



Public Schools of North Carolina
State Board of Education
Department of Public Instruction

Report to the North Carolina General Assembly

Report on Educational Performance of
Children with Disabilities

SL 2006-69, GS 115C-107.5

(HB 1908)

Date Due: October 15, 2010

Report # 17

DPI Chronological Schedule, 2010-2011

North Carolina
Part B Annual Performance Report (APR) for 2008-2009
Submitted February 1, 2010

Overview of the Annual Performance Report Development:

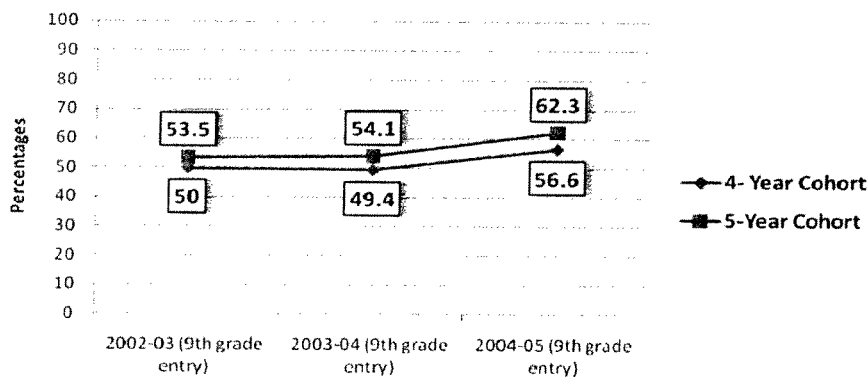
The North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division gathered and analyzed data for the development of the Annual Performance Report (APR). Throughout the year, Exceptional Children Division staff met monthly to review and analyze progress made toward the development of the APR. Following discussions, reviews and analyses at each meeting, staff provided input for use in the continuing development of the APR. In the fall of 2008, during the monthly meetings, staff began a process of evaluating improvement activities contained in the APR. As a result of the continuing process, some improvement activities were revised, added, and eliminated. The *SPP/APR Improvement Activity Review Checklist* was used to guide and document the evaluation of improvement activities. The Exceptional Children Division continued this evaluation process during 2008-09 and in the fall of 2009, to further refine and improve the APR.

The Council on Educational Services for Exceptional Children, the State Advisory Panel, serves as the Stakeholder Steering Committee. At the Council's quarterly meetings, Exceptional Children Division staff presented data and information; reviewed progress made; and solicited members' input toward the development of the APR.

During March 2010, the North Carolina Department of Public Instruction (NCDPI), Exceptional Children Division reported to the public on the progress and/or slippage in meeting the measurable and rigorous targets. The APR is posted on the NCDPI web page and distributed directly to the LEAs. In addition, it was made available to the media. The Exceptional Children Division reported on the performance of each local educational agency (LEA) on the targets in the State Performance Plan on June 1, 2010. The reports are posted on the Department's website, were sent to the LEAs and distributed to local and regional media.

Additional Data**Five-Year Cohort Data:**

Percent of youths with IEPs entering ninth grade in 2004-05 and graduating with a regular high school diploma in 2008-09 or earlier	Number of youths with IEPs entering 9 th grade in 2004-05 for the first time. (Denominator)	2004-05 entering youths with IEPs, who graduated with a regular diploma in 2008-09 or earlier (Numerator)	Change from 2007-08 5-year cohort graduation rate
62.3%	9316	5801	+ 8.1 percentage points

NC Cohort Graduation Rates for Students with IEPs**Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-08:**

Activity	Timeline	Status
Focused Monitoring of selected LEAs.	2007-2010	Completed for 2007-08 - Conducted focused monitoring in 4 traditional LEAs. The focused monitoring included a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes.
Disseminate information to LEAs identifying which systems show high numbers of regular diplomas awarded to students with IEPs and share their process and practices used in increasing the number of youth with disabilities graduating with a regular	2006-2008	Completed for 2007-08 - Districts' effective processes and practices, regarding increases in regular diplomas awarded to youth with disabilities, were shared during six (6) regional Continuous Improvement Performance Plan (CIPP) follow-up

students with IEPs who graduated with a standard high school diploma in 2007-08 (5270 students with IEPs).

Of the 114 traditional LEAs that had students with IEPs entering ninth grade for the first time in 2004-05, ten (10) had 4-year cohort graduation rates that met or exceeded the proposed state target of 80%. 104 traditional LEAs that had students with IEPs entering ninth grade for the first time in 2004-05 did not meet the proposed state target of 80%. With regard to AYP, forty-five (45) traditional LEAs met the target with the required amount of progress; fifty-three LEAs had insufficient data (< 40 students with disabilities in the subgroup) to meet the target; and sixteen (16) LEAs did not meet the target. Sixteen (16) public charter schools had students with IEPs entering ninth grade for the first time in 2004-05. Ten (10) of the public charter schools had 4-year cohort graduation rates that exceeded the proposed state target of 80%. Six (6) of the public charter schools had 4-year cohort graduation rates that were below the 80% proposed state target. With regard to AYP, sixteen (16) of sixteen (16) LEAs had insufficient data (< 40 students with disabilities in the subgroup) to meet the target.

Although North Carolina uses the 4-year cohort graduation rate as a target for AYP, a 5-year cohort graduation rate for students with IEPs is also calculated. The 5-year cohort graduation rate for students entering ninth grade for the first time in 2004-05 was 62.3% and 6.0 percentage points higher than the 4-year cohort graduation rate for the same group of students. This 5-year cohort graduation rate was also 8.1 percentage points higher than the 5-year cohort graduation rate for students entering ninth grade for the first time in 2003-04 and graduating with a regular high school diploma in 2007-08.

This 5-year cohort graduation rate is important because it includes an additional 531 students with IEPs (entered ninth grade for the first time in 2004-05) who graduated with a regular high school diploma in 2008-09.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007-08:

The ESEA data for graduation has been used for the previous two APRs. Targets for 2007-08 and forward have been changed to be the same as the annual graduation rate targets under Title 1 of the ESEA.

identify LEAs that are reducing dropout rates and identify their effective practices as well as those LEAs that are in need of additional and/or targeted technical assistance.		2007-08 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 6 regional follow-up meetings (traditional LEAs and State-Operated Programs) conducted during February 2008 and 1 public charter school meeting conducted in March 2008.
Following the review and analyses of the CIPPs, DPI will conduct regional meetings with LEAs to: discuss/review findings; further analyze reasons; and provide technical assistance regarding improvement strategies, including information about systems and practices that have decreased the number of youth with disabilities who drop out of school.	Spring 2007 and annually thereafter	Completed for 2007-08 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2008 and one follow-up meeting for public charter schools was conducted in March 2008 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for increases and decreases in dropout rates; and provide technical assistance regarding improvement strategies including information about systems and practices that have decreased the number of youth with disabilities who drop out of school.
Develop technical assistance and training that specifically focuses on high schools and how to implement practices which will lead to decreasing the number of youth with disabilities who drop out of school.	2006-2010	Partially completed – EC Division staff have collected/analyzed data from various sources including: CIPPs, focused monitoring, a review of trainings that include data and information for high schools, etc. A report has been prepared for a legislative study about secondary education for students with disabilities. Continuing efforts will focus on updating or revising technical assistance and training to specifically focus on high schools and effective practices.
Focused Monitoring of Selected LEAs	2007-2010	Completed for 2007-08 - Conducted focused monitoring in 4 traditional LEAs. The included a thorough examination of issues regarding graduation, dropouts, IEP transition components and post school outcomes.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement:

- A. AYP percent = $\left[\frac{\text{(\# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup)}}{\text{(total \# of districts that have a disability subgroup that meets the State's minimum "n" size)}} \right] \times 100$.
- B. Participation rate percent = $\left[\frac{\text{(\# of children with IEPs participating in the assessment)}}{\text{(total \# of children with IEPs enrolled during the testing window, calculated separately for reading and math)}} \right]$. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.
- C. Proficiency rate percent = $\left(\left[\frac{\text{(\# of children with IEPs enrolled for a full academic year scoring at or above proficient)}}{\text{(total \# of children with IEPs enrolled for a full academic year, calculated separately for reading and math)}} \right] \right)$.

APR Template – Part B (4)

North Carolina

Actual Target Data for 2008-09:

A. Percentage of Districts Meeting AYP:

# of LEAs that had a students with disabilities subgroup* for AYP determination	# of LEAs that met AYP targets for students with disabilities subgroup*	Rate	Difference from 2007-08
128	78	60.9%	+ 48.9 percentage points

*AYP subgroup ≥ 40 students

B. Participation Rates:

Gr	2008-09 Math Assessment - Participation								
	IEPs in regular assessments/no accommodations	IEPs in regular assessments w/ accommodations	IEPs in alternate assessments against grade level standards	IEPs in alternate assessments against modified academic achievement standards	IEPs in alternate assessments against alternate achievement standards	Total Children w/IEPs Denominator	Total # Assessed Numerator	Rate %	Difference from 2007-08
3	*	11732	45	2635	959	15431	15371	99.6	+/- 0
4	*	11519	41	2982	934	15526	15476	99.7	+ 0.1
5	*	10420	39	3301	971	14771	14731	99.7	+/- 0
6	*	9777	39	3441	799	14146	14056	99.4	+ 0.3
7	*	9244	30	3180	793	13345	13247	99.3	+ 0.3
8	*	9164	32	3066	896	13258	13158	99.2	+ 0.3
10	**	**	**	**	**	10376	7849	75.6	- 15.8

*#s are currently included in column w/accommodations and are in process of being verified.

**#s were not disaggregated due to students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) being counted as non-participants

Gr	2008-09 Reading Assessment - Proficiency							
	IEPs in regular assessments against grade level standards	IEPs in alternate assessments against grade level standards	IEPs in alternate assessments against modified academic achievement standards	IEPs in alternate assessments against alternate achievement standards	Children w/IEPs Assessed Denominator	Total Proficient Numerator		Difference from 2007-08
						#	%	
3	4292*	32	792	643	15364	5759	37.5	+ 7.9
4	4308*	36	1095	625	15478	6053	39.1	+ 8.5
5	3582*	38	1504	657	14736	5781	39.2	+ 12.1
6	3503*	32	1474	532	14066	5541	39.4	+ 11.8
7	2741*	27	1457	554	13256	4779	36.1	+ 13.8
8	2846*	31	1300	560	13156	4737	36.0	+ 11.7
10	**	**	**	**	7644	1911	25.0	- 0.3

*#s currently include regular assessment with and without accommodations and will be split once the #s are verified.

**#s were not disaggregated due to students taking the Occupational Course of Study (OCS) Extend 2 (alternate assessment) being counted as non-participants

Source: 2008-09 NC Consolidated State Performance Report (CSPR) under Title 1 of the ESEA.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Improvement Activity	Timeline	Status
Disseminate information to LEAs about which systems and practices increase academic achievement of students with disabilities.	2007-2010	Completed for 2008-09 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; and provide technical assistance regarding improvement strategies including information about systems and practices that increase academic achievement of students with disabilities. Additionally, Research-based reading, math and writing instructional strategies were promoted and implemented through NC's 7 Reading/ Writing Demonstration Centers; 77 reading/ writing sites; 4 Math Demonstration Centers; and 29 math sites, all located in LEAs.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

Proposed targets for math and reading participation rates are 95% to align with North Carolina's participation rates under Title 1 of the ESEA.

Proposed targets for math proficiency grades 3-8 are 77.2%, and 68.4% for grade 10 to align with North Carolina's proficiency rates under Title 1 of the ESEA.

Proposed targets for reading proficiency grades 3-8 are 43.2%, and 38.5% for grade 10 to align with North Carolina's proficiency rates under Title 1 of the ESEA.

The following improvement activities are proposed:

Improvement Activity	Timeline	Resources
Increase the promotion and implementation of research-based reading, math and writing instructional strategies in special and general education settings.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support reading, writing & math sites and to conduct staff development • Personnel to conduct staff development
Increase the promotion and implementation of Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.	2010 – 2011	<ul style="list-style-type: none"> • Funding to support model sites and conduct staff development • Personnel to conduct staff development

Actual Target Data for 2007-08:**A.**

# of Districts identified by the State as having significant discrepancies in the rates of greater than 10 day suspensions and expulsions of children with disabilities in a school year	# of Districts in the State	Rate	% of Progress or Slippage from 2006-07
7	215*	3.3 %	- 1.9 percentage points

*All LEAs, including traditional school districts, public charter schools, and State-Operated Programs, were included in the calculations.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007-08:

Activities	Timelines	Status
Analyze LEA long-and short-term suspension data in end-of-year reports and Continuous Improvement Performance Plans (CIPPs) to identify LEAs that need targeted technical assistance.	2006 – 07 and annually thereafter	Completed for 2007-08 data.
Analyze LEA data in end-of-year reports and CIPPs to identify LEAs, and their effective practices, that are achieving good results.	2006 – 2007 and annually thereafter	Completed for 2007-08 data.
Disseminate information to LEAs about which systems and practices decrease the number of youth with disabilities who are suspended and expelled.	2007, 2008, 2009, 2010	Completed for 2007-08 data - Information was disseminated during six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs conducted during February 2009 and one follow-up meeting for public charter schools conducted in March 2009. Additional dissemination occurred during technical assistance and training sessions/institutes, regarding positive behavior supports and

the rate used for determining a significant discrepancy. Therefore, it continued to be more challenging for some districts, particularly smaller ones to remain below twice the state average rate.

Seven (7) traditional LEAs of 215 LEAs were identified as having significant discrepancies in 2007-08. One (1) of the five (5) LEAs is required to submit copies of any documents pertaining to the suspension and discipline of students with disabilities in the school district, with a particular emphasis on those policies, procedures and practices which involved development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. The one (1) LEA will be required to make any needed revisions to the submitted documents to ensure compliance with IDEA requirements. Such revisions, if needed, will be submitted with the LEA's CIPP in April 2009. During 2008-09, the EC Division will conduct on-site verification visits, regarding the implementation of policies, practices and procedures pertaining to the suspension and discipline of students with disabilities, in four (4) of the five (5) LEAs since they have previously submitted and revised documents pertaining to the suspension and discipline of students with disabilities in the school district.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:

[If applicable]

B. Inside the regular class less than 40% of the day	26,358	169,047	15.6%	-0.2/ Yes
C. In separate schools, residential facilities, or homebound/hospital placements	3,736	169,047	2.2%	-0.1/ No

Data used for this indicator are from the December 1 Periodic Child Count submitted as part of the 618 State-reported data requirement.

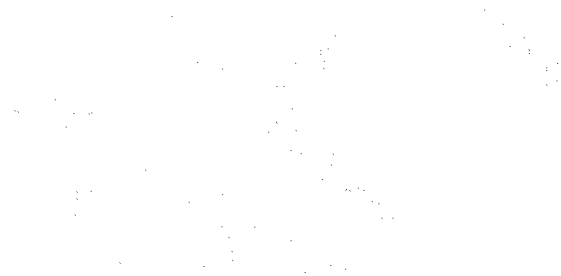
Discussion of Improvement Activities Completed that occurred for 2008-09:

Improvement Activity	Timeline	Status
Analyze End-of-Year Report and Continuous Improvement Monitoring System (CIMS) self-assessment data, disaggregated by LEA, grade level and area of disability, for populations in each setting on the LRE continuum.	2005-2010, annually	Following the review and analyses of CIPPs, DPI staff conducted six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs during February 2009 and one follow-up meeting for public charter schools in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for LRE data; and provide technical assistance regarding improvement strategies.
Provide statewide training and technical assistance in the implementation of the LRE determination process.	2006-2010	Throughout 2008-09 NCDPI staff have conducted training in each of the State's 8 regions and at state conferences regarding the LRE determination process and documenting LRE decisions in IEPs.
Provide parent training on LRE.	2006-2010	In addition to 3 specific trainings for parents conducted by NCDPI dispute resolution/parents' rights consultants during 2008-09, parents participated in trainings throughout the year conducted in the State's 8 regions and at state conferences regarding the LRE determination process and documenting LRE decisions in IEPs.

(84.7%) exceeded (less than) the target of 2.1%. Thirty-three (33) LEAs (15.3%) did not meet the target.

The slight progress on these indicators in 2008-09 demonstrates stability in the system and is attributed to North Carolina's continued promotion and implementation of state initiatives in research-based reading, math and writing instructional strategies in special and general education settings and Positive Behavioral Supports, Instructional Consultation Teams, and Responsiveness to Instruction Models.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A



Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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 = $\left[\frac{\text{(\# of preschool children who did not improve functioning)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = $\left[\frac{\text{(\# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who improved functioning to reach a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = $\left[\frac{\text{(\# of preschool children who maintained functioning at a level comparable to same-aged peers)}}{\text{(\# of preschool children with IEPs assessed)}} \right] \text{ times } 100.$

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.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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.

FFY	Measurable and Rigorous Target
2008-09	Forty percent (40%) of respondents, with a measure at or above the adopted standard of 600, will report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

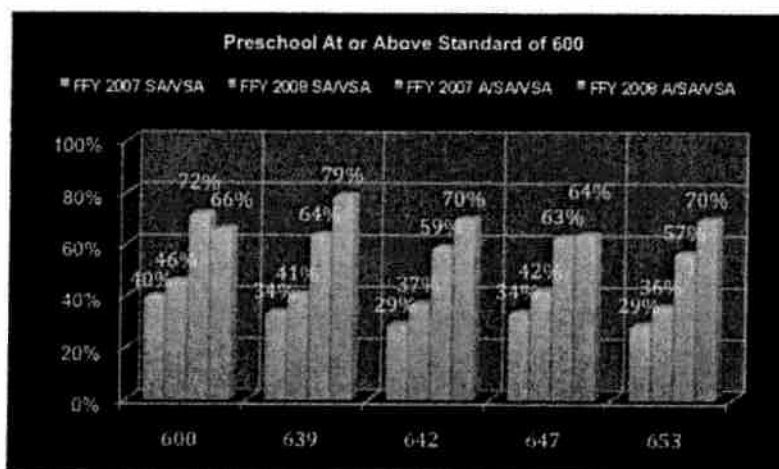
Actual Target Data for 2008-09:

FFY	Number of Surveys Distributed	Number of Surveys Completed	Number of Responses at or above the Measure of 600	% at or above the Standard Measure of 600	Progress/Slippage
2008-09	24,235	4,283	1681	39.2%	+ 6.2 percentage points

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

In FFY 2008-09, **39.2%** of the parent respondents, with a measure at or above the adopted standard of 600, reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. The State exceeded its FFY 2007 28% target by five percentage points, achieving a rate of 33%, and the target for FFY 2008 was reset to 40%. While the 40% target was not met in FFY 2008, the State made progress by increasing the rate by 6.2 percentage points regarding respondents who reported that schools facilitated parent involvement as a means of improving services and results for children with disabilities. 4,283 surveys (17.7%) were returned. The number of parents

Preschool Surveys At or Above Standard of 600 FFY 2007 and FFY 2008
 Agree (A), Strongly agree (SA) and very strongly agree (VSA)

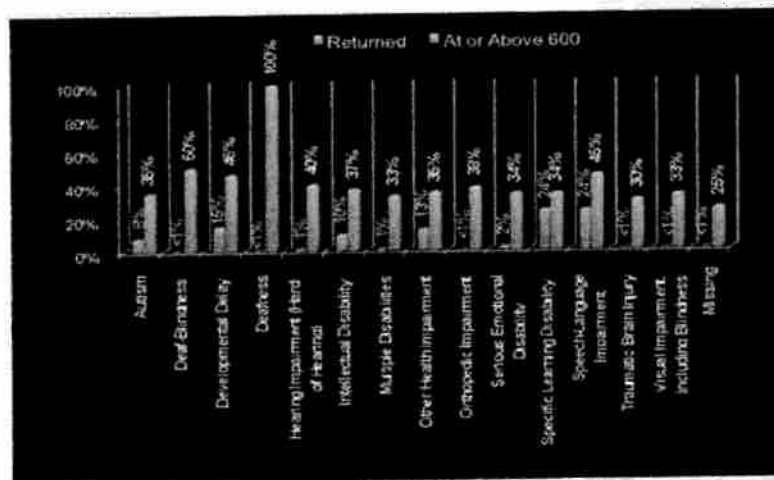


People from preschool special education, including teachers and other service providers:

- 600 Explain what options parents have if they disagree with a decision made by the preschool special education program;
- 639 Provide me with information on how to get other services, e.g. child care, parent support, respite, regular preschool program, WIC, food stamps;
- 642 Offer supports for parents to participate in training workshops;
- 647 Give me information about organizations that offer support for parent, e.g. Parent Training and Information Centers, Family Resource Centers, etc.;
- 653 Offer parents training about preschool education; and
- 689 Connect families with one another for mutual support.

The 95% confidence interval for the true population mean for parents of students served in North Carolina lies somewhere in the range of 566.9 to 576.0. A 95% confidence interval means there is a 95% likelihood that the true mean falls within this range. For example, 90% of K-12 and 94% of preschool parents agreed that teachers are available to speak with parents. Eighty-four percent (84%) of K-12 parents and 92% of preschool parents agreed that teachers and administrators encourage parents to participate in the decision-making process. Seventy-five percent (75%) of K-12 parents and 81% of preschool parents agreed that their child's school gives parents the help they may need to play an active role in their child's education. Fifty percent (50%) of K-12 parents and 64% of preschool parents agreed that their child's school offers parents training about special education issues. One must take into account the fact that some respondents used the same rating for all 25 items. When respondents fail to make any distinction among items that are known to have different levels of agreeability, they are considered to display a response set, i.e. a uniform way of responding that makes it hard to determine whether the responses are authentic or are, in effect, a way of complying with the task.

The EC Division also wanted to improve the data collection process to increase the percentage of surveys completed and returned. The number of surveys that were distributed was 24,235 (4,757 Preschool and 19,478 K-12). Sending the surveys to each LEA, who in turn sent them to the individual schools to be sent home with selected students may have been a factor in the number of surveys returned. A total of 4,286 surveys were returned (1,065 Preschool, 3,210 K-12, and eight without the grade level). Three were incomplete and not scored. The response rate to the survey increased by six (6) percentage points, from 12% to 18%. Comparison of respondents to the representative survey distribution suggest that the following groups were not accurately represented in the report: a) black students were under-represented while white students were overrepresented; b) school-aged students at the middle and secondary levels were under-represented while preschool students were over-represented; and c) students with autism, developmental delays and speech-language impairments were



Improvement Activities:

Activity	Timeline	Status
Make available to parents and school systems the Facilitated IEP Process.	July 2006 – June 2011	Completed
Provide to LEAs statewide training in How to Conduct <i>Effective IEP Meetings</i> .	January 2007- June 2009	Completed
Conduct trainings for Parents on IDEA Federal Regulations and State Policies (minimum of 3 each year).	July 2007-June 2011	Completed
Develop web-based training modules on the implementation of IDEA Federal Regulations and State Policies.	July 2008	Partially completed

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Disproportionality
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Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

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

Measurement:

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

Include State's definition of "disproportionate representation."

FFY	Measurable and Rigorous Target
2008-09	0% of the LEAs will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Actual Target Data for 2008-09:

Year	# of Districts with Disproportionate Representation that is the Result of Inappropriate Identification	# of Districts in the State	Rate
2008-09	0	215*	0%

*2008-09 - 115 traditional LEAs, 97 public charter schools, 3 state-operated programs

Sources: 2008-09 First Month Race and Gender Enrollment Data Report, December 1, 2008 Periodic Child Count (618 State-reported data), and Fall 2008 LEA Self-Assessment for Disproportionate Representation data and/or its update.

Definition of "Disproportionate Representation" and Methodology

To determine the number of LEAs with disproportionate representation that is the result of inappropriate identification, the North Carolina Department of Public Instruction:

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and the December 1 Periodic Child Count data in Westat's Disproportionality Excel Spreadsheet Application;

Publicize State and school system disproportionate representation data on the Exceptional Children Division "Data and Reports" website.	Annually	Partially completed – Some information for all districts has been publicized on the EC Division website through the use of the LEA public reports. Some additional data for districts with disproportionate representation has also been posted on the website. The EC Division is working on re-establishing the publicizing of the risk ratio comparative data for all districts, including those that do not have disproportionate representation.
Staff will analyze LEA data regarding disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.	February and March 2007, and annually thereafter	Completed for 2007-08 - EC Division staff reviewed and analyzed each LEA's CIPP and 2008-09 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 6 regional follow-up meetings (traditional LEAs and State-Operated Programs) conducted during February 2009 and 1 public charter school meeting conducted in March 2009.
Staff from the Exceptional Children Division will meet with LEAs in regional meetings to review/discuss Continuous Improvement Performance Plans (CIPPs), including disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to maintain progress on this indicator, those improvement activities that LEAs had not completed and/or did not help with maintaining progress on this indicator.	Fall 2007 and annually thereafter	Completed for 2007-08 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for disproportionate representation of racial and ethnic groups that was a result of inappropriate identification; and provide technical assistance regarding improvement strategies.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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

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

Measurement:

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

Include State's definition of "disproportionate representation."

FFY	Measurable and Rigorous Target
2008-09	0% of the LEAs will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Actual Target Data for 2008-09:

Year	# of Districts with Disproportionate Representation that is the Result of Inappropriate Identification	# of Districts in the State	Rate
2008-09	0	215*	0%

*2008-09 - 115 traditional LEAs, 97 public charter schools, 3 state-operated programs

Sources: 2008-09 First Month Race and Gender Enrollment Data Report, December 1, 2008 Periodic Child Count (618 State-reported data), and Fall 2009 LEA Self-Assessment and/or update for Disproportionate Representation data and/or record reviews.

Definition of "Disproportionate Representation" and Methodology

To determine the number of districts with disproportionate representation that is the result of inappropriate identification, the North Carolina Department of Public Instruction:

1. Identifies districts with disproportionate representation of racial and ethnic groups in special education and related services, by using the First Month Race and Gender Enrollment data and the December 1 Periodic Child Count data in Westat's Disproportionality Excel Spreadsheet Application;

		and training to LEAs regarding scientifically-based research strategies.
Publicize State and school system disproportionate representation data on the Exceptional Children Division "Data and Reports" website.	Annually	Partially completed – Some information for all districts has been publicized on the EC Division website through the use of the LEA public reports. Some additional data for districts with disproportionate representation has also been posted on the website. The EC Division is working on re-establishing the publicizing of the risk ratio comparative data for all districts, including those that do not have disproportionate representation.
Staff will analyze LEA data regarding disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification to determine districts that met the state target and districts, if any, that did not meet the state target in preparation for February and March regional meetings to review/discuss CIPPs, including progress/ slippage and improvement activities.	February and March 2007, and annually thereafter	Completed for 2008-09 - EC Division staff reviewed and analyzed each LEA's CIPP and 2008-09 data. From the review and analyses, an LEA profile was prepared for each LEA for use in the 6 regional follow-up meetings (traditional LEAs and State-Operated Programs) conducted during February 2009 and 1 public charter school meeting conducted in March 2009.
Staff from the Exceptional Children Division will meet with LEAs in regional meetings to review/discuss Continuous Improvement Performance Plans (CIPPs), including disproportionate representation in racial and ethnic groups in specific disability categories that was the result of inappropriate identification, improvement activities that LEAs had completed and that helped to maintain progress on this indicator, those improvement	Fall 2007 and annually thereafter	Completed for 200-08 - Six (6) of six (6) regional follow-up meetings for traditional LEAs and SOPs were conducted during February 2009 and one follow-up meeting for public charter schools was conducted in March 2009 to: discuss findings/LEA data profiles prepared by NCDPI; further analyze reasons for disproportionate representation of racial and ethnic groups that was a result of inappropriate identification; and provide technical assistance regarding

Correction of FFY 2007 Findings of Noncompliance (if State did not report 0%):

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **0%**

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /
Resources for 2008-09: N/A**

APR Template – Part B (4)

North Carolina

16 – 25 days – 414

26 – 35 days – 326

36 – 45 days – 242

46 days or more – 833

Reasons for delays/referrals that went beyond the 90 day timeline –

Referral paperwork not processed in a timely manner – 1329

Excessive student absences – 69

Weather delays – 78

Delay in getting parent consent for evaluation – 340

Other – 1271

The 2008-09 data were collected through a survey completed by all local education agencies using a web-based EXCEL spreadsheet. Allowable exceptions, that were removed from the number of referrals received, were included in the survey as follows: children who transferred in or out of the LEA, dropped out, or died within 90 days of receipt of referral; children who transferred into the LEA after the 90 day timeline expired; and children whose parent(s) repeatedly failed or refused to produce them for the evaluation.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Activity	Timeline	Status
CECAS will be updated to collect and analyze the required data in future years.	2007-08 and ongoing	The EC Delivery Team once again collected the data through a web-based EXCEL spreadsheet process. The unique student i.d. for each student and required race/ethnicity changes to the State's data system are being completed in 2009-2010, after which CECAS will be updated to collect this data directly.
LEAs will receive training on how to collect data through CECAS.	2007-08 and ongoing	LEA training has been postponed until after the CECAS update occurs.

The State Education Agency will provide further follow-up with those LEAs (public charter schools) that reported having no referrals for evaluation to ensure child find policies are being implemented.	Spring 2008 and annually thereafter	NCDPI staff contacted 17 public charter schools that reported having no referrals and to ensure child find policies are being implemented.
The State Education Agency (SEA) will develop a self-assessment tool to identify effective practices for school-aged and preschool-aged children. The SEA will analyze data and information collected through the use of the self-assessment and compare compliance rates to practices implemented. Effective practices and strategies will be shared with those LEAs that have not reached 100% compliance.	2009-2010; 2010-2011	Status will be reported in February 1, 2011 submission.
The Preschool Assessment Center Initiative is a best practice model for efficient and appropriate assessments for very young preschool children. Five LEAs were selected and funded to become best practice centers for demonstration purposes. The model assists with addressing needs identified in the state for achieving the 90-day timeline requirements in Indicator 11.	2009-2010; 2010-2011	Status will be reported in February 1, 2011 submission.

Explanation of Progress or Slippage:

North Carolina failed to meet the 100% target by 9.3 percentage points. North Carolina made progress on this indicator and its rate of 90.7% represents a 5.2 percentage point increase from 2007-08.

Of 115 traditional LEAs, twenty-seven (27) had rates of 100%, thirty-two (32) had rates equal to or greater than 95%, an additional fifty-one (51) LEAs had rates greater than 75% but less than 95%, and five (5) traditional LEAs had rates equal to or less than 75%. In one (1) of these LEAs a single referral not processed within the 90 day timeline resulted in a rate below 75% (a decrease from 100% the previous year). Three (3) of the five (5) districts' rates decreased to below 75% for the first time. The remaining two (2) districts increased their rates from the previous year to 67.4% and 70.4%. Root causes for the non-compliant findings were analyzed by the LEAs and discussed with NCDPI staff. Root causes contributing to the delays in completing the 90-day process in a timely manner varied among the districts. Most often, the root causes were related to personnel issues (e.g., lack of/a limited number of personnel; staff turnover; and/or use of contracted personnel to conduct evaluations in smaller, more rural districts; and individual personnel failing to complete job requirements in medium-sized to larger districts). A regional pattern of referrals not processed within the 90 day timeline did not occur in 2008-09 as it did in 2007-08.

3. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	4
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Correction of FFY 2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

4. Number of FFY 2007 findings not timely corrected (same as the number from (3) above)	4
5. Number of FFY 2007 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	4
6. Number of FFY 2007 findings <u>not</u> yet verified as corrected [(4) minus (5)]	0

Actions taken if Noncompliance Not Corrected

N/A

Verification of Correction (either timely or subsequent)

Fifty-nine (59) of sixty-one (61) traditional LEAs (61 findings) and one (1) of three (3) public charter schools (3 findings) corrected 60 of 64 non-compliant findings within one year. Corrections were documented through: 1) data/evidence submitted that the referral, evaluation, eligibility and placement determinations have been completed for all child-specific files (4701) for whom the 90-day timeline was not met; and 2) evidence submitted with CIPPs in the Spring of 2009, the 2008-09 annual data submissions, and selected on-site visits in 20 LEAs to conduct file verifications.

The remaining four (4) LEAs subsequently corrected the four (4) non-compliant findings as evidenced by: 1) data/evidence submitted that the referral, evaluation, eligibility and placement determinations have been completed for all child-specific files (268) for whom the 90-day timeline was not met; and 2) data submitted to NCDPI through quarterly data/progress reports in the first two quarters of the 2009-10 school year and information documenting revisions to systems for monitoring the referral process and timelines, including addressing root causes such as employed and contract personnel issues. File verifications were conducted through CECAS or a review of files submitted with the quarterly data.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

Actual Target Data for 2008-09:

SECTION A: Timely Transition	
a: Number of children who have been served in Part C and referred to Part B for eligibility determination (referral received by LEA).	4146
b: Number of those referred determined to be not eligible by their third birthday.	755
c: Number of those found eligible who have an IEP developed and implemented by their third birthday.	2704
d: Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services.	114
e: Number of children whose parents repeatedly failed or refused to produce them for the evaluation.	114
f: Number of children transferred into or out of the LEA during transition from Part C.	124
g: Number of children who were referred to Part C less than 90 days before their third birthday.	125
h: Number of children with placement delayed beyond their third birthday	210
Rate (c divided by (a-b-d-e-f-g) times 100):	92.8%

Exception 300.301(d) was broken into two sections (d and e) for clarification purposes.

SECTION B: Enter the number of students delayed beyond 3rd birthday the following number of days. These students are included in "a" but not in "b", "d", "e", or "f".	
1 to 5	25
6 to 15	44
16 to 25	28
26 to 35	23
36 to 45	24
46 days or more	66
TOTAL	210

reports ranged from 50% in the first quarter to 90.2% compliance in the last quarter of the school year. Two of the LEAs (n=188; n=119) compliance rates regressed to 76.4 % and 80.7%.

Reasons for Delay in Timely Transition and Number of Days beyond the Third Birthday

In 2007-2008, 3,711 children were referred from the Part C program with 414 children not receiving a timely transition. In 2008-2009, there were 4,146 children referred from Part C with 210 children who did not receive a timely transition. This represented an 11.7% increase/change in the total number of transitioning children and a 49.3% reduction/change in the number of children not receiving a timely transition.

Part B Circumstances. The largest number of reported delays (n=122) fell in the "Part B Circumstance" category. This is identified as being related to the capacity of LEAs to conduct entry level assessments and to develop an efficient process.

Family Circumstances. The second largest number of reported delays (n=49) fell in the "Family Circumstance" category. In part, this reason for delay may be related to LEAs not employing efficient and effective practices for conducting entry level assessments and IEP meetings. For example, when a family cancels a previously scheduled entry level assessment (which would have met the timely transition goal) the LEA assessment team calendars may be too tightly booked to reschedule a timely evaluation slot. When this is so, an LEA needs to explore ways to resolve this challenge.

Part C Circumstances. The third highest reported reason for delay (n=32) relates to Part C failing to notify or issue transition planning meeting invitations to Part B in a timely manner when a child was in the Part C system prior to 2 years, 9 months of age. This would suggest the need to emphasize collaborative planning and tracking between both programs.

Child Circumstance. This was the lowest reason of the reported delays (17) but would also suggest that when a cancellation for an entry level assessment occurs due to child sickness that the rescheduling process may be hampered by tightly booked assessment team schedules.

Relative to the time span beyond the third birthday in which transitions were held, the time increment in which the largest number of delays occurred (n=66) was 46 days or more. This, too, was the largest time increment in delays for 2006-2007 (n=364) and 2007-2008 (n=202); however the difference between the last two reporting periods indicated a 206% change/reduction.

Statewide Progress on Improvement Activities for 2008-2009:

Monitoring- LEA Transition Planning Document. All 34 LEAs performing below 95% compliance in 2007-08 completed the LEA Transition Planning Document. The Department revised a previous tool which outlines the policies and procedures titled the "LEA Transition Planning Document". The document was based on information gathered from the Early Childhood Transition Center and the National Early Childhood Technical Assistance Center. Assistance from the University of North Carolina at Greensboro allowed the Department to conduct a validity and reliability study of the document for the purpose of revising and refining the document to maximize further guidance to LEAs. A scoring rubric was also developed for purposes of monitoring the quality of LEA practices. Information reviewed in this document assisted the Department in providing technical assistance at the local level, and assisted in a complaint investigation.

Monitoring – Development of a Focused Monitoring Tool. A North Carolina Indicator 12 focused monitoring tool developed for the purpose of conducting on-site file reviews for LEAs who did not correct their non-compliance within a one year period. This tool was developed between 2007 and 2008 through stakeholder input at regional preschool coordinators meetings and with the input from similar tools developed by the Western Regional Resource Center and the National Early Childhood Technical Assistance Center and the Data Accountability Center.

- Percentage of LICCs assisting in the development or dissemination of a list of community resources and contacts for children who may not qualify for services in the 619 Preschool Program (51%).
- Percentage of LICCs assisting in the development or dissemination of a community list of resources and contacts for children enrolled in the 619 Preschool Program (51%).
- Percentage of LICCs providing local orientation programs to new professionals with information on intervention programs, contacts, referral procedures, and transition practices (32%).
- Percentage of LICCs providing information on local community forum(s) that address community transition issues and procedures between programs (44%).
- Percentage of LICCs reviewing written program information for families on the transition process and provide input to their 619 Preschool Program (37%).

Coordination and Coordination – Financial Support of Transition and Child Find Activities. Funds from 619 B were utilized to issue grants to LICCs to support activities at the local level focused on Transition and Child Find. All of the 97 LICCs in the state were funded.

Policies, Practices, and Procedures- North Carolina Guiding Practices in Transition and Frequently Asked Questions about Transition Documents. Part B and C lead consultants and monitors worked jointly to develop a guiding practices document which was released in February, 2009. Part B representatives also developed a Questions and Answers document to further clarify policies, practices and best practice procedures around the topic of transition.

Program Development – Preschool Assessment Center Initiative. A professional development model was developed to assist with building the states capacity to conduct developmentally and culturally appropriate assessment on very young children. Eight LEAs were selected and funded (5 LEA in FFY 2007 and 3 new LEAs in FFY 2008) to become best practice centers for demonstration purposes. Training of these assessment teams and their administrators began in the summer, 2008 and continues. The overall model includes:

- State wide video conference training programs for play-based assessments,
- Follow-up on-site demonstrations and
- Technical assistance and coaching.

The model also intentionally addresses practices which are family friendly, efficient and addresses the lack of available personnel to conduct assessments in some areas of the state. The major components of the model include:

- Trans-disciplinary Play-based Assessments (Linder, 2008),
- Touchpoints (T. Berry Brazelton)-model for developing family relationships and communication practices,
- Business model which includes-
 - conducting community wide screen clinics,
 - scheduling and report writing practices

Correction of FFY 2007 Findings of Noncompliance (if State reported less than 100% compliance)

Level of compliance (actual target data) State reported for FFY 2007 for this indicator: **82.5%**

7. Number of findings of noncompliance the State made during FFY 2007 (the period from July 1, 2007 through June 30, 2008)	33
8. Number of FFY 2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	31
9. Number of FFY 2007 findings <u>not</u> verified as corrected within one year [(1) minus (2)]	2

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

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

FFY	Measurable and Rigorous Target
2008-09	The level of performance is 100 percent.

Actual Target Data for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

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

Measurement:

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

FFY	Measurable and Rigorous Target
2008-09	N/A – First APR reporting in FFY 2010 APR due 2/1/12

Actual Target Data for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

N/A – First APR reporting in FFY 2010 APR due 2/1/12

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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

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

<p>Measurement:</p>

Percent of noncompliance corrected within one year of identification:

- | |
|--|
| <p>a. # of findings of noncompliance.</p> <p>b. # of corrections completed as soon as possible but in no case later than one year from identification.</p> |
|--|

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

States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).

FFY	Measurable and Rigorous Target
2008-09	100% Identification and correction of noncompliance as soon as possible but not later than one year from identification.

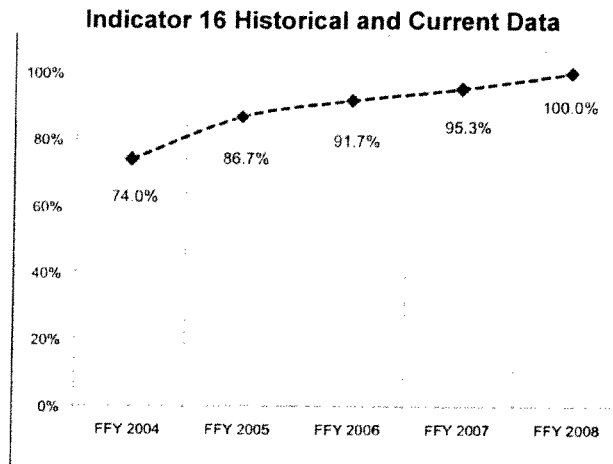
Actual Target Data for 2008-09:

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09:
[If applicable]

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

North Carolina met the target of **100%** of signed written complaints with reports issued being resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint. The data from FFY 2008 indicate improvement from 95.3% to **100%**. This is an increase of **4.7 percentage points**.



During FFY 2008, the SEA received 97 complaints and investigated 74. This is a decrease in both the number of complaints received and the number investigated from FFY 2007, when the SEA received 115 complaints and investigated 85.

An analysis of the data from the past four fiscal years indicated that LEAs and complainants were not resolving complaints at the local level. During the last four years 367 complaints were filed, 243 (66.2%) were investigated, and 29 (7.9%) were withdrawn. This trend continued into FFY 2008 when only two complaints (a historical low) were withdrawn. The results of early resolution for the past five years are: 464 complaints filed, 317 investigated (68.3%), and 31 (6.7%) withdrawn.

The state complaint procedures required the complainant to withdraw the complaint after it was resolved at the local level. The NCDPI after consulting with local directors of special education determined that LEAs tried and succeeded in early resolution; however, complainants often refused to withdraw the complaint. The complaint procedures were revised at the end of FFY 2008 and now require either party to submit a copy of the signed resolution or mediation agreement. Upon receipt of the signed agreement, the complaint will be withdrawn.

<p>3. Managing incoming telephone calls and responses;</p> <p>4. Managing the responsibilities for the other dispute resolution systems, i.e., facilitation, mediation, resolution meetings, due process databases, and paperwork.</p>		<p>Superintendent.</p> <p>3. This activity was addressed by assigning each of the three consultants to receive all the incoming calls one day per week. The goal was to allow two days per week of uninterrupted time for each consultant to conduct investigations and complete reports.</p> <p>4. After reviewing the duties of the consultant who coordinates the facilitation program, some assistance was provided during the peak times of the year for facilitation requests.</p>
Evaluate the effectiveness and efficiency of the early resolution process.	July 2006 and Annually	<p>Analysis of data revealed that the early resolution process is successful, but the state complaint procedures required the complainant to withdraw the complaint after it was resolved at the local level. The NCDPI determined that LEAs tried and often succeeded in early resolution; however, complainants often refused to withdraw the complaint. The complaint procedures were revised at the end of FFY 2008 and now require either party to submit a copy of the signed resolution or mediation agreement. Upon receipt of the signed agreement, the complaint will be withdrawn.</p>
Analyze and evaluate the complaint system's implementation process to include managing incoming telephone calls/emails, and responses by exploring other means of doing so, e.g. by employing a parent ombudsman and/or relieving each consultant from this responsibility one or more days per week.	July 2008 and Annually	<p>This activity was addressed by assigning each of the three consultants to receive all the incoming calls one day per week. The goal was to allow two days per week of uninterrupted time for each consultant to conduct investigations and complete reports.</p>

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / General Supervision
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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.

FFY	Measurable and Rigorous Target
2008-09	100% of the fully adjudicated due process hearing requests will be completed with written decisions issued within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

Actual Target Data for 2008-09:

100% of the fully adjudicated due process hearing requests were completed within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

Due process complaints total	60
Hearings (fully adjudicated)	2
Decisions within timeline (include expedited)	0
Decisions within extended timeline	2
Resolved without a hearing	46

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

The NCDPI met the target of 100% for 2008-09, as was done in 2006-07 and 2007-08. The data for this target is from Table 7 (see above). The NCDPI attributes the maintenance of the 100% target to the continued implementation of improvement activities in the following chart.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

Monitoring Priority: Effective General Supervision Part B / General Supervision
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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.
--

FFY	Measurable and Rigorous Target
2008-09	75% to 85% of the hearing requests that go to resolution sessions will result in settlement agreements.

Actual Target Data for 2008-09:

72.1% of hearing requests that went to resolution sessions were resolved with settlement agreements.

60 requests for due process hearings

43 resolution meetings

31 written settlement agreements

TABLE 7

Due process complaints total	60
Resolution meetings	43
Written Settlement agreements	31
Hearings (fully adjudicated)	2
Resolved without a hearing	46

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

The NCDPI did not meet its target range of 75% -85%. The actual target rate of 72.1% is 16.5 percentage points more than the 2007-08 target of 55.6%.

Forty-three (43) resolution meetings were conducted. Seven (7) requests for a hearing were withdrawn before resolution meetings were conducted. Three (3) of the parties that participated in resolution meetings that did not result in settlement agreements, requested mediation. One (1)

resolution meeting to help the agency identify the components of a successful resolution meeting and the reasons that a resolution meeting might not result in a settlement agreement.		about the reasons for successful outcomes or the lack of settlement agreements to determine how the SEA might increase the percentage of settlement agreements. The issues preventing the parties from reaching settlement agreements were issues that the SEA could not address (e.g., private school tuition, cash settlements for damages, or school assignment).
Based on a pilot, the Exceptional Children Division will revise and send a survey to LEAs and parents who participate in a resolution meeting to help the agency identify the components of a successful resolution meeting and the reasons that a resolution meeting might not result in a settlement agreement. That information will be analyzed and use to develop/refine training for LEAs, advocates, and parents.	2009 - 2010	At this time, a formal survey has not been developed. It is anticipated that one will be developed, based on the questions used in the telephone interviews in 2008-09, and distributed near the end of the 2009-10 school year.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A

95% of the mediations not associated with a due process hearing reached agreement, while only 50% of the mediations associated with a due process hearing reached agreement. While the mediators remain the same each year, the 2008-09 year reflects a significant difference in the data between mediations associated with a due process hearing and mediations not associated with a hearing.

Activities completed in 2008-09:

Activity	Timeline	Status
Offer continuing professional development for mediators to improve and enhance their skill level.	May 2006 and ongoing	Each of the 15 mediators attended a minimum of 15 hours of mandatory continuing education (half special education law and half mediation process training) and several mediators attended an additional third day of training. Feedback from the parties obtained after each mediation session was shared with the respective mediator. Several mediators also attended the annual EC Division Conference. Monthly, the EC Division electronically disseminated articles regarding mediation to mediators.
Offer continuing outreach to parents and local education agencies regarding the benefits of mediation to (a) reduce the number of cases where mediation is declined, (b) reduce the number of state complaint investigations, and (c) reduce the number of due process hearings filed.	2005 and ongoing	The three Dispute Resolution Consultants conducted extensive outreach to parents, school representatives, parent attorneys and advocacy groups about the benefits of using mediation to resolve disputes. This occurred through daily phone calls from parents and school personnel; the state website; annual trainings in collaboration with the NC Parent Training and Information Center (Exceptional Children's Assistance Center); numerous trainings for LEA administrative staff; presentations at disability specific conferences; and the annual NC EC Conference.

Part B State Annual Performance Report (APR) for 2008-09

Overview of the Annual Performance Report Development: See description in Overview Section.

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 Attachment B).

FFY	Measurable and Rigorous Target
2008-09	100% of State reported data (618 and Annual Performance Report) are timely and accurate.

Actual Target Data for 2008-09:

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2008-09:

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2008-09: N/A