North Dakota
FFY 2005 – 2010 State Performance Plan
For Special Education

Submitted to the
Office of Special Education Programs
U.S. Department of Education

ND Department of Public Instruction
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The North Dakota Part B State Performance Plan
For Special Education
FFY 2005 – 2010

Introduction

The Individuals with Disabilities Education Improvement Act (IDEA) of 2004 established a requirement that all states develop and submit to the U.S. Department of Education, Office of Special Education Programs (OSEP) a performance plan designed to improve the educational and functional outcomes for children with disabilities. The state plan must encompass baseline data (where available), projected targets, and activities to achieve those targets. The state is required to submit an Annual Performance Report (APR) in the years following the submission of the performance plan to inform OSEP and the public on the progress toward meeting those goals. This document is the first step of that process – the State Performance Plan for Special Education.

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Part B State Annual Performance Report (APR) for 2005-2006

Overview of the Annual Performance Report Development:

Throughout the implementation of the ND State Performance Plan (SPP), the SPP has become the focal point in local and statewide communication and is referenced by the ND Department of Public Instruction (NDDPI) special education staff to discuss the intent for higher outcomes for children with disabilities. The data collected through the SPP provide specificity for many critical issues in ND special education. The SPP is 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) and the No Child Left Behind Act (NCLB). The NDDPI has also revised its strategic plan and the State Education Agency to reflect the 20 indicators of the SPP. Progress in each of these indicators are reported in the Annual Performance Report (APR).

The NDDPI has actively solicited broad stakeholder input on a statewide basis as State staff met periodically during the year to review and update the ND SPP indicators and data. Working meetings were held with various staff members of the Mountain Plains Regional Resource Center for the purpose of data collection development and implementation. Individual state staff members also solicited input from the appropriate statewide or regional standing committees and workgroups. Several new indicator specific workgroups were developed over the year to ensure stakeholder input was acquired. At the September, 2006 statewide Special Education Leadership Institute all new indicators were reviewed with local special education directors. The ND IDEA Advisory Committee has continuous involvement in revisions and continues to indicate general consensus in support of the ND targets and improvement activities as written in the ND SPP.

The NDDPI sent via email a copy of the final ND SPP and APR to all LEA special education administrators, Pathfinders Family Center office, and IDEA Advisory Committee members. The ND SPP and APR are posted on the North Dakota Department of Public Instruction web site for public viewing.

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

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

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

Table 1.1. Measurable and Rigorous Targets for Indicator 1.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The percentage of youth with IEPs graduating from high school will increase to 85.10 percent.
2006 (2006-2007)	The percentage of youth with IEPs graduating from high school will increase to 86.06 percent.
2007 (2007-2008)	The percentage of youth with IEPs graduating from high school will increase to 87.02 percent.
2008 (2008-2009)	The percentage of youth with IEPs graduating from high school will increase to 87.98 percent.
2009 (2009-2010)	The percentage of youth with IEPs graduating from high school will increase to 88.94 percent.
2010 (2010-2011)	The percentage of youth with IEPs graduating from high school will increase to 89.90 percent.

Actual Target Data for 2005 – 2006:
Based on the information available at this time, the following report is offered.
2004 – 2005 Baseline data - Overall graduation rate = 80.89%; Special education = 84.14%
2005 – 2006 - Overall graduation rate = 82.37%; Special education = 76.54%

The NDDPI special education collects graduation and drop-out data from North Dakota schools through the Standards and Achievement Unit of NDDPI. Due to an unavoidable delay in data collection and completion in that unit's graduation and dropout report, the data submitted are incomplete. At the time of submission of this ND APR, there are still 30 school districts that have not submitted the required data. The director of NDDPI Standards and Achievement indicated that reports would be complete by March 1, 2007. At that time, the NDDPI special education office will submit complete reports for Indicators 1 and 2.

The director of the Standards and Achievement unit of the NDDPI, the unit that is responsible for assessments and determination of adequate yearly progress (AYP), stated that 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 age out may be factored into the dropout category. As the collection processes vary between general education and special education Table 4, *The Report of Children with Disabilities Exiting Special Education,* there may be variances between special education and general education data. Multiple units within NDDPI are encouraging the adoption of the National Governors Association proposal for uniform graduation reporting requirements.

The director of the Standards and Achievement unit of the NDDPI assisted in the variances of this and last year's data and described the following:

"The graduation rates generated from the state's 2005-06 graduation data collection, the state's most recent information, presents a 1.48% increase in the general education graduation rate and a 7.6% decrease in the special education graduation rate from the previous 2004-05 graduation report. Any variance in performance from the 2004-05 graduation report to the 2005-06 graduation report may be influenced by any one or more of the following factors:

1. The 2004-05 graduation rate was based on a statewide graduation cohort model, which incorporated student enrollment and dropout data across three years (i.e., sophomore, junior, and senior data). This three-year cohort model was necessitated due to the absence of sufficient data within the state's Online Reporting System for students in the freshman class.
2. The 2005-06 graduation rate was based on a statewide graduation cohort model, which incorporated 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's Online Reporting System.
3. The 2005-06 graduation rate was calculated with data that was partially validated by local school districts at the time of the submission of this report. By protocol, state graduation rates are calculated with data that are reviewed and validated by local school district personnel to ensure the valid and reliable reporting. At the time the 2005-06 graduation rate was submitted on February 1, 2007, approximately 30 of 200 local school districts had not finalized the validation of their data. It is possible that some level of unconfirmed data is included in the 2005-06 graduation rate, which may affect the reliability of the graduation rate reported. The Department of Public Instruction has worked closely with districts to submit their validation reports in a timely manner; however, these efforts were not entirely successful in achieving full compliance. The Department is assessing the need to restructure the scheduling of the validation process for future years.
4. With every iteration of the data collection process, the level of understanding and attention to data management differs from previous years. Generally, the level of care in data reporting has improved. Nevertheless, changes in personnel may result in some degradation in the quality of reporting in some local school districts. The Department provides ongoing technical assistance and training to improve the prospects of reliable reporting.
5. Any variance in graduation rates reflects a level of legitimate change in graduation: up, down, or stable. Any single year's rate may or may not reliably demonstrate systemic standing; however, longer term trending produces a better understanding of the truer systemic graduation rates."

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 – 2006:

Activities completed (several continue):

- Provided technical assistance to the school districts in collecting quality data and designing research based interventions. Supported research based interventions through discretionary grants to special education units.
- Implementing a statewide process designed to improve the overall planning of Transition services for high school youth with disabilities.
- Continually improving data collection and reporting in collaboration with general education partners with the NDDPI and with the school districts.
- Expanded statewide Positive Behavioral Supports (PBS) Collaborative project. Provided training, coaching, and data collection software to participating districts. Data collection and analysis were used for school improvement planning.
- Provided training and implementation of Continuous Improvement Focused Monitoring System (now Comprehensive School Improvement, CSI) for data analyses and improvement

planning. Developed and implemented consolidated monitoring for improvement that includes all Federal programs.

- Developed, provided training, and implemented statewide guidelines for identification and services for students with emotional disturbance.
- Statewide dissemination of instructional materials regarding prevention of school bullying.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 – 2006:

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

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

Measurement: Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.

Table 2.1. Measurable and Rigorous Targets for Indicator 2.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 14.98 percent.
2006 (2006-2007)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 13.92 percent.
2007 (2007-2008)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 12.95 percent.
2008 (2008-2009)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 11.98 percent.
2009 (2009-2010)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 11.01 percent.
2010 (2010-2011)	The percent of youth with IEPs dropping out of high school will decrease by .97 percent to 10.04 percent.

Actual Target Data for 2005 - 2006:

2004 – 2005 baseline data - All students dropout rate: 19.11%; Students in special education: 15.86%

2005 - 2006 - All students dropout rate: 18.98%; Students in special education dropout rate: 22.87%.

The NDDPI special education collects graduation and drop-out data from North Dakota schools through the Standards and Achievement Unit of NDDPI. Due to an unavoidable delay in data collection and completion in that unit's graduation and dropout report, the data submitted are incomplete. At the time of submission of this ND APR, there are still 30 school districts that have not submitted the required data. The director of NDDPI Standards and Achievement indicated that reports would be complete by March 1, 2007. At that time, the NDDPI special education office will submit complete reports for Indicators 1 and 2.

The director of the Standards and Achievement unit of the NDDPI, the unit that is responsible for assessments and determination of adequate yearly progress (AYP), stated that 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 age out may be factored into the dropout category. As the collection processes vary between general education and special education Table 4, *The Report of Children with Disabilities Exiting Special Education,* there may be variances between special education and general education data. Multiple units within NDDPI are encouraging the adoption of the National Governors Association proposal for uniform graduation reporting requirements.

The director of the Standards and Achievement unit of the NDDPI assisted in the variances of this and last year's data and described the following:
"The graduation rates generated from the state's 2005-06 graduation data collection, the state's most recent information, presents a 1.48% increase in the general education graduation rate and a 7.6% decrease in the special education graduation rate from the previous 2004-05 graduation report. Any variance in performance from the 2004-05 graduation report to the 2005-06 graduation report may be influenced by any one or more of the following factors:

1. The 2004-05 graduation rate was based on a statewide graduation cohort model, which incorporated student enrollment and dropout data across three years (i.e., sophomore, junior, and senior data). This three-year cohort model was necessitated due to the absence of sufficient data within the state's Online Reporting System for students in the freshman class.
2. The 2005-06 graduation rate was based on a statewide graduation cohort model, which incorporated 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's Online Reporting System.
3. The 2005-06 graduation rate was calculated with data that was partially validated by local school districts at the time of the submission of this report. By protocol, state graduation rates are calculated with data that are reviewed and validated by local school district personnel to ensure the valid and reliable reporting. At the time the 2005-06 graduation rate was submitted on February 1, 2007, approximately 30 of 200 local school districts had not finalized the validation of their data. It is possible that some level of unconfirmed data is included in the 2005-06 graduation rate, which may affect the reliability of the graduation rate reported. The Department of Public Instruction has worked closely with districts to submit their validation reports in a timely manner; however, these efforts were not entirely successful in achieving full compliance. The Department is assessing the need to restructure the scheduling of the validation process for future years.
4. With every iteration of the data collection process, the level of understanding and attention to data management differs from previous years. Generally, the level of care in data reporting has improved. Nevertheless, changes in personnel may result in some degradation in the

quality of reporting in some local school districts. The Department provides ongoing technical assistance and training to improve the prospects of reliable reporting.

5. Any variance in graduation rates reflects a level of legitimate change in graduation: up, down, or stable. Any single year's rate may or may not reliably demonstrate systemic standing; however, longer term trending produces a better understanding of the truer systemic graduation rates."

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:

Slippage: The difference between last year's drop out rate (15.86%) and this year's rate (22.87%) may be accounted for due to the difference in the cohort groups as well as the lack of available data from 30 school districts that failed to submit data in time to be included in the APR.

The NDDPI special education unit obtains graduation and drop-out data from North Dakota schools through the Standards and Achievement Unit of NDDPI. Due to an unavoidable delay in data collection and completion in that unit's graduation and dropout report, the data submitted are incomplete. At the time of submission of this ND APR, there are still 30 school districts that have not submitted the required data. The director of Standards and Achievement indicated that reports would be complete by March 1, 2007. At that time, the NDDPI special education office will submit complete reports for Indicators 1 and 2.

Timelines for data reporting vary across units at the NDDPI. At this time the special education unit receives graduation and dropout data form a unit that does not require this information until later in the school year. Therefore, special education graduation and dropout data are received later than is required for APR reporting. This difference in timeline is an issue all units in the NDDPI are trying to reconcile. This is also reflective of the current status of the NDDPI's efforts to collect data for separate reports with separate timelines, e.g., Title I, Special Education, and Title II, etc. It is also part of the NDDPI's rationale for moving towards unification of the units within the SEA in order to improve outcomes for all students.

Activities completed (several continue):

- Provided technical assistance to LEAs in collecting quality data and designing research based interventions. Supported researched based interventions through discretionary grants to special education units.
- Implementing a statewide process designed to improve the overall planning of Transition services for high school youth with disabilities.
- Continually improving data collection and reporting in collaboration with general education partners with the NDDPI and with LEAs.
- Expanded statewide Positive Behavioral Supports (PBS) Collaborative project. Provided training, coaching, and data collection software to participating districts. Data collection and analysis were used for school improvement planning.
- Provided training and implementation of Continuous Improvement Focused Monitoring System (now Comprehensive School Improvement, CSI) for data analyses and improvement planning. Developed and implemented consolidated monitoring for improvement that includes all Federal programs.
- Developed, provided training, and implemented statewide guidelines for identification and services for students with emotional disturbance.
- Statewide dissemination of instructional materials regarding prevention of school bullying.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:
[If applicable

Part B State Annual Performance Report (APR) for 2005 – 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

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

A. Percent of districts that have a disability subgroup that meets the State's minimum "n" size meeting the State's AYP objectives for progress for disability subgroup.

B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.

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

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

Measurement:

A. Percent = [(# of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs)) divided by the (total # of districts that have a disability subgroup that meets the State's minimum "n" size in the State)] times 100.

B. Participation rate =

a. # of children with IEPs in assessed grades;
b. # of children with IEPs in regular assessment with no accommodations (percent = [(b) divided by (a)] times 100);
c. # of children with IEPs in regular assessment with accommodations (percent = [(c) divided by (a)] times 100);
d. # of children with IEPs in alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100); and
e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = [(e) divided by (a)] times 100).

Account for any children included in a but not included in b, c, d, or e above.

Overall Percent = [(b + c + d + e) divided by (a)].

C. Proficiency rate =

a. # of children with IEPs in assessed grades;
b. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with no accommodations (percent = [(b) divided by (a)] times 100);
c. # of children with IEPs in assessed grades who are proficient or above as measured by the regular assessment with accommodations (percent = [(c) divided by (a)] times 100);
d. # of children with IEPs in assessed grades who are proficient or above as measured by the alternate assessment against grade level achievement standards (percent = [(d) divided by (a)] times 100); and
e. # of children with IEPs in assessed grades who are proficient or above as measured against alternate achievement standards (percent = [(e) divided by (a)] times 100).

Account for any children included in a but not included in b, c, d, or e above. Overall Percent = [(b + c + d + e) divided by (a)].

Table 3.1. Measurable and Rigorous Targets for Indicator 3.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 95.5 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.2 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 55 percent. The percentage of IEP students that will meet proficiency for math will be 50 percent.
2006 (2006-2007)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 96.0 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.3 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 57.8 percent. The percentage of IEP students that will meet proficiency for math will be 52.5 percent.
2007 (2007-2008)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 96.5 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.5 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 60 percent. The percentage of IEP students that will meet proficiency for math will be 55 percent.
2008 (2008-2009)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 97.0 percent. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 97.6 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 62.5 percent. The percentage of IEP students that will meet proficiency for math will be 59 percent.
2009 (2009-2010)	a) Percent of districts meeting the State AYP objectives for disability subgroups in reading will be 98.0%. Percent of districts meeting the State AYP objectives for disability subgroups in math will be 98%. b) Participation rate for children with IEPs in a regular assessment in reading will be 95.0% and in math will be 95.0%. c) The percentage of IEP students that will meet proficiency for reading will be 72.5%. The percentage of IEP students that will meet proficiency for math will be 72.5%.

Actual Target Data for 2005 – 2006:

The NDDPI has met the Target set for the 2005-2006 school year in three of the six categories as described in the following discussion of data. The OSEP verification letter, November 3, 2006, stated that in ND, students with disabilities "show continuous improvement in participation in assessments and in proficiency rates for math and reading assessment." Current data continue to show these improvements.

Table 3.2. Baseline Data for FFY 2005-2006:

	2001-02	2002-03	2003-04	2004-05	2005-06	2005-06 Target	Was Target Met?
A. Percent of Districts Meeting AYP Objective for IEP subgroup*							
Reading	63.6%	76.5%	93.5%	92.4%	93.0%	95.5%	No
Math	75.0%	80.4%	84.1%	95.4%	94.2%	97.2%	No
B. Participation Rate of IEP students							
Reading	95.1%	98.6%	98.0%	98.6%	98.1%	95.0%	Yes
Math	95.2%	98.3%	97.8%	98.5%	98.1%	95.0%	Yes
C. Proficiency Rate of IEP students							
Reading	26.0%	24.9%	39.7%	48.1%	54.3%	55.0%	No
Math	14.1%	12.5%	21.6%	43.0%	50.2%	50.0%	Yes

Note 1: The denominator for Indicator A includes only those districts for whom an IEP proficiency rate could be calculated.

Note 2: For Indicator A, AYP data for 2002, 2003, and 2004 are based on the results of students in grades 4, 8, and 12; 2005 and 2006 AYP data are based on the results of students in grades 4, 8, and 11.

Note: 3 For Indicators B and C, participation and proficiency data for 2002, 2003, and 2004 are based on the results of students in grades 4, 8, and 12; 2005 and 2006 data are based on the results of students in grades 3-8 and 11.

Data Summary
The percentage of districts meeting the AYP objective for the IEP subgroup has greatly increased over time.

- For reading, this percentage has increased by almost 30 percentage points (from 63.6% to 93.0%).
- For math, this percentage has increased by almost 20 percentage points (from 75.0% to 94.2%).

The participation rate of IEP students has increased from about 95 percent to over 98 percent.

The proficiency rate of IEP students has dramatically increased over time.

- For reading, the proficiency rate has increased by almost 30 percentage points (from 26.0% to 54.3%).
- For math, the proficiency rate has increased by almost 30 percentage points (from 14.1% to 50.2%).

Table 3.3. Participation Rate Details for 2005-2006:

Reading	Number	Percent of 7,445	Number in group who received a valid score	Percent of group who received a valid score
Total IEP Students	7445	100.0%	7300	98.1%
Took regular assessment with no accommodations	2138	28.7%	2033	95.1%
Took regular assessment with accommodations	4247	57.0%	4214	99.2%
Took alternate assessment against alternate achievement standards	1060	14.2%	1053	99.3%

Math	Number	Percent of 7,445	Number in group who received a valid score	Percent of group who received a valid score
Total IEP Students	7445	100.0%	7301	98.1%
Took regular assessment with no accommodations	2250	30.2%	2140	95.1%
Took regular assessment with accommodations	4091	54.9%	4062	99.3%
Took alternate assessment against alternate achievement standards	1104	14.8%	1099	99.5%

Data Summary

- The percentage of IEP students who received a valid score is very high – above 98 percent.
- Over 1/4 of IEP students took the regular assessment with no accommodations.
- Just over 1/2 of IEP students took the regular assessment with accommodations.
- About 14 percent took the Alternate Assessment that is measured against alternate achievement standards.
- IEP students who took the regular assessment without accommodations were slightly less likely to receive a valid score than IEP students who took the test with accommodations or who took the alternate assessment.

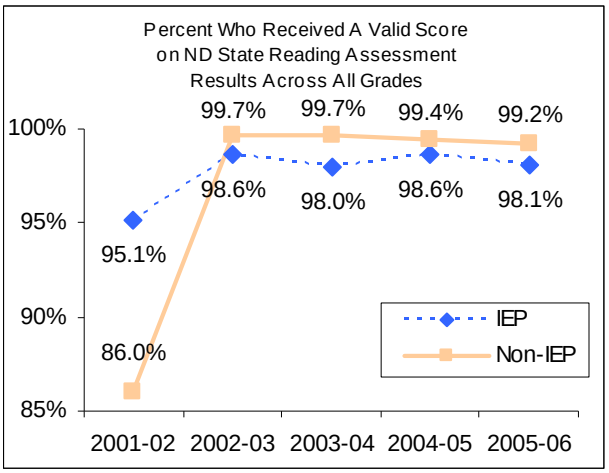
Table 3.4. Proficiency Rate Details for 2005-2006:

Reading	Number in group who received a valid score	Number in group who received a proficient score	Percent of group who received a proficient score
Total IEP students	7300	3966	54.3%
Took regular assessment with no accommodations	2033	1178	57.9%
Took regular assessment with accommodations	4214	2063	49.0%
Took alternate assessment against alternate achievement standards	1053	725	68.9%

Math	Number in group who received a valid score	Number in group who received a proficient score	Percent of group who received a proficient score
Total IEP Students	7301	3665	50.2%
Took regular assessment with no accommodations	2140	1220	57.0%
Took regular assessment with accommodations	4062	1664	41.0%
Took alternate assessment against alternate achievement standards	1099	781	71.1%

Data Summary

- Over 50 percent of IEP students received a proficient score.
- IEP students who took the alternate assessment have the highest proficiency rate; IEP students who took the regular assessment with accommodations have the lowest proficiency rate.
    - Between 57-58 percent of IEP students who took the regular assessment with no accommodations received a proficient score.
    - Between 41-49 percent of students who took the regular assessment with accommodations received a proficient score.
    - Between 69-71 percent of IEP students who took the Alternate Assessment received a proficient score.



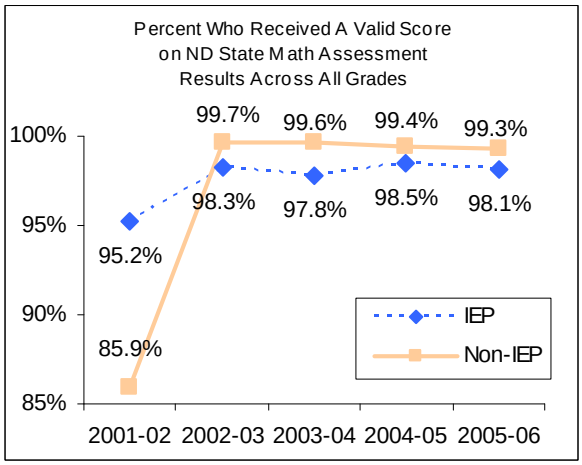


Figure 3.1. Comparison of IEP Students' to Non-IEP Students' Participation Rates

Data Summary

- Since 2002-03, the participation rate of IEP students has been very similar to that for non-IEP students.
- The IEP participation rate is about than one percentage point lower than the non-IEP participation rate.

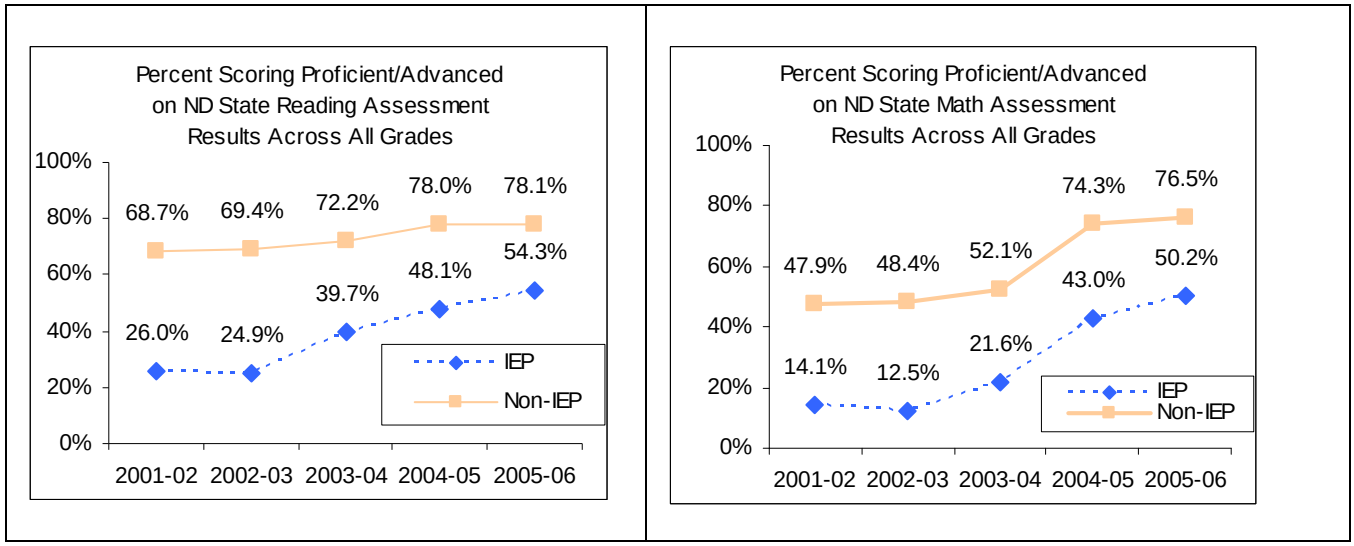


Figure 3.2. Comparison of IEP Students' to Non-IEP Students' Proficiency Rates

Data Summary

- IEP students have a lower proficiency rate than non-IEP students. However, the gap between the two groups is decreasing.
  - In 2001-02, the gap between the two groups for reading was over 42 percentage points. In 2005-06, the gap is 24 percentage points.
  - In 2001-02, the gap between the two groups for math was almost 34 percentage points. In 2005-06, the gap is 26 percentage points.

Discussion of Improvement Activities Completed <u>and</u> Explanation of Progress or Slippage that occurred for 2005 – 2006:

Progress:

- The participation rates of students with IEPs have increased over time – from around 95 percent to over 98 percent.
- The proficiency rate of students with IEPs has increased by 28 percentage points for reading (to a high of 54.3%) and by 36 percentage points for math (to a high of 50.2%). Proficiency rates in reading continue to show improvement.
- The proficiency rate of students with IEPs is lower than that of non-IEP students; however the gap between the two groups has decreased for reading from about 40 percentage points to about 24 percentage points and has decreased for math from about 34 percentage points to about 26 percentage points.
- The participation rate of IEP students is very similar to that for non-IEP students.
- The percentage of IEP students who receive a valid score is very high – above 98 percent.
- About 50 percent of IEP students received a proficient score.

Slippage:

- The percentage of districts meeting the AYP objective for the IEP subgroup has greatly increased over time. Over 90 percent of districts met the AYP objective for the IEP subgroup in 2006.

Improvement Activities:

- Provide ongoing information, resources, and support for Response to Intervention (RtI) implementation. Several state guidelines have been updated to include the RtI process.
- ND teachers met and created the science portions of the NDALT for the fall 2006.

Revisions, <u>with Justification</u>, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 – 2006:

Part B State Annual Performance Report (APR) for 2005 – 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

A. Percent of districts identified by the State 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; and
B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

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

Measurement:

A. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year) divided by the (# of districts in the State)] times 100.
B. Percent = [(# of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity) divided by the (# of districts in the State)] times 100.

Include State's definition of "significant discrepancy."

Table 4.1. Measurable and Rigorous Targets for Indicator 4a.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	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.
2006 (2006-2007)	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
2007 (2007-2008)	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.
2008 (2008-2009)	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.
2009 (2009-2010)	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 (2010-2011)	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.

***Significant Discrepancy* Definition:**
The NDDPI uses the following measurement to determine rates of suspensions and expulsions: Percent of school districts = number of school districts identified by the NDDPI as having significant discrepancies in the rate of suspensions and expulsions of children with disabilities for greater than 10 days in a school year times 100 divided by the number of school districts in North Dakota times 100. The NDDPI has defined significant discrepancy as: if (a) the number of special education suspensions/expulsions is greater than one and (b) the number of general education suspensions/expulsions is greater than 0, then, if (a) / (b) is greater than 1, then that school district is identified by the NDDPI as having a significant discrepancy in its rates of suspensions and expulsions of children with disabilities.

Actual Target Data for 2005 - 2006:

The NDDPI has met the Target set for the 2005-2006 school year.

Table 4.2. Students with Suspension/Expulsion >10 total days

2005-2006	2004-2005	2003-2004	2002-2003	Students with Suspension / Expulsion >10 total days
110	69	34	33	Total Students
91	46	28	23	General Education students
19	23	6	10	Students with disabilities
17.27%	33.33%	17.65%	30.30%	% of children with disabilities

Figure 4.1 illustrates the suspension rate of children with disabilities as compared to general education students that were at a rate greater than one-to-one ratio as compared to 2004 -2005 data. Two school districts (0.97 %) were identified as having rates of expulsions of special education greater than regular education students in 2004-2005. However, 2005-2006 data indicates that 100 percent of the school districts had equal or less than a one-to-one ratio of children with disabilities who were suspended for ten days or greater as compared to the general education population.

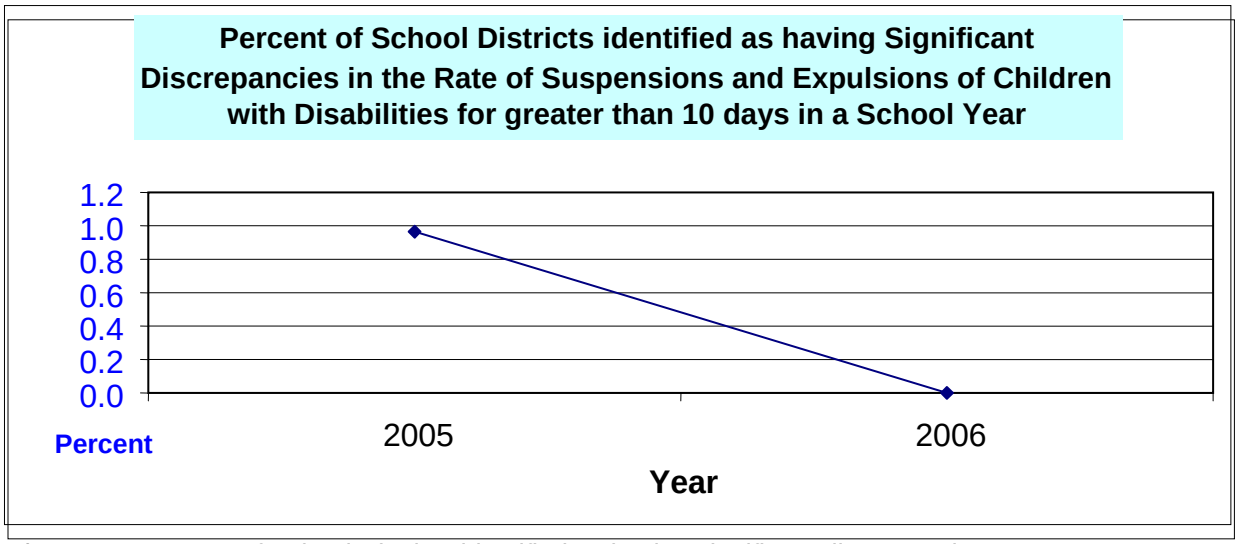


Figure 4.1. Percent of School Districts identified as having significant discrepancies

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:

Progress: Based on the target set for the 2005 - 2006 school year (see Table 4.1) North Dakota has met and surpassed the target of not exceeding .97 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.

In cases where school districts are found to have a higher ratio than one-to-one of children with disabilities suspended or expelled as compared to general education students, a review of policies and procedures in identified school districts will be conducted, in collaboration with the special education unit. Additional evaluation and follow-up will be provided by the state upon review of the local findings. The 2004-2005 data indicated two school districts to be out of compliance. These two school districts worked collaboratively with their special education units in reviewing policies and procedures. Changes were implemented and trainings were conducted. As indicated by the 2005-2006 data, these two school

districts are now in compliance.

Activities completed (several continue):

- Provided ongoing information, resources, and support for Response to Intervention (RtI) implementation. Several state guidelines have been updated to include the RtI process.
- Expanded statewide Positive Behavioral Supports (PBS) Collaborative project. Provided training, coaching, and data collection software to participating districts. Data collection and analysis were used for school improvement planning.
- Developed, provided training, and implemented statewide guidelines for identification and services for students with emotional disturbance.
- Co-hosted Title I Summer Reading and Math institutes.
- Provided training and implementation of Continuous Improvement Focused Monitoring System (now called Comprehensive School Improvement, CSI) for data analyses and improvement planning. Developed and implemented consolidated monitoring for improvement that includes all Federal programs.
- Supported ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Increased support mentoring models (such as Resident Teacher) in preservice teacher preparation programs from two universities to three universities in North Dakota.
- Reviewed 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.
- Statewide dissemination of instructional materials regarding prevention of school bullying.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:

Indicator 4.b is a new addition to this indicator. Data collection methods and/or baseline data has been updated in the current North Dakota State Performance Plan
http://www.dpi.state.nd.us/speced/general/perfplan.pdf
Comparison and discussion of baseline data and annual target data for this new addition to the indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Part B State Annual Performance Report (APR) for 2005 – 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

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

A. Removed from regular class less than 21% of the day;

B. Removed from regular class greater than 60% of the day; or

C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

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

Measurement:

A. Percent = [(# of children with IEPs removed from regular class less than 21% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

B. Percent = [(# of children with IEPs removed from regular class greater than 60% 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 public or private separate schools, residential placements, or homebound or hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.

Table 5.1. Measurable and Rigorous Targets for Indicator 5.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	a) 78 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 4 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2006 (2006-2007)	a) 78.5 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.9 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2007 (2007-2008)	a) 79 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.8 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2008 (2008-2009)	a) 79.5 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.7 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2009 (2009-2010)	a) 80 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.6 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.
2010 (2010-2011)	a) 80.5 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. b) 3.5 percent will be educated outside the regular classroom more than 60 percent of the day. c) 2 percent will be placed in separate schools, residential schools, or homebound/hospital.

Actual Target Data for 2005 - 2006:

Based on the targets set for the 2005 - 2006 school year (see Table 5.1) the NDDPI has met and surpassed the target for Indicator 5.a of 78 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. The NDDPI also met the target for Indicator 5.b of 4 percent will be educated outside the regular classroom more than 60 percent of the day. The NDDPI did not meet the target for 5c. However, data indicates an improvement based on the 2004-2005 and 2005-2006 comparison.

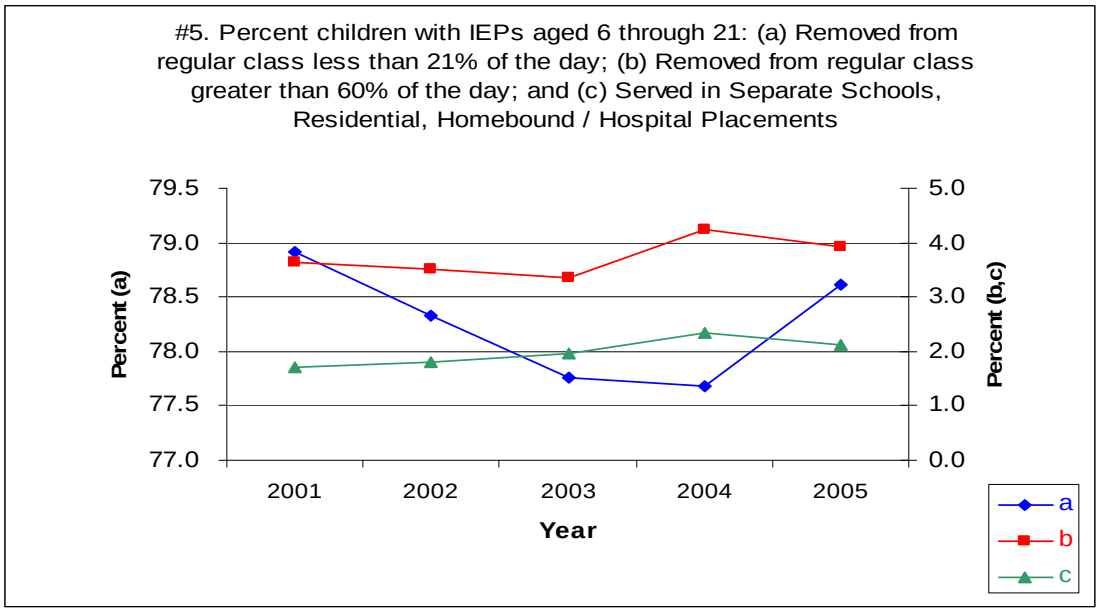


Figure 5.1. Percent of Children with IEPs aged 6 through 21 Removed from Class.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:

Progress: Based on the targets set for the 2005 - 2006 school year (see Table 5.1) the NDDPI has met and surpassed the target for Indicator 5.a of 78 percent of children with disabilities will be educated outside the regular classroom less than 21 percent of the day. The NDDPI also met the target for Indicator 5.b of 4 percent will be educated outside the regular classroom more than 60 percent of the day.

Slippage: The NDDPI did not meet the target for 5c. However, data indicates an improvement based on the 2004-2005 and 2005-2006 comparison.

As indicated by the data in Figure 5.1, the total population of students aged 6 - 21 with IEPS has shifted to spending more of their day in the general education classroom. The percent of students with IEPS being removed less than 21 percent of the day has increased from 77.69 percent (2004-2005) to 78.62 percent (2005-2006). The percent of students with IEPS removed from regular class greater than 60 percent of the day has decreased from 4.24 percent (2004-2005) to 3.94 percent (2005-2006). Data for 5c also indicate a decrease from 2.33 percent to 2.14. All three points of Indicator 5 reflect positive results for students with IEPs in the LRE. As a frame of reference for these data, not only has the placement setting shifted, the total population of students with IEPs aged 6 - 21 has decreased from 12,593 in 2004-2005 to 11,876 in 2005-2006.

Activities completed (several continue):

- Provided ongoing information, resources, and support for Response to Intervention (RtI) implementation. Several state guidelines have been updated to include the RtI process.
- Expanded statewide Positive Behavioral Supports (PBS) Collaborative project. Provided training, coaching, and data collection software to participating districts. Data collection and analysis were used for school improvement planning.
- Developed, provided training, and implemented statewide guidelines for identification and services for students with emotional disturbance.
- Co-hosted Title I Summer Reading and Math institutes.
- Provided training and implementation of Continuous Improvement Focused Monitoring System (now called Comprehensive School Improvement, CSI) for data analyses and improvement planning.

Developed and implemented consolidated monitoring for improvement that includes all Federal programs.

- Supported ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Increased support mentoring models (such as Resident Teacher) in preservice teacher preparation programs from two universities to three universities.
- Support professional development for general education (secondary) on differentiated instruction/strategies.
- Statewide dissemination of instructional materials regarding prevention of school bullying.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:
[If applicable]

Part B State Annual Performance Report (APR) for 2005 – 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

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

Measurement: Percent = [(# of preschool children with IEPs who received special education services in settings with typically developing peers) divided by the (total # of preschool children with IEPs)] times 100.

Table 6.1. Measurable and Rigorous Targets for Indicator 6.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	51 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2006 (2006-2007)	51.5 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2007 (2007-2008)	52 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2008 (2008-2009)	52.5 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2009 (2009-2010)	53 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.
2010 (2010-2011)	53.5 percent of preschool children with IEPs will receive special education services in settings with typically developing peers.

Actual Target Data for 2005 - 2006:

The NDDPI has met the Target set for the 2005-2006 school year.

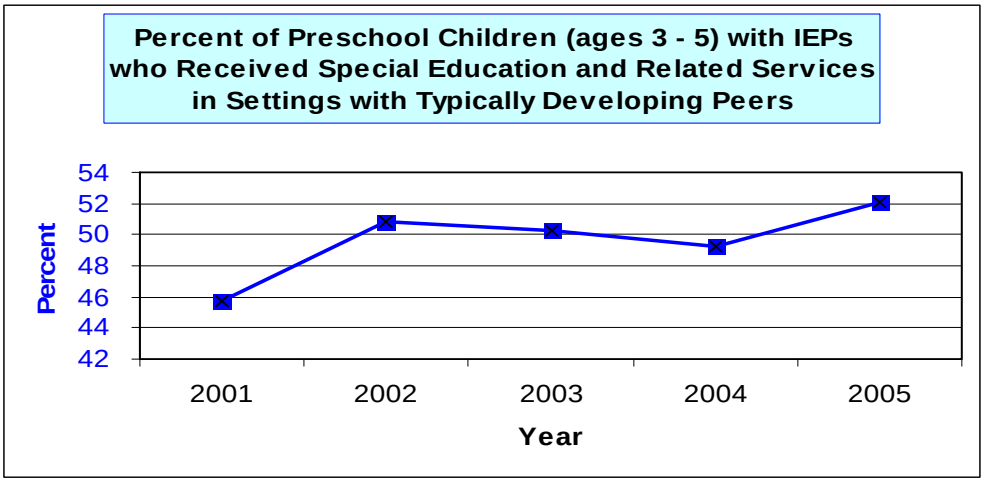


Figure 6.1. Percent of Preschool Children in Settings with Peers

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:

Progress: Based on the target set for 2005 - 2006 school year (see Table 6.1) North Dakota has met and surpassed the target of 51 percent of preschool children with IEPs who received special education services in settings with typically developing peers.

The data indicated in Figure 6.1 displays an increase in the total population of preschool children, ages 3-5, with IEPS who received special education and related services in settings with typically developing peers. In 2004 - 2005, 49 percent of preschool children, ages 3-5, received services with typically developing peers. This percentage increased to 52 percent in 2005 - 2006. As a frame of reference for these data, not only has the placement setting shifted, the total population of preschool children, ages 3-5 with IEPS decreased from 1,531 in 2004-2005 to 1,520 in 2005-2006.

Activities completed (several continue):

- Developed, provided training, and implemented statewide guidelines for identification and services for students with emotional disturbance including children in preschool.
- Provided training and implementation of Continuous Improvement Focused Monitoring System (now called Comprehensive School Improvement, CSI) for data analyses and improvement planning. Developed and implemented consolidated monitoring for improvement that includes all Federal programs.
- Supported ongoing personnel development projects in collaboration with state university training programs to increase the number of qualified special educators across the state. Increased support mentoring models (such as Resident Teacher) in preservice teacher preparation programs from two universities to three universities.
- Completed the ND Early Childhood Transition Guidelines and offered statewide training promoting the least restrictive environment for all students, including children in preschool.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:
Improvement Activities have been revised to add guidance and regional trainings related to the revised federal preschool LRE settings.

Part B State Annual Performance Report (APR) for 2005 – 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children 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:

A. Positive social-emotional skills (including social relationships):

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

If a + b + c + d + e does not sum to 100%, explain the difference.

B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):

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

If a + b + c + d + e does not sum to 100%, explain the difference.

C. Use of appropriate behaviors to meet their needs:

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

If a + b + c + d + e does not sum to 100%, explain the difference.

Table 7.1. Measurable and Rigorous Targets for Indicator 7.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	Initial targets will be established by Summer 2007 through data gathered from Part C and Part B in addition to school district internal monitoring data
2007 (2007-2008)	Incremental targets to be determined
2008 (2008-2009)	Incremental targets to be determined
2009 (2009-2010)	Incremental targets to be determined
2010 (2010-2011)	100 percent of preschool children with IEPs will 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

Indicator 7 is a new indicator. Data collection methods and/or baseline data has been revised in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: FAPE in the LRE

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

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

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

Table 8.1. Measurable and Rigorous Targets for Indicator 8.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	86 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2007 (2007-2008)	88 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2008 (2008-2009)	90 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2009 (2009-2010)	92 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
2010 (2010-2011)	94 percent of parents with a child receiving special education services report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

Indicator 8 is a new indicator. Data collection methods and/or baseline data has been revised in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 – 2006:

Questions pertaining specifically to parents of preschool children have been added to the Indicator 8. Data and baseline collected through the preschool survey will be available in the APR submitted February, 2008.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Disproportionality

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

Measurement:

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

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Table 9.1. Measurable and Rigorous Targets for Indicator 9.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	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.
2007 (2007-2008)	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.
2008 (2008-2009)	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.
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.

Indicator 9 is a new indicator. Data collection methods and/or baseline data has been updated in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Disproportionality

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

Measurement:

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

Include State's definition of "disproportionate representation."

Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.

Table 10.1. Measurable and Rigorous Target for Indicator 10.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	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.
2007 (2007-2008)	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.
2008 (2008-2009)	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.
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.

Indicator 10 is a new indicator. Data collection methods and/or baseline data has been updated in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline).
(20 U.S.C. 1416(a)(3)(B))

Measurement:

a. # of children for whom parental consent to evaluate was received.
b. # determined not eligible whose evaluations were completed within 60 days (or State established timeline).
c. # determined eligible whose evaluations were completed within 60 days (or State established timeline).

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

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

Table 11.1. Measurable and Rigorous Target for Indicator 11

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	100 percent of children with parental consent to evaluate were evaluated within 60 days.
2007 (2007-2008)	100 percent of children with parental consent to evaluate were evaluated within 60 days.
2008 (2008-2009)	100 percent of children with parental consent to evaluate were evaluated within 60 days.
2009 (2009-2010)	100 percent of children with parental consent to evaluate were evaluated within 60 days.
2010 (2010-2011)	100 percent of children with parental consent to evaluate were evaluated within 60 days.

Indicator 11 is a new indicator. Data collection methods and/or baseline data has been updated in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Part B State Annual Performance Report (APR) for 2005-2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

(The following items are to be completed for each monitoring priority/indicator.)

Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

Measurement:

a. # of children who have been served in Part C and referred to Part B for 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.

Account for children included in a but not included in b, c or d. 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)] times 100.

Table 12.1. Measurable and Rigorous Targets for Indicator 12.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	Initial targets will be established by Summer 2007 through data gathered from Part C and Part B in addition to school district internal monitoring data
2006 (2006-2007)	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.
2007 (2007-2008)	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.
2008 (2008-2009)	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.
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.

Actual Target Data for 2005 - 2006:

Initial targets will be established by Summer 2007 through data gathered from Part C and Part B in addition to school district internal monitoring data

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:

Table 12.2. Improvement Activities/ Timelines/Resources for Indicator 12.

Activities	Timelines	Resources
Develop training activities for Transition Guideline	Summer 2006	NDDPI, NDDHS, MPRRC, and NECTAC
Conduct Transition Guideline Regional Trainings	Fall 2006	NDDPI, NDDHS, MPRRC, and NECTAC
Follow up on regional training plans relating to Guideline Training	Spring and summer 2007	NDDPI and NDDHS
Develop and disseminate Indicator 12 Excel spreadsheet to LEA	Fall 2006	NDDPI
Internal monitoring by local education agencies	Ongoing	NDDPI and LEAs
Examine methods to compile and share Part C and Part B data electronically	Fall and Winter 2006-07	NDDPI and NDDHS

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:

The North Dakota Department of Human Services (NDDHS) currently collects data relating to Indicator 12 part "a" *number of children who have been served in Part C and referred to Part B for eligibility determination* and part "b" – *number of those referred to be not eligible and who eligibilities were determined prior to their third birthday.* Data relating to Indicator 12 part "c" *number of those found eligible who have an IEP developed and implemented by their third birthday,* is found within several data fields entered through the North Dakota Department of Public Instruction (NDDPI) Online Reporting System (ORS).

Because Part B and Part C data systems are incompatible, data is being shared through printed reports. To address this issue, the NDDHS and NDDPI submitted a Technical Assistance on State Data Collection – IDEA 04 General Supervision Enhancement Grant to the U. S. Department of Education. Through this grant, the NDDHS systems would have been revised to address the transition components of the IDEA 04 Part B and Part C, and a computerized program developed to share the data electronically. In April 2006, the NDDHS and NDDPI received notification that this grant was not funded.

Due to the denied General Supervision Enhancement Grant (GSEG) funding, the NDDPI has developed new strategies to gather data relating to all components of Indicator 12:

- Continue to utilize the NDDHS information relating to Indicator 12 (see Table 12.1)
- Develop and disperse an Excel spreadsheet to all school districts which requires ND school districts to track each component of Indicator 12 and report this information to the NDDPI (See Appendix A, Document 12.1).
- Incorporate questions relating to early childhood transition into the preschool/kindergarten the NDDPI web - based survey (See Appendix A, Document 12.2).
- Work with the NDDPI staff within the Management Information System (MIS) division to begin development of a computerized program to share data between the IDEA 04 Part B and Part C
- Incorporate Indicator 12 requirements with the NDDPI monitoring system. This system will be piloted with a small section of ND school districts during the 2007-08 school year.
- Embed Indicator 12 data requirements within the Online IEP to be piloted in 2008

Transition Guidelines

Through review of the NDDHS and NDDPI data and field surveys, it was determined that variances existed between ND regions in the percentage of children who were not eligible for Part B services at 3 years of age. This information was further analyzed to determine inconsistency in reasons for exit when children were determined to be ineligible for Part B and inconsistency in eligibility practices across special education units.

As stated in the NDDPI SPP relating to Indicator 12, the NDDPI and NDDHS facilitated meetings of the Early Childhood Guidelines Workgroup to develop joint guidelines that would address inconsistencies determined in the transition process from Part B to Part C.

The NDDPI and NDDHS worked with the National Early Childhood Technical Assistance Center, NECTAC, and the Mountain Plains Regional Resource Center (MPPRC) to develop the *Understanding Early Childhood Transition: A Guide for Families and Professionals* guideline.
Throughout 2005-06, the guideline workgroup established a list of essential components for the guideline along with common expectations for programs performance across the Part C, Early Intervention Programs, and local education agencies (LEAs). Parent and early childhood special education professionals were involved in the development of the guideline.
As part of the Guideline regional trainings, participants from each region will complete a school district plan for implementation and follow up relating to the Guideline. The NDDHS and NDDPI staff will follow up with each region regarding the plans. In addition to follow up visits, the NDDPI will review and compare pre and post Guideline training data to establish future need areas. This will be done by comparison of the NDDHS data and the NDDPI district internal monitoring spreadsheet data; input from the parent survey and unit monitoring data.

Review of Guideline Activities from June 30, 2005 to July 1, 2006

- Development of the *Understanding Early Childhood Transition: A Guide for Families and Professionals***,** through several small and large group meetings of members of the Early Childhood Guidelines Workgroup. These meetings took place through meetings held face to face, through the interactive video network and conference calls. MPRRC and NECTAC participated and facilitated most of these meetings along with key staff members from the NDDHS and NDDPI.
- Drafts of the Guidelines were reviewed by outside readers with expertise in the area of early childhood and special education
- Guidelines were completed June 2006 and a training plan was developed for fall 2006.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

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

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

Table 13. 1. Measurable and Rigorous Targets for Indicator 13.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2006 (2006-2007)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2007 (2007-2008)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2008 (2008-2009)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2009 (2009-2010)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.
2010 (2010-2011)	100 percent of youth aged 16 and above will have an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.

Indicator 13 is a new indicator. Data collection methods and/or baseline data has been revised in the

current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:

The plan described in the 2004-2005 SPP to achieve baseline data for the 2006-2007 school year, Special Education Units were to be given two new quality indicators to include in their internal monitoring probes and would be requested to provide a tally per IEP per district by June 30, 2007. The two indicators were: 1) The student has measurable post secondary goals related to: Training, Education, Employment, and Independent living; and 2) The Transition Services (including courses of study), are a coordinated measurable set of activities that will assist the student in meeting the post-secondary goals. Due to new information developed and disseminated through the National Secondary Transition Technical Assistance Center this plan has been revised. The NDDPI is now using the 6 question Transition Requirements checklist as the data collecting and training method for this indicator. For detailed description and information, please see the current North Dakota State Performance Plan (website above).

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

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

Measurement: Percent = [(# of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school) divided by the (# of youth assessed who had IEPs and are no longer in secondary school)] times 100.

Table 14.1. Measurable and Rigorous Targets for Indicator 14.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	Baseline, targets and improvement activities are not due until the 06-07 APR to be submitted February 1, 2008.
2007 (2007-2008)	
2008 (2008-2009)	
2009 (2009-2010)	
2010 (2010-2011)	

Indicator 14 is a new indicator. Data collection methods and/or baseline data has been revised in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be

addressed in the next Annual Performance Report, submitted on February 1, 2008.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:
The plan described in the 2004-2005 SPP to achieve 100 percent participation in the Online Follow-up Survey has been revised. It was planned to collect contact information through the Online Exit Survey. However, the Online Exit Survey supplied contact information for only approximately 55 - 60 percent of the students exiting each year. In order to meet the requirement of this indicator, the NDDPI has revised the process for compiling contact information for the Online Follow-up Survey. Detailed description and information please see the current North Dakota State Performance Plan (website above).

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / General Supervision

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

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

Measurement:

Percent of noncompliance corrected within one year of identification:

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

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

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

Table 15.1. Measurable and Rigorous Targets for Indicator 15a and 15b.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent noncompliance will be corrected within one year of identification.
2006 (2006-2007)	100 percent noncompliance will be corrected within one year of identification.
2007 (2007-2008)	100 percent noncompliance will be corrected within one year of identification.
2008 (2008-2009)	100 percent noncompliance will be corrected within one year of identification.
2009 (2009-2010)	100 percent noncompliance will be corrected within one year of identification.
2010 (2010-2011)	100 percent noncompliance will be corrected within one year of identification.

Actual Target Data for 2005 - 2006:

Target data for the 2005-2006 school year: 94.40%.

Table 15.I. Monitoring Priority: Effective General Supervision Part B Data for FFY 2005 -2006

Monitoring Priority: Effective General Supervision Part B		
Indicator	Measurement Calculation	Explanation
Indicator 15, part A: Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification: A. # of findings of noncompliance made related to monitoring priority areas and indicators B. # of corrections completed as soon as possible but in no case later than one year from identification.	Calculation chart identifying specifics of indicator 15 attached (See explanation). A. 4395 B. 4149 C. (B/A) multiplied by 100 equals 94.40% compliance with verified correction in within one year of identification.	Table 5.2 displays Compliance data and Table 5.4 displays Internal Monitoring results. Data from each of these tables were used to calculate the results for this Indicator. Table 5.3 displays Performance data based on the new indicators of the SPP. The percent of identified non-compliance corrected within one year is 94.40%. Technical assistance and policy review were used to correct non-compliance and coordinated by the state special education unit. The two instances of non-correction within the given timelines were part of the complaint/ mediation indicators. In both cases, the parties involved were unable to reach agreement or determined that mediation was not going to create an agreement. This rate of compliance was an increase over the previous year's rate of compliance which was 83.00% and is more in line with the state performance plan goal of 100% compliance annually.

Table 15.2. Compilation of Compliance Indicators.

Indicator	# Reviewed	# with Findings	A. # of Findings	B. # Corrected w/in 1 yr.	% Corrected w/in 1 yr.
4.b. Rates of suspension and expulsion. (race/ethnicity)	199	2	2	2	100%
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is a result of inappropriate identification.	199	6	6	New indicator. Corrective actions are in place.	
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.				New indicator. Corrective actions are in place.	
11. Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days.				New indicator. Corrective actions are in place.	
12. Percent of children referred by Part C prior to age 3 have an IEP developed and implemented by their third birthday.				New indicator. Corrective actions are in place.	
13. Percent of youth aged 16				New indicator.	

Indicator	# Reviewed	# with Findings	A. # of Findings	B. # Corrected w/in 1 yr.	% Corrected w/in 1 yr.
and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.				Corrective actions are in place.	
15. General supervision system identifies and corrects non-compliance as soon as possible but in no case later than one year from identification					
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.	8	1	1	1	100%
17. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.	2	0	0	0	100%
20. State reported data (618, State Performance Plan, and Annual Performance Report) are timely and accurate.	2230	203	203	168	82.7%

Table 15.3. Compilation of Performance Indicators.

Indicator	Targets Met
1. Percent of youth with IEPs graduating from high school with a regular diploma.	NA
2. Percent of youth with IEPs dropping out of high school.	NA
3. Participation and performance of children with disabilities on statewide assessments.	A) Reading: No, Math: No; B) Reading: Yes, Math: Yes; C) Reading: No, Math: Yes
4.a.. Rates of suspension and expulsion. (all)	Yes
5 Percent of children with IEPs aged 6 through 21—educational placement.	Yes
6. Percent of preschool children who received special education and related services in settings with typically developing peers.	Yes
7. Percent of preschool children with IEPs who have demonstrated improved social emotional skills, knowledge acquisition skills, and use appropriate behaviors to meet their needs.	Not Applicable – collecting baseline data
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.	Yes
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both within one year of leaving high school.	Not Applicable – collecting baseline data
18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.	Not Applicable – collecting baseline data
19. Percent of mediations held that resulted in mediation agreements.	Not Applicable – collecting baseline data

Table 5.4. Compilation of Internal Monitoring Data

Unit Name and Number of Districts	Date of Monitoring	Number of Noncompliance	Noncompliance Corrected within One Year
Dickey/LaMoure (5 districts)	May, 2006	21 issues	100%
Buffalo Valley (6 districts)	June, 2005	3	100%
Grand Forks (2 districts)	June, 2005	117	100%
Sheyenne Valley (6 districts)	April 2005 & May 2005	3	66%
Oliver-Mercer (5 districts)	April 2006 & June, 2006	10	100%
Dickinson (1 district)	June, 2005	4	100%
Southwest (4 districts)	February, 2006	3	100%
Upper Valley (10 districts)	May, 2005	5	100%
West River (16 districts)	January-March 2006	4	100%
Wilmac (13 districts)	May, 2006	7	100%
Turtle Mountain (2 districts)	2005-2006	Multiple	BIA data. Ongoing effort via the BIA with DPI support.
Souris Valley (20 districts)	2005-2006	7	100%
Peace Garden (10 districts)	2005-2006	4	100%
Fargo (1 district)	2005-2006	10	100%
Rural Cass (4 districts)	2005-2006	11	100%
South Valley (12 districts)	2005-2006	7	100%
West Fargo (1 district)	February 2006	10	100%
Wahpeton (1 district)	May-June 2006	N/A	
Bismarck (1 district)	May 2006	14	100%
Emmons (4 districts)	January 2006	26	100%
Morton Sioux (1district)	Jan to May 2006	4	100%
South Central Prairie (11 district)	May 2006	52	100%
Standing Rock (1 district)	April 2006	25	100%
Lake Region (14 districts)	March 2006	51	100%
Pembina (5 districts)	June 2006	38	100%
GST (8 districts)	June 2006	Multiple in 5 areas	100%
Fort Totten (1 district)	June 2006	Multiple in 4 areas	100%
East Central (15 district)	June 2006	Multiple in 1 areas	100%
Total	Jan – June 2006	**2165 items/areas**	98.69%

Table 15.2, 15.3, and Table 5.4 are included as a demonstration of general supervision monitoring for the 2005-2006 school year.

In the letter from the U. S. Department of Education, Office of Special Education Programs (OSEP) received by the NDDPI in November, 2006 OSEP wrote: "*OSEP supports NDDPI's efforts to focus on improved educational results and outcomes for children with disabilities. Its emphasis on improved learning outcomes is consistent with the intent of IDEA as well as NCLB. It has been OSEP's experience that North Dakota has had a high level of IDEA compliance.*"

Two methods to disaggregate the data were used for the 2005-2006 school year; desk review and self-assessment. A desk review is a review of all required or requested data and information submitted by a plant, district, or special education unit. A self-assessment is the data summary of specific compliance information submitted from local school districts to the NDDPI.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:
In response to OSEP's November 2006 verification visit letter that the NDDPI should "ensure that its monitoring procedures are adequate to identify noncompliance with Part B requirements by all LEAs in the state and to correct identified noncompliance within one year of identification, with a particular emphasis on monitoring priority areas and indicators that are most closely related to improving

educational results and functional outcomes for all children with disabilities in the state," the NDDPI worked with the MPRRC to revise and expand its monitoring procedures. These procedures are attached to the APR in the *ND Special Education IDEA Local Level Internal Monitoring Procedures* found in the separate pdf. attachment. These procedures have been developed for the school year 2006-2007 for use during this transition period before the web-based case management system is operational. As discussed with the OSEP verification visit team, the NDDPI is currently in the process of developing a statewide web-based special education case management system. It will permit the NDDPI and local school administrators to more thoroughly and efficiently review a significantly higher number of individual student records. It is scheduled that this statewide system will be operational for the 2008-2009 school year.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:
The changes in the SPP are reflective of the timeline changes of the NDDPI's plans to field develop and implement a comprehensive system of monitoring for all NDDPI state and federal education programs. The original timeline included a field test and implementation in one education consortium beginning in the fall 2006. However, this plan was postponed to February 2007. The purpose of the postponement was to ensure all the NDDPI staff understood the comprehensive monitoring system and involve them more directly in the development process than previously planned.

The third SPP improvement activity, 'Implementation of new monitoring/school improvement system' has been expanded to include the FFY 2007 - 2008 school year. In February, 2007, a field test implementation will take place in one area education agencies that has 17 member school districts. The implementation in the other 8 area education agencies will occur in the following fall (FFY 2007) through the spring of the same school year. Full implementation and practice throughout North Dakota will occur in FFY 2008.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

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.

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

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

Table 16.1. Measurable and Rigorous Targets for Indicator 16.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2006 (2006-2007)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2007 (2007-2008)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2008 (2008-2009)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2009 (2009-2010)	100 percent of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extended 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 have documentation of a timeline extended for exceptional circumstances.

Actual Target Data for July 1, 2005 – June 30, 2006

The NDDPI has met the Target set for the 2005-2006 school year.

Table 16. 2. Signed Written Complaints

(1) Total signed written complaints	8
(1.1) Complaints with reports issued	8
(a) Reports with findings	6
(b) Reports within timeline	7
(c) Reports within extended timeline	1
(1.2) Complaints withdrawn or dismissed	0
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

The NDDPI maintained 100 percent of signed written complaints with reports issued within the 60-day timeline, or that have documentation of a timeline extended for exceptional circumstances. Of the 8 that were investigated between July 1, 2005 and June 30, 2006, seven were investigated with a report issued within 60 days and one was investigated with a report issued within 61 days. The one that was granted an extension of one additional day resulted because of a request from the complaint investigator to hold a face-to-face meeting with the complainant prior to issuing the final report. The complainant agreed to this meeting and the extension.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for *2005-2006:*

Progress: The NDDPI has met the Target set for the 2005-2006 school year.

The NDDPI has a Complaints Manual that is in the process of being revised. This manual explains the complaint process to interested individuals. When parents request information on how to file a complaint, the NDDPI Dispute Resolution Coordinator discusses the many dispute resolution options available through the State Office. The parents are assisted in framing issues and in exploring the dispute resolution option best suited to their individual situation. The parents are referred to other individuals who may assist them, such as with the local special education case manager or director, or Protection and Advocacy.

If a parent opts to file a complaint, the NDDPI sends a copy of the procedural safeguards, the complaint process manual and a letter outlining how a complaint must be filed in order to initiate the complaint investigation process. Once received, if the complaint does not meet the criteria for a formal complaint (i.e., address not included; not signed by the complainant) the complainant is given an opportunity to correct or clarify the areas in question and resubmit the complaint. Parents are typically referred to Protection and Advocacy for assistance. Once the formal complaint is received by both the SEA and the LEA, the complaint investigation and required (60-day) timeline are initiated. A complainant may withdraw their letter of complaint at any time prior to the 60 day deadline for investigation. This request must be in writing to the Director of Special Education, requesting the original complaint be withdrawn.

Mediation is offered as soon as a complaint is received, but may be accessed earlier if the conflict is made known to the Department prior to a formal complaint is filed. Upon completion of interviews and review of pertinent documents, the investigator meets with the complaint team. The complaint team consists of the investigator, the director or assistant director, the regional coordinator responsible for that district, and, if necessary, a coordinator with expertise in the disability area. The investigator then writes the complaint investigation report. A complaint investigation report may or may not contain corrective actions depending on the outcome of the investigation. The NDDPI sends a final complaint closure letter to all parties when all complaint corrective actions are completed to the expectation of the NDDPI Regional Coordinator.

NDDPI provided training and technical assistance in the new IDEA 04 Procedural Safeguards:

- to the local district and unit special education directors at the 2005 Fall Leadership Institute;
- to parents at the spring 2006 PTI-Pathfinders conference;
- by submitting new statutes and regulations relative to IDEA 04 on the NDDPI website;
- by providing a summary of the IDEA 04 procedural safeguard changes as a supplemental page to the

existing Procedural Safeguards manual – this manual is in process of being updated comprehensively.

The NDDPI continues to revise guidance documents and to develop and revise model forms to meet new IDEA 04 requirements.

Data for the 2005-2006 dispute resolution reporting period is reviewed and compared to other compliance indicators for determining systemic issues.

The 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 specific to applicable regions are being instructed as to how to follow corrective actions, document relevant correspondence and ensure prompt verification from districts that are found in violation of IDEA 04 of their corrective action activities.

The NDDPI will expand resource materials to more varied formats as the newly updated documents are developed.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005-2006:

Data collection will occur through an internal Department level database rather than through the statewide Online Reporting System, which collects data from each school district in North Dakota. It was determined that because the complaint numbers are not significant, the dispute resolution data would best be collected internally and by way of comparing longitudinal data with data from the focused monitoring results.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

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

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

Table 17.1. Measurable and Rigorous Targets for Indicator 17.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2006 (2006-2007)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2007 (2007-2008)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2008 (2008-2009)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2009 (2009-2010)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances.
2010 (2010-2011)	100 percent of due process hearing decisions will be fully adjudicated and completed within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances.

Actual Target Data for 2005-2006

The NDDPI has met the Target set for the 2005-2006 school year.

Table 17.2. Hearing Requests

(3) Hearing requests total	2
(3.1) Resolution sessions	1
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	2
(c) Decisions within timeline	1
(b) Decisions within extended timeline	1
(3.3) Resolved without a hearing	0

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005-2006:

Progress: The NDDPI has met the Target set for the 2005-2006 school year.

The NDDPI's Due Process Manual is in the process of being revised to reflect the IDEA 04 regulations. The manual explains the due process hearing procedures to interested individuals. When parents request information on how to file a complaint, the NDDPI dispute resolution coordinator discusses the many dispute resolution options available through the State. The parents are assisted in framing issues and in exploring the dispute resolution option best suited to their individual situation. The parents are referred to other individuals who may assist them, such as with the local special education case manager or director, or Protection and Advocacy.

Either a parent or a public education agency may request a due process (DP) hearing regarding the identification, evaluation, placement or the provision of a free appropriate public education (FAPE) of a student with a disability. NDDPI has a single tier due process system. Once the DP request is accepted through the NDDPI and received by the other party, it is sent to the Office of Administrative Hearings (OAH), which will select an Administrative Law Judge (Impartial Hearing Officer (IHO)) to be appointed. The IHO has the responsibility to be impartial, not to be employed by an agency involved with the care or education of the child, or a school board official, and who is knowledgeable about the legal and educational issues which may arise under Part B of the Individuals with Disabilities Education Act in connection with the matters in dispute at a hearing initiated pursuant to this regulation. Once the due process complaint is received by both the SEA and the LEA, the parties are informed that they must participate in a resolution session before a due process hearing can be initiated. The parties are also informed that they may agree to resolve the issues through mediation or waive their right to a resolution session (in writing). If the issues have not been resolved within thirty days from receipt of the complaint, the due process 45-day timeline is initiated. A final report is sent to the NDDPI once a decision has been made.

Mediation is offered as soon as a complaint is received, but may be accessed earlier if the conflict is made known to the Department prior to a formal complaint is filed.

Of the two due process hearings requested during 2005-2006, both were fully adjudicated and only one participated in a resolution session, which did not result in an agreement. One due process hearing occurred within the 45-day timeline. The second was granted a documented extension by the hearing officer. That extension resulted in a 5 month delay. As a result, the NDDPI communicated concern to the OAHs and it was agreed that for any new due process hearings, extensions would be granted in 45-day increments, or less if appropriate.

The NDDPI will continue to meet the 100 percent requirement for all due process hearing decisions and reports to be issued within the 45-day timeline, or have documentation of a timeline extended for exceptional circumstances. The NDDPI will continue use of early dispute resolution processes.

The NDDPI activities continue to focus on improved tracking methods, data collection, database structures and maintenance procedures, and improve follow-up procedures.

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. Once the resource materials are updated to reflect the IDEA 04 changes, these materials will be made available in Spanish and alternate formats, as appropriate.

The NDDPI provided training directors of special education on the new IDEA 04 statutory requirements (pre regulations) during the Fall 2005 Leadership Institute.

The NDDPI also provided training on the IDEA 04 Procedural Safeguards to parents through the ND PTI Pathfinders Annual Spring Conference (pre-regulations) and will volunteer to provide new updates on the IDEA 04 federal regulations again during the spring 2007 conference.

If systemic issues are identified through dispute resolution data, the NDDPI will focus monitoring efforts on that school district. Identification will be combined with training in the areas of concern.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005-2006

Data collection will occur through an internal Department level database rather than through the statewide Online Reporting System, which collects data from each school district in North Dakota. It was determined that because the complaint numbers are not significant, the dispute resolution data would best be collected internally and by way of comparing longitudinal data with data from the focused monitoring results.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

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

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

Table 18.1. Measurable and Rigorous Targets for Indicator 18.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	30 percent of Resolution Sessions will be facilitated successfully (see discussion above).
2006 (2006-2007)	35 percent of Resolution Sessions will be facilitated successfully.
2007 (2007-2008)	40 percent of Resolution Sessions will be facilitated successfully.
2008 (2008-2009)	45 percent of Resolution Sessions will be facilitated successfully.
2009 (2009-2010)	50 percent of Resolution sessions will be facilitated successfully.
2010 (2010-2011)	50 percent of Resolution sessions will be facilitated successfully.

Indicator 18 is a new indicator. Data collection methods and/or baseline data has been updated in the current North Dakota State Performance Plan http://www.dpi.state.nd.us/speced/general/perfplan.pdf Comparison and discussion of baseline data and annual target data for this new indicator will be addressed in the next Annual Performance Report, submitted on February 1, 2008.

Part B State Annual Performance Report (APR) for 2005-2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

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

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

Table 19.1. Measurable and Rigorous Targets for Indicator 19.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	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.
2006 (2006-2007)	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.
2007 (2007-2008)	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.
2008 (2008-2009)	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.
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.

Actual Target Data for 2005-2006

The NDDPI has maintained the Target set for the 2005-2006 school year.

Table 19.2. Mediation Requests

(2) Mediation request total	7
(2.1) Mediations	4
(a) Mediations related to due process	0
(i) Mediation agreements	0
(b) Mediations not related to due process	4
(i) Mediation agreements	3
(2.2) Mediations not held (including pending)	3

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005-2006:

Progress: The NDDPI has maintained the Target set for the 2005-2006 school year.

The NDDPI is currently updating the Mediation manual to reflect the IDEA 04 federal regulations. NDDPI offers mediation whenever conflict between a parent and school exists or when a complaint is filed. Either the parents or school district may request mediation. Mediation may occur on any issue considered appropriate for a due process hearing or complaint investigation. The NDDPI's current mediation manual informs parties that mediation may occur prior to or concurrently with a request for a due process hearing or the filing of a complaint but that it may not interfere with the right to a due process hearing. Once the parents and school district agree to mediation, each party completes an *Agreement to Mediate* form. If one party declines to participate in mediation, all efforts to resolve conflict via mediation end. The NDDPI submits to both parties a list of three certified mediators with a brief biography of each. Each party eliminates one name from the list of three; if both parties eliminate the same name, the NDDPI appoints one of the two remaining names. If each party eliminates a mediator, the remaining mediator is assigned. To ensure objectivity, the mediator is given only the *Agreement to Mediate* forms submitted by the parties. Mediators are selected to be available to the NDDPI on the basis of these qualifications: sensitivity to cultural, linguistic and class differences; neutrality; knowledge of the process of mediation; fundamental understanding of IDEA 04 requirements; and appropriate personal communication skills.

The parties determine the terms of the agreement and, if the parties agree, the mediator puts the agreement in writing. At the conclusion of the session, each party receives a copy. If mediation results in an agreement that would require changes to a student's IEP, the NDDPI recommends to the parties that an IEP team meeting be convened as soon as possible to consider incorporating some or all elements of the agreement into the student's IEP. If agreement is not reached, the mediator will certify to the parties, in writing, that the mediation has been unsuccessful.

NDDPI issues a mediation exit survey immediately following the mediation as part of continuous improvement process.

NDDPI received seven mediation requests during the 2005-2006 school year. Of those seven, two were declined by the other party and one was withdrawn. Of the four that went to mediation, three resulted in agreement. The mediation that did not result in an agreement was a long standing conflict between two agencies (Head Start and a Special Education Unit). Of the four cases that went to mediation, none of them were related to due process. Two of the four mediations were regarding placement, one dealt with transportation, and one was between two school districts relative to residency determination.

Although the number of annual mediations has not changed significantly over the last several years, there has been a new focus on early intervention 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.

The NDDPI continues to revise guidance documents and to develop and revise model forms to meet new IDEA 04 requirements. The NDDPI will expand resource materials to more varied formats as the newly

updated documents are developed.

The NDDPI has provided training and technical assistance in the new IDEA 04 Procedural Safeguards:

- to the local district and unit special education directors at the 2005 Fall Leadership Institute;
- to parents at the spring 2006 PTI-Pathfinders conference;
- to the IDEA 04 Advisory Committee;
- on the NDDPI website;
- by providing a summary of the IDEA 04 procedural safeguard changes as a supplemental page to the existing Procedural Safeguards manual – this manual is in process of being updated comprehensively.

The NDDPI analyzes the dispute resolution data by district, disability, age, race, and across dispute resolution options. Dispute resolution data is also reviewed and compared to other compliance indicators for determining systemic issues.

Follow-up mediation surveys were completed this fall and will be utilized a part of the mediation follow-up process. Three months following a mediation that resulted in agreement, a follow-up survey is sent to the parties. The information from the surveys will be used in training mediators in areas that result in more effective agreements.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005-2006

Data collection will occur through an internal Department level database rather than through the statewide Online Reporting System, which collects data from each school district in North Dakota. It was determined that because the complaint numbers are not significant, the dispute resolution data would best be collected internally and by way of comparing longitudinal data with data from the focused monitoring results.

Part B State Annual Performance Report (APR) for 2005 - 2006

Overview of the Annual Performance Report Development:

See Indicator 1 for complete overview.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

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

Measurement:

State reported data, including 618 data and annual performance reports, are:

a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and
b. Accurate (describe mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met).

Table 20.1. Measurable and Rigorous Targets for Indicator 20.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 percent of required data reports will be accurately completed and submitted on time.
2006 (2006-2007)	100 percent of required data reports will be accurately completed and submitted on time.
2007 (2007-2008)	100 percent of required data reports will be accurately completed and submitted on time.
2008 (2008-2009)	100 percent of required data reports will be accurately completed and submitted on time.
2009 (2009-2010)	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.

Actual Target Data for 2005 - 2006:
Required data reports are submitted to the U.S. Department of Education on or before due dates (February 1 for Child Count and LRE; November 1 for Exiting, Suspension/Expulsion, and Personnel; and February 1 for Annual Performance Reports.)

On October 31, 2005, the NDDPI was notified by the U.S. Office of Planning, Evaluation and Policy Development (OPEPD) that it is one of the first states to be excused from traditional reporting of data to the U.S. Department of Education. Due to the high quality and accuracy of the Education Data Exchange Network (EDEN) submissions for the school year 2003-04, North Dakota has been qualified to supply the data for the Report of Children with Disabilities Exiting Special Education during the School Year exclusively through the EDEN. As of the school year 2005-06, North Dakota has been identified as an "EDEN Only" state meaning that the state is able to submit all reports currently available for EDEN submission. Currently, North Dakota is submitting Child Count, Educational Environment, and Exiting data via EDEN. Additionally, North Dakota is prepared to submit Personnel and Suspension/Expulsion data through EDEN during the school year 2007-08.

Data for Indicators 1 and 2 remain incomplete at the time of FFY 2006 APR submission. See explanation of slippage for collection of graduation and drop out data, Indicators 1 and 2.

The Office of Special Education at NDDPI has a wide range of oversight responsibilities to students, parents, and school personnel in North Dakota, as well as reporting requirements to the U.S. Department of Education. Recognizing these responsibilities, the Office of Special Education believes the "Statewide Web Based Special Education Case Management System" will enhance the accuracy and delivery of education to students in North Dakota. Consistent with the goals of IDEA 04, the web based IEP system, housed within the web-based case management system, will accomplish the following:

- Create a uniform Individualized Education Program (IEP) model that will be used statewide. This model will increase procedural compliance, while providing a better format in defining a student's educational program.
- Reduce the paperwork burden of school personnel at all levels: plant, district, unit, and state.
- Increase communications by providing web-based access to the IEP for parents.
- Reduce training costs and rewrite costs by maintaining one statewide system instead of multiple and varied district and special education unit systems.
- Increase federal reporting accuracy by utilizing data that are inputted by personnel closest to the data's source.
- Automate the Student Contract process for "high cost" special education students, allowing for increased fiduciary oversight and improved efficiency.

The NDDPI office of special education consistently documents the timely completion of IDEA 04 complaint investigation reports, due process hearings, and mediations, and submits required data reports (Annual Performance Report, Sec. 618) to the U.S. Department of Education on or before required deadlines.

Discussion of Baseline Data:
As described in the Overview of Issue/Description of System or Process, the NDDPI continues efforts to improve statewide data collection systems that will ensure accuracy. The continued development and eventual implementation of a web-based IEP system will support these efforts. In addition refinement of data collection for graduation and drop-out, suspension and expulsion, family involvement, preschool outcomes, secondary transition, and evaluation completion timelines will continue and be linkable to NDDPI's new State Automated Reporting System (STARs), which will be discussed in detail under *Improvement Activities*.

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2005 - 2006:

Slippage: The NDDPI special education collects graduation and drop-out data from North Dakota schools through the Standards and Achievement Unit of NDDPI. Due to an unavoidable delay in data collection and completion in that unit's graduation and dropout report, the data submitted are incomplete. At the time of submission of this ND APR, there are still 30 school districts that have not submitted the required data. See Indicators 1 and 2 for full description. The director of Standards and Achievement indicated that reports would be complete by March 1, 2007. At that time, the NDDPI special education

office will submit complete reports for Indicators 1 and 2.

Improvement Activities:
In the past years, North Dakota had made some forward progress in the implementation of an electronic data collection system incorporating a "Special Education Membership Report". However, as comprehensive statewide longitudinal data is critically necessary to meet local user needs, as in a local report card for special education, it was determined that two fully functional components were needed to implement a new Longitudinal Data System: 1) A complete restructuring of the current web-based electronic data collection system and 2) Deployment of "Data-on-Demand" for current and future data warehouses.

As acknowledged in the OSEP verification letter, November 3, 2006, NDDPI's data collection and analysis is a shared responsibility within three NDDPI units: Special Education, Management Information Systems, and Standards and Achievement. The current web-based electronic data collection system is named "ORS" for Online Reporting System. The ORS, was designed in 1998 for the 1998-1999 school year, and though very successful, was originally intended only to facilitate the electronic collection of data to replace paper forms. The new system in development, State Automated Reporting System (STARs) will increase the capacity to provide Federal reporting efforts through National Center for Education Statistics (NCES), Common Core of Data (CCD), OSEP, EDEN, NCLB, and others.

The system is designed to be highly functional, accessible, and user-friendly and will allow for one source maintenance of data usable by multiple sources. Additionally, STARs will be linked to the future electronic Case Management System (including the IEP), thus allowing increased and immediate potential for crosschecking and monitoring data submitted from local programs and analyzing program needs based on immediately available data. The new system will also eliminate the use of obsolete computer language and knowledge structures allowing for greater compliance with multiple systems within local programs. The STARs data system is based upon an improved architecture that will allow the NDDPI to fully support federal reporting through EDEN. Due to improved validations, the system will also increase accuracy and effectiveness for North Dakota's multi agency performance data collection, analysis, and reporting requirements. Finally, STARs will upgrade the performance of data reporting and query of student-level performance data for the school districts, special education units, and the State.

All Units within the NDDPI will be utilizing STARs by the end of 2007. The STARs will be deployed for special education data on April 16, 2007 and training for local programs will be complete that summer. On-going technical assistance to programs uploading data from locally developed software will be available through the Management and Information Systems unit of the NDDPI.

Improvement Activities also include:
Implementing the Comprehensive School Improvement system to ensure necessary data is collected in a timely manner for all NDDPI units.
Training for school districts staff who are responsible for entering student record data.
Individual technical assistance to the school districts staff as needed.
Development of the web-based Case management System to be used statewide.
Further refinement of state reporting system (STARs).

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2005 - 2006:

APPENDIX A

Documents Relating to Indicator 12

Document 12.1

Instructions for Completing Indicator 12 – Early Childhood Transition Form
Information gathered from August 1, 2006 through July 31, 2007

Column A – Special Education Unit
Column B – Home School District
Column C - # *referred by C to B for Eligibility*
Enter the number of children who have been served in Part C and referred to Part B for eligibility determination from August 1, 2006 through July 31, 2007
Column D - # *determined NOT B eligible prior to 3rd b-day*
Enter the number from Column C who were determined NOT Part B eligible prior to their third birthday
Column E - # *eligible for B w/IEP by 3rd b-day*
Enter the number from Column C who were determined Part B eligible and who had an IEP developed and implemented by their third birthday
Column F - # *with eligibility determination delayed beyond 3rd b-day*
Enter the number from Column C who were served in Part C and referred to Part B but eligibility determination was delayed beyond the child's third birthday
Column G – *Range of days determination of eligibility was delayed beyond 3rd b-day*
Of the number from Column F, enter the range of days of the delays to determine eligibility beyond the third birthdays. The range of days should include one response which includes all Part B eligible preschool children in the district whose eligibility determination was delayed beyond their third birthdays, e.g 1 to 35 days delayed
Column H - # *delay due to parent refusal to consent*
Of the # from Column F whose eligibility determination was delayed, enter the number for whom parent refusal to consent caused delays in evaluation or initial services.
Column I – *Other Reasons for delays*
Of the number from Column F whose Part B eligibility determination was delayed beyond their third birthday, provide a summary list of the reasons for delays, e.g. child was ill, family crisis. Do not include parent refusal to consent in this column.
Column J - # *referred with no eligibility determination*
Enter the number from Column C who were not found in Column D, E, or F. These will be the students in which no eligibility determination was made.
Column K – *Why no determination*
Of the number from Column J, provide a summary list of the reasons that no determination was made, e.g. deceased, moved out of state, withdrawn by parent

Special Ed. Unit	Home School District	# referred by C to B for eligibility	# determined NOT B eligible prior to 3rd b-day	# eligible for B w/IEP by 3rd b-day	# with eligibility determination delayed beyond 3rd b-day	Range of days determination of eligibility was delayed beyond 3rd b-day	# delay due to parent refusal to consent	Other reasons for delays	# referred with no eligibility determination	Why no determination