North Dakota
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Dr. Wayne G. Sanstead, State Superintendent
Department of Public Instruction
600 E Boulevard Ave, Dept. 201
Bismarck, ND 58505-0440

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Overview of the Annual Performance Report Development
Introduction

Throughout the implementation of the ND State Performance Plan (SPP), the SPP indicators have become the focal point in local and statewide communication and are referenced by the ND Department of Public Instruction (NDDPI) special education staff members when discussing the intent for improved outcomes for children with disabilities. The data collected through the SPP provide specificity for many critical issues in ND special education. Progress in each of the indicators is reported in this Annual Performance Report (APR). The SPP and APR are also used to make the connection for parents and educators to the increased expectations from the U. S. Department of Education contained in the Individuals with Disabilities Education Act, 2004 (IDEA 2004) and the No Child Left Behind Act (NCLB). NDDPI also revised its strategic plan to reflect the 20 indicators of the SPP.

Stakeholder Input

To ensure continuous improvement in the ND special education processes and accountability system, meetings were held with the Office of Special Education Programs (OSEP) and various regional and national technical assistance centers. These centers include the Mountain Plains Regional Resource Center (MPRRC), WESTAT, The National Early Childhood Technical Assistance Center, The National Association of State Directors of Special Education: The Personnel Center, and the National Secondary Transition Technical Assistance Center. The NDDPI has actively solicited broad stakeholder input on a statewide basis as State staff members met periodically during the year to review and update the SPP indicators and activities. Stakeholder agencies in North Dakota include the Part B and Part C joint committees of the ND IDEA Advisory Committee and the ND Interagency Coordinating Council; the Parent Involvement Workgroup (a subcommittee of the ND IDEA Advisory Committee); the ND Early Childhood Outcomes Team; the ND Response to Intervention (RTI) State Leadership Team; the ND Secondary Transition Community of Practice Advisory Council; the Speech and Language Taskforce; the ND Personnel Development Taskforce; the ND Administrators in Special Education Study Council; Early Childhood Education Council; Autism Spectrum Disorder Task Force; and the North Dakota Council of Educational Leaders. These stakeholder groups are comprised of members from the ND Department of Human Services (Part C), Developmental Disabilities; ND Pathfinder Parent Center (ND Parent Training and Information and Parent Information Resource Center); ND Division of Juvenile Services; ND Protection and Advocacy Project; Bureau of Indian Education; State Child Welfare Agency; ND Board for Career and Technical Education; Vocational Rehabilitation Agency; ND Job Services; Special Education administrators; the ND Center for Persons with Disabilities; university professors; educators; parents; and students. In addition to taskforce meetings, NDDPI holds an annual statewide Special Education Leadership Institute with all local special education directors in attendance. During the September 2009 session, NDDPI staff members proposed changes, described new information pertaining to the indicators, presented technical assistance in areas of need, and collected feedback from the field. Furthermore, the ND IDEA Advisory Committee has had continuous involvement in revisions and continues to indicate general consensus in support of the new ND targets and improvement activities as written in the ND SPP.

The NDDPI sent notification of the final ND SPP and APR location on the NDDPI website via email to all local special education administrators, ND Pathfinder Parent Center, and IDEA Advisory Committee members. The ND SPP and APR are available for public viewing at http://www.dpi.state.nd.us/speced/reports.shtm

District Performance Reports are also publicly posted approximately one month after the APR and SPP are submitted at http://www.dpi.state.nd.us/dpi/reports/Profile/index.shtm. Once on this webpage, reports can be viewed by selecting the specific district and school year desired.

The Special Education Guidelines are also publicly available on the NDDPI Special Education website: http://www.dpi.state.nd.us/speced/guide/index.shtm. Presentations on each of the guidelines and their requirements were also given to various stakeholder groups, state agencies, and special education staff. NDDPI staff members developed training materials that were widely disseminated across the state. Presentations on the topic of the SPP and APR indicators, requirements, and data collection methods continue to be a frequent activity in North Dakota at parent and education forums.

Explanation of the Special Education offices held in North Dakota

There are varying levels and offices of special education in North Dakota. This section describes each level and the respective responsibilities.

- SEA: the State Education Agency in North Dakota is the North Dakota Department of Public Instruction (NDDPI). The following special education positions are held within the Special Education Unit of the ND Department of Instruction:
    - Special Education State Director: oversight of all special education units, special education programs in ND school districts, and NDDPI special education personnel;
    - Assistant Special Education State Directors: The NDDPI employs three (3) assistant state directors. Each director assists the State Special Education Director with the oversight of all special education units, special education programs in ND school districts, legislative responsibilities, and NDDPI special education personnel oversight;
    - Regional Special Education Coordinators: The NDDPI Special Education Unit employs five (5) Regional Special Education Coordinators. Each coordinator has portfolios that include specific statewide initiatives relating to disability areas, trainings, and program responsibilities. In addition to the statewide responsibilities, each coordinator is also responsible for technical assistance to approximately five special education units. Four of the coordinators' offices are located in the Department of Public Instruction, the other coordinator works from a satellite office outside of the Bismarck area; and
    - The NDDPI Special Education Unit also has two position shared within NDDPI. One position is the Assistant Director of Standards and Achievement. The main responsibility of this position is the Alternate Assessment. The second position is an Assistant Director of Title I programs. This individual is responsible to share information between the DPI Title I and Special Education staff as well as coordinate joint efforts between the two programs.

- Special Education Units: North Dakota is divided into 31 special education units (SEU). Each special education unit is responsible for the special education programs and related services in at least one and as many as nineteen school districts. Each of the special education unit positions are local positions and are not employees of the state office, NDDPI. The following offices may be held within each of the special education units:
    - Special Education Unit Director: oversight of all special education programs in member school districts, in partnership with school district personnel, within the special education unit, and special education unit personnel;
    - Assistant Special Education Unit Director: assists the Special Education Unit Director with the oversight of all special education programs in member school districts, in partnership with school district personnel, within the special education unit, and special

education unit personnel;

- Special Education Unit Coordinator: Each unit coordinator has portfolios that contain specific unit-wide initiative and program responsibilities. Each unit coordinator is responsible for the oversight of technical assistance in the school districts within the special education unit, in partnership with school district personnel and the NDDPI.

- Local School Districts: North Dakota currently has 185 local school districts. Each school district belongs to a special education unit and collaborates with the special education unit staff to ensure children with disabilities receive the appropriate and individualized special education services.

The NDDPI Office of Special Education is proud of its history of mutual respect, collaboration, and partnerships with personnel at the special education unit and school district levels. Although being a small state often presents its difficulties, the benefit from these collaborative efforts occurring at all levels cannot be overstated.

Explanation of Improvement Activities and Improvement Activities Tables
To ensure public awareness of new and ongoing activities, this section describes the ongoing activities related to each of the 20 SPP indicators, activities that are new and related to each of the 20 SPP indicators, and activities that are new to specific indicators. For information on ongoing activities specific to each indicator, please see the narrative for that indicator.

To further increase awareness of the progress in North Dakota, each indicator narrative contains a table of improvement activities. Each activity is color-coded based on the status of the activity: new, completed, revised, or ongoing. The color-coding is presented in the table below:

Activity	Color
New	Light Blue
Completed (In SPP)	Light Orange
Revised	Pink
Ongoing	Green

Note: NDDPI acknowledges Washington State Office of Superintendent of Public Instruction (OSPI) for establishing this model.

Since the development of the first North Dakota State Performance Plan (SPP) several activities have been implemented and completed. To maintain current information in this APR, completed activities have been removed from the indicator activities tables in this APR. All previous improvement activities are available for review in the SPP. North Dakota would also like to note that all "continuous" or "ongoing" activities will continue until or beyond 2012, depending on need.

Ongoing Activities Related Overall. The following activities have been successful in increasing overall positive results to the ND SPP and its indicators. Therefore, NDDPI is continuing the following activities:

1. *North Dakota Longitudinal Data System*:
   NDDPI's current data system, the State Automated Reporting System (STARs) is designed primarily for "one-way" data collection and used to comply with federal and state reporting requirements. While STARs contains a wealth of K-12 data, the system is not readily accessible

to stakeholders outside the NDDPI agency. In addition, STARs provide "point in time" reports with little ability to track data "longitudinally" or over time.

In March 2009, NDDPI received a federal grant to design, develop, and implement a North Dakota Statewide Longitudinal Data System (ndSLEDS) to track K-12 student outcomes. NDDPI is developing an accountability infrastructure that goes beyond reporting of data to a system that provides data useful for advancing professional practice in the classroom and for educational research that informs both policy and practice. By providing access to quality and timely data, the State of North Dakota will be better able to identify promising instructional practices, improve student achievement, and reduce achievement gaps among student groups. The ndSLEDS project has an anticipated completion date of April 2013. The complete report on the current status of the ndSLEDs in available in Appendix A.

2. *Response to Intervention (RTI) and Response to Intervention-Behavior (RTI-B) Implementation:* The focus of work on these related innovations during 2009-2010 has been on building infrastructure for scaling up implementation statewide. In the winter of 2009-10, NDDPI issued grants to two regional education agencies (REAs) to begin the process of developing a regional infrastructure for scaling up RTI and RTI-B. The two grantees submitted proposals on behalf of the whole regional education agency system. The Southeast REA submitted on behalf of two eastern North Dakota REAs and the Mid-Dakota REA submitted on behalf of six REAs in western ND. Each project designated a project manager.

   NDDPI joined the *State Readiness Community of Practice*, one of OSEP's TA & D Network Communities, in the fall of 2009. The state team for ND included representatives of DPI Special Education and Title I offices and the State Field-based Coordinator for the ND RTI/RTI-B project. The two REA project managers and a consultant from MPRRC were added to round out the perspectives regarding the infrastructure development in ND.

   In addition to the monthly *State Readiness Community of Practice* involvement, the REA project managers also participated in the regular meetings of the RTI/RTI-B State Team. As in the past, training for new schools has also been provided at the same time as the work on building regional infrastructure. The State Team plans the training events for schools that want to begin implementation of RTI or RTI-B each year. To support this effort, REAs developed a website to provide information on upcoming trainings and resources for new schools, and materials that would be helpful to these schools as they begin the introductory training cycle. The REAs provided personnel to become trainers for the Schoolwide Information System (SWIS), a valuable data collection and reporting component for RTI-B. REAs regularly provide data analysis supports to schools and the SWIS system adds a valued component to this process in schools that are implementing RTI-B. REAs took both support and leading roles in introductory training offered during 2010. With their assistance, there was a significant increase in the number of schools participating in introductory training for both RTI and RTI-B during 2010.

   Through assistance from the MPRRC member of the North Dakota's State Readiness Community of Practice work group, NDDPI began work on developing a State Management Team during the summer of 2010 to guide the scaling up effort. The team members included the two Assistant Superintendents for the SEA, the assistant director for professional development, an assistant director for Title I and an assistant director for special education. In addition, the two REA grantees were invited to participate because at that stage in the infrastructure building process,

major role clarification discussions were occurring regarding what is the SEA role and what is the REA role. Two representatives of each REA grantee (REA Director and Grant Project Manager) are currently participating as State Management Team members. It is expected that, as planning progresses and decisions are made regarding roles and responsibilities at the state and regional levels, the team composition will be clarified and adjustments made to address the needs at each stage of building the infrastructure for scaling up the innovations.

A State Transformation Team was developed to bring in field personnel including school district representatives, the ND Education Association, institutions of higher education, the state Indian Affairs Commission's education consultant, and the current State Management Team members. The Transformation Team's role is to develop the plan for building the infrastructure to scale up the innovations. The Transformation Team has recommended a series of working input groups on specific issues (e.g., parent involvement, schools with large American Indian populations, English Language Learners) that will provide broader input than designating an individual to speak to the important perspectives of these groups.

It is anticipated that the State Transformation Team will continue to work on infrastructure and planning throughout much of 2011. The beginning of the 2011-12 school year is planned as the formal launch of the scaling up process. Spring 2011 will also involve a more formalized evaluation process of ascertaining where implementing schools are regarding fidelity to evidence-based models for RTI and RTI-B. Two large training sessions will utilize the evaluation information in the spring of 2011 to provide schools that have been implementing RTI for two or more years with training specific to fidelity of implementation in areas of need.

A special education specific component will be added to the RTI-B planning process. Evaluation data indicate that a social-emotional learning component for students with autism and related disorders needs to be added to RTI-Behavior, with emphasis on skill development at Tier 3. A series of consultations will be carried out in early 2011 to develop and refine plans for addressing identified needs in this area.

3. *NDDPI and Title I Collaboration:*
   October 8 -9, 2009, the NDDPI Office of Special Education in partnership with the NDDPI Title I Office also hosted the first annual *ND Title I – Special Education Annual Conference*. This first annual conference had an attendance of over 900 general and special education professionals from across North Dakota.

   Summer Symposium: The NDDPI Office of Special Education and the NDDPI Title I Office also hosted the 2009 Annual Summer Symposium. This Symposium provides a range of trainings for general and special education teachers. Session strands were targeted to improving instruction in Mathematics and Reading at the elementary and secondary level. This year's symposium offered two additional trainings to support the state initiative related to scaling up Response to Intervention (RTI).
   a. *Reading:* This year's Symposium included a two-day training on scientifically based research and instructional strategies related to reading. Specific sessions addressed: vocabulary instruction, use of DIBELS data to identify student needs and appropriate remediation, comprehension strategies, Literacy Centers, and culturally sensitive reading instruction.

ND Teacher Reading Academies for Kindergarten, First, and Second Grade: The NDDPI Office of Special Education in partnership with the NDDPI Title I Office hosted the annual ND Teacher Reading Academies. These academies are four day professional development trainings that assist school districts meet the challenges of the *No Child Left Behind Act* and IDEA 2004. The academies are built on scientifically based reading research and highlight issues such as grouping, monitoring student progress to inform instruction, and providing interventions for struggling readers.

b. *Mathematics ND Elementary Math Institute:* The Elementary Math Institute for Struggling Students is a two-day session targeted to improve mathematics instruction at the elementary and middle grades. This session provided teachers with the research background essential to developing in students a solid foundation in the language of mathematics and instructional strategies for each of the NCTM content standards. This Institute provided teachers with opportunities to increase their understanding of how students learn mathematics and practical instructional strategies to address student needs that will improve their understanding and achievement in mathematics.

c. *Response to Intervention*: Two sessions related to the state RTI initiative. One session focused on the elements of successful implementation of an RTI process for reading. This session explored the range of identifying struggling students and the necessary range of academic and behavioral supports to facilitate their learning. The other session addressed how teachers can meet the instructional needs of students who do not qualify for special education but struggle in the area of reading.

4. *Resident Teacher Program:*
NDDPI continues to support ongoing personnel development projects in collaboration with three state university programs, to increase the number of qualified special educators across the state. This has been achieved through State Personnel Development Grant (SPDG) and the increased support to the mentoring model, Resident Teacher Program, in pre-service teacher preparation programs. In May 2010, 25 Educational Strategists graduated from the three funded universities. Of those 25 graduates, 18 (72%) are employed in North Dakota Schools.

5. *Speech-Language Pathology Scholarship:*
Due to a shortage of Speech-Language Pathologists in North Dakota, four scholarships are given to graduate level Speech-Language Pathologists at two North Dakota universities funded through the State Personnel Development Grant. The scholarships fund the student's tuition and books. For each year the student accepts the scholarship, he/she signs an agreement to work in a rural school district in North Dakota. In May 2010, 4 Speech-Language Pathologist graduated from the two universities. Two of the graduate accepted the scholarship for two years and two for one year. All four of the Speech-Language Pathologists are employed in rural school districts in North Dakota.

6. *Traineeship Scholarship:*
Each year NDDPI awards Traineeship Scholarships in priority disabilities areas to ND teachers who wish to pursue graduate level retraining in the field of special education. As part of the application, a recommendation is completed by the Special Education Unit Director where the applicant is working. This recommendation includes information about the applicant's skills as well as an identified need in the Special Education Unit to have a teacher trained in the

identified area. Scholarship amounts are based on the credit hours of coursework taken during a semester. After an applicant has been accepted for the Traineeship Scholarship, the applicant may be funded for a maximum of three (3) years or until they complete their endorsement (whichever comes first). The number of Traineeship Scholarships given fall 2009, spring 2010 and summer 2010 totaled 97 in 8 endorsement areas.

7. *Statewide Web-based Case Management System*:
The Statewide Web-based Case Management System is an electronic system, available via a secured Internet site, which contains all of the components of the Individual Education Program (IEP) and other forms required for students receiving special education services. This system has increased the clarity and accuracy of all student data submitted to the state. After several state and local reviews of student level documentation required, the following forms are now included and maintained within this electronic system and currently used for verification:

Assessment Plan	Integrated Written Assessment Report
Behavior Intervention Plan	Internal Monitoring Transition Req. Checklist
Building Level Support Team Intervention Plan	Joint Prior Written Notice (Part C to B)
Building Level Support Team Interview Log	Manifestation Determination Documentation
Building Level Support Team Observational Record	Meeting Notes
Building Level Support Team Request for Collaboration/Assistance	North Dakota Assistive Technology Consideration
Consent for Evaluation	ND Child Outcomes Summary Form
Consent for Initial Placement in Special Education	North Dakota Child Outcomes Summary Form
Consent to Bill Medicaid	Notice of Changes to IEP Without an IEP Team
ECSE Student Profile: Evaluation	Prior Written Notice
Excusal of Required IEP Team Member(s)	Release of Information
Exit Form	Request to Invite Outside Agency Reps to IEP
Standard Treatment Protocol Documentation Form	Revocation of Consent for Special Education and Related Service
Follow-up Interview Questions	RTI Cumulative Folder
Functional Behavior Assessment	Extended School Year Plan
IEP - Transition 16-21	Student Profile: Evaluation
IEP Ages 3-5	Summary of Performance
IEP Ages 6-15	Transfer of Rights to Student
Individual Diagnostic Report	Verification of Eligibility to use NIMAS Materials
Individualized Service Program	

This system also includes review and validation procedures to check compliance and allows NDDPI staff members and local administrators to monitor timely correction of noncompliance. This system

increases the ease and accuracy of data input, while providing and maintaining a significant number of generated reports used for monitoring at the student, school, district, special education unit, and state levels. Report topics available through this system include, but are not limited to Assistive Technology, Extended School Year, Exit, Assessment, and Indicators 5, 6, 7, 11, 12, and 13. A wide variety of reports is also generated based on immediate need. This system has been fully utilized in all school districts across North Dakota since 2009.

8. *IDEA Indicator Accountability Site:*
   The NDDPI special education staff members update the IDEA indicator accountability website, as new corrective action guidance documents are available. This website contains a description of each indicator requirements and calculation. The site also houses self-assessment and drill-down documents to assist local special education units, in collaboration with school district staff, monitor and correct noncompliance in a timely manner. This website can be accessed at http://www.dpi.state.nd.us/speced/accountability/accountability.shtm

9. *North Dakota Moving to Improve Learning for Everyone* (ND MILE):
   November 2009, NDDPI, with the support of the Center on Innovation and Improvement and the North Central Comprehensive Center, initiated a new process for assisting schools in their improvement efforts. The NDMILE advisory team is comprised of representatives from the following NDDPI federal programs: Title I, School Approval and Accreditation, Standards and Achievement, Coordinated School Health, Education and Community Support, Management Information Systems, and Special Education.

   This web-based process was designed to improve the performance of the district, the school, and ultimately the student. This ongoing process uses research-based indicators that can be modified and aligned to meet both local and state levels needs. Districts participating in this process have experienced an integrated and simplified reporting process and on-going support through the electronic tool and on-site coaches.

10. *School Bullying Prevention:*
    NDDPI has partnered with the Parent Advocacy Coalition for Educational Rights (PACER) Center to distribute information annually. NDDPI has also created an Anti-Bullying Taskforce, which includes staff from Special Education, Title I, and Coordinated School Health. The NDDPI Office of Coordinated Health also offers links to “bully-free” curricula such as a K-12 violence and bullying research-based prevention curriculum. These links are located on the NDDPI website at http://www.dpi.state.nd.us/health/SDFSC/curriculum.shtm

11. *National Instructional Materials Accessibility Standard:*
    Within each indicator’s improvement activities is the provision of accessible instructional materials. The provision of accessible instructional materials in a timely manner is an essential component of making a free appropriate public education (FAPE) available to children who, due to their disability, cannot access standard text materials. NDDPI has adopted the National Instructional Materials Accessibility Standard (NIMAS) requirements under IDEA 2004 and has provided assurances to OSEP, as part of the State's Part B application, that students who need curriculum materials in alternate formats are provided those formats in a timely manner. NDDPI is coordinating with the National Instructional Materials Access Center (NIMAC), which is the national repository of NIMAS source files that can then be converted into formats and that are accessible by students who are blind or have other print disabilities. The NDDPI has also

provided an assurance to OSEP regarding our participation in the NIMAC. North Dakota is an open territory state and is committed to assisting local education agencies in acquiring student-ready versions in a more timely and cost-efficient manner. North Dakota assigned the North Dakota Vision Services/School for the Blind as the primary authorized user for downloading or assigning the source files from the NIMAC to have them developed into student ready versions.

North Dakota continues to present information related to the NIMAS and NIMAC to state educational leaders, including: The State Special Education Leadership conference for Special Education Directors and Coordinators; The ND Council of Educational Leaders; ND Education Association (NDEA); and to a diverse audience through the ND Center for Persons with Disabilities (NDCPD) Webinar Seminar Series.

The NDDPI will continue to coordinate with the NIMAC. NDDPI currently has one authorized user, the ND Vision Services/School for the Blind (ND VS/SB). During the 2009 legislative session, NDDPI proposed expanding the mission of the ND VS/ SB to include the provision of accessible instructional materials to students with a physical impairment who cannot access the printed page and students who have a reading disability of organic origin. The state legislature during the 2009 legislative session passed House Bill 1078 which expanded the mission of the ND VS/SB to accommodate students with physical impairments and reading disabilities. This bill also authorized a half-time position at the ND VS/SB to assist with the anticipated increase in the number of requests for these materials. NDDPI has posted a NIMAS policy paper, flow chart with definitions and brochure at http://www.dpi.state.nd.us/speced/index.shtm The NDDPI has also developed an online training related to NIMAS that is posted to the same website. This training explains the purpose of NIMAS, its importance to instruction, and how to access materials in accessible formats. NDDPI will also continue to provide districts with guidance on ensuring that students will be provided accessible materials within our state's market model.

12. *Universal Design:*
It should be noted that NDDPI is dedicated to supporting efforts that implement universal design for learning (UDL) principles in the general education classroom and large-scale assessment. Universal design for learning is a framework and set of principles designed to provide all students equal opportunities to learn. Curriculum barriers are reduced; learning is supported; students gain knowledge and skills; and their learning is validly assessed. NDDPI supports UDL as a natural complement to early intervening initiatives, such as RTI and RTI-B. NDDPI has developed two trainings on UDL for teachers as part of our online professional development series. The first UDL module provides teachers with an introduction to the foundational principles of UDL, its basis in research, and the role of technology. This module, designed for general and special education teachers, is posted on the department's website at http://www.dpi.state.nd.us/SPECED/resource/curriculum/index.shtm.

The second module (in development) will present teachers a model for analyzing student needs in content area instruction and using that knowledge to design lesson plans that address those needs.

The NDDPI is coordinating a series of on-line professional development modules designed to address the needs created by a changing service delivery model for students with Sensory Impairments. The NIMAS and UDL modules represent one strand of this series that has universal applications for improving instructional practice for all students.

New Activities Related to the Overall ND SPP Indicators.

1. *State and Local Monitoring Improvements*:
   The NDDPI has been training local special education directors and staff in methods of using the Statewide Web-based Case Management system for new local self-assessment purposes. To ensure all local special education staff members were informed and trained, WebEx meetings were held. Using the WebEx system, local directors and special educators could attend these meetings from their local offices, thus increasing statewide attendance. These trainings significantly increase the accuracy of the self-assessment process and the required improvement activities.

2. *Autism Initiative:*
   The North Dakota Autism Spectrum Disorder (ASD) Task Force held eight meetings over the past year. Autism plans from other states were reviewed. A report prepared by the Department of Public Instruction Office of Special Education, *Autism Spectrum Disorders in North Dakota Public Schools*, was analyzed by task force members in order to ensure that a statewide perspective would be used for planning purposes. Workgroups were created to study specific topics and a statewide survey was prepared and distributed. The chairperson of the task force identified the following categories of recommendations in the Initial State Plan when it was presented to an interim committee of the North Dakota State Legislative Assembly in October, 2010:
   1. Early identification and screening
   2. Appropriate and effective practices
   3. Quality providers
   4. Funding issues
   5. Information access
   6. Family support
   7. Accountability

   Since its last meeting the ASD Task Force has identified a number of action steps to move forward with the initial plan. It is anticipated that the Initial State Plan will receive further review during the 2011 North Dakota Legislative Assembly.

3. *North Dakota School for the Deaf Future Planning:*
   During the 2008 ND legislative session, House Bill 1013 was passed and signed by the ND State Governor. Section 19 of the bill includes language related to a *Future Services Plan and Implementation – School for the Deaf.* This legislation directed the NDDPI and the ND School for the Deaf (NDSD) to develop a plan for future services to be offered by NDSD.

   To develop the *Future Services Plan*, a Transition Team was organized. This Team was comprised of 13 individuals representing a broad-based constituency, selected and appointed by the ND Superintendent of Public Instruction. The Team was charged with the task of identifying a plan to meet the changing needs of deaf and hard of hearing students and citizens of the state as mandated in HB 1013, Section 19.

During the 2009-10 school years, the *Future Services Plan* Transition Team met monthly to address and responded specifically to each of the six tasks identified in HB 1013. These tasks included:

1. Review the needs of all deaf and hearing-impaired persons throughout the state and develop a plan to provide comprehensive outreach services to all North Dakota citizens who are deaf or hearing-impaired.
2. Explore the development of partnerships with other states relating to the provision of residential and educational services to individuals who are deaf or hearing-impaired.
3. Review current research and national trends in the provision of services to students who are deaf or hearing-impaired.
4. Meet regularly with a transition team appointed by the superintendent of public instruction consisting of representation from the legislative assembly, parents of ND School for the Deaf students, school for the deaf employees, members of the local community, ND School for the Deaf alumni, and others.
5. Explore the feasibility of implementing revenue-generating activities at the school for the deaf.
6. Develop a long-range site and facility plan for the ND School for the Deaf campus.

The Future Services Plan for the North Dakota School for the Deaf will "be a valuable resource that can be utilized by the ND Department of Public Instruction and NDSD/State Center of Excellence staff and Advisory Committee in the development of the strategy/plan to move the ND School for the Deaf Transition Plan forward and to further focus the efforts of the committee members on those activities that must be addressed if the recommendations are to be moved from 'paper to reality.'" (July 15, 2010, *Report to The North Dakota Department of Public Instruction (DPI) Regarding the Activities and Recommendations of The North Dakota School for the Deaf Future Services Plan Transition Team,* p.15). The plan will be presented to the 2011 ND Legislative Assembly. The *Future Services Plan* Transition Team final report documents can be found at http://www.nd.gov/ndsd/future/

New Activities Related to Specific Indicators

The following activities have been added to the ND SPP and APR. The following activities are considered indicator specific; however, they may influence the outcomes of more than one indicator thus outlined in this introduction. Activities that will influence only specific indicators are described in the respective indicator narrative.

1. *Parent Involvement Taskforce:*
   Indicator 8
   The NDDPI has developed, with the assistance from the MPRRC, a Parent Involvement workgroup to discuss strategies that will increase parent involvement in ND schools. This workgroup includes a representative from the NDDPI Special Education and Title I offices, the ND Pathfinder Parent Center, the ND Family Voices, the ND Federation of Families, local district superintendent, Special Education Director, special educator, and parents. It is the intent of this workgroup to increase parent involvement with a focus on minority populations. Results of the workgroup meetings are reported in the narrative of Indicator 8.

2. *Disproportionate Representation Taskforce:*
   Indicators 9 and 10
   To ensure that the cut-off points used are appropriate, the NDDPI developed a taskforce to

review the current cutoff points of Disproportionate Representation and Significant Disproportionality and the processes used by districts identified in noncompliance. This taskforce is currently studying race and ethnicity issues and will offer recommendations. In addition, this taskforce will offer recommendations regarding revising the statewide policies and procedures review guidance materials, personnel development needs, and/or technical assistance resources to support minority populations in ND schools. Results from this taskforce will be reported in the APR submitted in February, 2012: However, the recommended revised cutoff point for under-representation was used in indicators 9 and 10 of this APR.

3. *Two Additional Exceptions to the 60-day Rule:*
   Indicator 11
   The NDDPI Special Education Unit has added two new Administrative Rules that serve as North Dakota specific exceptions to Indicator 11: Adverse Weather Conditions and Limited Access to Qualified Evaluators.
   a. *Adverse Weather Conditions.* An extension is granted when extreme weather prevents or interferes with the evaluation timeline and when these extreme weather events are documented; and
   b. *Limited Access to Qualified Evaluators:* An extension is granted when either party establishes to the NDDPI's satisfaction that access to a qualified evaluator is so limited that the evaluation cannot occur in the initial 60 days.

   The district is required to maintain complete documentation in reference to their decision to delay. For example, the district would be required to document details pertaining to the attempts at scheduling out-of-state appointments for evaluations and the waiting period for an appointment at the outside agency. If weather conditions caused the delay, documentation from the ND State Department of Transportation are maintained as proof.

   These additional exceptions became effective on October 1, 2009. NDDPI staff members distributed guidance pertaining to these exceptions at the Fall Leadership Conference in September of 2009. These exceptions applied to initial evaluations conducted on or after October 1, 2009.

4. *ND Secondary Transition Indicator 13 Monitoring Team:*
   The 2009-10 Indicator 13 monitoring was completed by the NDDPI Indicator 13 State Monitoring Team. This team was trained by NDDPI staff members over the course of the 2009-10 school to ensure understanding of the requirements of Indicator 13 and competence in using the ND Special Education Web-Based Case Management System for accessing the student files. This training also ensured inter-rater reliability.

   In June 2010 the team met for one week and reviewed 370 student files from across the state. The intention was to review one student file for each Case Manager of students 16-21 who were on an IEP during the 2009-10 school year. The sample was selected based on the statewide representation of disability for students 16-21 across the state.

   The individuals selected to be a part of the State Indicator 13 Monitoring Team consisted of University professors who work with pre-service special education teachers, state Special Education personnel, and local Special Education Coordinators

INDICATOR 1

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma.
(20 U.S.C. 1416 (a)(3)(A))

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

Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010	The percentage of youth with IEPs graduating from high school will increase to 89%.

Actual Target Data for FFY2009:
(note these are FFY2008 data due to this being a data-lag year):

Table 1.1 Graduation Rate of All Students and Students with Disabilities

	Students w/Disabilities
# of students with disabilities who graduated	677
# of students with disabilities in the cohort	927
Percent of students with disabilities who graduated	**73.03%**

Please note that the 2009-10 data is the 2008-09 data due to the OSEP "data lag" requirement.

The FFY2009 target of 89% was not met.
Even when applying the confidence interval, the target is still not met.

The NDDPI Office of Special Education collects graduation and drop-out data from all North Dakota schools through the Standards and Achievement Unit of NDDPI. Only students who graduate with a high school diploma are considered graduates; all others are considered non-graduates. Non-graduates are then factored into the dropout calculation. Therefore, students in special education who exit with a certificate or reach the age limit of attendance are factored into the dropout category.

Diplomas for students who receive special education services are awarded in the same manner as diplomas are awarded to students without disabilities. ND Century Code 15.1-21002.1 details the following requirement: Before a school district, a non-public high school, or the ND Department of

Independent Study issues a diploma to a student, the student must have successfully completed at least 21 units of high school coursework from the minimum curriculum offerings established by Section 15.1-21.02.

As described in the *North Dakota Consolidated State Application Accountability Workbook*, the Department monitors graduation rates of all students with disabilities, including those students whose graduation rates extend to age 21. The State provides oversight on all services provided to students with disabilities, including the proper conclusion of their services and the bestowal of graduation at a time prescribed within the student's individualized education program. Given the high educational standards and service schedules set forth within a student's individualized education program and the civil rights granted to students with disabilities to receive the full benefit of these standards and service schedules, it is incumbent on the State to offer every support to schools to provide the full benefit of instruction to all students with disabilities, regardless of the duration of their education. It is likewise incumbent on the State to eliminate any barriers that might impede or otherwise deter schools from properly administering their duties to all students, regardless of disability status. This concern includes the bestowal of a standard graduation on students with disabilities, whose individualized education programs require a high school instruction period that extends beyond the traditional four years. Any policy that places pressures on schools to divert their full attention on the needs of students with disabilities must be reviewed and amended accordingly (www.dpi.state.nd.us/grants/final%20AYP07.pdf) (p. 55).

The graduation rate is based on a statewide graduation cohort model, which incorporates student enrollment and dropout data across four years (i.e., freshman, sophomore, junior, and senior data). This four-year cohort model reflected the true definition of the four-year cohort model and was made possible due to improved data collection within the State Automated Reporting System (STARS). The graduation rate calculation is the same as that used by the NDDPI under ESEA.

The calculation for graduation rate for the FFY2009 is:

Graduates (with regular diploma) who completed high school in four years

_____

(divided by)

[# Graduates (same as above) + # of 9th grade dropouts/retentions + # 10th grade dropouts/retentions + # 11th grade dropouts/retentions + # 12th grade dropouts/retentions + # students who complete 12th grade without a regular diploma]

Reliability and Validity of the Data

Each year, graduation data are collected from the ND STARs. The graduation status of each student in the graduation cohort is calculated and the assignment of each student to only one district is determined; this information is then reported back to each school district. Each district then reviews and validates each student's status and assignment to ensure valid and reliable reporting. This way the NDDPI ensures that students are not counted more than once and that their status is accurate.

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

No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Slippage:

Table 1.2 Percent of students with disabilities who graduated – Results Over Time

	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
# of students with disabilities who graduated	674	705	600	600	677
# of students with disabilities in the cohort	840	886	821	821	927
Percent of students with disabilities who graduated	**80.24%**	**79.57%**	**73.08%**	**73.08%**	**73.03%**

*Please note that the FFY2009 data are the FFY2008 data due to the OSEP "data lag" requirement.

As indicated in Table 1.3, the percentage of students with disabilities who graduated has decreased since FFY2005.

Due to the data lag requirements, issues with exit codes continue to occur. Students who are continuing their education beyond the timeframe of their four-year cohort, based on their IEP plan, are coded with an Exit Code of 9. Students with an Exit Code of 9 are removed from the graduation formula. In the FFY2007, the Standards and Achievement Unit added Exit Code of 6. Exit Code 6 is defined as students continuing their education beyond the four year cohort timeframe but not based on the IEP plan (See Table 1.4). All students who are coded with an Exit Code 6 are factored into the denominator thus reducing the graduation results. Although guidance was given, the similarity between Exit Code 6 and Exit Code 9 may be creating inconsistencies across the school districts. This is neither incorrect nor inaccurate data reporting, as both exit codes are defined by students continuing their education beyond the timeframe of the four-year cohort. However, additional technical assistance will be given to ensure that students are coded in either an Exit Code 6 or Exit Code 9 based on their IEP plan.
An additional exit code that may adversely affect the graduation rate is Exit Code 5. Exit Code 5 is defined as students who have transferred within the district to an alternative educational setting other than the public high school. Students receiving special education services who choose to attend an alternative school or transitional setting are coded in Exit Code 5. These students have neither graduated nor dropped-out. The total count of students in Exit Code 5 is factored into the denominator thus reducing the graduation rate.

Table 1.3 FFY Graduation and Drop-Out Exit Codes

Exit Code	Definition	Total Count FFY2008 (2008-09 data)
Exit Code 5	To claim this status code, the local school district must maintain documentation of enrollment at the receiving school. The NDDPI may monitor for evidence of documentation. A student who transfers to a public school that is located within the jurisdiction of the same local school district.	15 students
Exit Code 6	A student who is enrolled in the 2008-09 school year but failed to earn sufficient credit hours to graduate with his or her cohort class of 2008; or A student who has been temporarily placed in an institution that has an educational program, e.g., mental health institutions, juvenile service agencies, care shelters, or detention facilities.	53 students
Exit Code 9	A student who has an extended graduation date documented within his or her IEP or LEP service plan or program. A standard diploma must be awarded prior to the student reaching the age of 21. The NDDPI may monitor for evidence of documentation.	78 students

Explanation of Improvement Activities:

Table 1.4 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Statewide dissemination of instructional materials regarding prevention of school bullying.	Spring 2006	Pacer Center, Minneapolis, MN, NDDPI Safe and Drug-Free Schools	Ongoing
Collaborate in sharing data and improvement strategies to promote evidence-based practices to increase high school graduation opportunities for adjudicated youth with disabilities	2007-08	ND Division of Juvenile Services, ND Youth Correctional Center	Ongoing
Improve data collection and reporting in collaboration with general education partners with the NDDPI and with school districts.	Ongoing	NDDPI Management Information Systems, NDDPI Standards and Achievement, STARs	Ongoing
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty	Ongoing
Support the provision of distance education through technology to ensure that students with disabilities have additional options for graduating from high school.	FFY2008	ND Division of Independent Study, ND State University	In Process
Validating reported graduation data using the Web-based Case Management System.	FFY2008	NDDPI staff	Ongoing
Increased collaboration between the general education and special education office at	FFY2008	NDDPI staff	Ongoing

NDDPI for clarity, uniformity, and accuracy of data definitions and collection.			
Guidance to school districts on how data are coded to ensure uniformity, and accuracy of data definitions and collection.	FFY2008	NDDPI staff	Ongoing
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformatio n zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementati on planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: Yes. To align with ESEA, the NDDPI changed the graduation rate target for FFY2008, FFY2009, and FFY2010. The NDDPI is also proposing to have a graduation rate of 89% for FFY2011 and FFY2012. All targets align with ESEA.

Table 1.5 Revised Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2009 (2009-2010)	The percentage of youth with IEPs graduating from high school will be 89%
2010 (2010-2011)	The percentage of youth with IEPs graduating from high school will be 89%
2011 (2011-2012)	The percentage of youth with IEPs graduating from high school will be 89%
2012 (2012-2013)	The percentage of youth with IEPs graduating from high school will be 89%

INDICATOR 2

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school.
(20 U.S.C. 1416 (a)(3)(A))

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

Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 12.95 percent.

Actual Target Data for FFY2009 (note these are FFY2008 data due to this being a data-lag year)

Table 2.1 Drop-Out Rate of All Students and Students with Disabilities

	Students w/Disabilities
# of students with disabilities who dropped out	182
# of students with disabilities in the cohort	927
Percent of students with disabilities who dropped out	**19.63%**

*Please note that the FFY2009 data are the FFY2008 data due to the OSEP "data lag" requirement.

The target of 11.98% was not met.
Even when applying the confidence interval, the target is still not met.

Reliability and Validity of the Data
Each year, graduation data is collected from the STARs. Each year the exit status of each student in the graduation cohort is calculated and the assignment of each student to only one district is determined; this information is then reported back to each school district. Each school district then reviews and validates each student's status and assignment to ensure valid and reliable reporting. This way the state ensures that students are not counted more than once and that their status is accurate.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Slippage:

As indicated in Table 2.3 the percentage of students with disabilities who dropped out has increased over time.

The NDDPI Office of Special Education collects graduation and drop-out data from all North Dakota schools through the Standards and Achievement Unit of NDDPI. Only students who graduate with a high school diploma are considered graduates, students in special education who exit with a certificate or have reached the age limitation of attendance are considered dropouts. Also, students choosing to exit school to attend an alternative form of education such as a transition program or employment training program are also factored into the dropout total. Therefore, the actual number of students in special education programs dropping out of high school is less than the number identified in this indicator.

The NDDPI staff members are researching methods of reporting special education drop-out rates with increased accuracy. One method in discussion is the use of data documented in the web-based case management system. Currently, the graduation rate is based on a statewide graduation cohort model, which incorporates student enrollment and dropout data across four years (i.e., freshman, sophomore, junior, and senior data). By validating these data with those reported in the web-based case management system (the students' IEP), the NDDPI office of special education can validate data as reported in STARs.

Table 2.2 Percent of students with disabilities who dropped out – Results Over Time

	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
# of students with disabilities who dropped out	110	123	137	137	182
# of students with disabilities in the cohort	840	886	821	821	927
Percent of students with disabilities who dropped out	**13.10%**	**13.88%**	**16.69%**	**16.69%**	**19.63%**

*Please note that the FFY2009 data are the FFY2008 data due to the OSEP "data lag" requirement.

Explanation of Improvement Activities:

The NDDPI staff members are increasing the following activities: trainings in parent involvement, RTI, RTI-B, differentiated instruction and strategies, and transition planning. In addition to increasing existing activities, NDDPI has been researching strategies directly focused on decreasing dropout rates locally and statewide. Table 2.3 displays current and new activities.

Table 2.3 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Support the provision of distance education through technology to ensure that students with disabilities have additional options for graduating from high school.	Ongoing	ND Division of Independent Study, ND State University	Ongoing
Statewide dissemination of instructional materials regarding prevention of school bullying.	Spring 2006	Pacer Center, Minneapolis, MN	Ongoing
Collaborate in sharing data and improvement strategies to promote evidence-based practices to increase high school graduation opportunities for adjudicated youth with disabilities	FFY2007	ND Division of Juvenile Services, ND Youth Correctional Center	Ongoing
Improve data collection and reporting in collaboration with general education partners with the NDDPI and with school districts.	Ongoing	NDDPI Management Information Systems, NDDPI Standards and Achievement, STARS	Ongoing
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty	Ongoing
New data collection and data amendment deadlines	Ongoing	NDDPI Staff	Ongoing
Review options for monetary sanctions due to late data submission (policy clarification). Also review other sanction options.	FFY2008	NDDPI Staff	Newly Ongoing
Validating reported exit data using the Web-based Case Management System and STARS.	FFY2008	NDDPI staff	Newly Ongoing
Clearly defining the definition of drop out and graduation, providing guidance for decision making, and development of web-based training that is available on an ongoing basis as local situations arise.	FFY2008	NDDPI Staff	Newly Ongoing
Increased collaboration between the general education and special education offices locally and within NDDPI for clarity, uniformity, and accuracy of data definitions and collection.	FFY2008	NDDPI staff	Newly Ongoing
Guidance to school districts on how data are coded to ensure uniformity, and accuracy of data definitions and collection.	FFY2008	NDDPI staff	Newly Ongoing
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to	Beginning in Fall 2011, identify 1-2 transformation zones for scale up	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation

sustain the innovations over the long term.	activity per year		planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline: No
Revisions to Measurable and Rigorous Targets: Yes.

Given that, in FFY2010, a different methodology to align with new federal regulations will be used to calculate graduation and drop-out rates, the NDDPI proposes to adjust the FFY2010 drop-out rate target and to set the following FFY2011 and FFY2012 targets.

Table 1.4 Revised Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2010 (2010-2011)	The percentage of youth with IEPs dropping out of high school will be 19.80% or lower.
2011 (2011-2012)	The percentage of youth with IEPs dropping out of high school will be 19.60% or lower.
2012 (2012-2013)	The percentage of youth with IEPs dropping out of high school will be 19.50% or lower.

Revisions to Improvement Activities: No revisions to activities at this time.

INDICATOR 3

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

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 = [(# of districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size)] times 100.

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

C. Proficiency rate percent = ([(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading and math)].

Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010**)**	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading and math will be 97.1 percent. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent. c) The percentage of IEP students that will meet proficiency for reading will be 78.07 percent. The percentage of IEP students that will meet proficiency for math will be 67.03 percent.

Targets and Actual Target Data for FFY 2009:

Table 3.1 Summary Results for FFY2009

FFY 2009	Measurable and Rigorous Targets and Results				
	Districts Meeting AYP for Disability Subgroup (3A)	Participation for Students with IEPs (3B)		Proficiency for Students with IEPs (3C)	
	Both Reading and Math	Reading	Math	Reading	Math
Targets for FFY 2009	97.1%	95.0%	95.0%	78.07%	67.03%
Number meeting target	141	6,568	6,606	3,808	3,861
Number in denominator	163	6,728	6,728	6,068	6,104
Percent meeting target	86.5%	97.62%	98.19%	62.76%	63.25%
Was Target Met?	No	Yes	Yes	No	No

The target for 3A was not met.
The targets for 3B were met for both math and reading.
The targets for 3C were not met, even when the confidence interval is applied.)

3.A - Actual AYP Target Data for FFY 2009:

Table 3.2 Districts with a disability subgroup that meet the State's minimum "n" size AND met the State's AYP target for the disability subgroup.

Year	Total Number of Districts	Number of Districts Meeting the "n" size	Number of Districts that meet the minimum "n" size and met AYP for FFY 2008	Percent of Districts
FFY 2009 (2009-2010)	183	163	141	**86.5%**

The target of 97% for 3A was not met.

3.B – Actual Participation Target Data for FFY 2009:

Table 3.3 Participation Rate Details for FFY2009
These data are based on all IEP students – those enrolled for a full academic year and those not enrolled a full academic year.

	Reading		Math	
	Number	Percent of Total	Number	Percent of Total
a. Total IEP Students	6728	100.00%	6728	100.00%
b. Took regular assessment with no accommodations	805	11.96%	809	12.02%
c. Took regular assessment with accommodations	3563	52.96%	3871	57.54%
d. Took alternate assessment against grade-level achievement standards	0	0.00%	0	0.00%
e. Took alternate assessment against modified achievement standards	1572	23.37%	1283	19.07%
f. Took alternate assessment against alternate achievement standards	628	9.33%	643	9.56%
g. Overall Participation (b+c+d+e+f)	**6568**	97.62%	**6606**	98.19%
# in a but not in b, c, d, e, or f	160	2.38%	122	1.81%

The targets for 3B were met.

3.C – Actual Performance Target Data for FFY2009

Table 3.4 Proficiency Rate Details for FFY2009
These data are based on only those students who were enrolled a full academic year.

	Reading		Math	
	Number	Percent of Total	Number	Percent of Total
a. Total IEP Students who took test and received a score	6068	100.00%	6104	100.00%
b. Took regular assessment with no accommodations and scored proficient	509	8.39%	542	8.88%
c. Took regular assessment with accommodations and scored proficient	1548	25.51%	1795	29.41%
d. Took alternate assessment against grade-level achievement standards and scored proficient	0	0.00%	0	0.00%
e. Took alternate assessment against modified achievement standards and scored proficient	1206	19.87%	963	15.78%
f. Took alternate assessment against alternate achievement standards and scored proficient	545	8.98%	561	9.19%
g. Overall Proficient (b+c+d+e+f)	**3808**	62.76%	**3861**	63.25%

The targets for 3C were not met even when the confidence interval is applied.

Explanation of Progress or Slippage

As Table 3.4 indicates, the percentage of districts meeting the AYP objective for the IEP subgroup has greatly decreased from FFY2006 to FFY2007 but rebounded in FFY2008. The reason for the decrease is that the percent of students who had to score proficient in order for the district to be designated as meeting AYP increased significantly from FFY2006 to FFY2007. This resulted in fewer districts meeting AYP overall as well as fewer districts meeting AYP for this subgroup. This goal increases every three years in order to reach the NCLB goal of 100% by 2014. In FFY2008, the percentage of students with IEPs (as well as all students) scoring proficient increased and thus, more districts met AYP this year than the prior year.

The participation rate of students with IEPs has been fairly stable since FFY2006. The proficiency rate of students with IEPs has decreased from FFY2006 to FFY2007 but has increased since. In fact, the FFY2009 proficiency rates are the highest of the past five years. The pattern of IEP proficiency rates is similar to that for all students. Two changes occurred on the state Alternate Assessment in FFY2007. The state put in place two separate Alternate Assessments (where there had been one in place that covered the 1% and 2% using the same procedure but different activities). The fall of 2007, the state offered the NDAA1 for students with severe cognitive disabilities based on alternate achievement standards and the NDAA2 for students with persistent cognitive difficulties and based on modified achievement standards. The format for submission changed to online web-based submission through a secure site.

The NDAA 1 remained basically the same with the exception of added activities and pilot items. The NDAA 2 changed significantly based on guidance from the USDOE on requirements for rigor, grade-level alignment to standards and benchmarks, and the change to a computer-based multiple choice assessment.

The second change in the ND assessment system that affected the sub-group of students with IEPs, was the removal of "reading the reading test-text" as an approved accommodation. Prior to 2007, this accommodation was acceptable if it was documented in the student's IEP. This is a possible reason for the decrease in reading proficiency.

Table 3.4 Results Over Time

	2005-06	2006-07	2007-28	2008-09	2009-20
A. Percent of Districts Meeting AYP Objective for IEP subgroup*					
Reading	93.0%	91.3%	68.3%	85.6%	77.7%
Math	94.2%	97.4%	85.6%	95.1%	89.9%
B. Participation Rate of IEP students					
Reading	98.1%	97.5%	96.6%	97.4%	97.6%
Math	98.1%	97.4%	97.9%	97.9%	98.2%
C. Proficiency Rate of IEP students					
Reading	54.1%	61.4%	53.8%	61.1%	62.8%
Math	50.3%	58.9%	57.7%	61.9%	63.3%

Note : The denominator for Indicator 3A includes only those districts for which an IEP proficiency rate could be calculated.

Explanation of Improvement Activities:
Public Reporting Information: Public reports of assessment results conforming with 34 CFR §300.160(f) may be found at: http://www.dpi.state.nd.us/dpi/reports/Profile/index.shtm

The state has seen an improved understanding from teachers (based on teacher feedback) on the use of standards in educating students with disabilities. Teachers have reported positive effects of the alignment of standards to inclusionary efforts with an increased participation rate in classroom activities for students with disabilities who may have experienced less involvement in the past. Teachers have also reported a positive correlation between students being included in the state assessment system and feeling more "like their peers". Completion of the science assessments (NDAA1 and NDAA 2) has provided enhanced opportunity for direct participation in science standards based activities in general education settings. To assists schools, IEP decision making materials, test directions, training presentation, data chart, and grade level activities are publicly posted on the NDDPI website: http://www.dpi.state.nd.us/speced/resource/alternate/index.shtm

Table 3.5 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Provide statewide annual training on NDAA1 and NDAA2 including annual technical quality improvements of the assessment. The state has gone through numerous UDSOE Peer Review sessions and has updated the assessments rigorously in response to said Peer Reviews	Annually each fall	IDEA-B funds, Consult from MPRRC and NAAC, USDOE Peer Review Feedback	Ongoing
Survey of teachers regarding training needs for instructional strategies linked to the NDAA1 and NDAA2. Feedback from teachers has been increasingly positive regarding standards-based education for students with disabilities. The state plans to continue training on linking standards to education and the IEP each fall imbedded in the fall training modules. In 2008-09 the state underwent independent alignment studies with NCIEA on the states alternate assessments and will plan training activities based on needs and changes for the 2010 training. Significant alignment and instruction to teachers has been added in both the NDAA1 and NDAA2 Test Directions Manuals and Training Power Points in 2010 and 2011.	2010-2012	State Dept Part B funds, NDAA Teacher Survey, National Center for Improvement of Education Assessment (NCIEA) consultants, and ND teachers.	Ongoing
Statewide training as follow-up to needs identified in response surveys. This activity is done on a yearly basis now and findings are incorporated into fall training modules.	Annually each Fall	Part B funds State Personnel Consultants	Ongoing
Develop resources and implement trainings to LEA staff on assistive technology and universal design.	Fall 2007	NDDPI staff	Ongoing

Scoring and evaluation of the validity, reliability, and quality of the NDAA1 and NDAA2 for necessary revisions and electronic updates each year performed by ongoing NDAA committee. The state is involved in ongoing activities of improving the quality of the NDAA 1 and NDAA2 through the rigorous Peer Review process through the USDOE. We have increased outside consultants to include Technical Assistance members from all over the US; have contracted an independent alignment study for the NDAA2 through NCIEA; have placed the assessments on the web on a secure site; have improved the scoring through electronic scoring; and have increased the level of rigor and depth and breadth of the assessment items to more closely align to the state grade-level achievement standards. ND is a level I member of the National Centers-State Consortiums G-SEG for the purpose of creating an AA-based on Alternate Achievement Standards that meet s the needs of students and teachers. ND is dedicated to pursuing the most comprehensive and valid and reliable assessment system for students with significant cognitive disabilities in the changing landscape of assessment. ND is also involved in the Smarter Balance and PARK Consortiums at present.	2011 - 2014	NDDPI staff, NDAA Writing Committee, Consultant from MPRRC, ND Teachers, State Dept. Staff, NCIEA consultants	Ongoing
Prepare and disseminate resources to LEA staff to increase proficiency in assistive technology and universal design use during school-wide assessments.	Ongoing	NDDPI staff	Completed and Ongoing
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include RtI model and process.	2005 – 06, Statewide summits; ngoing	Part B Disc. Funds; MPRRC	Ongoing
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty	Ongoing
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning

the long term.			process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Public Reporting Information: Public reports of assessment results conforming with 34 CFR §300.160(f) may be found at: http://www.dpi.state.nd.us/dpi/reports/Profile/index.shtm

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:
Revisions to Baseline: No
Revisions to Measurable and Rigorous Targets: Yes

The NDDPI proposed the following targets for FFY 2011 and FFY2012. Targets for 3B and 3C are aligned with ESEA. The FFY 2010 target for Indicator 3A has been revised. In FFY 2009, a combined reading/math target was required. Given that it is less likely for a given LEA to meet AYP for both reading and math than for one subject area and given that the ESEA targets for meeting proficiency are ever increasing, the NDDPI is proposing to change the targets to a more realistic goal.

Table 3.6 Proposed Targets for Indicator 3A

FFY	Measurable and Rigorous Target
2010 (2010-2011)	a) Percent of districts meeting the State AYP objectives for disability subgroups in both reading and math will be 87.0 percent.
2011 (2011-2012)	a) Percent of districts meeting the State AYP objectives for disability subgroups in both reading and math will be 87.5 percent.
2012 (2012-2013)	a) Percent of districts meeting the State AYP objectives for disability subgroups in both reading and math will be 88.0 percent.

Table 3.7 Proposed Targets for Indicator 3B

FFY	Measurable and Rigorous Target
2011 (2011-2012)	b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent
2012 (2012-2013)	b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0 percent and in math will be 95.0 percent

Table 3.8 Proposed Targets for Indicator 3C

FFY	Measurable and Rigorous Target
2011 (2011-2012)	c) The percentage of IEP students who will meet proficiency for reading will be 89.13 percent. The percentage of IEP students that will meet proficiency for math will be 83.57 percent.
2012 (2012-2013)	c) The percentage of IEP students who will meet proficiency for reading will be 89.13 percent. The percentage of IEP students that will meet proficiency for math will be 83.57 percent.

Revisions to Improvement Activities: Not at this time.

INDICATOR 4

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

a. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs;
b. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. *(Reported in the ND SPP)*
(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement

Measurement:
Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

Definition of Significant Discrepancy and Methodology
Definition of Significant Discrepancy: The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA. A school district is determined to have a significant discrepancy if the long-term suspension and expulsion rate for students with disabilities is significantly higher than the long-term suspension and expulsion rate for students without disabilities. Long-term suspension/expulsion rates are calculated for only those school districts that suspended or expelled at least three students with disabilities for more than 10 days.

Table 4.1 Actual Target Data for FFY2009 (2008-2009 data)

FFY	Measurable and Rigorous Target
2009 (2008-2009 data)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.
2010 (2009-2010 data)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.

2011 (2010-2011 data)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.
2012 (2011-2012 data)	The percent of LEAs identified by the NDDPI as having a significant discrepancy in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year will not exceed 0.97 percent.

For this indicator, report data for the year before the reporting year (use 2008-2009 data).
North Dakota met the target for 4a with 0.00%
The second component of this indicator (4b) is reported in the FFY2009 State Performance Plan.

In analyzing data for Indicator 4a, the State used the data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days) for the school year 2008-2009 due November 1, 2009. North Dakota does not sample.

Data on suspensions and expulsions of children with disabilities is derived from 618 data submitted by districts via the State's STARS database. Each North Dakota school is required to submit an annual Suspension, Expulsion and Truancy report using STARs; all incidents must be entered. The Suspension, Expulsion and Truancy STARs report was designed in such a way that schools can enter incidents as they occur or on a regular basis rather than entering all data at the end of each school year. The annual school suspension, expulsion and truancy data is collected to comply with the following federal data reports: ESEA, Title IV – Safe and Drug-Free Schools and Communities Act; ESEA, Title XIV, Part F – Gun-Free School Act; Individuals with Disabilities Education Act; ESEA, and Title IX – Unsafe School Choice Option. The NDDPI verifies the reliability and accuracy of the State's data through automated verification checks through the STARS database.

Table 4.2 Districts with Significant Discrepancy in Rates for Suspension and Expulsion

Year	Total Number of LEAs	Number of LEAs that have Significant Discrepancies	Percent
FFY 2009 (2008-2009 data)	187	0	0.00%

Review of Policies, Procedures, and Practices
North Dakota met this target with 0.00% of the districts' data indicating significant discrepancies in the rate of suspensions and expulsions of children with disabilities for greater than 10 school days in a school year.

In cases where school districts are found to have significant discrepancy, a review of policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards in identified school districts will be conducted, in collaboration with the special education unit. If appropriate, revisions include policies, procedures, and practices relating to development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

North Dakota has not had issues with this indicator in the past; however policy, practices, and

procedures review documents have been developed proactively and are available should a district be found out of compliance. These documents are found in Appendix B. These documents are also used for the policy, practices, and procedures review for disproportionate representation. Therefore, as the Disproportionality Taskforce completes the task of revising these documents, revisions to the review process will also affect the review process for this indicator. These revisions will be reported in the APR submitted February 2012.

Table 4.3 Correction of FFY 2008 Findings of Noncompliance

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) using 2007-2008 data	**0**
2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**0**
3. Number of FFY 2008 findings not verified as corrected within one year [(1) minus (2)]	**00**

Table 4.4 Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected

4. Number of FFY 2008 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY 2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**0**
6. Number of FFY 2008 findings not yet verified as corrected [(4) minus (5)]	**00**

Actions Taken if Noncompliance Not Corrected:
No action was necessary as North Dakota met this target in FFY2008.

Verification of Correction (either timely or subsequent):
Verification was not necessary as North Dakota met this target in FFY2008.

Table 4.5 Correction of Remaining FFY2007 Findings of Noncompliance (if applicable):

1. Number of remaining FFY 2007 findings (identified in July 1, 2007 – June 30, 2008 using 2006-2007 data), noted in OSEP's June 1, 2010, FFY 2008 APR response table for this indicator	**0**
1. Number of remaining FFY 2007 findings the State has verified as corrected	**0**
2. Number of remaining FFY 2007 findings the State has NOT verified as corrected [(1) minus (2)]	**0**

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):
No action was necessary as North Dakota met this target in FFY2006.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred in FFY 2009:
North Dakota has historically maintained low suspension and expulsion rates. Table 4.6 displays the results for the previous five years. NDDPI staff members continuously work with special education staff in special education units and districts in areas of RTI, RTI-B, and procedural safeguards. All activities

related to this indicator described in the SPP and displayed in Table 4.7 are ongoing. The suspension/expulsion data indicate these activities as successful in decreasing inappropriate suspension/expulsion practices. Several activities listed in Indicator 4 were also used to improve results in other indicators. For a full description of these activities, please see the introductory section of this report.

Table 4.6 Suspension – Expulsion Data overtime

	FFY2004	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
Percent of Districts with Significant Discrepancy	0.97%	0.0%	0.05%	0.0%	0.0%*	0.0%

*Due to this being a data lag year, these data are FFY2007

Explanation of Improvement Activities:

Table 4.7 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include RtI model and process. This activity is also designed to address issues identified in Indicators 5, 9, and 10.	FFY2006	Part B Disc. Funds; MPRRC	Ongoing
Co-host Title I Summer Reading and Math institutes.	FFY2006	Part B Disc. Funds	Ongoing
Provide training and implementation of the special education monitoring system for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide in 2007 - 08	Part B admin. funds;	Ongoing
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs.	FFY2006	SPD Grant; Stipends; scholarships; tuition reimbursements, UND, Minot State University; University of Mary	Ongoing
Review school district policies and procedures for suspensions and expulsions of all schools identified as having suspension and expulsions rates greater than those identified in the state's target matrix. Provide technical assistance where necessary in revising school district policies and procedures.	FFY2006	SEA Staff	Ongoing

Statewide dissemination of instructional materials regarding prevention of school bullying. This activity is also designed to address issues identified in Indicators 1 and 2.	Spring 2006	Pacer Center, Minneapolis, MN	Ongoing
NDDPI, BIE, OSEP representatives consultation	Fall 2009	NDDPI, BIE, OSEP	Ongoing
Increased collaboration between the NDDPI offices of Special Education and Title I.	FFY2008	NDDPI	Ongoing
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

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

Data Reviews
An additional responsibility of the Disproportionality Taskforce is to review the placement decisions for children receiving special education services together with discipline issues, race/ethnicity, and other services received such as English Language Learner (ELL) or Title I services. This review is being conducted to ensure students are accurately identified to receive services and continue to receive the appropriate special education and related services in the most inclusive setting as possible.

RTI and RTI-B Scaling up
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term. Please see the APR Introduction for complete description of this RTI and RTI-B process.

INDICATOR 5

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement

Measurement:

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

Table 5.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	a) 80.0 percent of children with disabilities will be served inside the regular class 80% or more of the day. b) 3.60 percent will be served inside the regular class less than 40% of the day. c) 2.00 percent will be served in separate schools, residential facilities, or homebound/hospital placements

Actual Target Data for FFY2009:

Table 5.2 Actual Data for 2009-2010

FFY	Number of students	(a) Percent of children with IEPs served inside the regular class 80% or more of the day	(b) Percent of children with IEPs served inside the regular class less than 40% of the day	(c) Percent of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements
2009-10	11,354	77.88%	4.11%	1.33%

The target for indicator 5A was not met even when the confidence interval was applied.
The target for indicator 5B was not met even when the confidence interval was applied.
The target for indicator 5C was met.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

The data reported for Indicator 5 do not match the data in the 618 Data Table 3. For purposes of Indicator 5c, the NDDPI does not count those students who were placed by outside agencies; however, these students are included in the data reported in Table 3 of the 618 data. It was decided, with input from MPRRC and OSEP that by excluding these students the districts were better able to reflect upon the procedures and practices that are in place by control of the districts

Explanation of Slippage:

Please note that even though the NDDPI did not meet its targets for indicator 5A and 5B, the rate achieved for 5A, at almost 78%, is one of the highest rates in the country. Similarly, the rate of 4.11% for indictor 5B, is one of the lowest in the country.

As displayed in Table 5.4, the percentage of students in the regular classroom slightly increased from FFY2008 to FFY2009; and is higher than that achieved in 3 of the past 5 years. The percentage of students in separate classrooms slightly decreased from FFY2008 to FFY2009 and is lower than that achieved in 3 of the past 5 years. The percentage of students in separate facilities slightly increased from FFY2008 to FFY2009 and is lower than that achieved in 4 of the past 5 years.

Table 5.3 Results for Indicator 5 – Results Over Time

	FFY2004	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
(a) Percent of children with IEPs served inside the regular class 80% or more of the day	77.69%	78.62%	79.00%	77.68%	77.17%	77.88%
(b) Percent of children with IEPs served inside the regular class less than 40% of the day	4.24%	3.94%	3.61%	4.39%	4.98%	4.11%
(c) Percent of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements	2.33%	2.14%	2.09%	1.53%	1.09%	1.33

Discussion of Improvement Activities:

Table 5.4 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Prepare and disseminate resources to LEA staff to increase proficiency in assistive technology and universal design use during school-wide assessments.	Ongoing	NDDPI staff	Completed and Ongoing
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models in preservice teacher preparation programs.	Ongoing	Stipends; scholarships; UND; Minot State University; University of Mary	Ongoing
Support professional development for general education (secondary) on differentiated instruction/strategies.	Ongoing	ND University System Faculty	Ongoing
Increased Statistical Accuracy	Ongoing	NDDPI staff MPRRC	Ongoing
Provide (or support) professional learning opportunities on NIMAS and universal design for learning .	Ongoing	NDDPI staff	Ongoing
Deeper Analysis of data by category	Fall 2009	NDDPI staff	New
Co-host NDDPI Title I Summer Symposium with an increased focus on secondary education.	Fall 2010	NDDPI staff	New
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Measurable and Rigorous Targets: The NDDPI is proposing to have the following targets for FFY2011 and FFY2012. All targets align with ESEA.

Table 5.5 Revised Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2010 (2010-2011)	a) 78.0 percent of children with disabilities will be served inside the regular class 80% or more of the day. b) 4.05 percent will be served inside the regular class less than 40% of the day. c) 2 percent will be served in separate schools, residential facilities, or homebound/hospital placements
2011 (2011-2012)	a) 78.1 percent of children with disabilities will be served inside the regular class 80% or more of the day. b) 4.00 percent will be served inside the regular class less than 40% of the day. c) 2 percent will be served in separate schools, residential facilities, or homebound/hospital placements
2012 (2012-2013)	a) 78.8 percent of children with disabilities will be served inside the regular class 80% or more of the day. b) 3.90 percent will be served inside the regular class less than 40% of the day. c) 2 percent will be served in separate schools, residential facilities, or homebound/hospital placements

New Improvement Activities:

Data Reviews
An additional responsibility of the Disproportionality Taskforce is to review the placement decisions for children receiving special education services together with discipline issues, race/ethnicity, and other services received such as English Language Learner (ELL) or Title I services. This review is being conducted to ensure students are accurately identified to receive services and continue to receive the appropriate special education and related services in the most inclusive setting as possible.

RTI and RTI-B Scaling-up Process
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term. Please see the APR Introduction for complete description of this RTI and RTI-B process.

INDICATOR 6

Overview of the Annual Performance Report Development: See Introduction for complete overview and stakeholder input.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement

Measurement:
A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.
B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.

Table 6.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	New baseline, targets, and revised the improvement activities in the SPP submitted on February 1, 2012.

The State is not required to report on this indicator in this FFY2009 APR.
North Dakota will report the new baseline, targets, and revised the improvement activities in the SPP submitted on February 1, 2012.

INDICATOR 7

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: FAPE in the LRE

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

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

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

Measurement: Outcomes:

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

Progress categories for A, B and C:

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

Summary Statements for Each of the Three Outcomes:
Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.
Measurement for Summary Statement 1:
Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.
Summary Statement 2: The percent of preschool children who were functioning within age expectations

in each Outcome by the time they turned 6 years of age or exited the program.
Measurement for Summary Statement 2: Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

Table 7.1 Progress Data for Preschool Children FFY 2009

A. Positive social-emotional skills (including social relationships):	**Number of children**	**% of children**
a. Percent of children who did not improve functioning	1	.26%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	45	11.81%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	76	19.95%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	140	36.75%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	119	31.23%
Total	381	100%
B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):	**Number of children**	**% of children**
a. Percent of children who did not improve functioning	0	0%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	52	13.65%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	88	23.1%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	146	38.32%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	95	24.93%
Total	381	100%
C. Use of appropriate behaviors to meet their needs:	**Number of children**	**% of children**
a. Percent of children who did not improve functioning	1	.26%
b. Percent of children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	22	5.77%
c. Percent of children who improved functioning to a level nearer to same-aged peers but did not reach	42	11.02%
d. Percent of children who improved functioning to reach a level comparable to same-aged peers	132	34.65%
e. Percent of children who maintained functioning at a level comparable to same-aged peers	184	48.29%
Total	381	*99.99%

* Note: 100% is not shown due to decreasing the percentage to the hundredth place.

Table 7.2 Summary Statements

Summary Statements	Targets FFY2009 (% of children)	Actual FFY2009 (% of children)
Outcome A: Positive social-emotional skills (including social relationships)		
1. Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program	83.5%	82.44%
2. The percent of children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program	69.7%	68%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)		
1 Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program	84.0%	81.82%
2. The percent of children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program	59.4%	63%
Outcome C: Use of appropriate behaviors to meet their needs		
1 Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program	80.5%	88.32%
2. The percent of children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program	76.1%	83%

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation Progress Data:

Data Comparison Report

Table 7.1 shows the Progress Data for children who had both entry and exit data and had participated in early childhood special education services for at least 6 months during the FFY2009 data collection time period. Progress Data was available for 381 students from the ND Special Education Units (SEU).

For FFY 2009, NDDPI used the SEU data submitted through the Statewide Web-based Special Education Case Management System to calculate the child outcome summary form (COSF) reporting category percentages and the summary statement percentages. In addition, as was done for several years, SEUs continued to collect Indicator 7 data through an electronic spreadsheet. During the collection period (July 1 - June 30), local special education directors contacted NDDPI staff members to discuss questions they had based on individual cases. Once the data were submitted (June 30) they were reviewed by NDDPI staff.

To assure consistent high-quality data, NDDPI staff members completed an Indicator 7 Data Comparison Report (See Appendix C) for each SEU. Each report included the following components:

1. *Comparison of web-based Indicator 7 report and SEUs spreadsheet.* This was completed as a cross check of the children entered in each data gathering system. NDDPI compared each child listed on the SEUs Indicator 7 web-based report to the SEUs Indicator 7 spreadsheet. Further information needed was included on the SEUs Data Comparison Report.
2. *Preschool children with an initial IEP without a COSF and/or entry ratings.* This was completed to assure that children who are/were between 3-6 years of age and who had an initial IEP completed during this data year had a COSF completed with entry ratings. NDDPI staff members completing a data review through the state data system, STARS, of children fitting the above criteria and did not have a COSF. NDDPI reviewed each of these students in the web-based data system. Further information needed was included on the SEUs Data Comparison Report.
3. *Preschool children exiting preschool services without COSF and/or exit-progress ratings.* This was completed as an initial check that all preschool children had a completed COSF when they exited preschool services. NDDPI completing a data review through the state data system, STARS, of all children who exited into kindergarten without a completed COSF during the FFY 2009 data period. NDDPI reviewed each of these students in the web-based data system. Further information needed was included on the SEUs Data Comparison Report.

Areas needing clarifications were added to the Data Comparison Report and the SEUs were given two weeks to respond. Through this system of data sharing, the NDDPI collected the necessary data and calculated the percentage of preschool children aged 3 through 5 with IEPs who demonstrate improved: positive social-emotional skills (including social relationships); acquisition and use of knowledge and skills (including early language/ communication and early literacy); and use of appropriate behaviors to meet their needs.

Updates and revisions regarding the appropriate completion of Indicator 7 components within the web-based forms will be provided through annual IVN meetings (see Improvement Activities) and special education directors and early childhood special educators meetings throughout each data year. In addition, NDDPI will meet with individual SEUs to determine the cause for possible data patterns and to assure continuation of data accuracy.

ND Early Childhood Outcome Committee Review of Data

The ND Early Childhood Outcomes, ND ECO, Committee is comprised of members who were part of the original ND ECO Pilot Process. For FFY2008, their data comprised 79% of the overall reported Progress Data. This year their data comprised approximately 55% of the overall reported Progress Data. During each fall meeting of the ND ECO Committee, members receive a copy of their SEU outcome data; the overall averages for each outcome area; and summary statements. Each Committee member reviewed their FFY 2009 data for accuracy, possible patterns and/or data outliers.

In addition to input from the ND ECO Committee mentioned above, the ND Section 619 Coordinator attended the ECO Center/NECTAC national outcomes conference in August 2010. The ECO Center and NECTAC also provided several valuable national phone calls relating to analyzing outcomes data and setting targets.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines /Resources for FFY2010:

Revisions to Proposed Targets

The ND Early Childhood Outcomes (ECO) Pilot Project began May 15, 2006 and went through June 30, 2008. Eight of the 31 ND SEUs participated in the original ND ECO Pilot Project. These SEUs provided a representative sample of the population in ND including rural, urban and different ethnic backgrounds.

On July 1, 2008 the ND ECO Process was implemented statewide. The remaining 23 SEUs joined the ND ECO Pilot Project SEUs in collecting entry/exit/progress ratings. For FFY2008, 11 of the 23 SEUs had entry ratings but no exit/progress ratings yet and the remaining 12 SEUs submitted several entry ratings but limited exit/progress ratings. Of the 155 reported entry/exit/progress ratings, 122 (79%) were reported from the SEUs involved in the ND ECO Pilot Project.

FFY2009 Progress Data represents the second year that the ND ECO Process has been implemented statewide. 27 of the 31 SEUs reported 381 entry/exit/progress ratings which provide a broader representation of state Progress Data. Table 7.3 provides a comparison between the FFY2008 and FFY2009 Progress Data. This comparison supports the following facts:

- ✓ There is an increase in SEUs reporting entry/exit/progress ratings, i.e. 11 SEUs did not have entry/exit/progress ratings to report in FFY 2008 as compared to 4 SEUs in FFY2009.
- ✓ There is an increase in the number of entry/exit/progress ratings reported per SEU, i.e. 6 SEUs reported over 6 entry/exit/progress ratings in FFY 2008 as compared to 15 SEUs reporting 6 or more entry/exit/progress ratings in FFY2009.

Table 7.3 Range of Ratings Reported

Range of entry/exit/progress ratings reported	Number of SEUs Reporting		Total entry/exit/progress ratings	
	FFY2008	FFY2009	FFY2008	FFY2009
0	11	4	0	0
1 to 5	25	12	37	32
6-10	2	3	15	24
11 to 15	0	3	0	42
16 to 20	1	4	17	73
21 to 25	2	2	48	44
30 to 55	1	1	38	38
55 to 69	0	1	0	58
70	0	1	0	70
Total	31	31	155	381

Through NDDPI and stakeholder review of the FFY2008 and FFY 2009 data, NDDPI has determined to maintain the FFY2008 baseline and FFY2009 targets as set through the FFY2009 SPP (Table 7.4). NDDPI will maintain the FFY2009 targets for the FFY2010, 2011 and 2012 data years. NDDPI will set the FFY 2013 targets a half point higher. During the FFY2010, 2011 and 2012, there will be a steady increase of entry/exit/progress ratings as the ND ECO Process continues to be implemented statewide, leading to an approximate 550 entry/exit/progress ratings per data year as determined by the FFY2009 3-5 year old child count. This increase will provide a more comprehensive picture which will assist in determining statewide and district data patterns.

Table 7.4 Targets for Preschool Children Exiting in FFY2009 and FFY2010 and Reported in Feb 2011, 2012, and 2013

Summary Statements	**Targets FFY2009** (% of children)	**Targets FFY2010** (% of children)	**Targets FFY2011** (% of children)	**Targets FFY2012** (% of children)	**Targets FFY2013** (% of children)
Outcome A: Positive social-emotional skills (including social relationships)					
Of those children who entered or exited the program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they exited the program	83.5%	83.5%	83.5%	83.5%	84%
The percent of children who were functioning within age expectations in Outcome A by the time they exited the program	69.7%	69.7%	69.7%	69.7%	70.2%
Outcome B: Acquisition and use of knowledge and skills (including early language/communication and early literacy)					
1 Of those children who entered or exited the program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they exited the program	84.0%	84.0%	84.0%	84.0%	84.5%
2. The percent of children who were functioning within age expectations in Outcome B by the time they exited the program	59.4%	59.4%	59.4%	59.4%	59.9%
Outcome C: Use of appropriate behaviors to meet their needs					
1 Of those children who entered or exited the program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they exited the program	80.5%	80.5%	80.5%	80.5%	81%
2. The percent of children who were functioning within age expectations in Outcome C by the time they exited the program	76.1%	76.1%	76.1%	76.1%	76.6%

FFY 2009 Improvement Activities

ND Early Childhood Outcomes Committee

The ND Early Childhood Outcomes, ND ECO, Committee continued to meet quarterly to assist the NDDPI in the successful implementation of the ND Early Childhood Outcomes Process and the development of technical assistance documents and activities. Membership in this committee includes early childhood special education professionals from throughout ND.

ND Child Outcomes Summary Form Quality Assurance Checklist and Training

Through requests from early childhood special education professionals from throughout ND, the ND Early Childhood Outcomes Committee developed and piloted the ND Child Outcomes Summary Form, ND COSF, Quality Assurance Checklist (See http://www.dpi.state.nd.us/speced/early/index.shtm). Components within the Checklist focus on establishing consistent and quality COSF data throughout ND. The Checklist will be incorporated into and used for the overall and ongoing NDDPI monitoring system. Results from these monitoring activities will allow for individualized technical assistance for districts requiring corrective actions and or improvement with components of this indicator.

To acquaint early childhood special education professionals and administrators to the ND COSF Quality Assurance Checklist, NDDPI provided several two-hour trainings for SEUs throughout ND. Each training focused on the: 1) review of the COSF ratings to assure consistent interpretation of entry and exit ratings state wide and within each SEU; and 2) practice by participants in completing each section of the Checklist using COSFs completed by the participants. NDDPI recommended to SEUs that the Checklist be completed by individuals responsible to assure quality data within their SEU. The information gathered from the review of COSFs would provide valuable information which will assist in determining training needs for the SEU.

NDDPI presented the ND COSF Quality Assurance Checklist as part of the 2010 OSEP Leadership Mega Conference – Measuring Child and Family Outcomes. The Session "Having and Using High Quality Data" focused on promoting consistent quality outcome data and using these data in the monitoring process.

Age Expectation Developmental Milestones

The ND ECO Process Age Expectation Developmental Milestones were developed to provide consistent guidance for individuals involved in the development of Individualized Education Programs (IEPs) and ND Child Outcomes Summary Forms for preschool children with disabilities. The Age Expectation Developmental Milestones are specifically designed to be used upon entrance into early childhood special education and exit from early childhood special education, but could also be used throughout programming to assist in goal setting as well as progress monitoring.

The Age Expectation Developmental Milestones have been developed in three formats: Quick Reference; by Age Groups and a Full version with References and Resources. Copies of each of these formats can be found at: http://www.dpi.state.nd.us/speced/early/index.shtm.

Statewide Web-based Special Education Case Management System

During the 2007-08 school year, NDDPI piloted a Statewide Web-based Special Education Case Management System. The statewide system was implemented in all schools by the start of the 2008-09 school year. Embedded within this system is the ND Child Outcomes Summary Form. Data gathered from the web-based form is used to determine the required OSEP reporting categories. During the FFY2009, Indicator 7 data were gathered through questions embedded in the web-based ND Child Outcome Summary Form. As has been done for several years, SEUs continued to collect Indicator 7 data

through the electronic spreadsheet. Comparison and revisions were made with the goal of collecting and monitoring all Indicator 7 data through the web-based system.

Interactive Video Network (IVN) Meeting(s) and Newsletter Articles
In December 2009, the NDDPI hosted a statewide IVN meeting for administrators and early childhood professionals to address current questions and issues relating to the ND ECO Process. In addition, NDDPI staff members continued to submit articles relating to the ND ECO Process to stakeholder groups. It is vital to the success of the ND ECO Process to have continual communication with the professionals implementing the process.

Table 7.5 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Activity Status
Participate in a national group for the development of training materials	Winter 2006	NDDPI and ECO	Ongoing
ND Pilot Sites collect entry and exit data	Starting January 2007	NDDPI and NDECO Pilot Project sites	Completed and Ongoing
Phase I sites begin collecting entry data –	July – Dec. 2007	NDDPI and Phase I sites	Completed and Ongoing
Pilot Sites and Phase I sites collect entry and exit data	Jan- June 2008	NDDPI, Pilot Project Sites, Phase I sites	Completed and Ongoing
Data gathered from the Statewide Special Education Web-based Case Management System form will be used to determine the required OSEP reporting categories. This system will be used for the purposes of monitoring at local and state levels.	FFY2008	NDDPI staff	Ongoing
Develop and provide training relating to determine statewide technical assistance needs	July 2009 to 2010	NDDPI Staff, ND ECO Committee	Ongoing
Develop and implement a ND COSF Quality Assurance Checklist with LEA Trainings	July 2009 to Summer 2010	NDDPI Staff, ND ECO Committee Members	Completed and Ongoing
Assure the checklist is in place and enhance technical assistance to meet statewide needs.	FFY2009 FFY2010	NDDPI Staff, ND ECO Committee Members	Completed and Ongoing
Update and distribute ND Early Childhood Outcome Binder	FFY2010	NDDPI Staff	New
Develop Age Expectation Developmental Milestones and distribute statewide	FFY 2009 FFY 2010	NDDPI Staff, ND ECO Committee Members	New
ND ECO Process Training Component for Pre-service programs	FFY 2010	NDDPI	New
ND ECO Training Components for NDDPI Early Childhood Special Education Website	FFY 2010	NDDPI	New

Note: All “continuous” or “ongoing” activities will continue until or beyond 2012, as needed.

FFY2010 New Activities

ND Early Childhood Outcomes Process Guide

The ND Early Childhood Outcomes, ND ECO, Process Guide was developed to provide an understanding of the components of the ND ECO Process for professionals responsible for the implementation of the Process within each local school district. The Guide includes the history of the development of the early childhood outcomes process at the federal and state level and a description of several components of the ND ECO Process. This Guide was updated June 2010. In the fall 2010, each professional working with early childhood special education preschool children will receive a binder which includes the *Age Expectation Milestones, ND Early Childhood Outcomes Process Guide and FAQ* and the *ND Child Outcome Summary Form Quality Assurance Checklist.*

National Early Childhood Technical Assistance Center and the Early Childhood Outcomes Center

Since May 2006, NDDPI has collaborated with the *National Early Childhood Technical Assistance Center* to develop and implement the ND Early Childhood Outcomes Process. This collaboration was documented in the NECTAC document: *Long Term Technical Assistance Model for Long-Term Systems Change – Three States Examples*. The document can be found at http://www.nectac.org/~pdfs/pubs/ltsc3states.pdf

NDDPI will continue to participate in NECTAC and ECO technical assistance activities and conferences.

Statewide Web-based Special Education Case Management System

During the FFY2010, Indicator 7 data will be gathered through questions embedded in the ND Child Outcome Summary Form located on the web-based system. As has been done for several years, SEUs will continue to collect Indicator 7 data through the electronic spreadsheet. Comparison and revisions will be made with the goal of collecting and monitoring all Indicator 7 data through the web-based system for the 2011-12 data year.

Interactive Video Network (IVN) Meeting(s) and Newsletter Articles

In January 2011, the NDDPI will host a statewide IVN meeting for administrators and early childhood professionals to address current questions and issues relating to the ND ECO Process. In addition, NDDPI staff members will continue to submit articles through FFY2010 relating to the ND ECO Process to stakeholder groups. It is vital to the success of the ND ECO Process to have continual communication with the professionals implementing the process.

Pre-service Programs

NDDPI will work with the ND University early childhood special education programs to embed a training component relating to the ND Early Childhood Outcomes Process. NDDPI will meet with university staff to determine needs and develop training information.

NDDPI Website

As requested from early childhood special education administrators from throughout ND, NDDPI will review and include additional Early Childhood Outcomes training material on the NDDPI website. This information will be determined by a review of previously developed web-based training information from other states, NECTAC and the ECO Center.

INDICATOR 8

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

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

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

Table 8.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	A new survey was developed and administered in FFY 2009; thus, there was no pre-established target.

Actual Target Data for FFY 2009:
Table 8.2 Percent of Parents Who Report that the School Facilitated Their Involvement

	FFY2009
Total number of Parent respondents	2099
Number who reported school facilitated their involvement	1437
Percentage who reported school facilitated their involvement	68.5%

This baseline (68.5%) will be used to set future targets.

In FFY 2009, the survey was distributed to all parents of students with disabilities in the state. Of the 13,261 parents who received a survey, 2,099 returned it for a response rate of 15.8%. A copy o f the survey is in Appendix D. The reason for developing a new survey is that the previous survey was not found to be useful to the districts. Furthermore, it was too long (two pages). Few parents completed the survey, therefore; the response rate had been consistently under 10%, and the survey consisted of items that did not measure "the school facilitating parent involvement." A survey that consisted of 10 "parent involvement" items, three demographic items, and two open-ended items was developed with a stakeholder group.

To arrive at the percent of parents who report that the school facilitated their involvement, a "percent of maximum" score based on the 20 items in Section A of the survey was calculated for each respondent. A respondent who rated the preschool a "5" (Strongly Agree) on each of the 20 items received a 100% score; a respondent who rated the preschool a "1" (Strongly Disagree) on each of the 20 items received

a 0% score. A respondent who rated the preschool a "4" (Agree) on each of the 20 items received a 75% score. A parent who has a percent of maximum score of 75% or above was identified as one who reported that the school facilitated his/her involvement. A 75% cut-score represents a parent who on average agrees with each of the ten items. (This cut-score was established with input from the stakeholder group.)

Reliability and Validity

The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative (1) by geographic region where the child attends school; (2) by the race/ethnicity of the child; (3) by the grade level of the child; and (4) by the primary disability of the child. For example, 25% of the parents who returned a survey indicated that their children's primary disability is a speech/language impairment, and 26% of special education students have a speech impairment; 36% of the parents who returned a survey indicated that their children's primary disability is a learning disability, and 32% of special education students have a learning disability. Parents of white students were slightly over-represented (92% of parent respondents indicated that their student is White, and 81% of special education students are White) and parents of Native American students were slightly under-represented (4% of parent respondents indicated that their student is Native American, and 12% of special education students are Native American). The NDDPI will follow-up with districts that are predominantly Native American to ensure that they are distributing and collecting the parent survey in 2010-11.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Progress:

Since this is the first year of the new parent survey, progress data cannot be examined.

Explanation of Improvement Activities:

APR/SPP Summary: To assist NDDPI in communicating clearly, especially with parents of children and youth who have disabilities, the *Summary of the North Dakota Special Education Annual Performance Report FFY2008 and State Performance Plan 2005-2010* was created and submitted as an appendix in the first ND APR. This summary has been revised annually, sharing annual results with parents in a user-friendly document. This document was designed to inform parents and other interested individuals of the current and ongoing status of the ND indicator results. This summary has been distributed at conferences and meetings. It is also available to the public on the NDDPI website: http://www.dpi.state.nd.us/speced/resource/parent/summary.pdf. Not only has this document increased parent awareness and understanding of the APR, the Mountain Plains Regional Resource Center highlighted this document in other states as an effective method of ensuring that parents understand the purposes of the SPP and APR.

Parent Involvement Workgroup: The NDDPI has developed, with the assistance from the MPRRC, a Parent Involvement workgroup to discuss strategies that will increase parent involvement in ND schools. This workgroup includes a representative from the NDDPI Special Education and Title I offices, the ND Pathfinder Parent Center, the ND Family Voices, the ND Federation of Families, local district superintendent, Special Education Director, special educator, and parents. It is the intent of this workgroup to increase parent involvement with a focus on minority populations.

This workgroup has met on three occasions and has reviewed and revised the parent survey questions. A new survey was developed and distributed to parents in hardcopy format by mail. The results from this survey will be reported in the APR submitted in 2011.

Special Education – Title I Collaboration: The NDDPI staff members continue to support and collaborate with statewide family organizations to increase knowledge and promote parent involvement. The NDDPI special education dispute resolution staff also continues to prepare and disseminate updated resources and provide trainings to parents regarding alternative dispute resolution processes, including IEP facilitation.

Table 8.3 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Technical Assistance and training to promote parent involvement.	FFY2007	ND Parent Training and Information Center (Pathfinders), Pacer Center, Minneapolis, MN	Ongoing
Distribute parent summary of the SPP with parent survey described and web address included.	FFY2006	NDDPI staff Pathfinders, Statewide parent organizations	Ongoing
Support and collaborate with statewide family organizations to increase knowledge and promote parent involvement.	FFY2006	ND PTI, Family to Family Network	Ongoing
Prepare and disseminate updated resources and provide trainings to parents regarding alternative dispute resolution processes, including IEP facilitation.	FFY2006	State Parent Involvement Coordinator, State Dispute Resolution Coordinator Pathfinders, Pacer Center, Minneapolis	Ongoing
Collaborate with ND Pathfinders to update existing documents and develop new materials related to parent involvement.	FFY2007	Pathfinders, Pacer Center, Minneapolis, MN	Ongoing
Collaborate with the Dept Human Services and Parent Training and Information Center in sponsoring the annual parent information and involvement statewide conference.	FFY2007	Dept Human Services, Parent Training and Information Center	Ongoing
NDDPI Special Education and Title I Collaboration in Parent Involvement	FFY2007	NDDPISE staff and NDDPI Title I	Ongoing
Parent Involvement Toolkit training to special educators during the Fall 2009 Title I – Special Education Conference.	FFY2007	NDDPI, Title I	Ongoing
Dissemination of parent brochures and documents to parents of children with disabilities.	FFY2007	NDDPI	Ongoing

ND Parent Involvement Workgroup review of Parent Survey data and possible strategies to improve parent involvement in the schools.	FFY2009	NDDPI SE staff, NDPTI, NDDHS, Title I, and statewide stakeholders	New
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline:
The baseline was revised as indicated above. The new baseline is 68.5%
Revisions to Measurable and Rigorous Targets:
The NDDPI proposes the following targets.

Table 8. 4 Revised Measurable and Rigorous Targets

FFY	Measurable and Rigorous Target
2010 (2010-2011)	68.5% of parents will report that the school facilitated their involvement.
2011 (2011-2012)	68.9% of parents will report that the school facilitated their involvement.
2012 (2012-2013)	69.5% of parents will report that the school facilitated their involvement.

Revisions to Improvement Activities:
No revisions as this time. However, as the Parent Involvement Workgroup continues to meet, revisions to improvement activities will reported in the FFY2010 APR submitted February, 2012.

INDICATOR 9

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: Disproportionality

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

Measurement

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.

In analyzing data for this indicator, the State used data collected on Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended) for all children with disabilities aged 6 through 21 served under IDEA.

Definition of "Disproportionate Representation" and Methodology
Under-representation:
Using the cutoff point of 0.3, the FFY2009 data indicated that all districts met the target of 0.0%.
Over-representation:
Using the cutoff point of 3.00, the FFY2009 data indicated that all districts met the target of 0.0%.

North Dakota uses the spreadsheet developed by *WESTAT* specifically for indicators 9 and 10 as described in the ND SPP. The state then analyzes data by district and for all racial and ethnic groups in each district. North Dakota uses the 'n' size of 10. North Dakota does not have charter schools.

Actual Target Data for FFY2009:

Table 9.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.
2010 (2010-2011)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.

2011 (2011-2012)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.
2012 (2012-2013)	School districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification will be 0 percent.

Table 9.2 Disproportionate Representation Step One

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups that was the Result of Inappropriate Identification	Percent of Districts
FFY2009 (2009-2010)	**183**	**0**	**0**	**0.00%**

Table 9.3 Disproportionate Representation Over and Under: Step Two FFY2009

	Risk ratio cutoffs	# of Districts	% of Districts
Over-representation	3.00	0	0.00%
Under-representation	0.3	0	0.00%
Total		**0**	**0.00%**

The Indicator 9 target of 0.00% was met.

Table 9.4 Results Over Time

	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
% of school districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.	0.00%	0.00%	0.00%	0.00%	0.00%

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

Explanation of Progress:

All districts continue to meet the annual targets. In accordance with regulations, if district data had indicated disproportionate representation, the state would:

- Require the review and revision of polices, practices and procedures that contribute to disproportionate representation;
- Provide the state accepted plan and templates required for the required reviews (Appendix B); and
- Require the LEA to publicly report on the revision of policies, practices and procedures; if required.

When necessary, technical assistance is offered from the NDDPI staff. NDDPI also contracts with a consultant who will offer the technical assistance required by school districts in reference to appropriate identification of children who require special education services.

Explanation of Improvement Activities:
All activities related to this indicator described in the SPP are ongoing. The disproportionality data indicate these activities as successful in decreasing inappropriate identification based on race/ethnicity. Several activities listed in Indicator 9 are also used to improve results in other indicators. For a full description of these activities, please see the introductory section of the APR.

Correction of FFY2008 Findings of Noncompliance (if State reported more than 0% compliance):
Level of compliance (actual target data) State reported for FFY2008 for this indicator: 0.00%

Table 9.5 Correction of FFY2008Findings of Noncompliance

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

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

Table 9.6 Correction of FFY2008 Findings of Noncompliance Not Timely Corrected

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

Actions Taken if Noncompliance Not Corrected:
North Dakota in compliance with this indicator; therefore, no action was necessary.

Verification of Correction (either timely or subsequent):
Corrective action was not required; therefore, verification of corrections was not necessary.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:
Corrective action was not required; therefore, verification of corrections was not necessary.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):

Table 9.7 Correction of Remaining FFY2007 Findings of Noncompliance

1. Number of remaining FFY 2007 findings noted in OSEP's June 2010 FFY 2008 APR response table for this indicator	**0**
1. Number of remaining FFY 2007 findings the State has verified as corrected	**0**
2. Number of remaining FFY 2007findings the State has not verified as corrected [(1) minus (2)]	**0**

Verification of Correction of Remaining FFY 2007 findings:
There were no outstanding findings to be corrected or verified.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2007:
There were no outstanding findings to be corrected or verified.

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):
There were no outstanding findings to be corrected or verified.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

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

Table 9.8 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Obtain and disseminate materials on disproportionate representation as a result of inappropriate identification from the NCCRESt and disseminate to the field. This activity is also designed to address issues identified in Indicator 10.	Ongoing	NDDPI staff NCCRESt	Ongoing
Provide information and technical assistance to school districts that demonstrate a disproportionate representation as a result of inappropriate identification. This activity is also designed to address issues identified in Indicator 10.	Ongoing	NDDPI staff	Ongoing
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include RTI model and process. This activity is also designed to address issues identified in Indicators 4 and 10.	Ongoing	Part B Disc. Funds; MPRRC	Ongoing
Provide training and implementation of the special education monitoring system for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide FFY2007	Part B admin. funds;	Ongoing
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident	Ongoing	SPD Grant; Stipends; scholarships; tuition reimbursements,	Ongoing

Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4 and 10.		UND, Minot State University: University of Mary	
Disproportionate Representation Statewide Taskforce	FFY2009	NDDPI. Full description below.	New
Development and distribution of Disproportionate Representation fact sheets.	FFY2009	NDDPI, MPRRC resources	New
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: No. However, because of the small population in North Dakota and its race/ethnicity groups, North Dakota proposes to change the cutoff point for under-representation from .50 to .30.

Revisions to Improvement Activities: No revisions.

Disproportionality Taskforce

The NDDPI, with the assistance of MPRRC, developed a taskforce specific to disproportionality in North Dakota Schools. This taskforce will study issues and make recommendations to ensure that NDDPI is using appropriate targets for determining disproportionate representation of race and ethnic groups in North Dakota schools. In addition, this taskforce will make recommendations regarding additional statewide policies and procedures, guidance materials, personnel development needs, and/or technical assistance resources to support minority populations in ND schools.

The taskforce has reviewed the trend data and recommended to change the cutoff point for under-representation from .50 to .30. The NDDPI has made this recommended change. The taskforce is now reviewing guidance for policy, procedures, and practices as well as strategies for improving the education and its setting for all students in North Dakota. These recommendations will be reported in the 2012 submission of the APR.

An additional responsibility of the Disproportionality Taskforce is to review the placement decisions for children receiving special education services together with discipline issues, race/ethnicity, and other services received such as English Language Learner (ELL) or Title I services. This review is being conducted to ensure students are accurately identified to receive services and continue to receive the appropriate special education and related services in the most inclusive setting as possible.

RTI and RTI-B Scaling-up
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term. Please see the APR Introduction for complete description of this RTI and RTI-B process.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2010: N/A

INDICATOR 10

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
(20 U.S.C. 1416(a)(3)(C))

Measurement

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.

In analyzing data for this indicator, the State used data collected on Table 1 (Child Count) of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education under Part B of the IDEA, as amended) for all children with disabilities aged 6 through 21 served under IDEA.

Definition of "Disproportionate Representation" and Methodology

Under-representation:
The FFY2009 data, using the *WESTAT* spreadsheet and a cutoff point of 0.3, indicated all districts were in compliance.

Overrepresentation:
The FFY2009 data, using the *WESTAT* spreadsheet and a cutoff point of 3.00, indicated three (3) districts (Table 10.2) as having over-representation.

Step One: The data are first analyzed using the spreadsheet designed by *WESTAT* specifically for indicators 9 and 10 to produce a weighted risk ratio (WRR) that identifies all racial/ethnic groups for all districts in the State in all disability categories. The State also calculated an alternate risk ratio (ARR) for districts that may have low numbers of students in either a particular ethnic group or other ethnicities, or both. Three (3) districts were flagged for potential over-representation due to a WRR of 3.0 or above using a minimum cell size of 10. These districts were flagged in two different disability categories (ED and SLD) for two racial/ethnic group (Native American and Hispanic).

Step Two: The three (3) districts flagged for over representation received guidance documents to conduct a self-assessment of the identification policies, procedures and practices used (Appendix B). The State compliance monitors reviewed each district's policies and procedures reports and determined that all policies and procedures were in compliance with the requirements of 34 CFR §300.111, §300.201, and §300.301 through §300.311. The practices of these three districts were also investigated through a self-assessment tool with verification by a desk audit using the web-based case management system. The practices of 3 districts were found to be in compliance and consistent with 34 CFR §300.111,

§300.201, and §300.301 through §300.311.

Table 10.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2010 (2010-2011)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2011 (2011-2012)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.
2012 (2012-2013)	School districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification will be 0 percent.

Actual Target Data for FFY2009:

Table 10.2 Disproportionate Representation by Race/Ethnicity FFY2009

District	Disability Category	Race/Ethnicity	Under/Over	District Results Post-Review
District A	ED	American Indian	Over	In compliance
District B	ED	American Indian	Over	In compliance
District C	SLD	Hispanic	Over	In compliance

The target for Indicator 10 was met.

Table 10.3 Disproportionate Representation: FFY2009

Year	Total Number of Districts	Number of Districts with Disproportionate Representation	Number of Districts with Disproportionate Representation of Racial and Ethnic Groups in specific disability categories that was the Result of Inappropriate Identification	Percent of Districts
FFY 2009 (2009-2010)	**183**	**4**	**0**	**0**

Table 10.4 Disproportionate Representation: Over and Under FFY2009

	Risk ratio cutoffs	# of Districts	% of Districts
Overrepresentation	3.00	0	0.00%
Under-representation	0.05	0	0.00%
Total		**0**	**0.00%**

The target of 0% was met.

Table 10.5 Results Over Time

	FFY2005	**FFY2006**	**FFY2007**	**FFY2008**	**FFY2009**
% of school districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	0.00%	0.00%	0.00%	0.00%	0.00

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

Explanation of Progress:

All districts continue to meet the annual targets. In accordance with regulations, if district data had indicated disproportionate representation, the state would:

- Require the review and revision of polices, practices and procedures that contribute to disproportionate representation;
- Provide the state accepted plan and templates required for the required reviews (Appendix B); and
- Require the LEA to publicly report on the revision of policies, practices and procedures; if required.

When necessary, technical assistance is offered from the NDDPI staff. NDDPI also contracts with a consultant who will offer the technical assistance required by school districts in reference to appropriate identification of children who require special education services.

Explanation of Improvement Activities:

All activities related to this indicator described in the SPP are ongoing. The disproportionality data indicate these activities as successful in decreasing inappropriate identification based on race/ethnicity. Several activities listed in Indicator 9 are also used to improve results in other indicators. For a full description of these activities, please see the introductory section of the APR.

Correction of FFY2008 Findings of Noncompliance (if State reported more than 0% compliance):

Level of compliance (actual target data) State reported for FFY2008 for this indicator: 0.00%

Table 10.6 Correction of FFY20008 Findings of Noncompliance

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

Correction of FFY2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance): There are no outstanding cases of noncompliance for this indicator.

Table 10.7 Correction of FFY20008 Findings of Noncompliance Not Timely Corrected

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

Actions Taken if Noncompliance Not Corrected:
No addition action was required.

Verification of Correction (either timely or subsequent):
Verification was not necessary because all districts were found in compliance.

Describe of the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008:
No actions were necessary because all districts were found in compliance.

Correction of Remaining FFY 2007 Findings of Noncompliance:
All districts were found in compliance; therefore, no corrective actions and/or verification processes remain.

Additional Information Required by the OSEP APR Response Table for this Indicator:
No additional information was required from North Dakota.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Table 10.8 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Obtain and disseminate materials on disproportionate representation as a result of inappropriate identification from the NCCRESt and disseminate to the field. This activity is also designed to address issues identified in Indicator 9.	FFY2007	NDDPI staff NCCRESt	Ongoing
Provide information and technical assistance to school districts that demonstrate a disproportionate representation as a result of inappropriate identification. This activity is also designed to address issues identified in Indicator 9.	FFY2007	NDDPI staff	Ongoing
Provide information, resources, and support for Response to Intervention model and implementation.	FFY2007	Part B Disc. Funds; MPRRC	Ongoing

Revise state guidelines for assessment to include RTI model and process. This activity is also designed to address issues identified in Indicators 4 and 9			
Provide training and implementation of the special education monitoring system for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Implement statewide FFY2007	Part B admin. funds	Ongoing
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4 and 9.	FFY2007	SPD Grant; Stipends; scholarships; tuition reimbursements, UND, Minot State University: University of Mary	Ongoing
Presentation to ND Council of Education Leaders (NDCEL) on Disproportionate Representation in collaboration with MPRRC.	FFY2008	NDDPI, NDCEL, MPRRC	Ongoing
Disproportionate Representation Statewide Taskforce	FFY2009	NDDPI. Full description below.	New
Development and distribution of Disproportionate Representation fact sheets.	FFY2009	NDDPI, MPRRC resources	New
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: No. However, the additional years have been added to the Measurement and Rigorous Targets Table. Also, because of the small population in North Dakota and its race/ethnicity groups, North Dakota proposes to change the cutoff point for under-representation from .50 to .30.

Revisions to Improvement Activities:

Disproportionality Taskforce
The NDDPI, with the assistance of MPRRC, developed a taskforce specific to disproportionality in North Dakota Schools. This taskforce will study issues and make recommendations to ensure that NDDPI is using appropriate targets for determining disproportionate representation of race and ethnic groups in North Dakota schools. In addition, this taskforce will make recommendations regarding additional statewide policies and procedures, guidance materials, personnel development needs, and/or technical assistance resources to support minority populations in ND schools.

The taskforce has reviewed the trend data and recommended to change the cutoff point for under-representation from .50 to .30. The NDDPI has made this recommended change. The taskforce is now reviewing guidance for policy, procedures, and practices as well as strategies for improving the education and its setting for all students in North Dakota. These recommendations will be reported in the 2012 submission of the APR.

An additional responsibility of the Disproportionality Taskforce is to review the placement decisions for children receiving special education services together with discipline issues, race/ethnicity, and other services received such as English Language Learner (ELL) or Title I services. This review is being conducted to ensure students are accurately identified to receive services and continue to receive the appropriate special education and related services in the most inclusive setting as possible.

RTI and RTI-B Scaling -up
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term. Please see the APR Introduction for complete description of this RTI and RTI-B process.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2010: N/A

INDICATOR 11

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.
(20 U.S.C. 1416(a)(3)(B))

Measurement

Measurement:
a. # of children for whom parental consent to evaluate was received.
b. # of children whose evaluations were completed within 60 days (or State-established timeline).
Account for children included in a but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.
Percent = [(b) divided by (a)] times 100.

Table 11.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2010 (2010-2011)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2011 (2011-2012)	100 percent of children with parental consent to evaluate are evaluated within 60 days.
2012 (2012-2013)	100 percent of children with parental consent to evaluate are evaluated within 60 days.

Actual Target Data for FFY2009:
North Dakota collected the FFY2009 data through the spreadsheet developed at the time of the original State Performance Plan. However, this spreadsheet has been revised to reflect the current change OSEP has made to this indicator. Local special education directors, in partnership with the district, track students through the year and submit this spreadsheet annually. The Indicator 11 spreadsheet is available for review on the NDDPI website: http://www.dpi.state.nd.us/speced/index.shtm This spreadsheet was also used as the model for the data details drawn into the data collection and monitoring report generated from the web-based case management system. Shortly after the June 30, 2010 data deadline, a statewide report was generated by this system and compared to the results submitted by each district for accuracy. Minor adjustments were necessary but overall the online system appears to be generating reports correctly. The online report pulled data at the student level and was used to verify corrections. This report is now used for all monitoring and data reporting. North Dakota will no longer require spreadsheets submitted by districts.

To further ensure compliance with this indicator, the new annual self-assessment monitoring documents contain a section specifically focused on initial evaluations and their timelines.

Table 11.2 Children Evaluated Within 60 Days: FFY2009

a. Number of children for whom parental consent to evaluate was received	2189
b. Number of children whose evaluations were completed within 60 days	2181
Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established-timeline) (Percent = [(b) divided by (a)] times 100)	99.73%

The target for Indicator 11 was not met. However, it has maintained 99% compliance.

Although North Dakota had a compliance rate of 99.73% as reported on Table 11.2, all noncompliance has been corrected to 100% by the time of this APR submission.

Account for children included in (a) but not included in (b):
During the FFY2009, 2,187 parental consents for evaluations were received in North Dakota schools. As indicated on Table 11.3, 2,181 evaluations were completed within the 60-day timeline. The difference (6 children) did not have the evaluations completed within the 60-day timeline. However, all evaluations were completed, and if the child was found eligible for services, an IEP was developed. There were no cases where a child with parental consent for an evaluation did not have the process completed. The range of days and reasons for delay are described on Table 11.3. The two of the most frequent reasons for delay were delay is evaluation timeframe due to student attention span and beginning the process before a holiday break.

Table 11.3 Range of days beyond the timeline and Reasons

Number of Districts with Delays	Reason for Delay	Occurrences for each Reason	Range of Days Delayed
	Assessment Delay	3	13 days
	Holiday Break	3	4 days
	Number of Evaluations beyond 60 days	**6**	

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that Occurred for FFY2009:

Explanation of Progress:
The ND FFY2005 baseline was 88.09 percent. The FFY2009 data indicate an 11.64 percent increase from the baseline year and a .52 percent increase when compared to the previous year (Table 11.4).

Table 11.4 Initial Evaluation Data Collected – Results Over Time

	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
(a) Total # of children with parental consent	1424	3610	3432	2232	2187
(b) Total # of children determined not eligible within 60 days	268	750	632	2215	2181
(c)Total # of children determined eligible within 60 days	998	2574	2646		
Total # of children whose evaluation occurred past 60 day timeline	158	286	154	17	6
Percent who met the indicator	**88.09%**	**95.4%**	**98.4%**	**99.21%**	**99.73%**

North Dakota is also fortunate to have dedicated statewide special education personnel who take personal responsibility in correcting and/or maintaining compliance in all areas. The 60-day timeline is no exception. All areas of noncompliance for Indicator 11 were corrected as soon as possible after the 60th day (range of days: 1 to 240). The 240-day delay is an exception not often found in North Dakota. This delay was caused by not having the staff necessary to complete the requirement. Positions have since been filled and the district is not expecting to have this difficulty in the future.

Correction of FFY 2008 Findings of Noncompliance (if State reported less than 100% compliance):
Level of compliance (actual target data) State reported for FFY 2008 for this indicator: 99%

Table 11.5 Correction of FFY 2008 Findings of Noncompliance

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009)	**17**
2. Number of FFY 2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**17**
3. Number of FFY 2008 findings not verified as corrected within one year [(1) minus (2)]	**0**

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

Table 11.6 Correction of FFY 2008 Findings of Noncompliance Not Timely Corrected

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

Actions Taken if Noncompliance Not Corrected:
No additional actions were necessary, as all noncompliance was corrected and verified at the time the FFY2008 APR was submitted.

Verification of Correction (either timely or subsequent):
No additional actions were necessary, as all noncompliance was corrected and verified at the time the FFY2008 APR was submitted.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008
Using the web-based case management system, the NDDPI monitoring staff reviewed student level data to ensure an IEP was completed for all children who qualified for special education services as identified through the initial evaluation process.

Correction of Remaining FFY2007 Findings of Noncompliance (if applicable):
No additional actions were necessary, as all noncompliance was corrected and verified at the time the FFY2007 APR was submitted.
Actions Taken if Noncompliance Not Corrected:
No Action necessary.

Verification of Correction of Remaining FFY 2007 findings:
No additional actions were necessary, as all noncompliance was corrected and verified at the time the FFY2007 APR was submitted.

Correction of Any Remaining Findings of Noncompliance from FFY 2006 or Earlier (if applicable):
There are no outstanding cases of noncompliance for this indicator.

Table 11.7 Additional Information Required by the OSEP APR Response Table for this Indicator

Statement from the Response Table	State's Response
When reporting on the correction of noncompliance, the State must report, in its FFY2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator:	Through the use of the Web-based Case Management system, all verification of corrections were conducted by a desk audit at the individual student level.

Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY2008:
Improvement Activities Completed:
The NDDPI has requested and received permission for two additional exceptions to Indicator 11. Beginning October 1, 2009, the two additional exceptions to the 60-day timeline are:

- *Adverse Weather Conditions.* An extension is necessary because of extreme weather that prevented or interfered with the evaluation and the extreme weather is documented; and
- *Limited Access to Qualified Evaluators:* Either party establishes to the NDDPI's satisfaction that access to a qualified evaluator is so limited that the evaluation cannot occur in the initial 60 days.

The districts are required to maintain a variety of documents supporting their decision to delay. For example, the district is required to document details pertaining to the attempts made of securing an appointment with an outside agency, indicating the date of the first attempt, and documenting the waiting period for the appointment. If weather conditions caused the delay, documentation from the ND State Department of Transportation are maintained as proof of increment weather conditions. The data collection period of this indicator is July 1, 2009 to June 30, 2010. These exceptions were in effect October 1, 2009.

Table 11.8 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Disseminate and provide training for revised guideline documents including Evaluations, SLD, and IEP.	FFY2006	NDDPI Staff	Ongoing
Review school district policies and procedures of all schools identified as having evaluations exceeding the 60-day timelines. Provide technical assistance where necessary in revising school district policies and procedures.	FFY2006	NDDPI Staff	Ongoing
Review improvement plans specific to this indicator as required.	FFY2006	NDDPI Staff	Ongoing
Support ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Support mentoring models (such as Resident Teacher) in pre-service teacher preparation programs. This activity is also designed to address issues identified in Indicators 4, 9 and 10.	FFY2006	SPD Grant; Stipends; scholarships, UND, Minot State University; University of Mary	Ongoing
Provide information, resources, and support for Response to Intervention model and implementation. Revise state guidelines for assessment to include RTI model and process. This activity is also designed to address issues identified in Indicators 4, 9 and 10.	FFY2006	Part B Disc. Funds; MPRRC	Ongoing
Provide training and implementation of the special education accountability system for data analysis and improvement planning. This activity is also designed to address issues identified in all Indicators.	Follow-up in FFY2008 through FFY2010	Part B admin. funds;	Ongoing
Two Additional Exceptions to the 60-day Rule	FFY2008	NDDPI Staff	Effective 10/1/2009
Technical assistance on the use of the revised Excel spreadsheet.	FFY2009	NDDPI Coordinator	New
Data gathered from the Statewide Special Education Web-based Case Management System compared Spring 2010 for possible use in monitoring at local and state levels.	FFY2009	NDDPI staff, Local special education units	New. See description below.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, <u>with Justification,</u> to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:
Revisions to Baseline: No
Revisions to Measurable and Rigorous Targets: No. However, the additional years have been added to the Measurable and Rigorous Targets Table.
Revisions to Improvement Activities: No
Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2010 (if applicable): N/A

INDICATOR 12

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.
(20 U.S.C. 1416(a)(3)(B))

Measurement

Measurement:

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

Account for children included in a but not included in b, c, d, or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.
Percent = [(c) divided by (a – b – d – e)] times 100.

Table 12.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100 percent of children referred by Part C prior to age 3, and who are found eligible for Part B, will have an IEP developed and implemented by their third birthday.
2010 (2010-2011)	100 percent of children referred by Part C prior to age 3, and who are found eligible for Part B, will have an IEP developed and implemented by their third birthday.
2011 (2011-2012)	100 percent of children referred by Part C prior to age 3, and who are found eligible for Part B, will have an IEP developed and implemented by their third birthday.
2012 (2012-2013)	100 percent of children referred by Part C prior to age 3, and who are found eligible for Part B, will have an IEP developed and implemented by their third birthday.

Actual Target Data for FFY2009:
Table 12.2 Actual State Data for FFY2009

a.# of children who have been served in Part C and referred to Part B for Part B eligibility determination.	430
b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday	92
c. # of those found eligible who have an IEP developed and implemented by their third birthdays	275
d. # for whom parent refusals to provide consent caused delays in evaluation or initial services	60
e. # of children who were referred to Part C less than 90 days before their third birthdays.	3
# in a but not in b, c, d, or e.	0
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays Percent = [(c) / (a-b-d-e)] * 100	100%

The target for Indicator 12 was met.

The NDDPI collects early childhood transition data by means of each special education unit compiling and submitting a spreadsheet which includes the required Indicator 12 data. A copy of this spreadsheet can be found at: http://www.dpi.state.nd.us/speced/indicator12.xls The special education unit designee submits this spreadsheet to the NDDPI for each July 1 through June 30 time period. In addition, the NDDPI uses vital information (Children age 3 and initial IEP dates) from the Child Count data found on the NDDPI State Automated Reporting System (STARS), transition-specific data collected within the Statewide Web-based Case Management System and data provided through the ND Department of Human Services (DHS) Part C.

During the collection period (July 1 - June 30), local special education directors contacted NDDPI staff members to discuss questions they had based on individual cases. Once the data were submitted (June 30) they were reviewed by NDDPI staff and, where questions arose, NDDPI staff members contacted the appropriate local offices for clarification. Once the spreadsheets were returned, an NDDPI special education regional coordinator conducted follow-up telephone calls if further clarification was needed. This process was also conducted subsequent to NDDPI receiving Part C data for children who turned 3 during this data period. Inconsistency between Part C and Part B data were sent to LEAs through a secure data portal for clarification by the district. Through this system of data sharing, the NDDPI collected the necessary data and calculated the percentage of children found eligible for preschool special education services who received services on or before their third birthday for the FFY2009.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Improvement Activities:

All completed activities related to this indicator are described in the SPP. The Part C to Part B transition data indicate these completed and ongoing activities have been successful in increasing the percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

Explanation of Progress:
North Dakota has made extensive improvements toward the smooth transition for children turning three years old. Data indicate an improvement from 90.09% (FFY2006 Baseline) to 100% (FFY2009). Statewide input has shown an increased understanding and improved implementation of the early childhood transition process among services providers. When analyzing the Indicator 12 data collected by special education units, improvement was noted in the quality and consistency of the reported information as compared to previous years. Further improvements at the local level continue to be necessary; however, an increased conscientiousness in both planning joint meetings and in tracking children through the transition period is evident. NDDPI staff members continue to work closely with the DHS Early Childhood staff to ensure a smooth process across systems.

Correction of FFY2008 Findings of Noncompliance (if State reported less than 100% compliance)
Level of compliance (actual target data) State reported for FFY2008 for this indicator was 98.15%. Through the use of the web-based case management system, NDDPI has verified that all noncompliance, at the individual student level, were corrected to 100% at the time of the FFY2008 APR submission.

Table 12.3 Correction of FFY2008 Findings of Noncompliance

1. Number of findings of noncompliance the State made during FFY2008 (the period from July 1, 2008 through June 30, 2009)	**5**
2. Number of FFY2008 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	**5**
3. Number of FFY2008 findings not verified as corrected within one year [(1) minus (2)]	**0**

Correction of FFY2008 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):

Table 12.4 Correction of FFY2008 Findings of Noncompliance Not Timely Corrected

4. Number of FFY2008 findings not timely corrected (same as the number from (3) above)	**0**
5. Number of FFY2008 findings the State has verified as corrected beyond the one-year timeline ("subsequent correction")	**NA**
6. Number of FFY2008 findings not yet verified as corrected [(4) minus (5)]	**NA**

Through the use of the web-based case management system, NDDPI has verified that all noncompliance, at the individual student level, were corrected to 100% at the time of the FFY2008 APR submission.

Actions Taken if Noncompliance Not Corrected:
No Action necessary as all noncompliance was corrected before the submission of the FFY2008 APR.

Verification of Correction (either timely or subsequent):
Two years ago NDDPI developed and implemented an online special education case management system which is now being utilized by all North Dakota school districts. Therefore, all IEPs are located in one electronic web-based case management system. Through the use of this system, the NDDPI staff accessed student files and verified, at the individual student level, that all requirements were complete and the child had an IEP developed and implemented as soon as possible after the child's third birthday for those five children whose IEPs were not developed on or before their third birthdays.

Correction of Remaining FFY2007 Findings of Noncompliance (if applicable):
There are no outstanding cases of noncompliance for this indicator.

Table 12.5 Correction of Remaining FFY2007 Findings of Noncompliance

1. Number of remaining FFY2006 findings noted in OSEP's June 1, 2009 FFY2007 APR response table for this indicator	0
2. Number of remaining FFY2006 findings the State has verified as corrected	NA
3. Number of remaining FFY2006 findings the State has NOT verified as corrected [(1) minus (2)]	NA

Correction of Any Remaining Findings of Noncompliance from FFY2006 or Earlier (if applicable)
There are no outstanding cases of noncompliance for this indicator.

Additional Information Required by the OSEP APR Response Table (if applicable)

Table 12.6 State Response to OSEP

Statement from the Response Table	State's Response
When reporting on the correction of noncompliance, the State must report, in its FFY2009 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator.	Through the use of the Web-based Case Management system, all verification of corrections were conducted by a desk audit at the individual student level.

Revisions, with Justification, to Improvement Activities / Timelines / Resources for FFY2009:

Table 12.7 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Develop and disseminate Indicator 12 Excel spreadsheet to special education units.	Fall 2006	NDDPI Internal monitoring by local education agencies	Ongoing
Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP.	Fall 2007	NDDPI staff	Ongoing
Internal monitoring by state and local education agencies	Ongoing	NDDPI and special education units	Ongoing
Increased collaboration between the NDDHS, NDDPI, and the ND Parent Training and Information Center (PTI).	Ongoing	NDDPI, NDDHS, and PTI	Ongoing
NDDPI, NDDHS, and PTI First Annual Parent Involvement Conference.	Annually beginning Spring 2008	NDDPI, NDDHS, and PTI	Annually, beginning Spring 2008
Ensuring the Statewide Special Education Web-based Case Management System Indicator 12 table will accurately collect and report data.	FFY2008	NDDPI Staff, District Administrators	Revised and Ongoing
Statewide IVN meeting for administrators and early childhood professionals	FFY2008	NDDPI Staff	Ongoing
Comparison and validation of LEA electronic spreadsheet data for Indicator 12 to spreadsheet data from Web-based Case Management System.	FFY2009	NDDPI Staff	Ongoing
Examine methods to compile and share Part C and Part B data using the data sharing program ndSLEDS	FFY2009	NDDPI and NDDHS	Ongoing
Update and revise Understanding Early Childhood Transition: A Guide for Families and Professionals	FFY2010	NDDPI and NDDHS	New

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: No. However, the additional years have been added to the Measurable and Rigorous Targets Table.

Revision to Improvement Activities FFY2009:

Web-based Case Management System
NDDPI piloted a Statewide Web-based Special Education Case Management System during the FFY2007.

The statewide system was implemented in all schools by the start of the 2008-09 school year. The NDDPI Statewide Web-based Case Management System has significantly enhanced local and state administrators' ability to monitor for compliance to assure that all children who are referred from Part C and found eligible for Part B will have an IEP written and implemented by age 3. During FFY2008, each component of the Indicator 12 measurement was embedded within the Statewide Special Education Web-based Case Management System to assist NDDPI and the LEAs in accurately collecting and reporting Indicator 12 data. During the FFY2009, Indicator 12 data was gathered through the web-based system and Special Education Unit Indicator 12 Spreadsheets. NDDPI completed a comparison and made revisions within the web-based system with the goal of collecting and monitoring all Indicator 12 data through the web based system during the 2011-12 data year. Updates and revisions regarding the appropriate completion Indicator 12 components within the web-based forms will be provided through annual IVN meetings and special education directors and early childhood special educators meetings throughout each data year.

Interactive Video Network Meetings
A statewide annual Interactive Video Network (IVN) Meeting was hosted by NDDPI on December 1, 2009 for administrators and early childhood professionals to address current questions and issues relating to early childhood special education including the early childhood transition process. It will be vital to the success of the transition process to have continual communication with the professionals implementing the process.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2010 (if applicable):

Additional Activity:
Update of Transition Guidelines
The ND Department of Human Services (DHS) and NDDPI will be updating the Understanding Early Childhood Transition: A Guide for Families and Professionals. MPRRC/TAESE and NECTAC will provide additional guidance to be included within the Guideline. This guidance will include the most recent Part B regulations of the 2004 statute which were not in effect at the time the Guideline was written and the recent OSEP Early Childhood Transition FAQ document, developed after the completion of the Guideline. DHS and NDDPI will then share the updated guidance with professionals and administrators responsible to assure a smooth transition for children and their families

INDICATOR 13

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

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

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 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.

Baseline (actual target data for FFY 2009), and targets are in the State's revised North Dakota State Performance Plan because Indicator 13 was revised to include a new measurement.

North Dakota was not required to report FFY2008 results in the FFY2008 APR; therefore it is not required to report correction of noncompliance for FFY2008 in this indicator narrative. However, correction of noncompliance for FFY2008 is reported in Indicator 15: General Supervision.

Correction of FFY2007 Findings of Noncompliance:
Level of compliance (actual target data) State reported for FFY2007 for this indicator was 96.3%.

The FFY2007 corrections, as displayed on Table 13.1, were validated by the NDDPI staff. Validation consisted of a follow-up review of the IEP files in which corrections were made by the school district. One hundred per cent of the IEP files cited as out of compliance in FFY2007 were corrected. Ongoing NDDPI professional development along with targeted trainings have benefited the school districts' case managers in completing corrections as well as better understanding the requirements of Indicator 13 and the transition IEP process. Once the corrective action was completed, a letter was sent to the school district superintendent and local special education director informing them of this completion.

Table 13.1 Correction of FFY2007 Findings of Noncompliance

1. Number of findings of noncompliance the State made during FFY2007 (the period from July 1, 2007 through June 30, 2008)	56
2. Number of FFY2007 findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding)	56
3. Number of FFY2007 findings not verified as corrected within one year [(1) minus (2)]	**0**

Through the use of the web-based case management system NDDPI has verified that all noncompliance has been corrected to 100% at the time of the FFY2008 APR submission, February 2010.

Correction of FFY2007 Findings of Noncompliance Not Timely Corrected (corrected more than one year from identification of the noncompliance):
All noncompliance were corrected within a timely manner.

Actions Taken if Noncompliance Not Corrected:
All compliance were corrected at the time of the FFY2008 submission, no action necessary.

Verification of Correction (either timely or subsequent):
The NDDPI developed and implemented an online special education case management system which is now being utilized by all North Dakota school districts. Therefore, all IEPs are located in one electronic web-based case management system. Through the use of this system, the NDDPI staff members accessed student files and verified, at the individual student level, that all requirements were met related to having measureable postsecondary goals that met the requirements of the Transition Checklist.

Correction of Remaining FFY2006 Findings of Noncompliance (if applicable):
There are no outstanding cases of noncompliance for this indicator.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

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

ND Secondary Transition Indicator 13 Monitoring Team:
Beginning Spring 2010, the monitoring of Indicator 13 was completed by the NDDPI Secondary Transition Monitoring Team. NDDPI staff members trained a team of professionals to review a sample of IEPs of students 16 and older based on case managers. Monitoring of the IEPs was completed by collecting individual student level data through the web-based Special Education Case Management System.

RTI and RTI-B Up-Scaling
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term. Please see the APR Introduction for

complete description of this RTI and RTI-B process.

Table 13.3 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
NDDPI in partnership with the North Dakota Vocational Rehabilitation Agency (VR) will hold a collaborative annual conference. This conference will serve as the ND Interagency Secondary Transition Conference.	Alternating years beginning October 2006.	ND Transition Community of Practice (ND stakeholders in the transition process),. IDEA Partnership and National Community of Practice on Transition.	Ongoing
Provide technical assistance to school districts to strengthen understanding and compliance to the IDEA 2004 transition requirements. Develop "transition" modules designed as web casts. This activity is also designed to address issues identified in Indicators 1, 2, and 14.	Fall 2006	NDDPI Transition Coordinator, National Secondary Transition Technical Assistance Center (NSTTAC),	Ongoing
Partner with ND State Vocational Rehabilitation to provide assistance to regional stakeholders in the transition process to develop regional transition committees throughout the state. This activity is also designed to address issues identified in Indicator 14	Fall 2006	Partnership with State Rehabilitation Field Services Director, IDEA Partnership National Community of Practice on Transition	Ongoing
Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP.	Ongoing	NDDPI State Transition Coordinator, State Assistive Technology Coordinator	Ongoing
Continue state sponsored trainings on Self-Determination Curriculums and Student involvement in the IEP process. This activity is also designed to address issues identified in Indicators 1, 2, and 14.	Spring 2009	NDDPI State Transition Steering Council, Statewide membership of individuals in transition related positions	Ongoing
Continue collaboration with ND Education Association (NDEA) through the IDEA Partnership, to present the transition training module for general education staff through continuing education and professional development opportunities.	Initiated Summer 2008	IDEA Partnership, NDEA, ND University System	Ongoing

Develop an Indicator 13 Transition Monitoring Team. The Statewide Special Education Web-based Case Management System will be used for the purpose of monitoring of the IEPs across the state and for the collection of the compliance data.	FFY2009	NDDPI staff, Higher Education Professionals, LEA professionals	New
The ND Community of Practice on Secondary Transition will develop and provide a model to the regional transition committees. Regional Transition Committees will transform and work as Communities of Practice.	Spring-Fall 2009 and ongoing	IDEA Partnership/National Community of Practice on Transition	Ongoing
Reconfigure the scale up process for RTI and RTI-B to include a regional support infrastructure that focuses on districts rather than individual schools and transformation zones, made up of one or more large districts and surrounding smaller districts. Provide a range of supports with the intent of building infrastructure to sustain the innovations over the long term.	Beginning in Fall 2011, identify 1-2 transformation zones for scale up activity per year	ND State Management Team, State Transformation Team, Regional Implementation Teams, MPRRC	This is a new major restructuring of the previous implementation planning process for the innovations.

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

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

INDICATOR 14

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

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))

Table 14.1 Measurement

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.

Table 14.2 Measureable and Rigorous Target

FFY	Measurable and Rigorous Target
Revised dates FFY2009-FFY2012	FFY2009 – FFY2012 Targets are reported in the ND State Performance Plan: *http://www.dpi.state.nd.us/speced/reports.shtm*

Baseline (actual target data for FFY2009), and targets are in the State's revised North Dakota State Performance Plan because Indicator 14 was revised to include a new measurement.

Table 14.3 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
The NDDPI will develop documents, trainings, and presentations designed to increase parent, district educators, and other statewide stakeholders' awareness of the ND Follow-Up Process.	Spring 2008 and annually thereafter	NDDPI Secondary Transition Coordinator, State Transition Steering Council (ND stakeholders in the transition process). National post-School Outcome Center, National Dropout Prevention Center for SD	Ongoing
Provide identified strategies and approaches to school districts to incorporate each school year to enhance the NDDPI's ability to track students one year out who had exited school informally.	Fall 2008 and annually thereafter	NDDPI Staff ND State Web-based Case Management System, National post-School Outcome Center, National Dropout Prevention Center for SD	Ongoing
The NDDPI will provide ongoing technical assistance to school districts to strengthen understanding and compliance to the IDEA 2004 transition requirements. This will include continued development of "transition" modules designed as web casts. This activity is also designed to address issues identified in Indicators 1, 2, and 13.	Ongoing	NDDPI Staff National Secondary Transition and Technical Assistance Center (NSTTAC) Transition Outcomes Project (TOPs) Dr. Ed O'Leary, Mountain Plains Regional Resource Center	Ongoing
Continue progression of a statewide process designed to improve the overall planning of transition services and evidence based practices for high school youth with disabilities. This activity is also designed to address issues identified in Indicator 13 and positively influence results in Indicators 1 and 2.	Ongoing	Dr. Ed O'Leary, Mountain Plains Regional Resource Center National Secondary Transition Technical Assistance Center (NSTTAC) IDEA Partnership National Community of Practice on Transition	Ongoing
Continue partnership with ND State Vocational Rehabilitation Agency to provide technical assistance and resources to the eight regional interagency transition committees (Communities of Practice) throughout the state.	Ongoing	The NDDPI North Dakota Vocational Rehabilitation Agency, State Transition Steering Council (ND stakeholders in the transition process). IDEA Partnership National Community of Practice on Transition	Ongoing
Continue collaboration with the ND Education Association (NDEA) through the IDEA Partnership, to present the Transition training module for general education staff	Summer 2008	NDDPI Staff, NDEA Professional Development Director. Professional Development and Adult Learning Seed Grant (IDEA Partnership at NASDSE)	Ongoing

through continuing education classes and other professional development opportunities.			
Facilitate capacity building to promote consideration and use of assistive technology and universal design principles in the IEP. This activity is also designed to address issues identified in all indicators.	Ongoing	ND DPI State Transition Coordinator NDDPI State Assistive Technology Coordinator, ND Interagency Program for Assistive Technology (IPAT)	Ongoing
Support collaboration of stakeholders in the secondary transition process through State Transition Steering Council meetings, and participation in national secondary transition forums.	Ongoing	NDDPI Staff, National Transition Community of Practice (IDEA Partnership), National Postschool Outcomes Center, NSTTAC	Ongoing
The ND Community of Practice on Secondary Transition will develop and provide model to the regional transition committees. Regional Transition Committees will transform and work as Communities of Practice.	Spring-Fall 2009	NDDPI Transition Coordinator, State Transition Steering Council Community of Practice National Community of Practice on Transition (IDEA Partnership)Regional Interagency stakeholders in transition	New
NDDPI will begin researching the potential for the state to have Follow-up Interviews conducted by district staff.	Beginning Fall 2009	NDDPI Staff. ND IDEA Advisory Committee, ND Communities of Practice on Transition, NPSO Center	New
The follow-up interview protocol will be housed in the State Web-based Case Management System. Interviewers will access the Protocol on this system. Data will be retrieved through the Web-based Case Management System.	FFY2010	NDDPI Staff, District Administrators	New

Note: All “continuous” or “ongoing” activities will continue until or beyond 2012, as needed.

INDICATOR 15

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification. (20 U.S.C. 1416 (a)(3)(B))

Measurement

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

Table 15.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-20010)	100 percent identified noncompliance will be corrected within one year of identification.
2010 (2010-2011)	100 percent identified noncompliance will be corrected within one year of identification.
2011 (2011-2012)	100 percent identified noncompliance will be corrected within one year of identification.
2012 (2012-2013)	100 percent identified noncompliance will be corrected within one year of identification.

The target for Indicator 15 was met.

Table 15.2 Actual Target Data Summary FFY2009

	Column A	Column B
Sum the numbers down Column a and Column b	**29**	**29**
Percent of noncompliance corrected within one year of identification =	**100%**	

Table 15.3 Actual Target Data Over Time

	FFY2005	FFY2006	FFY2007	FFY2008	FFY2009
% of identified noncompliance corrected within one year.	98%	70.27%	100%	100%	100%

Table 15.4 Actual Target Data for FFY2008

Indicator/Indicator Clusters	**General Supervision System Components**	**# of LEAs Issued Findings in FFY 2008** (7/1/08 to 6/30/09)	**(a) # of Findings of noncompliance identified in FFY 2008** (7/1/08 to 6/30/09)	**(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification**
1. Percent of youth with IEPs graduating from high school with a regular diploma. 2. Percent of youth with IEPs dropping out of high school. 14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school or training program, or both, within one year of leaving high school.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
3. Participation and performance of children with disabilities on statewide assessments. 7. Percent of preschool children with IEPs who demonstrated improved outcomes.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year. 4B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
5. Percent of children with IEPs aged 6 through 21 - educational placements. 6. Percent of preschool children aged 3 through 5 – early childhood placement.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
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.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification. 10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	0	0	0
	Dispute Resolution: Complaints, Hearings	0	0	0
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	13	17	17
	Dispute Resolution: Complaints, Hearings	0	0	0
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	5	5
	Dispute Resolution: Complaints,	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2008 (7/1/08 to 6/30/09)	(a) # of Findings of noncompliance identified in FFY 2008 (7/1/08 to 6/30/09)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
	Hearings			
13. Percent of youth aged 16 and above with IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	2	5	5
	Dispute Resolution: Complaints, Hearings	0	0	0
Other areas of noncompliance: 1. Failure to provide the biological parent access to educational records including copies of IEPs and progress notes. 2. Failure to develop an appropriate transition plan.	Dispute Resolution: Complaints, Hearings	1	2	2
Sum the numbers down Column a and Column b			29	29
Percent of noncompliance corrected within one year of identification = (column (b) sum divided by column (a) sum) times 100.			**(b) / (a) X 100 =**	100%

Describe the process for selecting LEAs for Monitoring:
NDDPI Definitions:
Stakeholders: Stakeholder groups in North Dakota include the ND IDEA Advisory Committee; The ND Early Childhood Outcomes Team; ND Response to Intervention State Leadership Team; The State Personnel Development Grant Advisory Council, The Community of Practice on Secondary Transition; Speech and Language Taskforce; and the ND Personnel Development Taskforce. These stakeholder groups are comprised of members from the ND Department of Human Services (IDEA Part C); Developmental Disabilities; ND Parent Training and Information Center; ND Division of Juvenile Services; ND Protection and Advocacy Project; Bureau of Indian Education; State Child Welfare Agency; ND Board for Career and Technical Education; Vocational Rehabilitation Agency; ND Job Services; Early Childhood Education Council; Autism Spectrum Disorder Task Force; ND Center for Persons with Disabilities, local special education administrators; school district superintendents; university professors; educators; parents; and students.

Monitoring: Activities or actions conducted to determine the functioning of a program or services compared to what is required by a regulation or requirement for the purpose of accountability. The following steps are used to monitor and verify compliance and, when required, the timely correction of noncompliance:

ND Special Education Integrated Accountability System: The accountability process (focus monitoring) integrates data from multiple sources: the APR compliance and performance indicators, IEP files, individual student file reviews, district level assessments, and dispute resolution data. During the final stage, these data are integrated and a multi-level analysis of the districts occurs, this allows the NDDPI staff to identify which districts require a more focused examination through on-site and/or off-site reviews. These districts are offered technical assistance to prepare for the visit and to correct any additional noncompliance found during the visit.

1. The NDDPI special education staff members, including the IDEA Part B Grant Manager (Fiscal), review applications and utilization of the Part B funds, analyze local program performance on SPP indicators, compare results to state targets, and notify districts of noncompliance identified and corrective actions required. An additional component of this process is the publication of each district's *Special Education Performance Information: North Dakota District Report Card*.
2. The NDDPI requires all districts to conduct a self-assessment using approved department procedures.
3. The NDDPI uses indicator data, self-assessment documents, and IEP file reviews to identify which districts had the lowest rates of positive outcomes for students receiving special education services. The districts with the lowest rates of positive outcomes for students with disabilities receive a more focused review. This process includes a complete review of district data, formation of hypotheses, and investigation related to performance and possible noncompliance. Following this review, each district identified in this stage receives a report detailing areas of noncompliance and required corrective actions with completion timelines.

Finding: A written conclusion that includes citation of the regulation/requirement and a description of the quantitative and/or qualitative data supporting a decision of compliance or noncompliance with that regulation/requirement.

Notification of Noncompliance: The one-year correction timeline begins on the date the NDDPI notified the school district, in writing, of the noncompliant policies and/or practices. Notification of findings

occurs as soon as possible after the NDDPI concludes that the school district has an area of noncompliance.

Correction of Noncompliance:

- The NDDPI verifies correction through follow up review of data, other documentation, and/or interviews that the noncompliant policies, procedures, and/or practices were revised and the noncompliance was corrected.
- Timely correction occurs when the noncompliance is corrected as soon as possible but no later than one year from the written notification of the noncompliance.
- The NDDPI notifies the school district in writing that the noncompliance was corrected as required. This "close-out" letter informs the superintendent and the local special education director of the noncompliance and the approved completed correction.

Follow-up and Verification: The NDDPI staff members verify correction of noncompliance through the following actions:

- NDDPI staff members ensure that the corrective action required begin as soon as possible after the school district is notified;
- NDDPI staff members review the district submission of documents pertaining to the corrective actions such as training dates, locations, agendas, and participation lists;
- When required, NDDPI staff members conduct on-site and/or off-site activities to verify correction of noncompliance; and
- The NDDPI staff members randomly verified compliance through district and student level data (when necessary) using the web-based case management system. As described in the introduction of this report (p.6), the majority of the student forms are available in the web-based system. Throughout the year, NDDPI special education regional coordinators log into the system and view the student files in question. If the corrective action has not taken place as planned, the NDDPI regional coordinator contacts the local special education director to discuss the timeline of the required correction. At the agreed upon date, the NDDPI regional coordinator will again log into the system and verify the correction is complete. Once the corrective action is complete and the noncompliance corrected, the NDDPI regional coordinator sends a "close-out" letter to the local special education director and district superintendent verifying those corrections and the date of completion.

NDDPI special education staff members also maintain an Excel spreadsheet that tracks all areas of noncompliance. This spreadsheet contains the districts who have received a letter of notification and the following: date of the letters of noncompliance to school districts, date of accepted corrective action plan, date the corrective action plan was completed, date the NDDPI verified the correction of noncompliance, and date of the Close-out letter to the superintendent. All corrective actions must be completed as soon as possible, but no longer than one year, after receiving a letter detailing the issue of noncompliance.

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

Table 15.5 Correction of Noncompliance FFY2008

1. Number of findings of noncompliance the State made during FFY 2008 (the period from July 1, 2008 through June 30, 2009) (Sum of Column a on the Indicator B15 Worksheet)	**29**
2. Number of findings the State verified as timely corrected (corrected within one year from the date of notification to the LEA of the finding) (Sum of Column b on the Indicator B15 Worksheet)	**29**
3. Number of findings not verified as corrected within one year [(1) minus (2)]	**0**

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

Table 15.6 Findings of Noncompliance Not Timely Corrected

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

Actions Taken if Noncompliance Not Corrected
No further action is necessary as all noncompliance were corrected.

Verification of Correction for findings of noncompliance reported in the FFY2008 APR (either timely or subsequent):

To ensure continuous improvement in all indicator areas and at the individual student level, the following occurs. During the data collection period (July 1 - June 30), local special education directors contacted NDDPI staff members to discuss individual student cases for guidance or clarification. These guidance calls include but are not limited to inputting data for Child Count, exiting, transition (both early childhood and secondary), and evaluation. During this period, if inaccurate or incorrect data were collected districts revise the data submission. During data guidance and verification of corrections, NDDPI staff members view the individual student file simultaneously with the district staff using the web-based case management system, thus ensuring correction occurs overall and at the individual student level. This constant assistance helps to ensure appropriate processes are followed and data are being collected properly. This also allows noncompliance to be corrected immediately whenever possible.

Once the APR is submitted (February 1, 2011), every school district with noncompliance in any SPP indicator that has not been immediately corrected, will receive a letter of notification from NDDPI. This letter informs the district superintendent and local special education director of the district results, indicator requirements, corrective action required, timelines, and the availability of technical assistance, if desired or necessary. Also included with this letter is the district's *Special Education Performance*

Report. The district, in partnership with the local special education unit, designs a corrective action plan to submit to NDDPI for approval and implementation.

Once the required corrective actions are complete, NDDPI staff members verify corrections by reviewing the individual student files in question using the web-based case management system. Once corrections are verified, a letter is sent to the district superintendent and local special education director informing the district of this completion of corrective actions.

In addition to the continuous APR data guidance, NDDPI has recently revised its internal monitoring system. This process now involves a self-assessment monitoring (SAM) at the student level conducted by each of the special education units and verification by NDDPI (please refer to page 3 for a description of the ND special education units). During this process, special education unit directors were given self-assessment documents to review and collect data from a sample of their IEPs and/or student file documents. There are four components of the SAM: Evaluation and Re-Evaluation, Procedural Safeguards, IEP 1, and IEP 2. Twice a year, a special education unit self-assesses compliance based on the questions contained in the SAM document in one of the four areas. For example, Special Education Unit A receives the SAM documents to review the IEP components in the fall. The same unit will be expected to conduct another self-assessment in the spring of different SAM component, such as the Procedural Safeguards. Thus, all special education units will have conducted self-assessments in all four areas within a two year span. Each time a special education unit completes a component of SAM, the data results are submitted to NDDPI for verification and notification of corrective actions required.

The NDDPI staff members have completed the SAM verification review for the FFY2008 results. However, the date of the notification letters has extended the correction of noncompliance deadline beyond the date of this APR submission. Correction of all noncompliance found during the FFY2008 verification checks will be completed by the end of March 2011 and reported in the next APR submitted February 2012. These verifications will occur by reviewing both the individual student level data and district reports generated by the web-based case management system ensuring corrections occur at both the district and individual student level.

An overall monitoring system implemented by the NDDPI is the focused monitoring process. SPP/APR indicators, self-assessment data, and dispute resolution data were reviewed during the focused monitoring process in the fall of 2010. Because North Dakota has not implemented this system since 2008, a staff member from the Wyoming Special Education Department and from the MPRRC attended these meetings to retrain NDDPI staff and facilitate this process. At this time, four districts were chosen for onsite visits in the spring of 2011. This full team will meet again in March of 2011.

In addition to the ongoing technical assistance and data guidance, the NDDPI staff members hold an annual Special Education Leadership conference. The purpose of this conference is to introduce new statewide initiatives and monitoring plans; review the results of the APR and new requirement expectations; discuss issues or concerns, and distribute training materials for use at the school level.

Describe the specific actions that the State took to verify the correction of findings of noncompliance identified in FFY 2008 (including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken):
No further action was necessary for the APR indicator corrections, as all noncompliance were corrected. However, verification of the FFY2008 SAM monitoring will be reported in the FFY2010 APR.

Correction of Remaining FFY 2007 Findings of Noncompliance (if applicable):
All corrections were complete, verified at the student level, and reported in previous APR reports.

Correction of Any Remaining Findings of Noncompliance from FFY2006 or Earlier (if applicable)
There are no outstanding cases of noncompliance for this indicator.

Additional Information Required by the OSEP APR Response Table (if applicable)

Table 15.7 State's Response to OSEP

Statement from the Response Table	State's Response
In reporting on correction of noncompliance in the FFY 2009 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2008.	Please see the description of correction under the heading: *Verification of Correction for findings of noncompliance reported in the FFY2008 APR.* Through the use of the Web-based Case Management system, all verification of corrections were conducted through a desk audit at the individual student level.

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

Table 15.8 Improvement Activities/ Timelines/ Resources

Activities	Timelines	Resources	Status
NDDPI will develop regional education administrative units (REA). The regions will make NDDPI staff more accessible and make it possible for greater professional development to occur statewide. The trainings will include best practices as well as law and compliance. This has a mandated timeline from the Governor's Commission on Education (2006).	FFY2007	Special education unit administrators, Joint Powers Consortiums Administrators, NDDPI staff	Ongoing
Continue to offer technical assistance to parents and schools through early dispute resolution options.	FFY2006	NDDPI Staff	Ongoing
Increased partnerships with parent organizations and agencies.	FFY2006	NDDPI staff, ND PTI, ND Family to Family	Ongoing
Develop ways to improve correlation between monitoring noncompliance and complaint findings.	FFY2006	NDDPI staff	Ongoing
Targeted desk audits by NDDPI staff	FFY2008	NDDPI staff	Ongoing
Compilation of the special education unit Technical Assistance Inventory for TA development and dissemination.	FFY2008	NDDPI staff	Ongoing
Data gathered from the Statewide Special Education Web-based Case Management System will be used for the purpose of monitoring at local and state levels.	FFY2008	NDDPI staff, Local special education units	Ongoing

North Dakota Moving to Improve Learning for Everyone (ND MILE) initiative	FFY2009	NDDPI Federal Programs	Ongoing
Redesign of the internal monitoring system to the self-assessment monitoring (SAM).	FFY2009	NDDPI staff	New
Re-establishing the Focused Monitoring system. Although this was used in 2007-08, it has not been implemented since and is considered new.	FFY2010	NDDPI, WDE monitoring staff, MPRRC statistician	Considered New

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

INDICATOR 16

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input. Specific to the following four indicators (16-19), the NDDPI provides a variety of options for persons to consider when conflicts arise surrounding special education and related services. These include both informal and formal procedures, and processes for early dispute resolution. The guiding principles of North Dakota's IDEA dispute resolution procedures are that information is essential for making appropriate decisions, and that whenever possible, persons who are experiencing conflict should be included in the resolution of that conflict. The NDDPI works to provide accurate user-friendly information about IDEA including what to do when conflicts occur.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.
(20 U.S.C. 1416(a)(3)(B))

Measurement

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

Table 16.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2010 (2010-2011)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2011 (2011-2012)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.
2012 (2012-2013)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline or within a specific extended timeline for exceptional circumstances.

Actual Target Data for FFY2009:

Table 16.2 Actual Target Data

(1) Total signed written complaints	3
(1.1) Complaints with reports issued	2
(a) Reports with findings	2
(b) Reports within timeline	2
(c) Reports within extended timeline	0
(1.2) Complaints pending	0
(a) Complaint pending a due process hearing	0
(1.3) Complaints withdrawn or dismissed	1

The target of 100% was met.

The NDDPI maintained 100 percent compliance for signed written complaints with reports issued within the 60-day timeline, or have documentation of a timeline extended for exceptional circumstances. There was only one complaint filed and investigated with a report issued within 60 days.

Additional Information Required by the OSEP APR Response Table (if applicable)
No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Progress:

Training and guidance on document revisions have been provided to various stakeholder groups regarding the IDEA 2004 regulations. Stakeholders continue to be informed of the dispute resolution options available under the IDEA 2004 and within the NDDPI Office of Special Education. During this reporting period, dispute resolution information or training was provided to:

- Special education unit directors at the 2009 Fall Special Education Leadership Conference;
- Parents at the spring 2010 ND Annual *Parent Involvement* Conference;
- Any interested party, by posting IDEA 2004 regulations and dispute resolution brochures on the NDDPI website; and
- The IDEA Advisory Committee at the Fall meeting, by providing the annual dispute resolution report to the committee and answering questions.

Stakeholders have also been informed of the updated version of the *Parental Rights for Public School Students Receiving Special Education and Related Services: Notice of Procedural Safeguards.* A copy of this updated guidance document and an audio version can be found in two separate locations on the NDDPI website: http://www.dpi.state.nd.us/speced/resource/parent/index.shtm or at http://www.dpi.state.nd.us/speced/guide/guidance/index.shtm. NDDPI revised all dispute resolution brochures in 2008, including due process hearings and resolution meetings, state complaint investigations, mediations, and IEP facilitations.

Data for the FFY2009 dispute resolution reporting period were reviewed and compared to other compliance indicators for determining systemic issues. During the focus monitoring process, NDDPI analyzes the dispute resolution data by district, disability, age, race, and across dispute resolution

options. Improvement strategies currently consist of expanding follow-up methods for ensuring completion of corrective actions in a timely fashion. As new complaints are investigated, the NDDPI Special Education staff members are instructed as to how to track corrective actions identified in the report, document relevant correspondence, and ensure prompt verification from districts that are found in violation of IDEA 2004.

Table 16.4 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Continue to collect and analyze complaint investigation data through the Department database.	FFY2005	NDDPI DR Coordinator and NDDPI staff	Ongoing
Improve complaint data analysis to be more effectively incorporated into monitoring data	FFY2006	NDDPI DR Coordinator and NDDPI staff	Ongoing
Review data and develop action plan for dealing with systemic issues.	FFY2006	NDDPI DR Coordinator	Ongoing
Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and LEAs.	FFY2006	NDDPI DR Coordinator	Ongoing
Analyze and improve upon existing follow-up methods for ensuring completion of corrective actions in a timely fashion.	FFY2006	NDDPI DR Coordinator	Ongoing
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIE special education administrators in the state.	FFY2006	NDDPI DR Coordinator	Ongoing
Update and revise webpage for Dispute Resolution. Add resources and links to support parties' participation in early intervention processes.	FFY2009 and ongoing	NDDPI DR Coordinator and MIS Department	New
The Department of Public Instruction will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.	June 2011	NDDPI DR Coordinator	New
The Department of Public Instruction will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.	June 2011	NDDPI DR Coordinator, UND Conflict Resolution Center, CADRE.	New
The NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*	January 2011	NDDPI DR Coordinator	New

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: No. However the additional targets have been added for FFY2011 and FFY2012.

Revisions to Improvement Activities: No Revisions, however three new improvement activities have been added.

Dispute Resolution Membership
In order to provide ongoing professional development opportunities for mediators, complaint investigators, due process hearing officers, and state education agency personnel, the NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*. North Dakota's essential dispute resolution personnel will be able to participate in regularly scheduled conference calls with special education legal authorities and other professionals who conduct IDEA related mediations, complaint investigations, and due process hearings. This service also includes an ongoing active listserv for dispute resolution specialists, and conference training on specific IDEA topics.

Webpage Updates
The NDDPI updated and revised its webpage for dispute resolution. Additional resources and links to support parties' participation in early intervention processes were included (*North Dakota Protection & Advocacy Project, North Dakota Pathfinders Parent Training and Information Center, the Consortium for Appropriate Dispute Resolution in Special Education, and the University of North Dakota Conflict Resolution Center)*.

The following are *proposed* improvement activities:

- The NDDPI will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.

- The NDDPI will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.

INDICATOR 17

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input. Specific to the following four indicators (16-19), the NDDPI provides a variety of options for persons to consider when conflicts arise surrounding special education and related services. These include both informal and formal procedures, and processes for early dispute resolution. The guiding principles of North Dakota's IDEA dispute resolution procedures are that information is essential for making appropriate decisions, and that whenever possible, persons who are experiencing conflict should be included in the resolution of that conflict. The NDDPI works to provide accurate user-friendly information about IDEA including what to do when conflicts occur.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.
(20 U.S.C. 1416(a)(3)(B))

Measurement

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

Table 17.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2010 (2010-2011)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2011 (2011-2012)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.
2012 (2012-2013)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline or within a properly extended timeline.

Actual Target Data for FFY2009:
There were no due process hearings that occurred during the reporting period; therefore data are not available for reporting.

Table 17.2 Hearing Requests

(3) Hearing requests total	0
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	0
(c) Decisions within timeline	0
(b) Decisions within extended timeline	0
(3.3) Resolved without a hearing	0

Additional Information Required by the OSEP APR Response Table (if applicable)
No additional information was required form North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Progress:

Historically, NDDPI has received very few Due Process Hearing requests in any given year. The NDDPI is also seeing a significant reduction in the number of state investigation complaints filed. NDDPI attributes this reduction to early intervention processes, including the increased use of IEP facilitations. The requirements for an IEP facilitation can be found on the NDDPI website at: http://www.dpi.state.nd.us/speced/resource/conflict/facilitation.pdf and a request form can be downloaded for completion directly from the website at: http://www.dpi.state.nd.us/forms/sfn58305.pdf .

Training and guidance on document revisions have been provided to various stakeholder groups regarding the IDEA 2004 regulations. Stakeholders continue to be informed of the dispute resolution options available under the IDEA 2004 and within the NDDPI Office of Special Education. During this reporting period, dispute resolution information or training was provided to:

- Special education unit directors at the 2009 Fall Special Education Leadership Conference;
- Parents at the spring 2010 ND Annual *Parent Involvement* Conference;
- Any interested party, by posting IDEA 2004 regulations and dispute resolution brochures on the NDDPI website; and
- The IDEA Advisory Committee at the Fall meeting, by providing the annual dispute resolution report to the committee and answering questions.

Table 17.4 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Continue to collect and analyze complaint investigation data through Department database.	FFY2005	NDDPI DR Coordinator and NDDPI staff	Ongoing
Improve complaint data analysis to be more effectively incorporated into monitoring data	FFY2006	NDDPI Dispute Resolution Coordinator and NDDPI staff	Ongoing
Review data and develop action plan for dealing with systemic issues.	FFY2006	NDDPI DR Coordinator	Ongoing

Provide trainings and technical assistance to PTI, Protection and Advocacy, Parent organizations, and LEAs.	FFY2006	NDDPI DR Coordinator	Ongoing
Analyze and improve upon existing follow-up methods for ensuring completion of corrective actions in a timely fashion.	FFY2006	NDDPI DR Coordinator	Ongoing
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIE special education administrators in the state.	FFY2006	NDDPI DR Coordinator	Ongoing
Update and revise webpage for Dispute Resolution. Add resources and links to support parties' participation in early intervention processes.	FFY2009 and ongoing	NDDPI DR Coordinator and MIS Department	New
The Department of Public Instruction will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.	June 2011	NDDPI DR Coordinator	New
The Department of Public Instruction will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.	June 2011	NDDPI DR Coordinator, UND Conflict Resolution Center, CADRE.	New
The NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*	January 2011	NDDPI DR Coordinator	New

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: No. However the additional targets have been added for FFY2011 and FFY2012.
Revisions to Improvement Activities: No Revisions, however three new improvement activities have been added.

Dispute Resolution Membership
In order to provide ongoing professional development opportunities for mediators, complaint investigators, due process hearing officers, and state education agency personnel, the NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*. North Dakota's essential dispute resolution personnel will be able to participate in regularly scheduled

conference calls with special education legal authorities and other professionals who conduct IDEA related mediations, complaint investigations, and due process hearings. This service also includes an ongoing active listserv for dispute resolution specialists, and conference training on specific IDEA topics.
Webpage Updates

The NDDPI updated and revised its webpage for dispute resolution. Additional resources and links to support parties' participation in early intervention processes were included (*North Dakota Protection & Advocacy Project, North Dakota Pathfinders Parent Training and Information Center, the Consortium for Appropriate Dispute Resolution in Special Education, and the University of North Dakota Conflict Resolution Center)*.

The following are *proposed* improvement activities:

- The NDDPI will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.

- The NDDPI will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.

INDICATOR 18

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input. Specific to the following four indicators (16-19), the NDDPI provides a variety of options for persons to consider when conflicts arise surrounding special education and related services. These include both informal and formal procedures, and processes for early dispute resolution. The guiding principles of North Dakota's IDEA dispute resolution procedures are that information is essential for making appropriate decisions, and that whenever possible, persons who are experiencing conflict should be included in the resolution of that conflict. The NDDPI works to provide accurate user-friendly information about IDEA including what to do when conflicts occur.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.
(20 U.S.C. 1416(a)(3)(B))

Measurement

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

Table 18.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	50 percent of Resolution Sessions will be facilitated successfully.
2010 (2010-2011)	55 percent of Resolution Sessions will be facilitated successfully.
2011 (2011-2012)	60 percent of Resolution Sessions will be facilitated successfully.
2012 (2012-2013)	65 percent of Resolution Sessions will be facilitated successfully.

Actual Target Data for FFY2009:
There were no due process hearing requests during this reporting period.

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:
Explanation of Progress or Slippage:

There were no due process hearing requests during this reporting period; therefore, there is no progress or slippage to report relative to resolution meetings.

Training and guidance on document revisions have been provided to various stakeholder groups regarding the IDEA 2004 regulations. Stakeholders continue to be informed of the dispute resolution options available under the IDEA 2004 and within the NDDPI Office of Special Education. During this reporting period, dispute resolution information or training was provided to:

- Special education unit directors at the 2009 Fall Special Education Leadership Conference;
- Parents at the spring 2010 ND Annual *Parent Involvement* Conference;
- Any interested party, by posting IDEA 2004 regulations and dispute resolution brochures on the NDDPI website; and
- The IDEA Advisory Committee at the Fall meeting, by providing the annual dispute resolution report to the committee and answering questions.

Stakeholders have also been informed of the updated version of the *Parental Rights for Public School Students Receiving Special Education and Related Services: Notice of Procedural Safeguards.* A copy of this updated guidance document and an audio version can be found in two separate locations on the NDDPI website: http://www.dpi.state.nd.us/speced/resource/parent/index.shtm or at http://www.dpi.state.nd.us/speced/guide/guidance/index.shtm

Mediation is offered as soon as any complaint is received, but may be accessed earlier if the conflict is made known to NDDPI prior to the date a formal complaint being filed. The NDDPI also offers early dispute resolution options such as IEP Facilitation at no cost to either party. This process may be accessed whenever IEP teams reach an impasse and when both parties agree to participate.

The NDDPI is confident that parents are given many opportunities to learn about their procedural safeguards. However, the NDDPI is cognizant of the need to continue to develop new approaches to disseminate and communicate this information to accommodate diverse abilities and preferences.

Explanation of Improvement Activities:

Table 18.2 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Continue to expand existing facilitator pool; provide facilitation and IDEA 2004 training to facilitators.	FFY2006	NDDPI DR Coordinator	Ongoing
Monitor all resolution meetings through internal database.	FFY2006	NDDPI DR Coordinator	Ongoing
Improve resolution meeting data analysis to be more effectively incorporated into monitoring data	FFY2008	NDDPI DR Coordinator and NDDPI staff	Ongoing
Monitor issues presented in resolution meetings for the purpose of handling systemic issues.	FFY2006	NDDPI DR Coordinator	Ongoing
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND Parent Training and Information Center, other parent organizations and the public, through website access. The NDDPI will also share this information with BIE special education administrators in the state.	FFY2006	NDDPI DR Coordinator	Ongoing

Update and revise webpage for Dispute Resolution. Add resources and links to support parties' participation in early intervention processes.	FFY2009	NDDPI DR Coordinator and MIS Department	New
The Department of Public Instruction will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.	June 2011	NDDPI DR Coordinator	New
The Department of Public Instruction will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.	June 2011	NDDPI DR Coordinator, UND Conflict Resolution Center, CADRE.	New
The NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*	January 2011	NDDPI DR Coordinator	New

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.
* **NOTE:** There have been no due process hearing requests for these activities to occur.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline: No
Revisions to Measurable and Rigorous Targets: No
Revisions to Improvement Activities: No Revisions but new improvement activities have been added.

Dispute Resolution Membership
In order to provide ongoing professional development opportunities for mediators, complaint investigators, due process hearing officers, and state education agency personnel, the NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*. North Dakota's essential dispute resolution personnel will be able to participate in regularly scheduled conference calls with special education legal authorities and other professionals who conduct IDEA related mediations, complaint investigations, and due process hearings. This service also includes an ongoing active listserv for dispute resolution specialists, and conference training on specific IDEA topics.

Webpage Updates
The NDDPI updated and revised its webpage for dispute resolution. Additional resources and links to support parties' participation in early intervention processes were included (*North Dakota Protection & Advocacy Project, North Dakota Pathfinders Parent Training and Information Center, the Consortium for Appropriate Dispute Resolution in Special Education, and the University of North Dakota Conflict Resolution Center)*.

The following are *proposed* improvement activities:

- The NDDPI will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.

- The NDDPI will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.

INDICATOR 19

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input. Specific to the following four indicators (16-19), the NDDPI provides a variety of options for persons to consider when conflicts arise surrounding special education and related services. These include both informal and formal procedures, and processes for early dispute resolution. The guiding principles of North Dakota's IDEA dispute resolution procedures are that information is essential for making appropriate decisions, and that whenever possible, persons who are experiencing conflict should be included in the resolution of that conflict. The NDDPI works to provide accurate user-friendly information about IDEA including what to do when conflicts occur.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.
(20 U.S.C. 1416(a)(3)(B))

Measurement

Measurement: Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.

Table 19.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2009-2010)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2010 (2010-2011)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2011 (2011-2012)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.
2012 (2012-2013)	A state need not set targets for this indicator unless its baseline data reflects that it has received a minimum threshold of 10 mediation requests. Historically North Dakota has a minimum threshold of less than 10 mediation requests per year.

Actual Target Data for FFY2009:
There were two mediation requests during this reporting period. One mediation process was completed; the other was withdrawn by the parents. The number of mediation requests has steadily decreased. This decrease may be directly influenced by the increase in IEP facilitation requests.

Table 19.2 Actual Target Data

(2) Mediation request total	2
(2.1) Mediations	1
(a) Mediations related to due process	0
(i) Mediation agreements	0
(b) Mediations not related to due process	1
(i) Mediation agreements	0
(2.2) Mediations not held (including pending)	0

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Progress
The NDDPI provides procedural options for persons to consider when conflicts arise surrounding education and related services. These include both informal and formal procedures, including earl dispute resolution. North Dakota has experienced a reduction in the use of more formal IDEA dispute resolution options over a period of several years. Simultaneously the NDDPI has observed a steady increase in requests for facilitated IEP meetings, an early dispute resolution option provided at no cost to parties. North Dakota includes guidance for parents, advocates, and educators about the Facilitated IEP process on the Department of Public Instruction's website:

http://www.dpi.state.nd.us/speced/resource/conflict/facilitation.pdf

In order to analyze this option more fully, North Dakota agreed to participate in a research project in conjunction with the University of Northern Colorado. The purpose of this study is to "explore the qualitative experiences of parents and educators who have utilized facilitated IEP meetings as an alternative dispute resolution strategy to resolve conflict about a child's educational program." Tracy Gershwin Mueller, Ph.D., Associate Professor at the University of Northern Colorado is the lead researcher of this project. The NDDPI staff members intend to use the results of this study as a means of evaluating the efficacy of facilitated IEP meetings in the state and the satisfaction of persons who have utilized it.

Mediation is offered as soon as any complaint s received, but may be accessed earlier if the conflict is made known to NDDPI prior to the date a formal complaint is being filed. As was previously noted, the use of mediation for special education disagreements has only been accessed on a very small scale in North Dakota. A concern arose at the state education agency that the pool of trained and available mediators were receiving so few requests for their services that it was not conducive to ongoing mediation skill development, especially related to special education conflicts. The limited opportunity to practice mediation in special education led the NDDPI staff members to explore other options for maintaining an available group of knowledgeable mediators.

It should be noted that requests for mediation have likely been reduced because the NDDPI offers IEP Facilitation as an early dispute resolution option at no cost to the parties. There were ten IEP facilitation requests in the FFY2009. Of those ten facilitated IEP meetings, 8 were held and all resulted in a

successful completion of an appropriate IEP. The NDDPI staff members have focused on early intervention strategies for resolving conflicts between schools and parents before they reach complaint level. In addition to mediation, IEP facilitation is offered to parties early in the conflict when team members reach an impasse. Both IEP facilitation and mediation are paid for by the NDDPI. Brochures and request forms for each process can be found on the NDDPI website at: http://www.dpi.state.nd.us/speced/resource/conflict/index.shtm

The NDDPI also offers early dispute resolution options such as IEP Facilitation at no cost to either party. This process may be accessed whenever the IEP team reaches an impasse and when both parties agree t0 participate.

The NDDPI staff members are confident that parents are given many opportunities to learn about the procedural safeguards. However, the NDDPI staff members are cognizant of the need to continue to develop new approaches to disseminate and communicate this information to accommodate diverse abilities and preferences.

Training and guidance on document revisions have been provided to various stakeholder groups regarding the IDEA 2004 regulations. Stakeholders continue to be informed of the dispute resolution options available under the IDEA 2004 and within the NDDPI Office of Special Education. During this reporting period, dispute resolution information or training was provided to:

- Special education unit directors at the 2008 Fall Special Education Leadership Conference;
- Parents at the spring 2010 ND Annual *Parent Involvement* Conference;
- Any interested party, by posting IDEA 2004 regulations and dispute resolution brochures on the NDDPI website; and
- The IDEA Advisory Committee at the Fall meeting, by providing the annual dispute resolution report to the committee and answering questions.

Stakeholders have also been informed of the updated version of the *Parental Rights for Public School Students Receiving Special Education and Related Services: Notice of Procedural Safeguards.* A copy of this updated guidance document and an audio version can be found in two separate locations on the NDDPI website: http://www.dpi.state.nd.us/speced/resource/parent/index.shtm or at http://www.dpi.state.nd.us/speced/guide/guidance/index.shtm

Explanation of Improvement Activities:

Table 19.3 Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Continue to expand existing mediator pool; provide training to mediators annually or biennially.	FFY2008	NDDPI DR Coordinator	Ongoing
Monitor all mediations through internal database.	FFY2006	NDDPI DR Coordinator	Ongoing
Improve mediation data analysis to be more effectively incorporated into monitoring data	FFY2008	NDDPI DR Coordinator and NDDPI staff	Ongoing
Monitor issues presented in mediations for the purpose of handling systemic issues.	FFY2006	NDDPI DR Coordinator	Ongoing

Continue to develop guidance materials in varied formats so that stakeholders can access the information through different modes.	FFY2006	NDDPI staff, and interested stakeholders	Ongoing
The NDDPI will continue to share dispute resolution annual data with the IDEA Advisory Committee, ND Protection and Advocacy, the ND PTI, other parent organizations and the public, through website access. The NDDPI will also share this information with BIE special education administrators in the state.	FFY2006	NDDPI DR Coordinator	Ongoing
Update and revise webpage for Dispute Resolution. Add resources and links to support parties' participation in early intervention processes.	FFY2009	NDDPI DR Coordinator and MIS Department	New
The Department of Public Instruction will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.	June 2011	NDDPI DR Coordinator	New
The Department of Public Instruction will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.	June 2011	NDDPI DR Coordinator, UND Conflict Resolution Center, CADRE.	New
The NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*	January 2011	NDDPI DR Coordinator	New

Note: All "continuous" or "ongoing" activities will continue until or beyond 2012, as needed.

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Revisions to Baseline: No

Revisions to Measurable and Rigorous Targets: No. However the addition targets for FFY2011 and FFY2012 have been added.

Revisions to Improvement Activities: No revisions but new improvement activities have been added.

Dispute Resolution Membership
In order to provide ongoing professional development opportunities for mediators, complaint investigators, due process hearing officers, and state education agency personnel, the NDDPI has purchased a participation membership in the *Dispute Resolution in Special Education Consortium*. North Dakota's essential dispute resolution personnel will be able to participate in regularly scheduled conference calls with special education legal authorities and other professionals who conduct IDEA related mediations, complaint investigations, and due process hearings. This service also includes an ongoing active listserv for dispute resolution specialists, and conference training on specific IDEA topics.

CADRE Guidance
In 2010 the NDDPI contacted the Center for Appropriate Dispute Resolution in Special Education (CADRE), a technical assistance center funded by the U.S. Office of Special Education Programs. The

purpose of this contact was to obtain guidance regarding possible changes in the process by which mediators are identified and trained in our state. CADRE personnel advised North Dakota that a trait of four exemplary dispute resolution systems is that they all work with centers within their states that specialize in conflict management. Subsequent to this helpful technical assistance from CADRE, the IDEA dispute resolution coordinator from the Department of Public Instruction met with the University of North Dakota Conflict Resolution Center (UND-CRC) in Grand Forks, North Dakota. This resulted in an agreement that the UND-CRC would assist in the revision of procedures for the appointment of mediators for special education conflicts. The UND-CRC also agreed to become the source of mediators for IDEA disputes on a statewide as-needed basis. Information about the UND-CRC can be accessed at: http://conflictresolution.und.nodak.edu/about-crc.php

Webpage Updates
The NDDPI updated and revised its webpage for dispute resolution. Additional resources and links to support parties' participation in early intervention processes were included (*North Dakota Protection & Advocacy Project, North Dakota Pathfinders Parent Training and Information Center, the Consortium for Appropriate Dispute Resolution in Special Education, and the University of North Dakota Conflict Resolution Center)*.

The following are *proposed* improvement activities:

- The NDDPI will share the results of a qualitative research project regarding facilitated IEP meetings with its IDEA State Advisory Committee and seek input for future improvements.

- The NDDPI will plan and convene a skills enhancement training for dispute resolution IEP facilitators, mediators, and the *UND Conflict Resolution Center* that supplies mediators for IDEA disputes.

INDICATOR 20

Overview of the Annual Performance Report Development:
See Introduction for complete overview and stakeholder input.

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

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).

Table 20.1 Measurable and Rigorous Target

FFY	Measurable and Rigorous Target
2009 (2000-2010)	100 percent of required data reports will be accurately completed and submitted on time.
2010 (2010-2011)	100 percent of required data reports will be accurately completed and submitted on time.
2011 (2011-2012)	100 percent of required data reports will be accurately completed and submitted on time.
2012 (2012-2013)	100 percent of required data reports will be accurately completed and submitted on time.

SPP and APR Definitions:
1. *Timely*: Data for all indicators are submitted electronically to OSEP on or before February 1, 2011.
2. *Valid and Reliable*: Data provided are from the correct time period, consistent with the indicator's measurement, consistent with IDEA 618 data submission (when appropriate), and are consistent with indicator data from previous years (unless explained).
3. *Correct Calculation:* The result produced for the indicator is determined by using the required calculation based on the each indicator's instructions.

Actual Target Data for FFY2009

Table 20.2 Valid and Reliable SPP/APR FFY2009 Data

SPP/APR Data - Indicator 20			
APR Indicator	**Valid and Reliable**	**Correct Calculation**	**Total**
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
4B	1	1	2
5	1	1	2
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	1	1	2
13	1	1	2
14	1	1	2
15	1	1	2
16	1	1	2
17	1	1	2
18	1	1	2
19	1	1	2
		Subtotal	40
APR Score Calculation	**Timely Submission Points** - If the FFY 2009 APR was submitted on-time, place the number 5 in the cell on the right.		5
	Grand Total - (Sum of subtotal and Timely Submission Points) =		45.00

618 Data Definitions

1) Timely: Data for tables for 618 are submitted on or before each tables' due date.

2) Complete Data: No missing sections. No placeholder data. State-level data include data from all districts or agencies.

3) Passed Edit Check: 618 data submissions do not have missing cells or internal inconsistencies.

4) Responded to Data Note Request: Provided written explanation of year to year changes for inclusion in Data Notes to accompany 618 data submissions.

Table 20.4 Valid and Reliable FFY2008 618 Data

618 Data - Indicator 20					
Table	**Timely**	**Complete Data**	**Passed Edit Check**	**Responded to Data Note Requests**	**Total**
Table 1 - Child Count Due Date: 2/1/10	1	1	1	1	4
Table 2 - Personnel Due Date: 11/1/10	1	1	1	N/A	3
Table 3 - Ed. Environments Due Date: 2/1/10	1	1	1	1	4
Table 4 - Exiting Due Date: 11/1/10	1	1	1	N/A	3
Table 5 - Discipline Due Date: 11/1/10	1	1	1	N/A	3
Table 6 - State Assessment Due Date: 2/1/11	1	N/A	N/A	N/A	1
Table 7 - Dispute Resolution Due Date: 11/1/10	1	1	1	N/A	3
				Subtotal	21
618 Score Calculation			**Grand Total** (Subtotal X 2.143) =		45.00

Indicator #20 Calculation	
A. APR Grand Total	45.00
B. 618 Grand Total	45.00
C. APR Grand Total (A) + 618 Grand Total (B) =	90.00
Total N/A in APR	0
Total N/A in 618	0
Base	**90.00**
D. Subtotal (C divided by Base*) =	1.000
E. Indicator Score (Subtotal D x 100) =	100.00

Additional Information Required by the OSEP APR Response Table for this Indicator (if applicable):
No additional information was required from North Dakota.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY2009:

Explanation of Progress:

Results of Indicator 20 have improved from the baseline of 98.4% reported in the APR FFY2006 to 100% reported for this FFY2009. The NDDPI staff members thoroughly reviewed the data, timely corrections, improvement activities, and OSEP responses to each of the indicator results reported in this APR. Based on the OSEP FFY2008 Response Letter to North Dakota, North Dakota did not have continuing issues from the previous year. NDDPI staff members attended OSEP teleconference meetings, national conferences, and regional meetings/conferences to ensure indicator requirements were clearly understood, collected, corrected, and reported. These issues have been corrected and data submitted in this APR are accurately represented and calculated.

As noted in the indicator narratives, the data collected on all indicators are reliable and valid. The type of reliability and validity checks were based on the data required. For example, data collected for Indicators 1, 2, 11, 12, and 13 were reported to NDDPI, calculated and reviewed by NDDPI staff and then returned to the LEA staff for final review, verification, and correction if necessary. The NDDPI staff also validated available data through the Statewide Special Education Web-based Case Management System. For example, the dates reported by special education units of the initial IEPs developed and implemented for children transitioning from Part C were validated by reviewing the actual IEP on the web-based system. Another example of monitoring through this web-based system was the correction of non-compliance, such as the IEP reviews for the corrections required in Indicator 13. NDDPI staff members were able to ensure corrections are complete in a timely manner by reviewing actual IEPs through a desk audit. Furthermore, NDDPI has contracted with a data consultant through the MPRRC who provides technical assistance in statistical analyses.

Explanation of Improvement Activities:

Annually, the NDDPI special education staff members conduct a Special Education Leadership Conference. The emphasis of the Fall 2009 conference was ensuring timely and accurate data for both SPP indicator data and internal monitoring data. Documents were distributed and presentations given on each of the indicators data requirements and timelines. It was stressed during this conference that inaccurate and late data affect the results of not only the indicator for which the data were reported, but also indicator 15, and indicator 20. Furthermore, data which were not submitted in a timely manner or were not accurate when submitted affects results received at the school building, school district, and special education unit level. By stressing the interrelatedness of each indicator, a deeper understanding of indicator data collecting and reporting was achieved with conference participants.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY2009:

Table 20.5. Improvement Activities/Timelines/Resources

Activities	Timelines	Resources	Status
Training for school district staff who are responsible for entering student record data.	Ongoing	NDDPI staff	Ongoing
Individual technical assistance to school district staff as needed.	Ongoing	NDDPI staff	Ongoing
Further refinement of State Automated Reporting Systems (STARs)	Ongoing	State MIS Staff	Ongoing
Provide training and implementation of the special education monitoring system for data analysis and improvement planning.	Implement statewide in FFY2008	Part B admin. funds;	Ongoing
Data gathered from the Statewide Special Education Web-based Case Management System will be used for the purpose of monitoring at local and state levels.	FFY2008	NDDPI staff, Local special education units	Ongoing
Technical Assistance Needs Inventory	FFY2008	NDDPI staff, Local special education units	Ongoing
Increased collaboration between the general education and special education office at NDDPI for clarity, uniformity, and accuracy of data definitions and collection.	FFY2008	NDDPI staff	Ongoing
Guidance to school districts on how data are coded to ensure uniformity, and accuracy of data definitions and collection.	FFY2008	NDDPI staff	Ongoing

Note: All “continuous” or “ongoing” activities will continue until or beyond 2012, as needed.

Appendix A

North Dakota Longitudinal Education Data System

North Dakota Longitudinal Education Data System

Background

The Department of Public Instruction (DPI) has, over many years, been positioning itself to support a longitudinal data system – one that will track K-12 student outcomes over time to provide decision makers with evidence in the form of data on which to make improvements in educational programs.

DPI has spent several years establishing content standards aligned with assessments to achieve one of its primary goals, "to ensure a comprehensive system of accountability for results-based decision making." DPI has developed a data system, the State Automated Reporting System (STARS) to collect much of the data sufficient to meet the No Child Left Behind Act (NCLB), ED*Facts*, and state accountability reporting requirements. STARS also provides the data collection and calculations required for State financial aid.

As part of a long term data management strategy DPI established a unique state student identifier to increase data quality. DPI, the Department of Career and Technical Education (CTE) and the Education Standards and Practices Board (ESPB) have also collaborated to reduce duplicate data collections and improve efficiency by consolidating systems. In addition, DPI, school districts and special education units, established a single statewide special education data system (TieNet) which integrates with STARS.

There has been growing legislative desire for accountability, to be able to make decisions based on facts, identify trends based on historical data and to provide targeted funding. They charged the state's Information Technology Department (ITD) to conduct a feasibility study looking into building a statewide longitudinal data system (SLDS). An advisory committee was formed in 2007 and retained a consulting firm to help define scope and need based on current state and future goals. The firm advised the state that a major step in building a SLDS was for each agency to build an "agency specific LDS".

In 2008, DPI applied for a federal grant to design, develop, and implement a North Dakota Statewide Longitudinal Educational Data System (ndSLEDS). DPI was awarded the grant and began work on ndSLEDS in July 2009. Year 1 of the grant was devoted to a planning phase.

Contact with Other States

ND has worked with many states on understanding the options and strategies to build the SLDS. Information and conversations with Arkansas, Kansas, Ohio, New Mexico, Nevada and many others have help shape our strategy. Additionally we have met with and discussed our SLDS strategy with vendors that have developed state LDS systems.

ND's strategy on the implementation of the iMart has led to more collaboration and discussions with states implementing like infrastructure such as; Nevada, Connecticut, Louisiana, and districts such as Nashville have contributed to our overall strategy

Current Status

The project team is emerging from a year of planning that involved multiple meetings with district and state level stakeholders. These meetings were organized to gain understanding of data availability, data quality, and data need. These meetings also helped build statewide support and establish the need for the project.

The state entered into a proof-of-concept (POC) to take advantage of the statewide mandate that all public schools would use PowerSchool as their Student Information System. The POC automated the extraction of data from the PowerSchool databases (hosted by the state) into an operational data store. Roughly 50 of the 180 districts participated in the POC. This group included the largest districts and accounted for ~80% of the state's student population.

The team is also working closely with EduTech to help improve district level data at the point of entry. Members of the team include the PowerSchool support team, ITD and DPI. The goal is to develop standards for data entry. The standards can be either lists of proper data elements to be entered or procedural changes on the use of PowerSchool fields. They are relayed to the district during "Prepare for SLDS Reporting" training session held throughout the state. The team also holds routine meetings with Pearson to request programming changes to the PowerSchool system (i.e. standard date format in all date fields).

There has also been a great deal of work around assessment data. The state is loading the North Dakota State Assessment data into the system and working with our contractors and as assessment committee to produce reports of value to the LEAs. The state is also working with multiple interim assessment vendors to pull results from the vendor to be loaded directly into the state's data system. There is also a contract in place with ACT to receive test results for all tests given in North Dakota including the state funded ACT test for all juniors. In 2009, the state also began using the Work Keys test. All test results are linked to a North Dakota student's record.

A project to link K12 results with North Dakota University System (NDUS) is reaching an end. K12 data was sent to NDUS; they performed a match and sent the results back to DPI. DPI then performed a "reverse" match to verify the accuracy. A recurring process is being developed outlining how each agency will periodically exchange data and store match results.

The Data Privacy/Governance Committee (a sub-committee of the SLDS) is looking into the legalities of data sharing. The lawyers for each agency are working together to draft data sharing agreements that account for each agencies specific legal requirements.

Future Goals

The team is expanding the POC to include all PowerSchool districts. Data will pulled from STARS to gather data from schools not currently on PowerSchool and add other data that is not pulled directly from PowerSchool

The assessment committee will continue to develop reports based on assessment data. They plan on performing a phased roll-out of the reports to a limited number of districts to allow for feedback.

A security model is being developed to provide adequate protection to data while allowing proper access based on various roles. The team is exploring more linkage between K12 data and other agencies, including Department of Human Services (they host many of the early childhood programs including IDEA C), workforce, Unemployment Insurance, NDUS, FEDES and the National Student Clearinghouse.

Information on other State Data Efforts

Bush Teacher Effectiveness Initiative

North Dakota (along with South Dakota and Minnesota) are part of the Bush Teacher Effectiveness Initiative with the University of Wisconsin, Wisconsin Center for Education Research (WCER), and Value-Added Research Center (VARC).

The Bush Teacher Effectiveness Initiative is a project that seeks to connect institutes of higher education (IHEs) that prepare and graduate pre-service teachers to K12 outcomes. Over the next 10 years, at least half of the 50,000 teachers in Minnesota, North Dakota and South Dakota will retire or leave. In the next decade, the Bush Foundation will focus its resources on producing 25,000 new effective teachers for these three states. The Bush Foundation has selected proposals from fourteen education institutions in the three states to re-develop their admissions, curriculum, and subsequent post-graduation tracking of their teacher education students.

The Bush Foundation has contracted with the Value-Added Research Center to collect data, calculate metrics that estimates IHE and teacher performance, and to create and deliver reports to project stakeholders. We will also provide every new teacher the needed tools and information necessary to assess changes in his or her students' achievement (and thus measure his or her own teaching effectiveness). VARC's work in this large scale project will be focused on working with teacher education institutions, school districts, and state agencies to create databases that link PK-12 students to their teachers by grade and subject taught.

In order to be successful, this project requires several types of data from many different stakeholders. Student enrollment, demographics, and assessment data are required for knowing about student performance on statewide assessments and calculating benchmarks which will be used to frame and understand IHE performance metrics. Teacher placement and licensure data will be used to locate and assign teachers to their district of employment as well as provide information about teachers' certification(s). Student – Teacher linkage data will be used to assign students to individual teachers from participating IHE's. In addition, data about wage and employment will be used to analyze when labor demand and supply factors (e.g., % of teachers who are successfully hired into K12 education) and overall metrics related to earnings and measures of successful job placement.

Midwest Education Information Consortium

North Dakota is part of the Midwest Education Information Consortium (MEIC). Members include South Dakota, Minnesota, Iowa, Nebraska, Kansas, and Missouri. The group meets regularly to discuss data issues that each states faces. Some recent MEIC discussions include the possible state to state exchange of student identifiers and how each state is preparing to meet the SFSF data needs.

Teacher Licensure / Approval and Accreditation Application

The Department of Public Instruction (DPI) in conjunction with the Education Standards and Practices Board (ESPB) is developing a web based teacher licensure application. This project includes the rewrite of the ESPB and the DPI systems from the mainframe to a modern architecture capable of meeting the data reporting demands that are required by federal and state laws today and in the future. The ultimate goal of this project is to provide services to school districts and teachers to reduce their reporting burdens and provide quality and timely information to data

consumers.

The current DPI Management Information System (MIS) and ESPB systems reside on the mainframe. The migration of these applications off the mainframe is not a matter of 'if' but 'when'. This project will migrate the data and reporting off the mainframe and onto a new system that can better meet the needs of DPI, ESPB, the Legislature and the school districts.

Meeting federal time-lines for report requirements is a challenge and continues to be more difficult as federal requirements change. No Child Left Behind (NCLB) Highly-Qualified teacher mandates have placed demands on schools, teachers, ESPB, and DPI, that result in time-consuming and difficult reporting processes that are prone to errors.

This project includes the rewrite of the DPI district, school, and personnel systems and the ESPB applications utilizing the current database created by the STARS project. It will also integrate the systems data for reduction of duplicate data, providing more current and consistent data. Due to the dependence of data that DPI and ESPB share, it is important for this project to jointly rewrite these applications eliminating the need for producing intermediate interfaces and the expenses involved, to an environment that shares a central database. This project will consist of the development and implementation of the design that was determined during the analysis phase.

Direct Certification for the Free Lunch program

The Department of Public Instruction teamed with the Department of Human Services (DHS) to automated the linkage between K12 students and DHS clients on either Food Stamps (FS) or Temporary Assistance for Needy Families (TANF).

In May 2007, the DPI received a federal grant for $525,800 for the purpose of creating and implementing direct certification procedures. The direct certification capabilities created by this project provided Local Education Agencies (LEAs) with electronic notification of FS and TANF participation data for enrolled students. LEA's have the capability of conducting searches for eligible students and electronic notification of students entering eligibility; which, in turn, will increase the number of students directly certified and will ensure that meal benefits are provided in a timely manner.

The Direct Certification process within the Department of Public Instruction is for the purpose of simplifying the process of providing free meals at school to low income children. States and school districts can use direct certification to help ensure that eligible children get free meals through the National School Lunch Program (NSLP).

Direct certification identifies children who are eligible for free meals because their households are approved for FS or TANF benefits. School districts can certify these "categorically eligible" children for NSLP benefits based on information provided by FS or TANF administering agencies, thereby eliminating the need for households to submit an application for meal benefits.

Direct certification can increase efficiency, lower costs, and improve program integrity by reducing paperwork and increasing the percentage of eligible students who are certified for free meals. Schools and school districts that use direct certification have fewer applications to process. By identifying more eligible students for direct certification school districts may recognize additional Title I funding.

The purpose of this project, Phase I, is to perform a Proof-of-Concept with Initiate Systems to see if the State's Master Client Index (MCI) solution is a viable solution to support improved matching of children on Food Stamps (FS) and Temporary Assistance for needy Families (TANF). Also, Phase I includes the STARS system analysis to determine changes that are needed to enable Direct Certification process.

This project opens the door to matching between DPI and DHS data systems...We hope to use this method to link IDEA part C students (managed by DHS) with IDEA part B students (managed by DPI).

Scholarship Application

The Department of Public Instruction in conjunction with the North Dakota University Systems (NDUS) administers the states scholarship program. DPI's roll is to gather the student's applications, match to ACT and/or Work Keys scores and K12 academic requirements to provide NDUS a list of qualified students.

The student provides data used for matching on the scholarship application; including the school they attend (via a drop-down menu). A step in the process is to have the school's administration verify graduation and K12 academic requirements. If the student cannot be matched to a school, the application is sent back to the student for clarification. This helps ensure a positive link between the students' SSN (if provided on the ACT) to the unique K12 student ID.

We have begun requiring the state student ID be placed on all assessments, including the ACT.

eTranscript Application

The Department of Public Instruction in conjunction with the Information Technology Department (ITD) has received source code for an eTranscript application used by Louisiana. ITD has taken code snippets from the application and built an initial North Dakota eTranscript prototype. The application will allow students to electronically send transcript information to perspective colleges. It will also have user roles for school counselors, DPI administrators, and Higher Education registrars.

An eTranscript committee has been organized and actively meeting. It includes members from local LEAs, CTE, DPI, NDUS and Higher Education agencies. The goal is to establish standards for exchanging student level transcript information.

Because of their interrelated nature, the eTranscript and Scholarship applications will be merged in the future. This will allow students and school counselors a single location to view student progress toward completion of scholarship requirements and the verify data on their transcripts.

Adult Education Application

The Department of Public Instruction administers the adult education program for North Dakota. The application collects data on courses projected and completed for adult students and tracks progress toward self-identified goals. It also collects demographic data including the SSN. The adult education team works to match the adult student's ID to a K12 student identifier.

There are also federal requirements to verify goal completion including attending college and obtaining employment. To verify these goals links must be made not only with NDUS and Workforce, but also agencies outside North Dakota. A project is underway to update the method

these links are made. Agreements are in place with the National Student Clearinghouse and FEDES to verify links with registered colleges outside of the North Dakota borders and federal employers.

TieNet

The Department of Public Instruction has implemented a statewide Individual Education Program (IEP) system called TieNet. The development vendor was Maximus. It allows a consistent method for special education units and service providers to draft IEPs for special needs students. The state has required that all student demographic data be entered and updated in the STARS system. STARS then "feeds" TieNet. There is also feed of special education data back into the STARS system.

STARS has triggers that will allow the feed of demographic data into TieNet. They include the marking of the student as special education and entry of a special education unit; this indicates the student has been evaluated and is receiving services. Another indicator is "send to TieNet" check box; this is used to send a student to TieNet for evaluation purposes.

PowerSchool Implementation

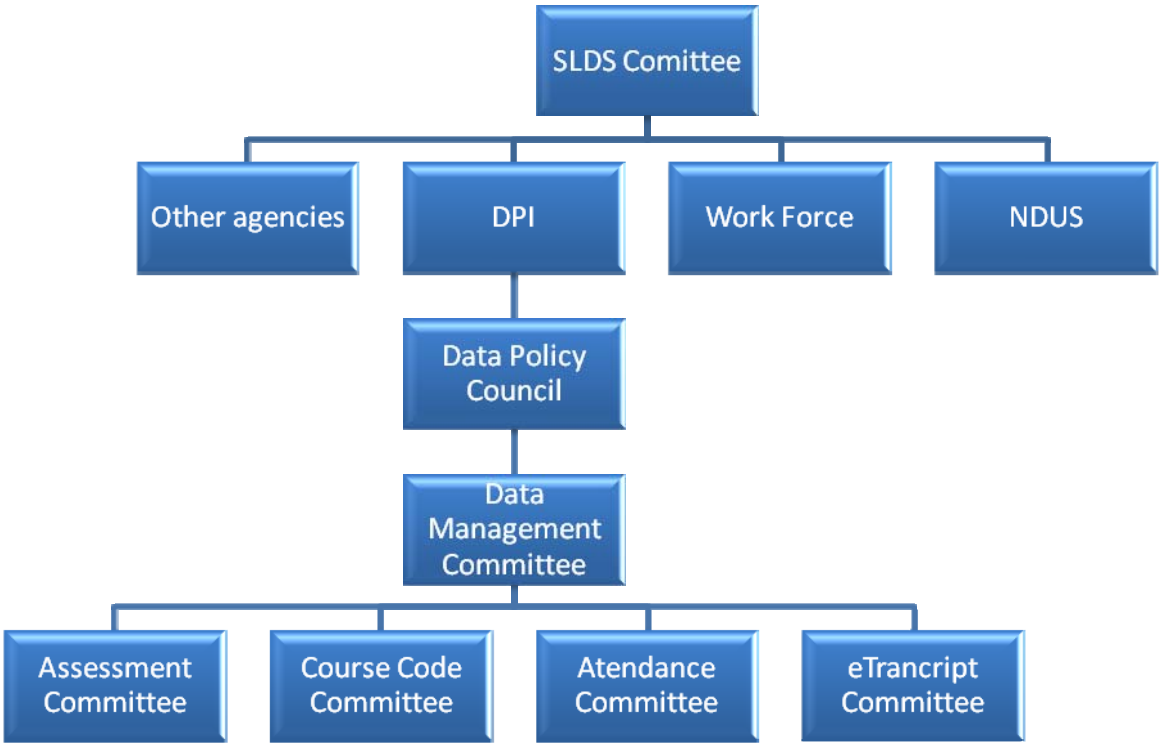
The North Dakota Legislature has mandated the PowerSchool be used as the student information system in all public schools. EduTech has been actively working with school districts to transfer data into their PowerSchool data system. Currently 127 school districts accounting for 86,857 students are on PowerSchool. The current schedule will have all school districts on PowerSchool by 2013. The EduTech team does plan to ask the legislature to increase FTEs in order to decrease this time.

K12 Active Directory Implementation

EduTech and DPI are exploring the possibilities of implementing a statewide K12 Active Directory structure. We have a goal of allowing each K12 person to utilize a single account login and password for all statewide services and to provide a means for districts to utilize the service for local applications. This is currently in the research phase and we invited comments and suggestions from K12 stakeholders that would help us prevent the creation of technological hurdles to widespread adoption.

Work continues on ndSLEDS; at some point, we will begin to expose data to stakeholders. The data will be secured using role-based security and the best option for managing the "roles" would be a K12 wide directory implementation. As statewide applications continue to grow, the use of a directory will make it easier and faster for the K-12 community to receive the appropriate services in a secure environment.

Data Governance Overview



DPI is part of a larger governance structure. This structure starts at the top with the SLDS committee. State agencies are members of the larger committee and then serve on the various sub-committees formed to meet specific needs. More details about the SLDS committee and their various sub-committees can be found in the "Committees" section of this document. Each agencies has their own internal data governance structure

DPI's governance structure starts with the Data Policy Council. The purpose of the *Data Policy Council (DPC)* is to ensure the appropriate data is collected and used in a method that is aligned with (and supports) the goals of the represented agencies, their respective programs and compliance with federal and state mandates. There are members from DPI, ESPB and CTE.

The next level of the governance structure is the Data Management Committee. The purpose of the *Data Management Committee (DMC)* is to advise the DPC on policy changes, implement policy from the DPC and integrate data governance objectives into daily operations. There are members from DPI, EduTech, LEAs (public and private), and CTE.

The next level is the various sub-committees. Subcommittees will be organized and meet on an as needed basis and made up of data stewards from both the state and district. The stewardship committees will be responsible for data elements comprising their domains and will provide data definitions and quality standards published through the data dictionary. The stewardship committees will coordinate between themselves for common data elements and the DMC to determine methods of enforcing quality through validations at the source. The most active committees are highlighted in the above diagram, though others are planned.

Appendix B

Disproportionate Representation
Due to Inappropriate Identification
Used for Indictors 4, 9, and 10

North Dakota Department of Public Instruction
Office of Special Education
State Plan to Identify Disproportionate Representation

Disproportionate representation refers to comparisons made between groups of students by race or ethnicity who are identified for special education services. Where students from a particular ethnic group or race are identified at a greater rate than all other students, then that group may be said to be disproportionately represented in special education. As required by USCS § 1416 (b) Indicators 9 and 10 of the North Dakota Special Education State Performance Plan (SPP), the NDDPI must monitor disproportionate representation that is a result of inappropriate identification in ND schools.

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.

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

1. North Dakota Weighted Risk Ratio process which includes:
   a. Risk (compared to state averages for Whites)
   b. Risk ratio (compared to all others)
   c. Weighted (incorporates small "n" size concerns)
   d. Statistical presumption that *disproportionate representation* requires at least ten students inappropriately identified within a racial group in a given category and is the result of inappropriate identification.
   e. Smaller districts (less than 10 students in category) receive follow-up information when identified
   f. State averages for identification rates within subcategories considered
   g. Provide data to local areas prior to being identified as *disproportionate representation* that could be the result of inappropriate identification

2. Must include policies and procedures designed to prevent the inappropriate over-identification or under-identification that is the result of inappropriate identification.
   a. Not limited to noncompliance with IDEA
   b. Prevention must be tied to regular and special education
   c. Expect school districts to maintain a quality pre-referral process
   d. Once flagged, expand the scope of inquire

North Dakota Department of Public Instruction
Office of Special Education

Local Investigation to Reduce Disproportionate Representation
that is the result of inappropriate identification.

Using local protocol, the identified district should:

1. Expand the scope of the district's current internal examination of student data and educational policies and practices.
2. Evaluate the quality of the district's pre-referral process to ensure there is an effective procedure in place to provide early interventions based on individual student data and is:
    a. research based or appropriate;
    b. suitable for the skill level of students;
    c. motivating and rewarding; and
    d. provided by qualified teachers.
3. Determine whether over-identification is connected to insufficient instruction in Reading and Math. Are teaching staff adequately trained to provide instruction in reading and math to the students in identified race/ethnic groups?
4. Review classroom management procedures.
    a. Are issues being resolved effectively?
    b. Is there a system of positive behavior interventions in place?
    c. Is there a language, LEP, or cultural issue confusing the learning process?
    d. Consider student behavioral data and compare:
        i. Special education data to regular education data;
        ii. Student data at various social economic levels;
        iii. Student data at various age ranges; and
        iv. Student data within various environments.
5. Consider possible systemic issues such as:
    a. Are there comprehensive systems of student evaluation in place that lead to timely interventions?
    b. Is disproportionate representation considered *only* a special education concern?
    c. Does the over-identification concern lie primarily in special education categories that tend to rely on subjective decisions?
    d. Is there equitable access for all students to highly qualified teachers and resources?
    e. Do general education and special education teachers have time to collaborate together?
    f. Has the system studied the needs of culturally diverse learners?
    g. Are all teachers trained to understand and eliminate unconscious bias? Teachers should be more familiar with the beliefs, values, cultural practices, and discourse styles of the students they teach.
    h. Does the district's identification rate compare to the state identification rate per special education category?
    i. Is the district using data to identify problems and inform solutions?
    j. Do administrators and staff understand the depth and breadth of special education Due Process rights in the following areas:
        - Referral,
        - Evaluation,
        - Identification,
        - Placement,

- Discipline, and
- Least Restrictive Environment.

k. Do parents who are culturally diverse or economically disadvantaged have adequate knowledge about their children's rights?

Research suggested best practices:

1. Provide students equal access to highly qualified and experienced teachers.
2. Provide effective supports for inexperienced and struggling teachers.
3. Establish a strong pre-referral and referral process.
4. Maintain extensive use of curriculum based assessment.
5. Examine instructional methodology as part of the pre-referral intervention process.
6. Provide early intervening practices:
    a. Maintain sufficient meetings to review student progress.
    b. Promote parent involvement at student progress meetings.
    c. Report baseline data, expected trajectory, and ongoing performance measurement in all areas of intervention.
    d. Institute timely progress monitoring of interventions.
    e. Provide repeated student assessment at reasonable intervals.
    f. Maintain formal assessment of student progress during instruction.
    g. Document outcomes of interventions.
7. Ensure the appropriateness of the special education assessment tools used to determine eligibility and the adequacy of training for the professionals conducting the student evaluations.
8. Consider the student's special education and LRE placement annually.

North Dakota Department of Public Instruction
Office of Special Education
Disproportionate Representation Due to Inappropriate Identification Procedural Review

Areas of Inquiry	Policy/ Procedures	General Education	Documents	Interview	Observation	Comments
Evidence instruction generally has been:						
• Research-based or appropriate						Specifically relevant for students referred for interventions or for an evaluation for special education.
• Matched to skill level of student						
• Motivating and rewarding						
• Provided by qualified teachers						
Early interventions for academic/behavior concerns:						
• Is there evidence of multiple interventions						
• Does intervention data includes baseline, adequate monitoring, and expected performance outcomes						Does the intervention plan allow for progress monitoring?
• Is Students' learning/behavior viewed within the context of their cultural/linguistic background						For LEP students, English language acquisition and impact on academic performance is considered.
Academic Issues:						
• Adequate frequency						Are intervention protocols aligned with research?
• Adequate time per session						
• Reasonably sized group						
Behavior Issues:						
• Positive behavior intervention(s)						When appropriate, were behavior plans developed, implemented, and evaluated for effectiveness?
• Functional behavioral assessment						When appropriate, were plans implemented and followed?
• Behavior intervention plan						
Results of intervention						
• Meetings to review progress						Were a sufficient number of meetings held?
• Parent attended meetings						

North Dakota Department of Public Instruction
Office of Special Education
Disproportionate Representation Due to Inappropriate Identification
Procedural Student File Review

Name:_____ Race/Ethnicity: _____ Disability _____ LRE: _____

School: _____ Grade: _____ Reviewer: _____
Date of Review: _____

Evidence instruction in reading generally has been:	Yes	No	Evidence for "NO"
• Research-based or appropriate			
• Matched to skill level of student			
• Motivating and rewarding			
• Provided by qualified teacher			
Intervention meeting held to address academic/behavioral concerns			
• Evidence of multiple interventions			
• Intervention data includes baseline, adequate data monitoring, and expected performance outcomes			
• Student's learning/behavior is viewed within the context of their cultural/linguistic background			
Academic issues: evidence of			
• Adequate frequency			
• Adequate time per session			
• Reasonably sized group			
Behavioral issues: evidence of			
• Positive behavioral intervention(s)			
• Functional behavioral assessment (FBA)			
• Behavior intervention plan in place (BIP)			
Progress Measurement: evidence of			
• Timely assessment			
• Timely reporting of expected performance			
• Data provided to student's parents			
Outcome (select outcome of intervention below)	√ 1 of 6		

1. Discontinued intervention: sufficient progress		
2. Discontinued intervention: insufficient progress (considered the following)		
- Appropriate number of weeks for intervention		
- Interventions changed to improve progress		
3. Continued intervention: sufficient progress		
4. Continued intervention: insufficient progress		
5. Appropriate referral for Section 504		
6. Appropriate referral for IDEA evaluation		

Appendix C
Indicator 7 Data Review Document

Data Comparison for Indicator 7
2009 - 2010

Below are your Unit results from three reports that were developed through review and comparison of the 2009-2010 Indicator 7 data found in your Unit Spreadsheets and TieNet reports. The first column lists the reports that were developed for the data collected from July 1, 2009 to June 30, 2010. The second column list the name(s) and ID numbers for the children that each Unit must review to determine the reason they were listed on the report. In the third column the Unit must provide a brief response for each child. Examples of possible brief responses could be: did not receive preschool services for 6 months; COSF data updated see child's file; etc.

Please review and respond within two weeks of receiving this information. NDDPI will then provide a final response in the last column. Thank you ahead of time for this information.

Unit Name:
Date:

Reports	Children Name and ID Numbers	Units Response	NDDPI Response
Comparison of TieNet Indicator 7 Report and Unit's Spreadsheet			
TieNet Report - preschool children with initial IEP without a COSF and/or entry ratings			
TieNet Report - preschool children exiting preschool services without COSF and/or exit-progress ratings			
Additional Questions			

Appendix D
Parent Involvement Survey

North Dakota Department of Public Instruction: Special Education
Parent Survey

This is a survey for parents of students receiving special education services. Your responses will help guide efforts to improve services and outcomes for children and families. Please select one answer for each question. If any question does not apply, leave it blank. ***Thank You!***

Your Ratings:

My child's teachers and school:	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1. Offer training and information that will help me participate fully in the IEP meetings.	1	2	3	4	5
2. Treat me as an equal partner when we are planning for my child.	1	2	3	4	5
3. Use the ideas and suggestions that I share at the meeting.	1	2	3	4	5
4. Encourage me to speak up at IEP meetings.	1	2	3	4	5
5. Encourage me to participate in writing my child's IEP plan.	1	2	3	4	5
6. Carried out my child's plan last year as written and discussed.	1	2	3	4	5
7. Are carrying out my child's plan this year as written and discussed.	1	2	3	4	5
8. Share information with me on the progress my child has made on his/her IEP goals.	1	2	3	4	5
I am:	1	2	3	4	5
9. Comfortable contacting my child's general education teachers with any questions or concerns.	1	2	3	4	5
10. Comfortable contacting my child's special education teachers with questions or concerns.	1	2	3	4	5

Background:

11. Child's Race/Ethnicity *(Circle only one)*
   1 African-American/Black
   2 American Indian/Alaskan Native
   3 Asian/Pacific Islander
   4 Hispanic or Latino
   5 White

12. What is your child's PRIMARY disability *(Circle only one)*
   1 Autism
   2 Cognitive Disability (MR)
   3 Deaf-Blindness
   4 Deafness
   5 Developmental Delay
   6 Emotional Disability
   7 Hard of Hearing
   8 Learning Disability
   9 Multiple Disabilities
   10 Orthopedic Impairment
   11 Other Health Impairments
   12 Speech/Language Impairment
   13 Traumatic Brain Injury
   14 Visual Impairment (including Blindness)

13. What is the grade of your child? *(circle one)*
   Pre-K K 1 2 3 4 5 6 7 8 9 10 11 12 12+

14. School District: _____

Your Comments:

15. What else could your child's school do to make sure you are involved in your child's educational program?

16. What else could your child's school do to make sure your child is educated in the regular classroom with his/her same-age peers to the maximum extent possible?