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

Report to the Joint Legislative Education Oversight Committee

DPI Study/Improve Outcomes for Students with Disabilities

Session Law 2015-241 (HB 97), Section 8.3

Date Due: November 15, 2017---
Report #28----
DPI Chronological Schedule, 2017-2018

NC DEPARTMENT OF PUBLIC INSTRUCTION

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This report is submitted to the Joint Legislative Education Oversight Committee to comply with the requirement that DPI shall report on the progress of developing and implementing policy changes on (i) IEP reforms, (ii) transition planning policies, (iii) increased access to Future-Ready Core Course of Study for students with disabilities, and (iv) model programs for use by local school administrative units to improve graduation rates and school performance of students with disabilities.

Part I: Review and Revisions to the North Carolina *Policies Governing Services for Children with Disabilities*

1.   The EC Division amended its *Policies Governing Services for Children with Disabilities* in response to notifications from the Office of Special Education and Rehabilitative Services (OSERS) and the North Carolina General Assembly. Those changes are summarized below.

A. Rosa's Law (Pub. L. 111-256) amended sections of the Rehabilitation Act of 1973, as amended (Rehabilitation Act), the Individuals with Disabilities Education Act (IDEA), the Higher Education Act of 1965, as amended (HEA), and the Elementary and Secondary Act of 1965, as amended (ESEA), by removing the words "mental retardation" and replacing them with the words "intellectual disability" or "intellectual disabilities." The final regulations are effective August 10, 2017.
   a. Removing the words "mental retardation" in places where they appear and adding, in their place, the words "intellectual disability."
   b. Revising the definition of Child with a Disability: Intellectual Disability to:
      "Intellectual disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects the child's educational performance. The term "intellectual disability" was formerly termed "mental retardation."

B. The General Assembly of North Carolina passed House Bill 149: An Act to Require the State Board of Education and Local Boards of Education to Develop Tools to Ensure Identification of Students with Dyslexia and Dyscalculia. This Act requires that dyslexia be defined in all State Board of Education policies regarding specific learning disabilities no later than June 30, 2017.
   a. Include the definition of dyslexia as follows:
      "Dyslexia is a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge."

C. The Office of Special Education and Rehabilitative Services, Department of Education amended the regulations implementing Parts B and C of the Individuals with Disabilities Education Act (IDEA) in order to implement the statutory amendments made to the IDEA by Every Student Succeeds Act (ESSA). The final regulations are effective as of June 30, 2017.
   a. Revise the definition of the term "charter school" in § 300.7 to update the statutory reference to the ESEA's amended definition of that term.
   b. Remove the definition of the term "core academic subjects" in § 300.10, the definition of "highly qualified special education teachers" in § 300.18, and the definition of "scientifically based research" in §§ 300.35 and 303.32 because these terms have been removed from the ESEA.

c. Revise the term "Limited English proficient" in § 300.27 to reflect the revisions to the term "English learner" in section 8101 of the ESEA.

d. Revise § 300.102(a)(3)(iv) to incorporate the definition of "regular high school diploma" in section 8101(43) of the ESEA.

e. Move the qualification requirements for special education teachers from § 300.18(b)(1) and (2) to § 300.156(c).

f. Revise § 300.160(c) to reflect amendments made to the IDEA by the ESSA that clarify that guidelines and alternate assessments to measure academic progress under Title I of the ESEA apply only to children with disabilities who are students with the most significant cognitive disabilities, whose achievement is measured against alternate academic achievement standards if a State has adopted such standards as permitted under section 1111(b)(1)(E) of the ESEA.

g. Revise paragraph (b)(4)(xi) of § 300.704 (State-level activities), regarding the provision of technical assistance to schools and local educational agencies (LEAs) implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the ESEA on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities, to include direct student services described in section 1003A(c)(3) of the ESEA to children with disabilities.

Lastly, the EC Division recommended a technical correction to the *Policies Governing Services for Children with Disabilities*. The recommendation was to amend the name of the monitoring mechanism "continuous improvement performance plan (CIPP)" to "LEA Self-Assessment." The change aligns with the language used in North Carolina's State Performance Plan - Indicator #17: State Systemic Improvement Plan (SSIP). This plan reflects the requirement to establish a comprehensive, ambitious, achievable, multi-year SSIP, with Phase I analysis, Phase II plan, and Phase II implementation and evaluation, with stakeholder involvement in all phases, for improving results for children with disabilities. The monitoring mechanism currently known as CIPP has been amended to include these requirements. The technical correction proposed more accurately reflects the process outlined by Indicator #17 and aligns with reporting requirements provided to the Office of Special Education Programs for North Carolina's State Performance Plan/Annual Performance Report (SPP/APR). The proposal was approved by the State Board of Education in July 2017.

2. Monitoring: Class Size/Caseload Waivers

The process for submitting and reviewing requests for class size/caseload waivers was revised for the 2016-2017 school year. Revisions included streamlining the process in an effort to reduce paperwork, specifically, LEAs in compliance with class size/caseload requirements no longer have an additional reporting requirement to verify compliance. Compliance with the policy is expected; therefore, the only reporting requirement is the submission of a class category, unique needs, and the number of staff available to support those needs are considered. The goal is that the waiver itself provides problem-solving information that could potentially render the request unnecessary as it is reviewed for approval locally by the Principal, EC Director/Coordinator and Superintendent/Lead Administrator. This was found to be an effective change.

3. Policy: Specific Learning Disabilities

Policy changes eliminating the use of the discrepancy method for the identification of a specific learning disability was approved by the State Board of Education in February 2016. This amendment ensured that eligibility decisions were made using multiple sources of data gathered through formal evaluations and by problem-solving teams within a multi-tiered system of support. This change in policy ensured that appropriate data were considered when determining eligibility for special education and related services

and enhanced the IEP team's ability to develop specially-designed instruction with precision based on a student's unique needs. Information on these changes has been provided regularly to LEAs, and professional development is being finalized for LEAs, as they move to implementation of this policy.

4. Documentation/Paperwork Reduction: New IEP Forms/ECATS

The EC Division initiated a revision to the forms used to document a student's individualized education program (IEP), incorporated with the installment of a new Exceptional Children data management system (Exceptional Children Accountability Tracking System-ECATS) . Emphasis has been placed on following a cohesive process of reviewing data from multiple sources, identifying the student's unique needs, and documenting the progression of the development of goals, accommodations and modifications; and specially designed instruction. Consideration was given for the logical progression of IEP Team meetings relative to particular processes (initial evaluation, reevaluation, etc.) and the need to ensure meaningful parent participation. These new forms are integrated in the new electronic management system and will provide online access with IEP completion, streamlining paperwork for teachers and administrators.

Additionally, with the legislative requirement of a Uniform Education Reporting System (UERS), the Exceptional Children (EC) Division will utilize the unique opportunity to gather data from a sole-source vendor for the software used to manage special education paperwork (ECATS). This Request for Purchase (RFP) was finalized in February 2017 with Public Consulting Group (PCG). With statewide implementation of ECATS in July of 2018, all traditional and charter LEAs will document IEPs and eligibility data in one unified system.

Two of the benefits of the revisions to the IEP forms and the new ECATS system include the opportunity for increased compliance with EC processes through the use of state-required forms, and seamless transitions for students between LEAs, preventing prolonged interruptions in receiving services required by the IEP, often caused by the transfer of student records.

Other Paperwork Reduction Activities:
- LEA Resources: Revised the Formal State Complaint Procedures
- LEA Resources: Developed Guidance Document *Determining When an Evaluation is Needed Within a MTSS Framework*
- EC Program Approval — Psychiatric Residential Treatment Facilities
- Paperwork Reduction/Fiscal Responsiveness: Transitioned from certified mail to DPI-encrypted email for the distribution of monitoring and state complaint reports to LEAs

Part II:Transition Planning Policies

1. Continuum of Transitions (One Area of NC's State Systemic Improvement Plan)
The evidence for the work around a continuum of transitions comes primarily from the literature on factors related to dropout risk and graduation achievement. Interventions that include provision for mentoring, family outreach, academic support, attendance monitoring, additional support services, and students' participation in school-related activities, self-determination skills, social skills, and vocational skills have been documented (Wilkins & Huckabee, 2014). "Research on evidence-based components of dropout prevention suggests that schools can prevent students from dropping out, including students with Learning Disability (LD) and emotional disabilities, by using data to identify which students are most at risk for dropping out and then providing these students with access to an adult advocate who can implement academic and behavioral support in a school climate that promotes personalized and relevant

instruction. The EC Division has engaged in multiple activities to develop the transition process when students enter school beginning with Pre-K.

To ensure diverse perspectives in the design of the work, the EC Division identified a group of stakeholders who met multiple times to generate a template for a district-level tool. The tool incorporates the National Technical Assistance Center on Transition (NTACT) researched Predictors of Success, with a focus on promoting the transition process in grades Pre-K through 12 and on setting the expectation of reaching the post-school outcomes of education/training, employment, and independent living upon entering school in the early grades. Currently, a draft version of the tool has been developed that serves as a resource for both the selection and documentation of research-based transition strategies spanning Pre-K through 12th grade. This tool will be refined during the 2017-18 school year with an emphasis on alignment between assessment data currently collected in early grades and specific transition practices identified within the tool. During the 2018-19 school year, the resource will be piloted in regional locations for the purpose of validation and usability testing.

In addition, with the clearly established association between self-determination and engagement with high school graduation, the team is currently piloting components of the ME! lessons developed at the Zarrow Center for Learning Enrichment at the University of Oklahoma. The ME! lessons were selected due to their alignment with stakeholder input, the research base on which they were developed, and initial positive evidence in small-scale studies. Over the course of the 2017-18 school year, components of the lessons related to self-awareness and self-advocacy will be utilized in eight pilot sites across the state. Professional learning will be provided to support implementation and a pre-post evaluation model using the validated AIR Self-Determination Scale. Based on the findings of the pilot study, the use of the lessons will be refined and scaled to other districts in the state during the 2018-19 school year.

2. Secondary Transition

EC Division has created a transition toolkit to support traditional and charter LEAs on tools for completing secondary transition plans. The training plan consists of an identified transition lead for each LEA/Charter School to attend State transition redelivery training. Each Transition Lead (TL) attending the training was given access to the TL Wiki containing the redelivery materials; given access to a robust Transition Toolkit (Livebinder) containing the Secondary Transition resources; and began development of their redelivery plan to be approved by the EC Director. There were eleven trainings held throughout the state (September 2015-present). Approximately 158 Transition Leads were trained for redelivery of the Secondary Transition IDEA requirements. Transition topic webinars were held May and June on the topics of: Vocational Rehabilitation, Community Colleges, CTE, and Significant Cognitive Disabilities. The webinars have been archived and are readily available to districts seeking support on secondary transition.

Part III: Increased Access to Future-Ready Core Course of Study for SWD

1. Extended Content Standards Elective Courses

The EC Division created and received approval on two new elective courses for students with Significant Cognitive Disabilities. These two new courses are designed to prepare individuals with the tools that allow them to successfully address the demands of adulthood and post-school success. The competencies focus on vocational skills, community involvement, self-advocacy and adaptive skills. This increases the ability for this population of students to have increased opportunities for

meaningful post-school employment and successful outcomes. These two courses are required for students entering 9th grade during the school year 2019-20.

Part IV: Model Programs for Use by Local Administrative Units to Improve Graduation Rates and School Performance of Students with Disabilities

Multiple initiatives and projects will work collectively to support these two focus areas. They have been combined rather than repeat each item.

1. Special Projects Funding

LEAs complete applications for Special Project funds and budgets funds so students with more significant needs can attend school and better access educational services which in turn improves school performance and graduation rates.

Additionally, the EC Division has engaged in a funding study over the last two years, to investigate other options for special education funding beyond the cap formula currently in place. An authentic stakeholder group has worked with the Friday Institute to develop a more equitable funding plan, which will be provided to the NC General Assembly for review and consideration.

2. NC State Improvement Project

The US Department of Education Office of Special Education Programs (OSEP) awarded North Carolina funding for another five-year grant cycle in the total amount of $7.2 million. This State Personnel Development Grant (SPDG) from OSEP continues and supports the work of the three previously awarded five-year grants through which Reading Research to Classroom Practice (RRtCP) and Foundations of Mathematics (FoM) courses were developed. Over 35,500 educators have participated in the delivery of this professional learning across the state of North Carolina. As of fall 2017, over 450 instructors have been certified to continue to build capacity to offer the courses with fidelity. These courses improve teachers' instructional skills in the delivery of reading and math. The new five-year grant spans 2016-2021 and the new grant focus added supporting leaders' understanding of implementation science and use of evidence-based practices of instruction, adolescent literacy, co-teaching, and system and instructional coaching. Currently, four Institutions of Higher Education partners integrate the RRtCP and FoM course content into their university teacher education programs for pre-service teachers. The high quality professional development provided by the grant funding will support teachers and their impact on students with disabilities' learning by access to best instructional practices and evidence-based interventions.

3. State Systemic Improvement Plan (SSIP) and LEA Self-Assessment

The EC Division is currently engaged in phase III of the State Systemic Improvement Plan (SSIP), focused on the evaluation of the root cause analysis, infrastructure alignment, and installation of improvement plans. The major activities of the SSIP process to date include:

- The development of an LEA Self-Assessment (LEASA). The LEASA was developed to support traditional and charter LEAs in their identification of root causes associated with graduation gaps between students with disabilities and non-disabled peers. Subsequently, the tool supports the development and implementation of evidence-informed interventions aligned with identified root causes. For the EC Division, the aggregated data served as a tool to inform regional infrastructure alignment and the development of a professional learning plan.

- The provision of comprehensive professional learning to support the LEASA process. During quarterly regional meetings, the State provided coaching on the rationale for using the LEASA, presented strategies for analyzing the data and selecting priorities, and modeled completion of the LEASA. Regional coaches met with LEA staff monthly to review data from the LEASA and to develop local implementation plans.
- The analysis of LEASA data. The EC Division staff reviewed the LEASAs using a validated rubric to determine an appropriately aligned tiered system of providing technical assistance and professional learning. Using the data from the rubrics, the EC Division grouped identified needs to provide targeted support around particular topics or processes.
- The development of a statewide professional learning calendar. The SSIP Team analyzed the quantitative and qualitative data for development of a universal professional learning calendar. The calendar was designed by identifying commonly occurring needs reflected in the critical components of the LEASA and recommendations for support made during the EC Division staff reviews. Thus, supports offered by the EC Division during the 2017-18 school year are a direct result of self-identified root causes at the local level.

The evaluation of the SSIP have thus far yielded indicators of successful implementation. Key highlights of the SSIP evaluation include the following:

Domain	Key Outcome Comparisons to Baseline
Graduation	- The students with disabilities (SWD) 5-year cohort graduation rate exceeded the 2016-17 target, and the rate was higher in 2016-17 than it was in the three previous years - Progress from baseline has resulted in 1,333 more students with disabilities graduating since 2013.
Academics	- High rates of fidelity for model reading and math instruction - The SWD subgroup attained a higher level of proficiency in reading and mathematics (3-8) - Association between fidelity of math instruction and student proficiency
Behavior	- High rates of fidelity of School-wide Positive Behavior Intervention Supports (PBIS) implementation - High rates of fidelity of Social Emotional Foundation of Early Learning (SEFEL) implementation - Overall, in-school, long-term out-of-school, and out-of-school (1-10 days) suspensions decreased in 2015-16 compared to 2014-15 - Significant association between fidelity of PBIS and out-of-school suspensions
Transition	- Indicator 7 metrics A1, B1 and C1 were met (preschool students with improved outcomes) - Indicator 11 LEA rates were stable, but greater than 96% in each year (timeframe between evaluation and identification) - Indicator 12 LEA rates were stable, but greater than 97% in each year Transition from early childhood to preschool services - An increase in the number of LEAs reaching the Indicator 14 targets in the baseline year (as there is a 1-year reporting lag) (Participation in postsecondary training, education, or employment)

Additional Activities:
- Participation in the Results-Based Accountability Collaborative (nationally)
- Initiatives: Developed a stakeholder group in collaboration with Disability Rights of NC to study the placement of students with disabilities on homebound or modified day
- of Administrative Hearings (OAH) for Due Process Petitions and Appeals
- Interagency Collaboration: Reviewed and revised Memorandum of Agreement (MOA) with the Department of Health and Human Services to ensure educational services are being provided in Psychiatric Residential Treatment Facilities (PRTFs)
- Capacity Building/Initiatives: Migrating professional development/training to online platform for fidelity of implementation and to expedite training required as a result of teacher/administrator turn-over
- Initiative: Developed an Educational Sign Language Interpreter and Cued Language Transliterator Coaching Cohort to increase the knowledges, skills, and competencies of these professionals improve outcomes for students who require an interpreted or transliterated education.