personnel Information Management System (EPIMS). With this resource, MASSDE instituted more rigorous data validations, and refined definitions for reporting categories, as it continued to train and support LEAs efforts to ensure the accuracy and quality of the data submitted.

Massachusetts has been approved for EDEN-only status for all 618 data submissions. For all 618 data submissions, Massachusetts has used the EDEN submission system for timely reporting. MASSDE will continue its efforts to provide timely and accurate data to OSEP through our future EDEN submissions, and Table 7 submissions. To meet compliance requirements for the FFY 2010 APR submission, MASSDE will continue to work with personnel to maintain the high quality of data accuracy and meeting of timelines that it has shown in the past.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

MASSDE determined that use of the Indicator 20 scoring rubric that was distributed in October 2009 by OSEP did not require any change to the baseline data as reported in the SPP. Proposed targets, improvement activities, timelines and resources remain relevant for FFY 2008.
Appendix A: Description of Selected Cross-Cutting Improvement Activities

Many of the MASSDE improvement activities are cross-cutting; they have an impact on multiple indicator areas. The MA SPP Improvement Activity charts for each indicator list the activities that relate to that particular indicator. Below is a more complete description of the cross-cutting activities.

Contents of Appendix A:

- ARRA Title II-D Technology Competitive Grants
- Central Massachusetts Communities of Care Positive Behavioral Interventions (PBIS) Grant
- Collaboration between MASSDE Curriculum and Instruction Math Office and Special Education Planning and Policy Development Office (SEPP)
- Collaboration with Federation for Children with Special Needs
- Collaboration with Stakeholders
- Community/Residential Education Project
- Comprehensive System of Personnel Development Training Project (CSPD)
- Curriculum and Instruction Summit
- District and School Assistance Centers (DSAC)
- Dropout Prevention and Recovery Workgroup
- Dropout Prevention, Intervention, and Recovery Website
- Educational Proficiency Plans (EPP)
- Emergent Literacy Grant
- Graduation and Dropout Prevention and Recovery Commission
- Inclusive Concurrent Enrollment Partnership Programs for Students with Disabilities
- Massachusetts FOCUS Academy
- Massachusetts Online Resource Library
- National Association of State Directors of Special Education (NASDSE) Satellite Series
- Project FOCUS Academy
- Revision of “Is Special Education the Right Service?” (ISERS)
- Revision of “Ten Step Guide for Comprehensive Educational Assessment of Students with Visual Impairments”
- Secondary School Reading Grant
- Secondary Transition - TransitionWorks: Innovative Strategies for Transitioning Youth with Disabilities from School to Work
- Sign Language Video Resource Library
- Special Edition Online Newsletter
- Special Education Leadership Academies and Seminars
- Special Education Professional Development Summer Institutes
- Special Education Program Improvement Grants – Fund Code 274
- Special Education Program Improvement Grants – Fund Code 249
- Special Education Website
- Trauma Sensitive Schools Initiative
- Work-Based Learning Plans for Students with Disabilities

**ARRA Title II-D Technology Competitive Grants – MASSDE Student Support Services Unit**

<table>
<thead>
<tr>
<th>Indicators Impacted:</th>
<th>1, 2</th>
</tr>
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The purpose of this two-year federal grant program is to improve student achievement through the effective use of technology in elementary and secondary schools. This program will support proposals that create robust, technology-infused environments that sustain the following four priority areas.
1. Projects that work collaboratively with MASSDE to create, implement, and evaluate online courses/modules for underserved high school students in alternative education, credit recovery, or credit acceleration programs. Grant recipients may adapt an online course/module or partner with an organization to design and develop the online courses/modules that align with the Massachusetts Curriculum Frameworks or the Massachusetts High School Program of Studies (MassCore). Products created must be in a format that can be shared with MASSDE, and successful models will be disseminated and used by other districts.

2. Projects that create effective technology-rich environments that support existing tiered-instruction in English language arts and mathematics. The tiered-instruction may include all three levels: core instruction, supplemental instruction, and intensive intervention on any one level.

3. Projects in which the grant recipients will work collaboratively with MASSDE’s partners (e.g., WGBH Teachers’ Domain, Verizon Thinkfinity) or other research-based successful models, to:
   a. design, develop, and implement online professional development;
   b. mentor participating teachers who are teaching in technology-rich classrooms;
   c. support participating teachers to reflect and refine their teaching; and
   d. select promising practices that integrate technology into curriculum and instruction.

4. Projects that use appropriate technology effectively to implement formative, benchmark, and summative (MEPA) assessments, particularly in schools that have high number of English language learners (ELL) students.

Central Massachusetts Communities of Care Positive Behavioral Interventions (PBIS) Grant

Indicators Impacted: 2, 4, 5

The purpose of this federal grant program is to support the partnership of select school districts in Worcester County with the Central Massachusetts Communities of Care Project (CMCC) for the purpose of developing and implementing PBIS, a tiered system for improving school climate by supporting positive behaviors throughout the school. Schools participating in the grant program will receive PBIS training and associated technical assistance and other resources from the CMCC. CMCC is a provider of care management services for youth with serious emotional disturbance and has two community-based family centers in Worcester County. The priorities of the grant program are to:

- Increase the capacity of school districts in Worcester County to foster positive school climates, support positive behaviors throughout participating schools, and to reduce disruptive behaviors; and
- Increase participating schools’ ability to identify students, grades 4-8, in need of mental health services, and to respond to the need for intensive support via both internal capacity and community-based specialty providers of coordinated wraparound services.

The goal of the school district-CMCC partnership is to identify at-risk students who are in need of mental health services and to reduce and/or prevent court involvement among students with emotional impairments. Participating districts receive professional development as well as onsite assistance in the development and implementation of the principles of PBIS.

Collaboration between MASSDE Curriculum and Instruction Math Office and Special Education Planning and Policy Development Office (SEPP)

Indicators Impacted: 3, 5

With input and guidance from the urban superintendents, the Massachusetts Urban Math Liaisons network (math directors who provide guidance and support around mathematics in Massachusetts public schools) identified the need to better support students with disabilities in Mathematics as a critical priority in the urban districts. In response to this need, the Math Specialist Support meetings will be dedicated to developing a district level collaboration between special educators and math specialist. The learning objectives for this collaboration include:
1. Creating sense-making opportunities regarding the necessity of – and resources for – promoting the belief that students with disabilities can learn rigorous mathematics and deserve a chance to learn high quality and higher order mathematics;
2. Developing an understanding of what contributes to the reasons students with disabilities have difficulties learning mathematics by exploring research findings and listening to experts on the subject;
3. Articulating necessary practices and strategies to support students with mathematics difficulties, and identifying strategic customization of instructional practices; and
4. Identifying district and school structures and supports for students with disabilities learning mathematics, including professional development, coaching, curriculum needs, policy, and time for collaboration.

Collaboration with Federation for Children with Special Needs

Indicators Impacted: 3, 5, 8, 13

MASSDE has a longstanding relationship with the Federation for Children with Special Needs (FCSN), the Parent Training and Information Center federally funded to provide free information, support, technical assistance and workshops to Massachusetts’ families who have children with disabilities. FCSN provides training, and technical assistance to families throughout Massachusetts on behalf of MASSDE. Training topics include:
- Transition from Early Intervention to Special Education
- Parent’s Rights
- IEPs
- The Massachusetts Comprehensive Assessment System (MCAS)
- Transition 101
- Understanding My Child’s Learning Style

The FCSN has partnered with MASSDE in the writing and implementation of the State Personnel Development Grant. Through this collaboration, FCSN has provided 3-credit graduate level courses to Massachusetts educators on working with parents, worked on self-guided modules for parents and families on the Successful Transition for Middle and High School Students, is designing alternate version of these modules for special populations such as Spanish speakers, and has provided the opportunity for parent/district collaboration through the A.P.P.L.E. model. Additionally, the FCSN has participated in the state stakeholder input opportunities, in the development of MASSDE technical assistance documents, and has included MASSDE as presenters in the annual Visions of Community conference.

Collaboration with Stakeholders

Indicators Impacted: 1-20

Special Education Advisory Council (SAC) – The SAC is a group of parents and professionals charged by federal special education law and the state to provide policy guidance to MASSDE on issues affecting special education and related services for students with disabilities within the Commonwealth. SAC’s responsibilities include:
- Advising MASSDE on unmet needs within the state in the education of students with disabilities;
- Commenting publicly on proposed rules and regulations involving special education;
- Advising MASSDE on the development of evaluations and corrective action plans; and
- Assisting in the coordination of services to students with disabilities.

State Special Education Steering Committee – Stakeholders from across disciplines, including parent, educators, administrators, advocates, agency representatives, meet annually as members of the Steering Committee to:
- Review baseline and current data (618 data and monitoring data);
- Identify areas in need of attention; and
- Plan for improvement activities.
## Community/Residential Education Project – Massachusetts Department of Developmental Services (MDDS)

**Indicators Impacted:** 5, 13, 14

The Community/Residential Education Project was developed through an interagency agreement between MASSDE and MDDS. The goal of the project is to facilitate effective transitions from school life to more independent life within the community for students receiving publicly funded special education services who also meet the MDDS eligibility criteria for services. This goal is accomplished by supporting less restrictive, more cost effective residential options, special education services, and community based supports.

The project provides greater flexibility in service delivery based on individual support needs. Supports are provided to participants and their families that are designed to increase the family’s capacity to care for their child in the home and/or increase the participants’ and families’ capacity for effective interactions within the home and with the community. Students participating in this project may return home from residential education placements or utilize the project to obtain a diverse array of supports in their home communities as an alternative to an initial residential special education school placement.

## Comprehensive System of Personnel Development (CSPD) Training Project

**Indicators Impacted:** 3, 5, 11, 13, 14

The CSPD Training Project was developed as a response to requirements of the Individuals with Disabilities Education (IDEA) 97. The Act required states to develop a multifaceted approach to personnel development under regulations for CSPD. To fulfill this obligation, the MASSDE’s Special Education Planning and Policy Development Office (SEPP) instituted a series of training activities to supplement ongoing personnel preparation activities provided within school districts and other agencies. The CSPD Training Project consists of three components:

1. **Training Modules:** SEPP is providing training units to assist school districts and other agencies in providing high quality professional development on special education related topics. The units consist of annotated PowerPoint Presentations and, in some cases, supplemental handouts. Topics presently available include:
   a. The Massachusetts IEP Process
   b. A Principal's Role and Special Education in Massachusetts
   c. Is Special Education the Right Service?
   d. Transition From Adolescence Into Adulthood in Massachusetts
   e. The Massachusetts Transition Planning Chart and Effective Transition Planning
   f. Specific Learning Disabilities: Eligibility Determination under IDEA 2004

2. **CSPD Trainers:** SEPP has contracted with a limited number of trainers who receive ongoing training on the CSPD Training Modules. CSPD Trainers are made available as much as possible to groups of 50+ individuals in public schools, and approved special education schools. Requests for training for groups larger than 50 people serving multiple districts and/or agencies are given priority.

3. **CSPD Districts:** The 40 largest districts are invited to send their district's professional development provider to training sessions on the modules. It is an opportunity for participants to impact MASSDE work (including the development of new modules) and network with colleagues.

## Curriculum and Instruction Summit

**Indicators Impacted:** 1, 2, 3, 8

MASSDE holds annual Curriculum, Instruction, and Assessment Summits, the purposes of which are to:
- share MASSDE resources for strengthening curriculum, instruction and assessment;
- identify needs for future development of curriculum resources and technical assistance; and
- build capacity of the department, districts and schools through regional partnerships.
Topics from the FFY 2008 Summits include:

- Starting Out Right: Preventing and Closing the Achievement Gap
- Curriculum Alignment
- Online Courses and Resources for Standards-Based Teaching and Learning
- Narrowing Achievement Gaps in Reading and Writing
- Addressing the Achievement Gap: Parents as Teachers and Partners
- Effective Math Instruction for English Language Learners
- The Integration of Science and Literacy
- The Role of the Arts in Raising Academic Achievement
- Tools for Differentiated Curriculum and Instruction
- Tiered Instructional Models – Overview (Session I) to Application (Session II)
- Implementing a Balanced Assessment System
- Supporting Student Achievement in Science and Technology/Engineering
- Math Learning Communities in Practice
- Tiered Instructional Models – Overview (Session I) to Application (Session II)
- Implementing a Balanced Assessment System

**District and School Assistance Centers (DSAC) – MASSDE Center for School & District Accountability**

**Indicators Impacted:** 2, 3, 5, 13

During FFY 2010 MASSDE opened six regionally based DSACs to help identified districts and their schools strategically access and use professional development and targeted assistance to improve instruction and raise achievement for all students. DSACs use a regional approach that leverages the knowledge, skills, and expertise of local educators to address shared needs through an emphasis on expanding district and school capacity for sustained improvement. Focused professional development offerings will be directed at building essential knowledge and skills of educational leaders and teachers in major content areas and for key student groups. The professional development offerings designed to help educators improve the outcomes for students with disabilities include graduate level courses on Universal Design for Learning, Creating Positive Learning Environments, Youth Development and Self-Determination and Transition Planning. Additionally, Math Specialists will focus on helping general and special educators develop the necessary skills to help improve the math skills of students with disabilities.

**Dropout Prevention and Recovery Workgroup – MASSDE Urban & Commissioner’s Districts Unit and Secondary Support Services Unit**

**Indicators Impacted:** 1, 2, 4, 14

This workgroup was created in summer 2008 and is supported by both the Urban and Commissioner’s Districts unit and the Secondary Support Services unit of MASSDE. The workgroup is comprised of 18 urban districts whose combined number of student dropouts represents almost half of the total number of students in the Commonwealth who drop out of school. The group’s focus is to facilitate sharing of promising practices in their districts, and to support district team action planning activities through face-to-face meetings and webinars.

**Dropout Prevention, Intervention, and Recovery Website – MASSDE Student Support and Secondary School Services Unit**

**Indicators Impacted:** 1, 2, 14

Launched in July 2009, this website describes information and resources including an extensive collection of dropout reduction related articles/reports, other websites, dropout data overview information, and descriptions of state activities. New promising practices will be added as they are developed and evaluated.
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<tr>
<th>Educational Proficiency Plans (EPP) – MASSDE Student Support and Secondary School Services Unit</th>
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<td><strong>Indicators Impacted:</strong> 1, 2, 3, 13, 14</td>
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School districts must develop an EPP for any student in the class of 2010 who does not score at 240 or above on the grade 10 English Language Arts (ELA) and Mathematics Massachusetts Comprehensive Assessment System (MCAS) tests. The EPP identifies the student's strengths and weaknesses, based on MCAS and other assessment results; coursework; grades; and teacher, student, and counselor input; and includes the courses in those subject areas the student is required to take in grades 11 and 12. The EPP requirement is intended to increase the likelihood that students graduating from high school have the requisite skills needed for success in college and a career. The EPP is not intended to promote test preparation or remedial courses for the junior and senior years of high school. Students are encouraged to and supported in taking challenging courses that will better prepare them for postsecondary opportunities. For students with disabilities, MASSDE recommends that the current IEP is reviewed prior to developing the student's EPP to assist in identifying their strengths and weaknesses in the learning environment.

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<th>Emergent Literacy Grant</th>
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The Center for Applied Special Technology (CAST) is providing training to educators and parents in the use of research-based, universally-designed technology for developing literacy skills in early learners, especially those with cognitive disabilities, in an inclusive environment. Seventeen school districts that are involved in the Massachusetts Comprehensive System of Personnel Development are currently participating in the "Universally-Designed Technology for Literacy" project. During the three years of the project (2004-2006), it is expected that district capacity for supporting all learners in emergent literacy will be increased through the "trainer-the-trainer" professional development strategies used. For more information, see [http://madoe.cast.org/](http://madoe.cast.org/).

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<th>Graduation and Dropout Prevention and Recovery Commission – MASSDE Student Support and Secondary School Services Unit</th>
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In August 2008 the Massachusetts State Legislature passed An Act to Improve Dropout Prevention and Reporting of Graduation Rates, which established a Commission to make recommendations in 10 topic areas. The Commission included representatives from a variety of youth-serving state agencies, the state legislature, and community organizations. The Commission’s work was shaped by testimony at three public hearings. The Massachusetts Executive Office of Education (MEOE) released the final Commission report Making the Connection, in October 2009. It includes findings and recommendations in four main areas: 1) new statewide expectations; 2) early identification; 3) effective prevention, interventions, and recovery; and 4) responsive reforms and budget priorities.

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<th>Inclusive Concurrent Enrollment Partnership Programs for Students with Disabilities</th>
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<td><strong>Indicators Impacted:</strong> 5, 13, 14</td>
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This state-funded pilot grant program is designed to build and expand partnerships between high schools in public school districts and partnering state public institutions of higher education to offer inclusive concurrent enrollment opportunities for students with significant disabilities, ages 18-22, in credit or non-credit courses that include non-disabled students. These partnerships will result in improved systems that better serve students with disabilities and support their college and work success. The partnership programs are designed to: 1) promote and enhance academic, social, functional, and employment skills and outcomes; 2) provide opportunities for students with severe disabilities to participate with their non-disabled peers in inclusive credit or non-credit courses; and 3) promote participation in the student life of the college community.
As part of the improvement and expansion of these programs, partnerships continue to develop their programs to include individualized community-based integrated employment opportunities that align with participating student career goals and course selection.

**Massachusetts FOCUS Academy (MFA)**

| Indicators Impacted: | 1, 2, 3, 4, 5, 8, 13, 14 |

MFA is a federally funded five-year grant (SPDG) that builds upon the previous successes of Project FOCUS and Project FOCUS Academy (PFA). The grant program provides online professional development opportunities and leadership institutes to educators, families, and other stakeholders on a variety of topics related to instructing students with disabilities, with a particular focus on middle and high schools. Course offerings include Universal Design for Learning, Positive Behavioral Supports, Family Engagement, and Post-Secondary Transition. New courses for FFY2009 include: Differentiated Instruction, Collaborative Teaching Model, and Generalist Transition Courses I and II. The MFA programmatic offerings are research-based, and target areas that impact student outcomes.

**Massachusetts Online Resource Library**

| Indicators Impacted: | 1, 2, 3, 4, 5, 6, 8, 13, 14 |

Designed to provide evidence based practices in professional development, MASSDE/SEPP is developing an online Resource Library to highlight OSEP Funded Technical Assistance and Dissemination Resources and other online resources. The library will include information on the IRIS Center, Access Center: Improving Outcomes for Students K-8, Center for Positive Behavioral Interventions and Supports (PBIS), National Center on Response to Intervention, the NASDSE Satellite Series. Topics will include, but are not limited to:

- Co-Teaching Model
- Differentiated Instruction
- Transition Planning
- Positive Behavioral Interventions and Supports
- Response to Intervention
- Accommodations
- Role of the paraprofessional
- Supervising the paraprofessional

**National Association of State Directors of Special Education (NASDSE) Satellite Series**

| Indicators Impacted: | 2, 3, 5, 6, 13, 14 |

NASDSE, with support from the Pennsylvania Department of Education and the Pennsylvania Training and Technical Assistance Network (PaTTAN), provides the NASDSE Satellite Series. These telecasts bring nationally recognized experts to the state using technology, providing an affordable means of quality personnel development for a variety of stakeholders. Experts provide important information on high-interest topics to an audience that includes state directors of special education, state agency staff, local administrators, teachers, related service providers, higher education faculty, families and other stakeholders. The number of entities participating increased from 43 in 2008-2009 to 100 in 2009-2010.

Topics of telecasts, made available in three ways (satellite signal, computer media stream, recorded video) have included:

- News You Can Use: Resources and Supports for Students with Autism and their Families;
- Partners in Progress: Youth/Young Adult Leaders for Systems Change;
- From Computers to Classrooms: Tackling Bullying in Today’s Schools;
- Understanding the Big Picture: Federal Policy and its Impact on the Classroom;
- Seclusion and Restraint: The Impact of Federal and State Policy on the Classroom; and
- Healthy, Physically Fit and Ready for Action: Addressing the Physical Education and Activity Needs of Individuals with Disabilities
Project FOCUS Academy

Indicators Impacted: 1, 2, 3, 4, 5, 8, 13, 14

In the fall of 2004, MASSDE was awarded a three-year U.S. Department of Education (USDOE) funded State Improvement Grant (SIG) - Project FOCUS Academy (PFA). Project FOCUS Academy was designed to develop professional development programs to help students with disabilities build sound career goals and learn skills to ensure successful post-secondary outcomes. As part of the SIG, MASSDE works with educators from selected high schools. The design of the project requires study groups from high schools to participate in face-to-face and distance-learning professional development opportunities in the areas of:

- Transition/Post-Secondary Outcomes;
- School-wide Positive Behavioral Interventions and Supports;
- Universal Design for Learning; and
- Family Participation.

The distance-learning model is provided through MASSDE's Massachusetts Online Network for Education (MassONE). Three courses in each content area are offered over a two year period. Building on this coursework, participants from the nine participating high schools are involved in Implementation Year activities in FFY 2007 ranging from using new techniques in classrooms to teaching other high school staff about each of the three content areas.

Revision of “Is Special Education the Right Service?” (ISERS)

Indicators Impacted: 3, 5, 6, 10

The ISERS document offers guidance for practitioners and parents on how to:

- Identify students with disabilities;
- Be knowledgeable of updated regulations and characteristics of disabilities;
- Define appropriate services and interventions; and
- Ensure a responsive general education environment for all students.

The first stage of the revision began in March, 2009 with the reconvening of the Disability Workgroups composed of experts in each of the areas of disability to review the current document for accuracy and relevance in light of new research and current practices. The revision process will continue in FFY 2009.

Revision of “Ten Step Guide for Comprehensive Educational Assessment of Students with Visual Impairments”

Indicators Impacted: 3, 5, 6, 11, 13

The “Ten Step Guide” 1) recommends types of assessments that will be useful in making a determination of eligibility for a student with a visual impairment for the initial eligibility determination or three-year reevaluation; 2) helps to ensure a common understanding of the purpose and complexity of conducting the specialized educational assessment of students with visual impairments; and 3) provides resources to help educators meet the unique needs of students with visual impairments and to prepare them for further education, employment, and independent living.

Members of the Vision Impairment Disability Workgroup, working with other experts in the fields of diagnosis, treatment, education and training of students with visual impairments, have collaborated to revise the “Ten Step Guide” to reflect updated regulatory information and include best practices. The revision includes a new section describing the “hidden” characteristics of a vision loss that affect academic and social factors. Understanding these characteristics will enable non-vision specialists to facilitate meaningful inclusion and participation of students with visual impairments throughout the school day. The Workgroup also recommended a name change for the next edition of the document to, “Guidelines for the Specialized Assessment of Students with Visual Impairments.” The revised document will include updated information, and will be re-formatted for use as a web-based resource.
Secondary School Reading Grant

Indicators Impacted: 1, 2, 3, 5, 14

The Secondary School Reading grant program selects middle schools, high schools and vocational schools to receive four years of funding to develop and implement a school wide approach to improving reading achievement. Generally, each school receives between $8,000 and $10,000 per year. The first year of the grant is focused on self-assessment and program planning. The remaining three years are for action planning and implementation. The program has been in place for six years and has provided funding for more than 100 schools in four cohorts. For the first four years, all schools were eligible to compete for the grant. In the past two years, eligibility has been limited to schools that are considered high-need based on poor MCAS performance or unusually large special education populations.

School wide approaches must include:
- involvement of and training for all professional and paraprofessional staff;
- reading across content areas;
- multiple targeted intervention programs for struggling readers;
- adequate time for reading instruction;
- assessment that drives instruction;
- a variety of flexible grouping patterns; and
- leadership structures that provide ongoing support and guidance.

Funded districts must have an identified district coordinator and develop a cross-sectional Reading Leadership Team in each participating school. Members of the leadership teams attend MASSDE-sponsored professional development events about three times per year to discuss current research on adolescent literacy and share their efforts to improve adolescent literacy achievement. Members of each school’s Leadership Team, which consists of a cross-section of staff, including representatives from all content areas and special programs, attends these meetings.

Secondary Transition - TransitionWorks: Innovative Strategies for Transitioning Youth with Disabilities from School to Work – Massachusetts Rehabilitation Commission (MRC) 5 Year Federal Grant

Indicators Impacted: – 1, 2, 13,14

TransitionWorks: Innovative Strategies for Transitioning Youth with Disabilities from School to Work is a five-year grant from the U.S. Department of Education awarded to MRC to support transitioning youth with disabilities from school to work. The program focuses on aligning existing services and developing innovative practices in Boston, Springfield and Worcester. As part of this initiative vocational rehabilitation counselors are partnering with local school districts to support youth with disabilities in their transitions from school to work, post-secondary education, and independent living. MASSDE, the Federation for Children with Special Needs, Urban Pride, Commonwealth Corporation, and the Institute for Community Inclusion are partnering with MRC to implement the grant activities.

Sign Language Video Resource Library

Indicators Impacted: 3, 5

The purpose of this library project is to develop mathematics and science/technology vocabulary reference tools that educational interpreters and teachers of students who are deaf or hard-of-hearing may incorporate into their instruction. Available technical assistance will include written guides and DVDs. The design of the tool will be user-friendly and promote ready access for end users. In addition, under this project, MASSDE continues to provide a cost-free institute for educational interpreters to improve participants’ sign vocabulary in mathematics and science/technology content areas for grades 7-12.
**Special Edition Online Newsletter**

Indicators Impacted: 1-20

The purpose of this newsletter is to provide school districts with on-going technical assistance and to prompt dialogue within, among, and between districts and MASSDE. Each issue of *Special Edition* will be organized around a State Performance Plan (SPP) indicator, and will spotlight particular strategies and best practices districts can use to meet and exceed indicator targets. The newsletter will also incorporate information from National Technical Assistance and Dissemination Centers (NTADC) and other resources to support strategy implementation.

**Special Education Leadership Academies and Seminars**

Indicators Impacted: 3, 5, 8, 11

As part of the Special Education Summer Institute, MASSDE annually provides two Special Education Leadership Academies. The academies provide opportunities for school district special education administrators to develop new leadership skills and to improve current skills. Academy I is open to administrators who have 1-5 years of experience, and Academy II is for administrators with more than 5 years of experience. Both Academies provide professional development to administrators on the following areas:

- Effective Leadership in the areas of state and federal laws and regulations;
- Fiscal Administration;
- Data Collection and Analysis;
- Staff Recruitment and Retention;
- Instructional Program Design and Improvement; and
- Access to the general curriculum based on the *Massachusetts Curriculum Frameworks*.

MASSDE sponsored ongoing leadership seminars for former participants of the Leadership Academies where participants reconnect and network with their Academy colleagues and share effective practices, policies, strategies, or products with one another.

**Special Education Professional Development Summer Institutes**

Indicators Impacted: 1, 2, 3, 4, 5, 6, 8, 11, 13, 14

The Special Education Summer Institutes are statewide professional development opportunities provided free of change to special education professionals. Sponsored by MASSDE in partnership with school districts, educational collaboratives, institutions of higher education, and professional associations, the institutes are designed to support approved private special education schools, educational collaboratives, and local school districts’ efforts to increase the quality of programs and services provided to students with disabilities and increase the number of highly qualified educators working in the field of special education. Additionally, SEPP collaborates with the MASSDE office of Curriculum and Instruction to provide professional development institutes in specific curriculum content areas.

Current and future topics in Special Education Institutes include:

- Access to Print: A Framework for All Learners
- Assessing English Language Learners (ELL) with Disabilities
- Effective Evaluation of Special Education Programs
- Language and Expository Discourse
- Managing Behavior in an Inclusive Classroom
- Mathematics and/or Science and Technology: American Sign Language (ASL) and Other Signed Systems
- Occupational Therapy Services in Educational Settings
- Strategies for Students with Sensory Integration Dysfunction in an Inclusive Classroom
- Sustaining Braille Proficiency of Licensed Teachers of Students with Visual Impairments
- Topics in Teaching Literacy to Students who are Deaf of Hard-of-hearing
- Special Education Professional Development Seminar for Educators of Students who are Deaf or Hard of Hearing

### Special Education Program Improvement Grants – Fund Code 274

| Indicators Impacted: | 3, 4, 5, 11 |

The purpose of this grant program is to fund professional development activities to improve the skills and capacity of educators to meet the diverse needs of students with disabilities. Fund Code 274 is available to all public school districts and educational collaboratives (during FFY 2005 – FFY 2007). For FFY 2006 and FFY 2007, the priorities for Fund Code 274 are:

- Priority 1 - Enhancing Induction and Mentoring Programs *(required)*
- Priority 2a - Serving Students with Autism Spectrum Disorders in Inclusive Settings
- Priority 2b - Curriculum Development, Instruction, and Classroom Assessment
- Priority 2c - Meeting the Behavioral and Social Needs of a Diverse Student Population
- Priority 3 - Recruitment and/or Additional Professional Development Needs as Identified by the District or Educational Collaborative *(10% max could be used for this priority)*

Almost every school district in the state will utilize Fund Code 274 funds, and participate in regional professional development conferences designed to support the priorities of the grant.

### Special Education Program Improvement Grants – Fund Code 249

| Indicators Impacted: | 3, 4, 5, 13 |

The purpose of this grant program is to fund professional development activities that will help to improve the skills and capacity of educators to meet the diverse needs of students with disabilities. Its priorities are to enhance program-based induction, mentoring, and retention programs and to advance the skills of educators through professional development activities. Fund Code 249 is available to all approved private special education schools.

Priorities for FFY 2006 and FFY 2007 are:

- Induction/Mentoring; and
- Curriculum Development, Instruction, and Classroom Assessment.

FFY 2008 priorities are:

- Educator Quality and Effectiveness: Induction, Mentoring, and Retention;
- Supporting Schools and Students: Curriculum Development, Instructional Practices, and Classroom Assessment; and
- College and Career Readiness: Secondary Transition Planning.

All funded programs must be effective, sustained, and intensive in order to have a positive and lasting positive influence on classroom instruction and outcomes for students with disabilities.

### Special Education Website

| Indicators Impacted: | 1-20 |

The Special Education section of MASSDE’s website provides a variety of tools, news items, and resources to districts, parents, and other stakeholders: [http://www.doe.mass.edu/sped/](http://www.doe.mass.edu/sped/). Some of the most visited sections of the website are:

- Headlines: [http://www.doe.mass.edu/sped/](http://www.doe.mass.edu/sped/)
- Contact Us – Opportunity for external customers to request information/ask questions: specialeducation@doe.mass.edu
- Grants: [http://www.doe.mass.edu/sped/grants.html](http://www.doe.mass.edu/sped/grants.html)
- Training: [http://www.doe.mass.edu/sped/training.html](http://www.doe.mass.edu/sped/training.html)
Forms and Notices: [http://www.doe.mass.edu/sped/iep/](http://www.doe.mass.edu/sped/iep/)
Special Education Program Plan: [http://www.doe.mass.edu/sped/programplan/](http://www.doe.mass.edu/sped/programplan/)
Special Education Data: [http://profiles.doe.mass.edu/state_report/special_ed.aspx](http://profiles.doe.mass.edu/state_report/special_ed.aspx)

**Trauma Sensitive Schools Initiative – MASSDE Student Support Services Unit**

**Indicators Impacted:** 1, 2, 4

This MASSDE initiative focuses on the needs of students who have experienced or witnessed trauma by assisting with reducing the barriers that may affect academic performance, classroom behavior, and relationships that result from trauma. MASSDE is working to bring “trauma sensitive” practices to schools across the state through annual trainings and technical assistance that incorporate best practices and strategies for creating a safe supportive school environment where all students can learn and where students are held to high expectations.

**Work-Based Learning Plans (WBLP) for Students with Disabilities – MASSDE Student Support, Career & Education Services**

**Indicators Impacted:** 2, 13, 14

The Massachusetts WBLP is a diagnostic, goal-setting and assessment tool designed to drive student learning and productivity on the job. It was developed by the MASSDE through an interagency collaboration of employers, educators, and workforce development professionals. Through work-based learning experiences, students have an opportunity to learn about various career areas and try different work styles, find out what type of work they enjoy, find out how they learn best in a workplace setting, and find out what natural supports are available. Students learn and practice basic foundation skills and begin to develop life-long career skills.

Beginning in March 2009, SEPP collaborated with the MASSDE Connecting Activities Office to develop a one page guidance document called *Using the Massachusetts Work-Based Learning Plan In Transition Planning Activities for Students with Disabilities* and to enhance the *WBLP Scoring Rubric*. The document is intended to: encourage the inclusion of students with disabilities in WBLP programs; be used as an option for individual student transition planning; and support educators, employers, Connecting Activities field staff, Workforce Investment Boards, One Stop Career Centers and Local School-to-Career Partnerships in the implementation of quality work-based learning for students with disabilities. The WBLP scoring rubric is a student performance evaluation guide that facilitates employer assessment of participating students' WBLP Foundation Skills.

Through this collaboration, MASSDE also created the [Work Experience and Transition Activities resource webpage](http://www.doe.mass.edu/sped/transition/). This resource lists resources, including websites, articles, and program materials, to assist in planning the work experiences and developing WBLPs for students with disabilities.
Appendix B: Massachusetts Parent Survey for Special Education for Indicator 8

- This is a survey for parents of students receiving special education services. Your responses will help guide efforts to improve services and results for children and families. (Note: If you have more than one child currently receiving special education services, you may choose to submit one or more surveys, based upon your experiences as related to your children.)
- For each statement below, please select one of the following response choices: very strongly disagree (VSD), strongly disagree (SD), disagree (D), agree (A), strongly agree (SA), very strongly agree (VSA). You may skip any item that you feel does not apply to you or your child.

<table>
<thead>
<tr>
<th>Schools' Efforts to Partner with Parents</th>
<th>Disagree</th>
<th>Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. I am considered an equal partner with teachers and other professionals in planning my child's program.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. I was offered special assistance (such as child care) so that I could participate in the Individualized Educational Program (IEP) meeting.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. At the IEP meeting, we discussed how my child would participate in statewide assessments.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. My child’s teachers give me enough time and opportunities to discuss my child’s needs and progress.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. All of my concerns and recommendations were documented on the IEP.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. Teachers and administrators at my child’s school invite me to share my knowledge and experience with school personnel.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. I was given information about organizations that offer support for parents of students with disabilities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. I have been asked for my opinion about how well special education services are meeting my child's needs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. My child's evaluation report is written in terms I understand.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. IEP meetings are scheduled at a time and place that are convenient for me.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Teachers are available to speak with me.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12. Teachers treat me as a team member.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13. I feel I can disagree with my child’s special education program or services without negative consequences for me or my child.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Teachers and administrators:**

<table>
<thead>
<tr>
<th>Teachers and administrators</th>
<th>Disagree</th>
<th>Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>14. - seek out parent input.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15. - show sensitivity to the needs of students with disabilities and their families.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16. - encourage me to participate in the decision-making process.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17. - respect my cultural heritage.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The school: | VSD | SD | D | A | SA | VSA
--- | --- | --- | --- | --- | --- | ---
18. - has a person on staff that is available to answer parents’ questions. | | | | | | |
19. - communicates regularly with me regarding my child’s progress on IEP goals. | | | | | | |
20. - gives me choices with regard to services that address my child’s needs. | | | | | | |
21. - offers parents training about special education issues. | | | | | | |
22. - offers parents a variety of ways to communicate with teachers. | | | | | | |
23. - gives parents the help they may need to play an active role in their child’s education. | | | | | | |
24. - provides information on agencies that can assist my child in the transition from school. | | | | | | |
25. - explains what options parents have if they disagree with a decision of the school. | | | | | | |

Demographic Information

26. Number of years child has received special education services
- Less than 1 year
- 1-3 years
- 4-7 years
- More than 7 years

27. Child’s race/ethnicity
- White
- Black or African-American
- Hispanic or Latino
- Asian or Pacific Islander
- American Indian or Alaskan Native
- Multi-racial

28. Language spoken in the home
- English
- Spanish
- Portuguese
- Chinese
- Creole/Haitian
- Vietnamese
- Other _________________

29. Child’s school level
- Elementary School
- Middle School
- High School

30. Child’s Primary Disability (check one)
- Autism
- Communication Impairment
- Deaf-Blind Impairment
- Developmental Delay
- Emotional Impairment
- Health Impairment
- Hearing Impairment
- Intellectual Impairment
- Multiple Disabilities
- Neurological Impairment
- Physical Impairment
- Specific Learning Disability
- Vision Impairment

Thank you for participating.
Appendix C: Massachusetts Post-School Outcomes Survey for Indicator 14

School District:
Student Name:
SASID:                        Date of Exit from School (mm/yyyy):
Gender:  □ - Male  □ - Female
Method of Response:  □ - Email  □ - Mail  □ - Telephone  □ - Other  □ - Non-Responder

**Question 1:** What is your educational status since leaving high school?

☐ - CURRENTLY enrolled or attending classes
☐ - NOT CURRENTLY enrolled or attending, but have enrolled or attended classes
☐ - HAVE NOT enrolled or attended classes

**Question 2:** If you have enrolled or attended classes at any time since leaving high school, what type of program did you attend?

☐ - 4-year college or university
☐ - 2-year college or university
☐ - Technical or vocational school
☐ - GED program
☐ - Adult education in the community
☐ - Job Corp, Work Force Development program, etc.
☐ - Other  Describe: _______________________
☐ - Not applicable - Have not enrolled or attended classes

**Question 3:** If you have enrolled or attended classes at any time since leaving high school, what was your enrollment status?

☐ - Full-time student enrolled in a degree program
☐ - Part-time student enrolled in a degree program
☐ - Not enrolled in a degree program, but taking classes
☐ - Not applicable - Have not enrolled or attended classes

**Question 4:** If you have enrolled or attended classes at any time since leaving high school, how long does the program require to finish?

☐ - Less than 1 academic year
☐ - 1 academic year or more
☐ - Not applicable - Have not enrolled or attended classes

**Question 5:** If you have enrolled or attended classes at any time since leaving high school, have you completed one class or more?

☐ - Yes
☐ - No
☐ - Not applicable - Have not enrolled or attended classes
**Question 6:** What is your employment status since leaving high school? (This includes current and previous employment.)

- Employed – in the competitive job market
- Full-Time Military Service
- Self-employed – including working for a family business
- Supported Employment – job placement with ongoing support from a job coach or agency
- Unemployed – not employed but looking for employment
- Not in the Labor Force – not employed and not looking for employment

**Question 7:** If you have been employed at any time since leaving high school, what is the longest amount of time you worked at the same job?

- Less than 3 months
- 3 months or more
- Not applicable - Not employed since leaving high school

**Question 8:** If you have been employed at any time since leaving high school, how many hours did you work in a typical week? (This includes summer employment.)

- 20 hours or more per week
- Less than 20 hours per week
- Not applicable - Not employed since leaving high school

**Question 9***: If you have been employed at any time since leaving high school, what is the highest wage you were paid per hour? (This includes tips if you earn them.)

- Less than $8.00 per hour
- $8.00 per hour
- More than $8.00 per hour
- Not applicable - Not employed since leaving high school

*Massachusetts’ minimum wage is $8.00/ hour as of January 1, 2008.

Thank you for participating in this survey. If you have any questions, please call:  
If you are returning this survey by mail, please send it to:
<table>
<thead>
<tr>
<th>Indicator/Indicator Clusters</th>
<th>General Supervision System Components</th>
<th># of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)</th>
<th>(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)</th>
<th>(b) # of Findings of noncompliance from (a) which were corrected*** no later than one year from identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent of youth with IEPs graduating from high school with a regular diploma.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>23</td>
<td>23</td>
<td>18</td>
</tr>
<tr>
<td>2. Percent of youth with IEPs dropping out of high school.</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>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 both, within one year of leaving high school.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>77</td>
<td>234</td>
<td>192</td>
</tr>
<tr>
<td>3. Participation and performance of children with disabilities on statewide assessments.</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7. Percent of preschool children with IEPs who demonstrated improved outcomes.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>36</td>
<td>60</td>
<td>51</td>
</tr>
<tr>
<td>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.</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>5. Percent of children with IEPs aged 6 through 21 - educational placements.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>53</td>
<td>106</td>
<td>84</td>
</tr>
<tr>
<td>6. Percent of preschool children aged 3 through 5 – early childhood placement.</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>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</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>82</td>
<td>242</td>
<td>196</td>
</tr>
<tr>
<td>Indicator/Indicator Clusters</td>
<td>General Supervision System Components</td>
<td># of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)</td>
<td>(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)</td>
<td>(b) # of Findings of noncompliance from (a) which were corrected*** no later than one year from identification</td>
</tr>
<tr>
<td>---------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>+___________________________________________________________</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>3</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>45</td>
<td>75</td>
<td>60</td>
</tr>
<tr>
<td>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>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.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>45</td>
<td>48</td>
<td>36</td>
</tr>
<tr>
<td>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.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>135</td>
<td>137</td>
<td>137</td>
</tr>
<tr>
<td>13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>41</td>
<td>41</td>
<td>35</td>
</tr>
<tr>
<td>Other areas of noncompliance: Faculty, Staff, and Administration</td>
<td>Monitoring Activities: Self-Assessment/Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>38</td>
<td>51</td>
<td>40</td>
</tr>
<tr>
<td>+___________________________________________________________</td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Indicator/Indicator Clusters</td>
<td>General Supervision System Components</td>
<td># of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)</td>
<td>(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)</td>
<td>(b) # of Findings of noncompliance from (a) which were corrected*** no later than one year from identification</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------------------------------------</td>
<td>---------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Other areas of noncompliance: Recordkeeping</td>
<td>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>4</td>
<td>6</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>5</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Other areas of noncompliance: Among Bureau of Special Education Appeals findings, appropriateness of IEP or of placement; among complaint findings, multiple areas, the bulk of which (89) involved non-implementation or partial implementation of IEP</td>
<td>Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, Onsite Visits, or Other</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Dispute Resolution: Complaints, Hearings</td>
<td>83</td>
<td>145</td>
<td>145</td>
</tr>
<tr>
<td><strong>Sum the numbers down Column a and Column b</strong></td>
<td></td>
<td><strong>1191</strong></td>
<td><strong>1018</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Percent of noncompliance corrected within one year of identification =</strong> (column (b) sum divided by column (a) sum) times 100.</td>
<td></td>
<td>(b) / (a) X 100 =</td>
<td>85.5%</td>
<td></td>
</tr>
</tbody>
</table>
Appendix E: Table 7 – Report of Dispute Resolution for FFY 2008


<table>
<thead>
<tr>
<th>SECTION A: Written, Signed Complaints</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Total number of written, signed complaints filed</td>
<td>271</td>
</tr>
<tr>
<td>(1.1) Complaints with reports issued</td>
<td>190</td>
</tr>
<tr>
<td>(a) Reports with findings of noncompliance</td>
<td>119</td>
</tr>
<tr>
<td>(b) Reports within timeline</td>
<td>176</td>
</tr>
<tr>
<td>(c) Reports within extended timelines</td>
<td>4</td>
</tr>
<tr>
<td>(1.2) Complaints pending</td>
<td>23</td>
</tr>
<tr>
<td>(a) Complaints pending a due process hearing</td>
<td>15</td>
</tr>
<tr>
<td>(1.3) Complaints withdrawn or dismissed</td>
<td>58</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION B: Mediation Requests</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Total number of mediation requests received</td>
<td>846</td>
</tr>
<tr>
<td>(2.1) Mediations held</td>
<td>846</td>
</tr>
<tr>
<td>(a) Mediations held related to due process</td>
<td>47</td>
</tr>
<tr>
<td>(i) Mediation agreements related to due</td>
<td>43</td>
</tr>
<tr>
<td>(b) Mediations held not related to due process</td>
<td>799</td>
</tr>
<tr>
<td>(i) Mediation agreements not related to due</td>
<td>672</td>
</tr>
<tr>
<td>(2.2) Mediations not held (including pending)</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION C: Due Process Complaints</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(3) Total number of due process complaints filed</td>
<td>609</td>
</tr>
<tr>
<td>(3.1) Resolution meetings</td>
<td>47</td>
</tr>
<tr>
<td>(a) Written settlement agreements</td>
<td>20</td>
</tr>
<tr>
<td>(3.2) Hearings fully adjudicated</td>
<td>24</td>
</tr>
<tr>
<td>(a) Decisions within timeline (include expedited)</td>
<td>4</td>
</tr>
<tr>
<td>(b) Decisions within extended timeline</td>
<td>20</td>
</tr>
<tr>
<td>(3.3) Resolved without a hearing</td>
<td>470</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION D: Expedited Due Process Complaints (Related to Disciplinary Decision)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) Total number of expedited due process complaints filed</td>
<td>40</td>
</tr>
<tr>
<td>(4.1) Resolution meetings</td>
<td>1</td>
</tr>
<tr>
<td>(a) Written settlement agreements</td>
<td>1</td>
</tr>
<tr>
<td>(4.2) Expedited hearings fully adjudicated</td>
<td>2</td>
</tr>
<tr>
<td>(a) Change of placement ordered</td>
<td>0</td>
</tr>
</tbody>
</table>
## Appendix F: Indicator 20 Scoring Rubric

### SPP/APR Data - Indicator 20

<table>
<thead>
<tr>
<th>APR Indicator</th>
<th>Valid and Reliable</th>
<th>Correct Calculation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>3A</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>3B</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>3C</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>4A</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
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<td>1</td>
<td>2</td>
</tr>
<tr>
<td>7</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>9</td>
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<tr>
<td>10</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>11</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>12</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>13</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>14</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>15</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>16</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>17</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>18</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>19</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

**Subtotal:** 38

### APR Score Calculation

**Timely Submission Points** - If the FFY 2007 APR was submitted on-time, place the number 5 in the cell on the right.

**Grand Total** - (Sum of subtotal and Timely Submission Points) = 43.00
### 618 Data - Indicator 20

<table>
<thead>
<tr>
<th>Table</th>
<th>Timely</th>
<th>Complete Data</th>
<th>Passed Edit Check</th>
<th>Responded to Data Note Requests</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 1 - Child Count</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Due Date: 2/1/09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Table 2 - Personnel</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>N/A</td>
<td>3</td>
</tr>
<tr>
<td>Due Date: 11/1/09</td>
<td></td>
<td></td>
<td></td>
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### 618 Score Calculation

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### Indicator #20 Calculation

| A. APR Grand Total | 43 |
| B. 618 Grand Total | 45 |
| C. APR Grand Total (A) + 618 Grand Total (B) = | 90 |
| Total N/A in APR | 0 |
| Total N/A in 618 | -4 |
| Base | 90 |
| D. Subtotal (C divided by Base*) | 1.0 |
| E. Indicator Score (Subtotal D x 100) | 97.7 |
Attachments – Documentation Responsive to the OSEP Verification Visit Letter of March 5, 2009 (submitted in hard copy format under separate cover)

- Attachment 1: List of Districts with Onsite Visits for Indicator 15
- Attachment 2: Sample of 10 Corrective Action Plans (CAPs) for Indicator 15
- Attachment 3: Sample of Extended State Complaints for Indicator 16
- Attachment 4: Hearing Rules of Special Education Appeals for Indicator 17