



NEW MEXICO SPECIAL EDUCATION ACCOUNTABILITY SYSTEM:

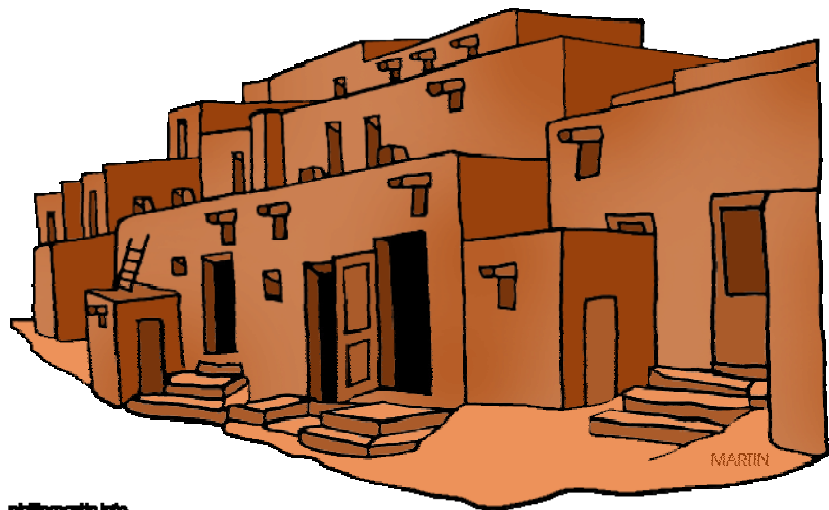
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- NMPED Deputy Secretary of Finance and Operations
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- NMPED Instructional Support Division Staff
- NMPED Quality Assurance and Systems Integration Division
- NMPED Priority Schools Bureau
- NMPED Special Education Bureau Staff
- New Mexico State Individuals with Disabilities Education Act (IDEA) Advisory Panel
- New Mexico Charter Schools
- Parents Reaching Out (PRO)

For further information or to obtain copies of this document, go to [http:// www.ped.state.nm.us/seo/index.htm](http://www.ped.state.nm.us/seo/index.htm)

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Definition of Acronyms

1. APR – Annual Performance Report
2. AYP – Adequate Yearly Progress
3. CAP – Corrective Action Plan
4. COSF – Child Outcome Summary Form
5. CRT – Criterion Reference Test
6. DDPC – Developmental Disabilities Planning Council
7. DOH – Department of Health
8. DPHO – Due Process Hearing Officer
9. ECHO – Early Childhood Outcomes
10. EOY – End of Year
11. EPPS – Educational Plan for Student Success
12. FAPE – Free Appropriate Public Education
13. FFY – Federal Fiscal Year
14. IDEA – Individuals with Disabilities Education Act
15. IEP – Individualized Education Program
16. LEA – Local Education Agencies
17. LRE – Least Restrictive Environment
18. NCLB – No Child Left Behind
19. NEREC – Northeast Regional Education Cooperative
20. NMAC – New Mexico Administrative Code
21. NMPED – New Mexico Public Education Department
22. NMSBA – New Mexico Standards Based Assessment
23. OSEP – United States Department of Education Office of Special Education Programs

24. PRO – Parents Reaching Out
25. REC – Regional Education Cooperative
26. SEAS –Special Education Accountability System
27. SEB – Special Education Bureau
28. SETAT – Special Education Technical Assistance Team
29. SPDG – State Personnel Development Grant
30. SPP – State Performance Plan
31. SSEP – State Supported Educational Program
32. STARS – Student Teacher Accountability Reporting System
33. TA – Technical Assistance

Introduction from the State Director

On December 2, 2004, the reauthorized Individuals with Disabilities Education Act (IDEA) went into effect. The reauthorized IDEA placed greater accountability on State Education Agencies (SEAs) and Local Education Agencies (LEAs) in the areas of compliance with the law, performance of students with disabilities, and the timely, accurate, and reliable reporting of data.

As a result of the reauthorization, the components of a State's system of General Supervision were revised and additional components were added. A successful system of General Supervision includes the following mechanisms:

1. State Performance Plan
2. Policies, Procedures, and the Effective Implementation
3. Data on Processes and Results
4. Targeted Technical Assistance and Professional Development
5. Effective Dispute Resolution
6. Integrated Monitoring Activities
7. Improvement, Corrections, Incentives, and Sanctions
8. Fiscal Management

In December 2005, every state was required to submit a State Performance Plan (SPP) to the United States Department of Education Office of Special Education Programs (OSEP). The SPP included a combination of 20 Results and Compliance Indicators established by OSEP that spans six fiscal years (2005 – 2006 through 2010 - 2011). The SPP evaluates the State's efforts to implement the requirements and purposes of Part B of the IDEA and describes how the State will improve its implementation.

As part of the SPP, each state was required to set targets for each of the Indicators that did not have a target mandated by OSEP. Each year, every state must report its progress to OSEP and the public on the progress of students with disabilities in the state. Specifically, states must report, in their Annual Performance Report (APR), their progress in meeting the measurable and rigorous targets established in the SPP. Based on the information in the State's APR and any other information available, OSEP applies the following Determinations to States: (i) Meets Requirements of Part B of the Act, (ii) Needs Assistance in Implementing Part B of the Act, (iii) Needs Intervention in Implementing Part B of the Act; or (iv) Needs Substantial Intervention in Implementing Part B of the Act.

Included in the State's General Supervision, Monitoring, and Enforcement requirements under 34 CFR §§ 300.149 and 300.600, the State must review every district each year on the SPP Indicator performance. According to the IDEA, states are required to make "Determinations" annually on the performance of the LEAs. States must use the same four categories as OSEP, listed above, in making Determinations of the status of local programs.

On December 1, 2008 the IDEA regulations were amended requiring states to consistently apply the same enforcement mechanisms outlined in 34 CFR § 300.604, when assigning the annual Determinations. These enforcement mechanisms include:

- Technical assistance
- Conditions on funding of an LEA
- A corrective action plan or improvement plan
- Withholding funds, in whole or in part

The General Supervision and Accountability System is an evolving process. As a result of the reauthorization of IDEA, increased accountability at the state and local level, and changes in OSEP's Monitoring Priorities, New Mexico has moved from a Focused Monitoring System to an Accountability System. New Mexico's Special Education Accountability System (SEAS) monitors and reviews all LEAs' compliance and results data annually, is similar to the No Child Left Behind (NCLB) accountability system, and mirrors the LEA's Educational Plan for Student Success (EPSS) improvement plan process, takes into account the eight components of General Supervision listed above, and involves stakeholders (IDEA Panel) in the process.

The primary focus of the State's monitoring activities under 34 CFR § 300.600(b) must be on:

- Results
 - Improving educational results and functional outcomes for all students with disabilities; and
- Compliance
 - Ensuring that public agencies meet the program requirements under Part B of the act, with particular emphasis on those requirements that are most closely related to improving the educational results for students with disabilities.

New Mexico's SEAS focuses on student performance outcomes and the compliance requirements of the IDEA. In addition, the SEAS takes into account the eight components of general supervision. This Accountability System Manual is a tool designed to provide the structure for the State and LEAs in the area of General Supervision. The SEAS is the system that provides the assurances to OSEP that the state is carrying out its responsibilities, using quantifiable indicators in each of the priority areas listed below, and using such qualitative indicators as are needed to adequately measure performance and compliance in those areas which are listed below.

1. Provision of Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).
2. State exercise of General Supervision including, but not limited to:
 - a. child find;
 - b. effective monitoring;
 - c. use of resolution meetings;
 - d. mediation; and
 - e. system of transition services.
3. Disproportionate representation of racial and ethnic groups in special education and related services, to the extent that the representation is the result of inappropriate identification.

Figure 1.1 below illustrates an overview of the New Mexico Special Education Accountability System

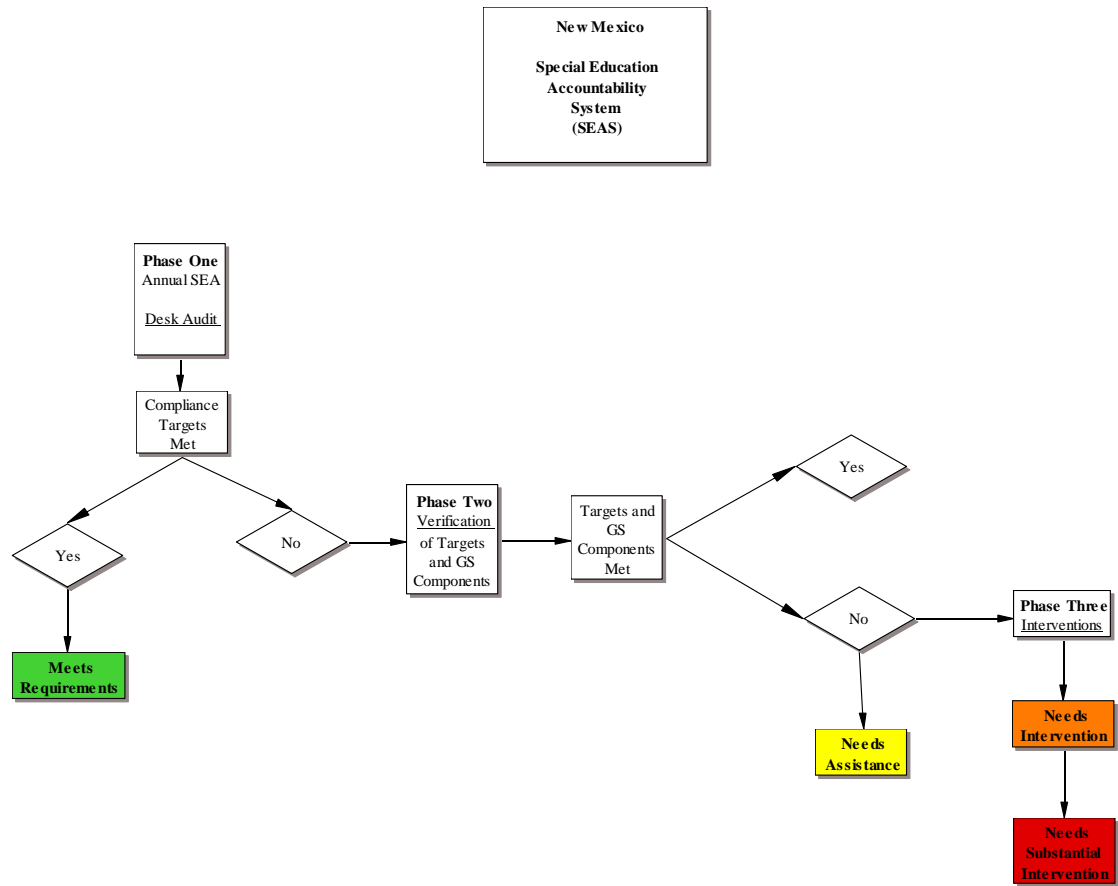


Figure 1.1

Special Education Accountability System (SEAS) Phase I – SEB Desk Audit

All LEAs in the State will be reviewed at least annually considering the items listed below and the LEA's Annual Determination will be assigned based upon the review. The State Supported Educational Programs (SSEPs) will be monitored, but an Annual Determination will not be assigned because many of the Indicators do not apply to the SSEPs.

1. Review of Indicators in the State Performance Plan (SPP) – **Rating Process for the Annual Determination**
 - a. LEA's performance on Compliance Indicators (Compliance SPP Indicators 9,10,11,12,13,and 15)
 - b. Timely and accurate submission data (Indicator 20)
2. Timely, valid, and reliable submission of the LEA's and SSEP's Program data as part of the State's General Supervision system:
 - a. Child Count (OSEP Table 1) – December 1st
 - b. Personnel (OSEP Table 2) – 80th day – prior year
 - c. Educational Environments (OSEP Table 3) - December 1st
 - d. Exiting (OSEP Table 4) EOY - prior year
 - e. Discipline (OSEP Table 5) EOY – prior year
 - f. Assessment (OSEP Table 6) EOY prior year
 - g. Dispute Resolution (OSEP Table 7) EOY – prior year
3. Examination of IDEA audit findings as determined by the NMPED's Inspector General
4. Review of uncorrected noncompliance from other sources
5. Alternative and Formal Dispute Resolution
6. Significant Disproportionality
7. Any other information as determined by the State

Figure 1.2 below illustrates the Annual Phase I desk audit process

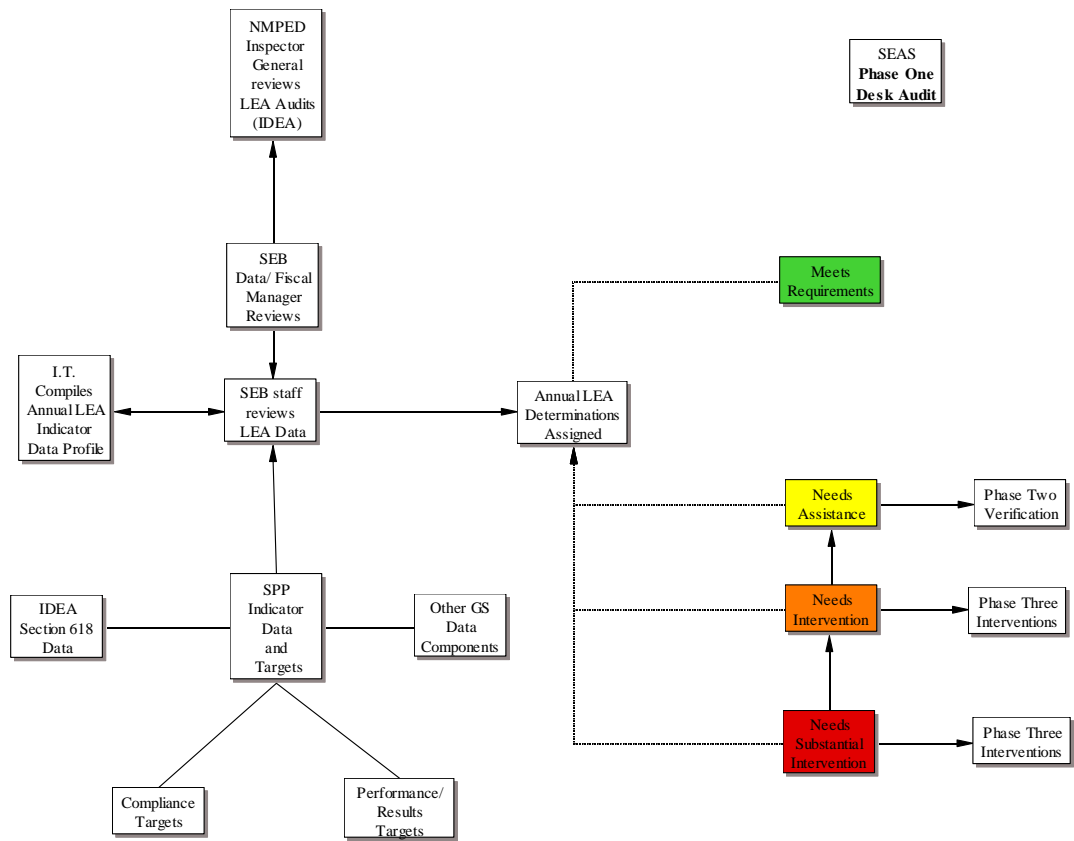


Figure 1.2

Special Education Accountability System Phase I Desk Audit

Annual Determination: Meets Requirements

Criteria for LEAs assigned the Determination of Meets Requirements:

- Meets all SPP Compliance Targets (9,10,11,12,13,15, and 20) with at least Substantial Compliance of 95% or higher
- No uncorrected non-compliance findings on indicators
- No annual audit findings
- Followed and implemented all Due Process Hearing Officer's orders in a timely manner
- Implemented and completed all Corrective Action Plans (CAPS)
- Submitted timely, accurate, and valid data

Rewards and Incentives

LEAs assigned the Determination of Meets Requirements will:

- Receive a letter of recognition from the NMPED
- Upon availability, receive IDEA discretionary dollars to assist the LEA in maintaining the LEA's Determination
- Receive reduced on-site monitoring unless the LEA has a violation
- Pursuant to Section 613(a)(2)(C) of IDEA and 34 CFR § 300.205 of its regulations, Meets Requirements districts will be eligible to reduce their local and state maintenance of effort (MOE) by up to fifty percent of the increase in IDEA Part B funding under Section 611 for the 2009-2010 grant year. LEAs that take advantage of this provision, must use the freed-up State Equalization Guarantee (SEG) funding for activities that could be supported under the Elementary and Secondary Education Act, and the required MOE for future years is reduced by the amount of reduction of the SEG funding, unless you increase the amount of your state and local expenditures on your own.

LEAs assigned the Determination of Meets Requirements will not proceed to Phase II (Verification) or Phase III (Interventions) and will be determined to have met requirements for one year. However, desk-top monitoring will continue every reporting period.

If an LEA does not meet Phase I Requirements proceed to:

Special Education Accountability System Phase II - Verification

Annual Determination: Needs Assistance

Criteria for LEAs assigned the Determination of Needs Assistance

- No uncorrected non-compliance findings on indicators
- Demonstration of Substantial Compliance of 95% or above on one or more of the Compliance Indicators
- Demonstration of at least Substantial Compliance of 95% or above on corrected non-compliance

Significant issues have been identified in at least one of the following:

- Special Education audit findings
- LEA did not submit timely and reliable data in one or more of the required data collection(s) – IEP membership, parental consent, initial evaluations, drop out,

educational environments, data pertaining to State Rules, dispute resolution, discipline, and fiscal information

An LEA with uncorrected non-compliance (less than 95%) beyond one year automatically proceeds to NI.

LEAs receiving the Determination of Needs Assistance due to missed targets will be required to:

- Work with the Education Administrator assigned to your district to address non-compliant target areas in the EPSS, to include improvement strategies correcting all non-compliant SPP Results Targets and Compliance Indicators ASAP, but in no case later than one year
- Other activities may be required depending upon how many years the district has been considered to Need Assistance. See appendix J for the description.

Additionally, the LEA may be required to:

- Review and update the EPSS quarterly
- Explore reasons for not meeting compliance targets such as data submission, process or practice problems, staffing, etc.
- Submit LEA documents for review and possible revision of LEA's policies, procedures, and practices
- Submit additional (student, program, and/or fiscal) data
- Participate in possible on site verification visits from SEB staff or SEB contracted staff
- Attend mandatory Professional Development

If the State determines, for two or more consecutive years, that the LEA Needs Assistance, the State shall take one or more of the following enforcement actions, consistent with section 616(e)(1):

- Advise the LEA of available sources of technical assistance
- Direct the use of State-level funds
- Identify the LEA as a high-risk grantee and impose special conditions on the LEA's annual Sub-grant

LEAs not meeting compliance as soon as possible but in no case later than one year on the Compliance Indicators will automatically proceed to Needs Intervention or Needs Substantial Intervention.

Figure 1.3 below illustrates the Phase II Process

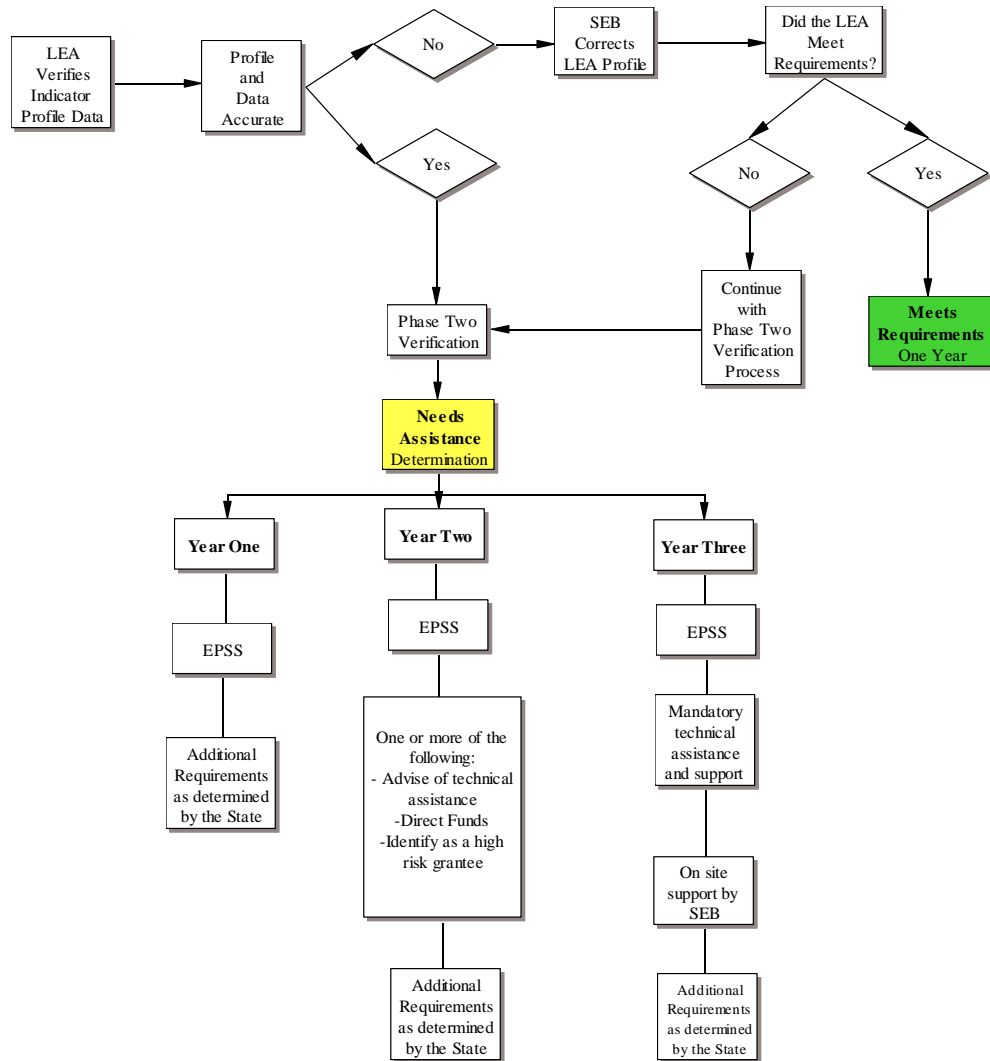


Figure 1.3

If an LEA still Needs Intervention or Needs Substantial Intervention proceed to:

Special Education Accountability System (SEAS) Phase III – Interventions

LEAs that complete Phase II Verification and are still determined to Need Intervention or Need Substantial Intervention or those LEAs that refuse to comply with IDEA or fail to provide FAPE will automatically proceed to Phase III Interventions that will require:

Annual Determination: Needs Intervention (Year 1)

Criteria for LEAs assigned the Determination of Needs Intervention (NI) (Year 1):

- Failure to meet compliance as soon as possible but in no case later than one year
- Did not meet one or more of the SPP Compliance Targets (9,10,11,12,13,15 and 20) with at least Substantial Compliance of 95% or better
- Did not demonstrate that it corrected its non-compliance, and has not made significant progress of at least 95% or above, in correcting the non-compliance

Significant issues may have been identified in at least one of the following:

- Special Education audit findings
- Did not submit timely and reliable data in one or more of the required data collection(s) – IEP membership, parental consent, initial evaluations, drop out, educational environments, data pertaining to State Rules, dispute resolution, discipline, and fiscal
- Corrective Action Plan (CAP) not followed
- Hearing Officer's decisions not followed within time frame

LEAs will be required to:

- Participate in the State Personnel Development Grant (SPDG)
- Work with the Education Administrator assigned to your district on an action plan to address missed target areas in an improvement plan
- Submit an updated EPSS quarterly to the SEB for review
- Submit additional (student, program, and/or fiscal) data
- Participate in on site verification visits from SEB staff or SEB contracted staff
- Submit documents for review and possible revision of LEA's policies, procedures, and practices

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination.

Annual Determination: Needs Intervention (Year 2)

Criteria for LEAs assigned the Determination of Needs Intervention (NI) (Year 2):

- LEA failed to meet compliance as soon as possible but in no case later than one year
- Did not meet one or more of the SPP Compliance Targets (9,10,11,12,13,15 and 20) with at least Substantial Compliance of 95% or better
- LEA did not demonstrate that it corrected its non-compliance, and has made significant progress of at least 95% or above, in correcting the non-compliance

Significant issues may have been identified in at least one of the following:

- Annual audit findings
- Compliance not corrected as soon as possible, but in no case later than one year
- LEA did not submit timely and reliable data in one or more of the required data collection(s) – IEP membership, parental consent, initial evaluations, drop out, educational environments, data pertaining to State Rules, dispute resolution, discipline, and fiscal
- Corrective Action Plan (CAP) not followed
- Uncorrected non-compliance on Indicators

LEAs receiving the Determination of NI year 2 will be required to:

- Work with the Special Education Technical Assistance Team (SETAT)
- Work with the Education Administrator assigned to the LEA on a Corrective Action Plan to address missed target areas
- Submit additional (student, program, and/or fiscal) data
- Participate in on site verification visits from SEB staff or SEB contracted staff
- Submit documents for review and possible revision of LEA's policies, procedures, and practices
- Other activities may be required depending upon how many years the district has been considered to Need Intervention. See appendix J for the description.

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination.

Annual Determination: Needs Intervention (Year 3)

Criteria for LEAs assigned the Determination of Needs Intervention (NI) (Year 3):

- LEA failed to meet compliance as soon as possible but in no case later than one year
- Did not meet one or more of the SPP Compliance Targets (9,10,11,12,13,15 and 20) with at least Substantial Compliance of 95% or better

Significant issues may have been identified in at least one of the following:

- Special Education audit findings
- Compliance not corrected to at least 95% or better as soon as possible, but in no case later than one year
- LEA did not submit timely and reliable data in one or more of the required data collection(s) – IEP membership, parental consent, initial evaluations, drop out, educational environments, data pertaining to State Rules, dispute resolution, discipline, and fiscal
- Corrective Action Plan (CAP) not followed
- Hearing Officer's decisions not followed within time frame

LEAs receiving the Determination of NI year 3 will be required to:

- Work with the Special Education Technical Assistance Team (SETAT)
- Work with the Education Administrator assigned to the LEA on a Corrective Action Plan to address missed target areas

- Submit additional (student, program, and/or fiscal) data
- Participate in on site verification visits from SEB staff or SEB contracted staff
- Submit documents for review and possible revision of LEA's policies, procedures, and practices
- Submit updated policies, practices, and procedures

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination.

If the State determines for three consecutive years that the LEA Needs Intervention, the State may take any of the actions described under needs assistance and shall take one or more of the following enforcement actions, consistent with section 616 (e)(2) of the Act:

- Require the LEA to prepare a Corrective Action Plan or improvement plan, if the State determines that the LEA should be able to correct the problem within one year
- Require the LEA to enter into a compliance agreement under section 457 of the General Education Provisions Act (GEPA), as amended, if the State has reason to believe that the LEA cannot correct the problem within one year
- Withhold a percentage, not less than 20 percent and not more than 50 percent, of the LEA's funds under Section 611 (e) of the Act, for each year of the determination until the LEA has addressed the areas which were in need of intervention
- Seek to recover funds under Section 452 of GEPA
- Withhold any further payments to the LEA under Part B of the Act
- Refer the matter for appropriate enforcement action, which may include referral to the Department of Justice

Figure 1.4 below highlights the Phase III Process

SEAS
Phase Three
Interventions

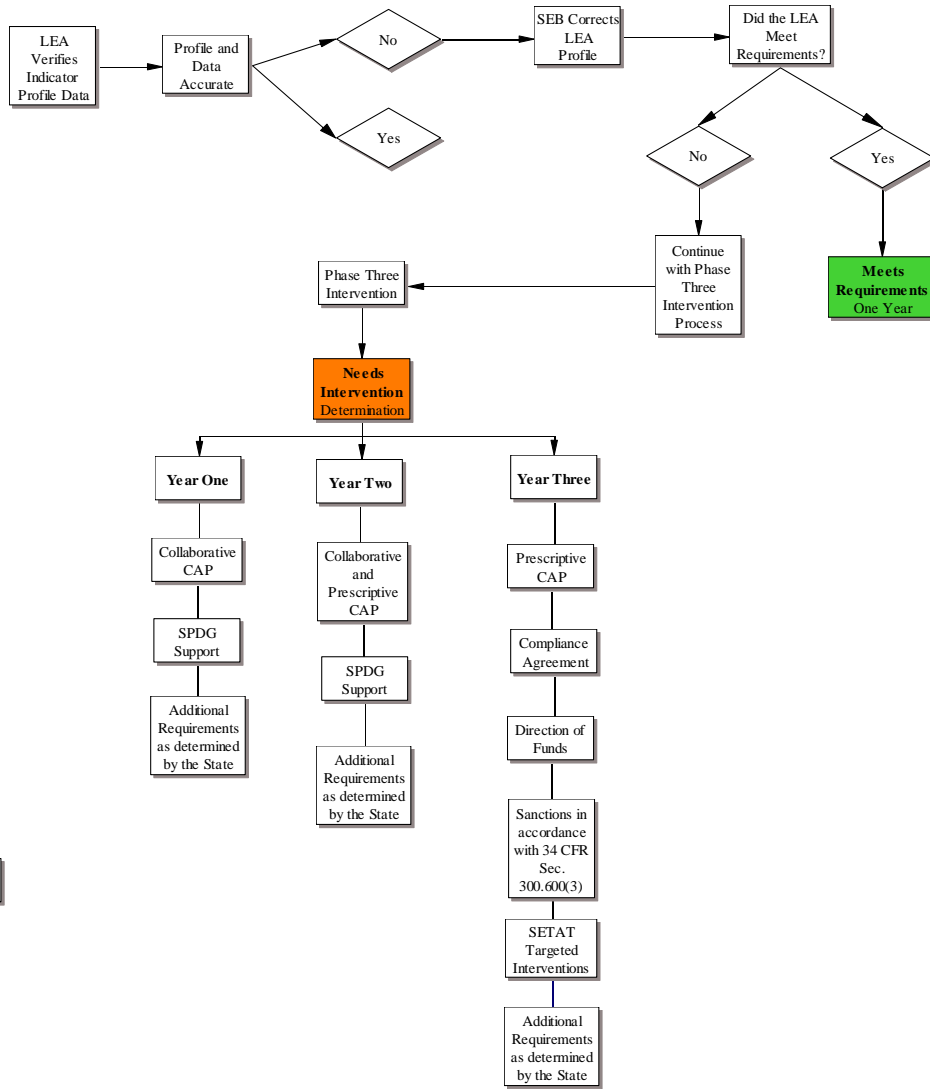


Figure 1.4

Annual Determination: Needs Substantial Intervention

If the State determines, at any time, that a LEA Needs Substantial Intervention in implementing the requirements under IDEA or that there is a substantial failure to comply with any condition of a LEA's eligibility under the IDEA, the State will designate the LEA as in Need of Substantial Intervention.

The State will consider the following factors:

- The failure to substantially comply significantly affects the core requirements of the program, such as the delivery of services to children with disabilities, the LEA's exercise of general supervision; and/or
- The LEA has informed the State that it is unwilling to comply.

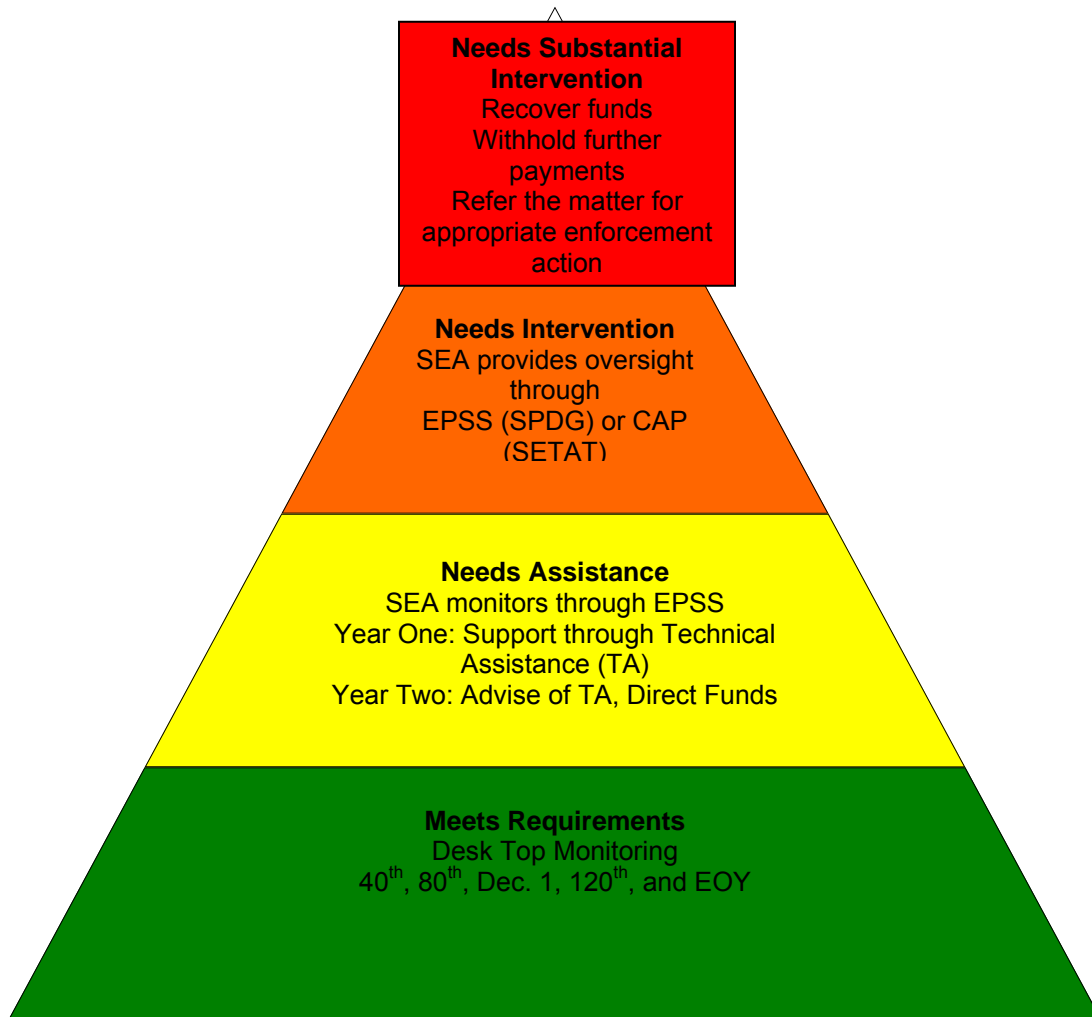
If the State determines, at any time, that the LEA Needs Substantial Intervention, the State shall take one or more of the following enforcement actions, consistent with section 616(e)(3) and provide an opportunity for a hearing:

- Recover funds
- Withhold any further payments to the LEA
- Refer the matter for appropriate enforcement action

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination.

Figure 1.5 below provides an illustration of all of the Determinations

Figure 1.5



Appendix A

The New Mexico Public Education Department has developed a continuous improvement model along with a System of Support (CLASS) to improve student success. The system of support for schools and districts along with the Indicators and Rubrics to be utilized in the EPSS process can be accessed on the Priority Schools Bureau website at <http://www.ped.state.nm.us/div/psb/index.html>.

CLASS: System of Support for Schools & Districts

Table of Responsibilities

[Terms defined](#)

[District Responsibilities](#)

[School Responsibilities](#)

Criteria 1: Dynamic and Distributed Leadership

District

Schools

[Rubrics](#) | [Indicators](#)

[Rubrics](#) | [Indicators](#)

Criteria 2: Quality Teaching and Learning

[Rubrics](#) | [Indicators](#)

[Rubrics](#) | [Indicators](#)

Criteria 3: Culture and Collaborative Relationships

[Rubrics](#) | [Indicators](#)

[Rubrics](#) | [Indicators](#)

[Glossary](#)

Presentations





**STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
Educational Plan for Student Success
A Continuous Improvement Strategic Plan**

Use the mouse to move from field to field.

This is a <input checked="" type="checkbox"/> District <input type="checkbox"/> School <input type="checkbox"/> Combined EPSS	District:	School: <i>n/a</i>	Date: <i>5/09</i>	School Year: <i>2009-2010</i>
Prior Year Status: <i>(2008-09)</i>		Current Year Status: <i>(2009-10)</i>		

Plan	<p>Overall Goal: Choose an Overall Goal with a percent measure increase to be inserted in fall from NMSBA based on 2010 AMOs. Example format: All students will increase the number of students scoring proficient on the <u>2009-2010 reading</u> NMSBA as follows”</p> <ul style="list-style-type: none"> • Elementary grades 3-5 from % to % • Middle school grade 6-8 from % to % • High School grades 9-11 from % to % <p>Target Goal/Measure: (Selection of a <u>district</u> wide goal must be based upon instructional need and must be supported by data. State clearly how this goal will provide for accelerated learning for students at risk of not meeting standards or making AYP. Any <u>district</u> missing AYP as a result of Special Education, ELL or FRL(FARM) populations must have a goal representing these groups) Using <u>Spring short cycle assessment data</u> and <u>current NMSBA data</u> when it becomes available. Choose target goals from the gap analysis of sub-populations not meeting AYP.</p> <ul style="list-style-type: none"> - Choose a Target Goal/Measure for math EPSS. - Choose a Target Goal/Measure for reading EPSS. - Write a statement about why you chose target goals and measures based on the data analysis. <p><i>Special Education—Students with disabilities (not gifted) have individualized learning goals (and objectives, as appropriate) identified within their Individual Educational Plan (IEP). Students with IEP’s may participate in all regular education activities that do not conflict with special education services being provided, (Example: Reading Program) accommodations, modifications, goals (and objectives, as appropriate) stated in their IEP.</i></p>
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Insert (or attach) data table (4.2, results) to support above target

Insert assessment data to inform target goals/measures (NMSBA when it become available, Spring 2009 Short-cycle Assessment Data, identified Curriculum Based Measures (CBM), Any other relevant data measures – graduation rate, SPP Indicator(s), attendance, discipline...)

Study	Reading	2008-09 All Students	2010 AMO*	Hispanic	Native American	ELL	Special Education	Economically Disadvantaged
	gr.3-5							
	gr.6-8							
	gr.11							

*based on grade configuration AMO numbers
(district should substitute local grade configuration)

ACTION PLAN (complete 1semester at a time)

		Semester 1	Semester 2	Summer
Study	<p>Data analysis: Leadership, School Strategic Planning, Student/Stakeholder Focus</p> <p>Use information to identify target groups (Who)</p> <p>Provide the source of the data (i.e. NMSBA, Short Cycle Assessment, Literacy Assessment)</p>	<p>What does the data tell us?</p> <p>Not Tell us?</p> <p>Celebrations?</p> <p>Opportunities for Improvement?</p>	<p>Analyze the updated district-wide short cycle assessment data plus any data relevant to district Key Strategies to track and trend the performance of target subgroups.</p> <p>Update assessment data based on district's short cycle assessment schedule (quarterly/trimester) to track and trend progress toward target goals/measures and to inform STUDY/ACT components of district EPSS</p>	
Plan	<p>Identify Strategy to be used with Target group to remedy AYP (Process Management) (What)</p>	<p>Next Steps? Identify district key strategy(s) or approaches to be used with each target group based on data analysis.</p>	<p>Based on analysis from previous semester adjust district strategy and implementation plan regarding key strategy(s) to be used with each target group based on first semester data analysis.</p>	
Plan	<p>Person(s) Responsible for carrying out Plan</p>	<p>Identify the district personnel responsible for ensuring strategy(s) are deployed during current semester.</p>	<p>Identify the district personnel responsible for ensuring strategy(s) are deployed during current semester.</p>	

Plan	Resources Available	<p>Identify district resources available during the current semester. <i>(Include funding source and \$ encumbered.)</i></p>	<p>Identify district resources available during the current semester. <i>(Include funding source and \$ encumbered.)</i></p>	
Plan	Resources Needed	<p>Identify district resources needed during current semester.</p>	<p>Identify district resources needed during current semester.</p>	
Plan	<p>Professional Development (provide date, content and trainer scheduled for this strategy or associated activities <i>(Faculty /Staff Stakeholder Focus)</i></p>	<p>Identify the Professional Development relevant to Key EPSS district strategies during the semester. Indicate the following for each PD:</p> <ul style="list-style-type: none"> • Title • Date • Trainer • Audience 	<p>Identify the Professional Development relevant to Key EPSS district strategies during the semester. Indicate the following for each PD:</p> <ul style="list-style-type: none"> • Title • Date • Trainer • Audience 	
Plan	Parent and Community Involvement	<p>Identify Stakeholder and Community involvement opportunities that will occur during the semester.</p>	<p>Identify Stakeholder and Community involvement opportunities that will occur during the semester.</p>	

Do	Identify the deployment steps or activity to implement strategy (Process Management) (How)	Create the district's deployment plan and implementation sequence for each of the key strategies identified in the PLAN section of the EPSS that will take place during the semester.	Update the district's deployment plan and implementation sequence for each of the key strategies identified in the PLAN section of the EPSS that will take place during the semester.	
Study	State and Compare the results with the target goal (Measurement, Analysis and knowledge management) (How much)	<p style="color: red;"><i>Not to be completed until after schools have administered their first and/or second quarterly/trimester Short cycle assessment and reviewed the student data.</i></p> <p style="color: red;">*****</p> <p>What does the data tell you about the effectiveness of each district key strategy(s)?</p> <ul style="list-style-type: none"> • What's working? • What's not? 	<p style="color: red;"><i>Not to be completed until after your schools have administered their third and/or fourth quarterly/trimester Short cycle assessment and reviewed the student data.</i></p> <p style="color: red;">*****</p> <p>What does the data tell you about the effectiveness of each district key strategy(s)?</p> <ul style="list-style-type: none"> • What's working? • What's not? 	

Act/Plan	<p>If target met, change target and chose another benchmark; if not revise target goal, strategy and deployment steps to reflect changes. (Process Management)</p>	<p>Based on Results outlined in STUDY above</p> <p>1) If Target goal met....</p> <p>a) Change target goal to further impact overall district goal.</p> <p>2) If Target goal not met....</p> <p>a) Continue current strategy and update deployment for next semester.</p> <p>b) Continue current strategy, but make improvements to deployment plan for next semester.</p> <p>c) Abandon current strategy and identify new strategy for next semester.</p>	<p>Based on Results outlined in STUDY above</p> <p>1) If Target goal met....</p> <p>b) Change target goal to further impact overall district goal.</p> <p>2) If Target goal not met....</p> <p>d) Continue current strategy and update deployment for summer and next fall.</p> <p>e) Continue current strategy, but make improvements to deployment plan for summer and next fall.</p> <p>f) Abandon current strategy and identify new strategy for summer and next fall.</p>	
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DEFINITIONS:

Data analysis: The process where all available data (NMSBA results, short cycle assessment results, teacher made assessments, demographic data, etc.) are reviewed to determine the *target group of students* and the specific needs of those target students that demonstrate less than proficient academic skills and knowledge.

Instructional Strategy: the *plan* of action designed to intentionally teach students the necessary skills and knowledge they need to be academically proficient

Intensive Intervention: The *program, practice or activity* that is chosen as the tool to provide the actual standards based content or skill needed by the students to be successful academically. This program, practice or activity is beyond what is already provided to all students in the regular core curriculum.

Target Goal: A target goal that identifies the specific group of students who must demonstrate academic gain.

STRATEGIC PLANNING CRITERIA:

1. The school’s EPSS planning process focuses on continually improving school performance to enhance learning for all students.
2. The district/school has specific student learning goals that are consistent with the mission, beliefs, and core values; are appropriate in terms of rigor and equity; meet student needs; and are aligned with state and federal mandates and standards where applicable.
3. The district/school EPSS planning process:
 - Involves representative stakeholders from the district/school;
 - Includes an analysis of student and stakeholder needs, demographics, and current performance levels;
 - Identifies a challenging set of goals and measures that focus on enhanced learning for all students;
 - Develops a continuous improvement approach that identifies the changes that will be made so that growth in student performance can be documented and replicated;
 - Facilitates alignment of department level and classroom level improvement plans, including transitions across grade levels;
 - Provides systematic assessment designed to document student performance and growth toward district/school goals;
 - Identifies strategies, interventions, and action plans;

- Provides internal analysis of the system; and
- 4. There is a designated district/school level EPSS steering committee that is responsible for initiating, planning, and coordinating improvement efforts.
- 5. Budget priorities are based upon an assessment of human and fiscal resources needed to accomplish the mission, goals, and EPSS plan.
- 6. Leaders use the analysis of student performance results: short cycle assessments, standardized tests, CRT, etc.
- 7. Leaders consider the strength and weakness of faculty and staff, competitive environment, educational reform, and technological innovations when establishing the priorities for the school.
- 8. The district/school conducts staff development activities to support the district/school's EPSS.

REQUIREMENTS FOR DISTRICT EPSS:

1. The district EPSS must be revised to emphasize priorities that address student learning needs. The desired result of the revision is to develop a single, comprehensive EPSS that synthesizes information from the several existing plans reflective of the district's instructional priorities (the current EPSS, the corrective action plan, the five year action plan, district wide Title I plan, etc.) and includes the major goals and/or references to the documents that deal with non-instructional district priorities (such as the safety plan, parent and community involvement plan and others). Alignment, clarity and simplicity should be the aims of this complex undertaking. Input from stakeholders is a necessary aspect of the revision process. The district's EPSS goals must align, but are not limited to, the district's EPSS target areas.
2. The district must provide professional development activities designed to initiate/expand the utilization of a systems approach to continuous district improvement as evidenced in the EPSS. In addition, professional development should reflect an emphasis on the use of data to inform instruction.
3. The district is required to fully implement the use of short cycle assessments in order to assess student progress toward EPSS academic goals and provide the basis for adjusting instruction/programs prior to receiving the results of the end-of-the-year New Mexico criterion references test (NMSBA).
4. The district must maintain and analyze all basic and comparative data to drive district performance, with an emphasis on selection, management, analysis, and the use of information as the basis for decisions and improvement.
5. The district plan is an overall view of district initiated actions that affect the district as a whole, as a district wide adoption of a strategy as tutoring, summer school, etc.
6. The district's EPSS must articulate new initiatives for the district year, align across the systems to support the strategy and the goals that comply with the following criteria:
 - student centered,
 - supports student academic progress,
 - measurable using a data baseline,
 - data evidences by a standardized assessment,
 - assessed regularly for progress of implementation,
 - supported by an articulated strategy/activity, and
 - a collaborative effort with stakeholders participating in the development.

Appendix C

**New Mexico Public Education Department
Special Education Bureau**

**2009 – 2010
Corrective Action Plan**

School District	Date of Notification	School Year
Prior Year Determination		Current Year Determination

Plan	Overall Goal Related to State Performance Plan (SPP) Indicator and Target (cite specific regulation)
Study	Target Goal/Measure: <i>(Must be aligned with OSEP Related Requirements)</i>
Study	Insert (or attach) data table (4.2, results) to support above Indicator/Target

		Semester 1	Semester 2	Summer
Study	Data analysis: (4.3,4.8, Leadership, School Strategic Planning, Student/Stakeholder Focus) Use information to identify target groups (Who)Provide the source of the data (
Plan	Identify Strategy to be used with Target group to remedy areas of non-compliance or missed results target (1.8,2.8,2.9, Process Management) (What)			
Plan	Person(s) Responsible for carrying out Plan			
Plan	Resources Available (4.6,4.8)			
Plan	Resources Needed			

Plan	Professional Development (provide date, content and trainer scheduled for this strategy or associated activities)(1.6,1.10,2.1, 2.5,2.7, Faculty /Staff Stakeholder Focus)			
Plan	Parent and Community Involvement (3.1,3.2,3.3)			
Do	Identify the sequence or activity to implement strategy (1.9,2.1,2.8,2.12, Process Management) (How)			
Study	State and Compare the results with the target goal (4.3, Measurement, Analysis and knowledge management) (How much)			
Act/Plan	If target met, change target and chose another benchmark; if not revise (1.7,3.5,4.3, Process Management)			

Body of Evidence (New Mexico Public Education Department Special Education Bureau – Final Review)

Evidence Description	Source of Evidence	Date of Evidence Review

Date of Compliance Notification: _____

Final Compliance Determination Compliant Non-compliant

Next Steps/Follow up:

Appendix D

Part B State Performance Plan (SPP) and Annual Performance Report (APR)

Part B Indicator Measurement Table

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
Monitoring Priority: FAPE in the LRE		
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. (20 U.S.C. 1416 (a)(3)(A))</p>	<p>Data Source: Same data as used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA).</p> <p>Measurement: States must report using the graduation rate calculation and timeline established by the Department under the ESEA.</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2008 APR, use data from 2007-2008), and compare the results to the target. Provide the actual numbers used in the calculation.</p> <p>Provide a narrative that describes the conditions youth must meet in order to graduate with a regular diploma and, if different, the conditions that youth with IEPs must meet in order to graduate with a regular diploma. If there is a difference, explain why.</p> <p>Targets should be the same as the annual graduation rate targets under Title I of the ESEA.</p>
<p>2. Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))</p>	<p>Data Source: Same data as used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA).</p> <p>Measurement: States must report using the dropout data used in the ESEA graduation rate calculation and follow the timeline established by the Department under the ESEA.</p>	<p><i>If State uses 618 data sampling is not allowed.</i></p> <p>Use State-level dropout data.</p> <p>Describe the results of the State’s examination of the data for the year before the reporting year (e.g., for the FFY 2008 APR, use data from 2007-2008), and compare the results to the target. Provide the actual numbers used in the calculation.</p> <p>Provide a narrative that describes what counts as</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		dropping out for all youth and, if different, what counts as dropping out for youth with IEPs. If there is a difference, explain why.
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>A. Percent of the districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup.</p> <p>B. Participation rate for children with IEPs.</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>(20 U.S.C. 1416 (a)(3)(A))</p>	<p>Data Source: AYP data used for accountability reporting under Title I of the ESEA.</p> <p>Measurement:</p> <p>A. AYP percent = [(# of districts with a disability subgroup that meets the State’s minimum “n” size that meet the State’s AYP targets for the disability subgroup) divided by the (total # of districts that have a disability subgroup that meets the State’s minimum “n” size)] times 100.</p> <p>B. Participation rate percent = [(# of children with IEPs participating in the assessment) divided by the (total # of children with IEPs enrolled during the testing window, calculated separately for reading and math)]. The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.</p> <p>C. Proficiency rate percent = [(# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading</p>	<p>Describe the results of the calculations and compare the results to the targets. Provide the actual numbers used in the calculation.</p> <p>States are encouraged to present their APR information in summary tables and include multiple years of data for comparison purposes.</p> <p>Include information regarding where to find public reports of assessment results, i.e., link to the Web site where results are reported.</p> <p>Indicator 3.A: Report only on the AYP assessment targets for reading/language arts and mathematics proficiency, not targets for graduation or other elements of AYP. The definition of meeting the State’s AYP target for the disability sub-group is found in section 1111(b)(2)(C) of Title I of the ESEA.</p> <p>Indicator 3.B: Provide separate reading/language arts and mathematics participation rates, inclusive of all NCLB grades assessed (3-8 and high school), for children with IEPs. Account for ALL children with IEPs, in all grades assessed, including children not participating in assessments and those not enrolled for a full academic year.</p> <p>Indicator 3.C: Proficiency calculations in this</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	and math)].	APR must result in proficiency rates for each content area across all NCLB assessments (combining regular and all alternates) for all children with IEPs enrolled for a full academic year. States are encouraged to report using two rates – one for reading/language arts covering all assessed grades and one for mathematics covering all assessed grades.
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>(20 U.S.C. 1416(a)(3)(A);</p>	<p>Data Source:</p> <p>Data collected on Table 5 of Information Collection 1820-0621 (Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 Days). Discrepancy can be computed by either comparing the rates of suspensions and expulsions for children with IEPs to rates for nondisabled children within the LEA or by comparing the rates of suspensions and expulsions for children with IEPs among LEAs within the State.</p> <p>Measurement:</p> <p>A. Percent = [(# of districts that have a significant discrepancy in the rates of suspensions and expulsions for greater than 10 days in a school year of children with IEPs) divided by the (# of districts in the State)] times 100.</p> <p>B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity,</p>	<p><i>Sampling from State's 618 data is not allowed.</i></p> <p>Describe the results of the State's examination of the data for the year before the reporting year (e.g., for the FFY 2008 APR, use data from 2007-2008), including data disaggregated by race and ethnicity to determine if significant discrepancies are occurring in the rates of long-term suspensions and expulsions of children with IEPs, as required at 20 U.S.C. 1412(a)(22). The State's examination must include one of the following comparisons:</p> <ul style="list-style-type: none"> • The rates of suspensions and expulsions for children with IEPs among LEAs within the State; or • The rates of suspensions and expulsions for children with IEPs to nondisabled children within the LEAs. <p>In the description, specify which method the State used to determine possible discrepancies and explain what constitutes those discrepancies.</p> <p>For 4A, provide the actual numbers used in the</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
1412(a)(22))	<p>in the rates of suspensions and expulsions of greater than 10 days in a school year of children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards) divided by the (# of districts in the State)] times 100.</p> <p>Include State’s definition of “significant discrepancy.”</p>	<p>calculation and if significant discrepancies occurred describe how the State educational agency reviewed and, if appropriate, revised (or required the affected local educational agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure that such policies, procedures, and practices comply with applicable requirements.</p> <p>For 4B, provide the following: (a) the number of districts that have a significant discrepancy, by race or ethnicity, in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs and (b) the number of districts in which policies, procedures or practices contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>If discrepancies occurred and the district with discrepancies had policies, procedures or practices that contributed to the significant discrepancy and that do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, describe how the State</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>ensured that such policies, procedures, and practices were revised to comply with applicable requirements.</p> <p>Targets must be 0% for 4B.</p> <p>Section B of this indicator is new for FFY 2009. Baseline, targets and improvement activities to be provided with the FFY 2009 APR due February 1, 2011.</p>
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; and</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>(20 U.S.C. 1416(a)(3)(A))</p>	<p>Data Source:</p> <p>Data collected on Table 3 of Information Collection 1820-0517 (Part B, Individuals with Disabilities Education Act Implementation of FAPE Requirements).</p> <p>Measurement:</p> <p>A. Percent = [(# of children with IEPs served inside the regular class 80% or more of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</p> <p>B. Percent = [(# of children with IEPs served inside the regular class less than 40% of the day) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</p> <p>C. Percent = [(# of children with IEPs served in separate schools, residential facilities, or homebound/hospital placements) divided by the (total # of students aged 6 through 21 with IEPs)] times 100.</p>	<p><i>For this indicator, report 618 data that were collected on a date between October 1 and December 1, 2008 and due on February 2, 2009. Sampling from State's 618 data is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>If the data reported in this indicator are not the same as the State's 618 data reported in Table 3, explain.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>(20 U.S.C. 1416(a)(3)(A))</p>	<p>Data Source:</p> <p>Data collected on Table 3 of Information Collection 1820-0517 (Part B, Individuals with Disabilities Education Act Implementation of FAPE Requirements).</p> <p>Measurement:</p> <p>A. Percent = [(# of children aged 3 through 5 with IEPs attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.</p> <p>B. Percent = [(# of children aged 3 through 5 with IEPs attending a separate special education class, separate school or residential facility) divided by the (total # of children aged 3 through 5 with IEPs)] times 100.</p>	<p><i>For this indicator, report 618 data that were collected on a date between October 1 and December 1, 2009 and due on February 2, 2010. Sampling from State's 618 data is not allowed.</i></p> <p>If the data reported in this indicator are not the same as the State's 618 data reported in Table 3, explain.</p> <p>In the FFY 2009 submission, due February 1, 2011, establish a new baseline, targets and, as needed, improvement activities for this indicator using the 2009-2010 data.</p>
<p>7. Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</p>	<p>Data Source:</p> <p>State selected data source.</p> <p>Measurement:</p> <p>Outcomes:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication</p>	<p><i>Sampling of children for assessment is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See <u>General Instructions</u> page 2 for additional instructions on sampling.)</i></p> <p>Describe the results of the calculations and compare the results to the targets. States will use the progress categories for each of the three Outcomes to calculate and report the two</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement								
<p>C. Use of appropriate behaviors to meet their needs. (20 U.S.C. 1416 (a)(3)(A))</p>	<p>and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>Progress categories for A, B and C:</p> <p>a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by (# of preschool children with IEPs assessed)] times 100.</p> <p>b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.</p> <p>c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by (# of preschool children with IEPs assessed)] times 100.</p> <p>d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.</p> <p>e. Percent of preschool children who maintained</p>	<p>Summary Statements. States will provide baseline and targets for the two Summary Statements for the three Outcomes (six numbers for baseline for FFY 2008 and six numbers for targets for each of the FFYs 2009 and 2010).</p> <p>For FFYs 2008, 2009 and 2010, provide the actual numbers and percentages for the five reporting categories for each of the three outcomes. Provide baseline, targets and Summary Statement data as noted in the table below.</p> <table border="1" data-bbox="1394 824 2018 1369"> <thead> <tr> <th data-bbox="1394 824 1673 932">FFY 2008: Due 2/1/10</th> <th data-bbox="1673 824 1845 932">FFY 2009: Due 2/1/11</th> <th data-bbox="1845 824 2018 932">FFY 2010: Due 2/1/12</th> </tr> </thead> <tbody> <tr> <td data-bbox="1394 932 1673 1369">Report progress data and establish baseline (two Summary Statements for three Outcomes – six percentages) for FFY 2008 and six targets for each of the FFYs 2009 and 2010</td> <td data-bbox="1673 932 1845 1369">Report progress data; calculate Summary Statements to compare against the six targets</td> <td data-bbox="1845 932 2018 1369">Report progress data: calculate Summary Statements to compare against the six targets</td> </tr> </tbody> </table>			FFY 2008: Due 2/1/10	FFY 2009: Due 2/1/11	FFY 2010: Due 2/1/12	Report progress data and establish baseline (two Summary Statements for three Outcomes – six percentages) for FFY 2008 and six targets for each of the FFYs 2009 and 2010	Report progress data; calculate Summary Statements to compare against the six targets	Report progress data: calculate Summary Statements to compare against the six targets
FFY 2008: Due 2/1/10	FFY 2009: Due 2/1/11	FFY 2010: Due 2/1/12								
Report progress data and establish baseline (two Summary Statements for three Outcomes – six percentages) for FFY 2008 and six targets for each of the FFYs 2009 and 2010	Report progress data; calculate Summary Statements to compare against the six targets	Report progress data: calculate Summary Statements to compare against the six targets								

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by (# of preschool children with IEPs assessed)] times 100.</p> <p>Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):</p> <p>Summary Statement 1: Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.</p> <p>Measurement for Summary Statement 1: Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.</p> <p>Summary Statement 2: The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.</p> <p>Measurement for Summary Statement 2: Percent = # of preschool children reported in</p>	<p>defining “comparable to same-aged peers.” If a State is using the ECO Child Outcomes Summary Form (COSF), then the criteria for defining “comparable to same-aged peers” has been defined as a child who has been assigned a scored of 6 or 7 on the COSF.</p> <p>In addition, list the instruments and procedures used to gather data for this indicator, including if the State is using the ECO COSF.</p> <p>The Early Childhood Outcomes Center has resources to assist States in submitting their early childhood outcomes data including a reporting template and a calculator tool for calculating the summary statements. These tools are available at: http://www.fpg.unc.edu/~ECO/</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.</p>	
<p>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))</p>	<p>Data Source: State selected data source.</p> <p>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.</p>	<p><i>Sampling of parents to receive the survey is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates. (See <u>General Instructions</u> page 2 for additional instructions on sampling.)</i></p> <p>Describe the results of the calculations and compare the results to the target. Include a description of how the State has ensured that the response data are valid and reliable, including how the data represent the demographics of the State. Provide the actual numbers used in the calculation.</p> <p>If the State is using a separate survey for preschool children, the State must provide separate baseline data, targets, and actual target data or discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.</p> <p>If States are using a survey and the survey is revised or a new survey is adopted, States must submit a copy with the APR.</p>
<p>Monitoring Priority: Disproportionate Representation</p>		

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>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.</p> <p>(20 U.S.C. 1416(a)(3)(C))</p>	<p>Data Source:</p> <p>Data collected on Table 1 of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act, As Amended) and the State’s analysis to determine if the disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification.</p> <p>Measurement:</p> <p>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.</p> <p>Include State’s definition of “disproportionate representation.”</p> <p>Based on its review of the 618 data for FFY 2008, describe how the State made its annual determination that the disproportionate representation it identified (consider both over and underrepresentation) of racial and ethnic groups in special education and related services was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum</p>	<p>Provide racial/ethnic disproportionality data for children aged 6 through 21 served under IDEA. Provide these data for all children with disabilities.</p> <p>Provide the number of districts identified with disproportionate representation of racial and ethnic groups in special education and related services and the number of districts identified with disproportionate representation that is the result of inappropriate identification.</p> <p>Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. If a State chooses to use risk ratios, Westat has developed an electronic spreadsheet that calculates both weighted and unweighted risk ratios for State and district-level data. States can request a copy of this file by sending a message to IDEAdata@westat.com or phoning 1-888-819-7024.</p> <p>Describe the method(s) used to calculate disproportionate representation.</p> <p>Targets must be 0%.</p> <p>Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response table for the previous APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2009 reporting period, i.e., after June 30, 2010. If inappropriate identification is identified, report on corrective actions taken.</p>	<p>completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.</p>
<p>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))</p>	<p>Data Source: Data collected on Table 1 of Information Collection 1820-0043 (Report of Children with Disabilities Receiving Special Education Under Part B of the Individuals with Disabilities Education Act, As Amended) and the State’s analysis to determine if the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.</p> <p>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.” Based on its review of the 618 data for FFY 2008, describe how the State made its annual determination that the disproportionate</p>	<p>Provide racial/ethnic disproportionality data for children aged 6 through 21 served under IDEA. Provide these data at a minimum for children in the following six disability categories: mental retardation, specific learning disabilities, emotional disturbance, speech or language impairments, other health impairments, and autism. If a State has identified disproportionate representation of racial and ethnic groups in specific disability categories other than these six disability categories, the State must include these data and report on whether the State determined that the disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification.</p> <p>Provide the number of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories and the number of districts identified with disproportionate representation that is the result of inappropriate identification.</p> <p>Consider using multiple methods in calculating disproportionate representation of racial and ethnic groups to reduce the risk of overlooking potential problems. If a State chooses to use risk ratios, Westat has developed an electronic spreadsheet that calculates both weighted and unweighted risk ratios</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>representation it identified (consider both over and under representation) of racial and ethnic groups in specific disability categories was the result of inappropriate identification as required by §§300.600(d)(3) and 300.602(a), e.g., using monitoring data; reviewing policies, practices and procedures, etc. In determining disproportionate representation, analyze data, for each district, for all racial and ethnic groups in the district, or all racial and ethnic groups in the district that meet a minimum 'n' size set by the State. Report on the percent of districts in which disproportionate representation of racial and ethnic groups in specific disability categories is the result of inappropriate identification, even if the determination of inappropriate identification was made after the end of the FFY 2009, i.e., after June 30, 2010. If inappropriate identification is identified, report on corrective actions taken.</p>	<p>for State and district-level data. States can request a copy of this file by sending a message to IDEAdata@westat.com or phoning 1-888-819-7024.</p> <p>Describe the method(s) used to calculate disproportionate representation.</p> <p>Targets must be 0%.</p> <p>Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.</p>
Monitoring Priority: Effective General Supervision Part B		
Effective General Supervision Part B / Child Find		
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p>	<p>Data Source:</p> <p>Data to be taken from State monitoring or State data system and must be based on actual, not an average, number of days. Indicate if the State has established a timeline and, if so, what is the</p>	<p><i>If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.</i></p> <p>Describe the results of the calculations and compare the results to the target. Describe the</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
(20 U.S.C. 1416(a)(3)(B))	<p>State's timeline for initial evaluations.</p> <p>Measurement:</p> <p>a. # of children for whom parental consent to evaluate was received.</p> <p>b. # of children whose evaluations were completed within 60 days (or State-established timeline).</p> <p>Account for children included in a but not included in b. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.</p> <p>Percent = [(b) divided by (a)] times 100.</p>	<p>method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.</p> <p>Note that under 34 CFR §300.301(d) the timeframe set for initial evaluation does not apply to a public agency if: (1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) A child enrolls in a school of another public agency after the timeframe for initial evaluations has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability. States should not report these exceptions in either the numerator (b) or denominator (a). If the State established timeframe provides for exceptions through State regulation or policy, describe cases falling within those exceptions and include in b.</p> <p>Targets must be 100%.</p> <p>Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.
Effective General Supervision Part B / Effective Transition		
<p>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.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source: Data to be taken from State monitoring or State data system.</p> <p>Measurement:</p> <ul style="list-style-type: none"> a. # of children who have been served in Part C and referred to Part B (LEA notified pursuant to 637(a)(9)(A)) for Part B eligibility determination. b. # of those referred determined to be NOT eligible and whose eligibility was determined prior to their third birthdays. c. # of those found eligible who have an IEP developed and implemented by their third birthdays. d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services. e. # of children who were referred to Part C less than 90 days before their third birthdays. <p>Account for children included in a but not included in b, c, d or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the</p>	<p><i>If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.</i></p> <p>Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State’s monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.</p> <p>Targets must be 100%.</p> <p>Provide detailed information about the timely correction of noncompliance as noted in OSEP’s response table for the previous APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>reasons for the delays.</p> <p>Percent = [(c) divided by (a - b - d - e)] times 100.</p>	<p>For the FFY 2008 APR submission, States are not required to include measure (e) in the calculation.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source:</p> <p>Data to be taken from State monitoring or State data system.</p> <p>Measurement:</p> <p>Percent = [(# of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority) divided by the (# of youth with an IEP age 16 and above)] times 100.</p>	<p><i>If data are from State monitoring, describe the method used to select LEAs for monitoring. If data are from a State database, include data for the entire reporting year.</i></p> <p>Describe the results of the calculations and compare the results to the target. Describe the method used to collect these data and if data are from the State's monitoring, describe the procedures used to collect these data. Provide the actual numbers used in the calculation.</p> <p>Targets must be 100%.</p> <p>Provide detailed information about the timely correction of noncompliance as noted in OSEP's response table for the previous APR. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed (e.g., review of policies and procedures, technical assistance, training, etc.) and any enforcement actions that were taken.</p> <p>In the FFY 2009 submission, due February 1,</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		2011, establish a new baseline for this indicator using the 2009-2010 data.
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school.</p> <p>B. Enrolled in higher education or competitively employed within one year of leaving high school.</p> <p>C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source: State selected data source.</p> <p>Measurement:</p> <p>A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p> <p>B. Percent enrolled in higher education or competitively employed within one year of leaving high school = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education or competitively employed within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p> <p>C. Percent enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment = [(# of youth who are no longer in secondary school, had IEPs in effect at</p>	<p><i>Sampling of youth who had IEPs and are no longer in secondary school is allowed. When sampling is used, submit a description of the sampling methodology outlining how the design will yield valid and reliable estimates of the target population. (See <u>General Instructions</u> page 2 for additional instructions on sampling.)</i></p> <p>Collect data by September 2010 on students who left school during 2008-2009, timing the data collection so that at least one year has passed since the students left school. Include students who dropped out during 2008-2009 or who were expected to return but did not return for the current school year. This includes all youth who had an IEP in effect at the time they left school, including those who graduated with a regular diploma or some other credential, dropped out, or aged out.</p> <p>I. Definitions</p> <p><u>Enrolled in higher education</u> as used in measures A, B and C means youth have been enrolled on a full- or part-time basis in a community college or college/university or other institution that meets the definition of “Institution of Higher Education” in the Higher Education Act (HEA), for at least one complete term, at anytime in the year since leaving high</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
	<p>the time they left school and were enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.</p>	<p>school: (a) in an educational program to earn a degree or other recognized credential; OR (b) in a training program that lasts at least one academic year to prepare for gainful employment in a recognized occupation.</p> <p><u>Competitive employment</u> as used in measures B and C means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.</p> <p><u>Enrolled in other postsecondary education or training</u> as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program).</p> <p><u>Some other employment</u> as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).</p> <p>II. Data Reporting</p> <p>Provide the actual numbers for each of the following mutually exclusive categories. The</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>actual number of “leavers” who are:</p> <ol style="list-style-type: none"> 1. Enrolled in higher education within one year of leaving high school; 2. Competitively employed within one year of leaving high school (but not enrolled in higher education); 3. Enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed); 4. In some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed). <p>“Leavers” should only be counted in one of the above categories, and the categories are organized hierarchically. So, for example, “leavers” who are enrolled in full- or part-time higher education within one year of leaving high school should only be reported in category 1, even if they also happen to be employed. Likewise, “leavers” who are not enrolled in either part- or full-time higher education, but who are competitively employed, should only be reported under category 2, even if they happen to be enrolled in some other postsecondary education or training program.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p><i>III. Reporting On the Measures/Indicators</i></p> <p>Targets must be established for measures A, B, and C.</p> <p>Measure A: For purposes of reporting on the measures/indicators, please note that any youth enrolled in an institution of higher education (that meets any definition of this term in the HEA) within one year of leaving high school <i>must</i> be reported under measure A. This could include youth who also happen to be competitively employed, or in some other training program; however, the key outcome we are interested in here is enrollment in higher education.</p> <p>Measure B: All youth reported under measure A should also be reported under measure B, in addition to all youth that obtain competitive employment within one year of leaving high school.</p> <p>Measure C: All youth reported under measures A and B should also be reported under measure C, in addition to youth that are enrolled in some other postsecondary education or training program or in some other employment.</p> <p>Describe the calculations and results using actual numbers and compare these results to the targets. Include a description of how the State has ensured that survey data are valid and reliable, including how the data represent the</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>demographics of the State.</p> <p>In the FFY 2009 submission, due February 1, 2011, establish a new baseline, targets and, as needed, improvement activities for this indicator.</p>
Effective General Supervision Part B / General Supervision		
<p>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.</p> <p>(20 U.S.C. 1416 (a)(3)(B))</p>	<p>Data Source:</p> <p>Data to be taken from State monitoring, complaints, hearings and other general supervision system components. Indicate the number of agencies monitored using different components of the State's general supervision system.</p> <p>Measurement:</p> <p>Percent of noncompliance corrected within one year of identification:</p> <ul style="list-style-type: none"> a. # of findings of noncompliance. b. # of corrections completed as soon as possible but in no case later than one year from identification. <p>Percent = [(b) divided by (a)] times 100.</p> <p>States are required to use the "Indicator 15 Worksheet" to report data for this indicator (see Attachment A).</p>	<p>Describe the process for selecting LEAs for monitoring.</p> <p>Describe the results of the calculations and compare the results to the target. Provide the actual numbers used in the calculation. Include all findings of noncompliance regardless of the specific level of noncompliance.</p> <p>Targets must be 100%.</p> <p>Report on the number of findings of noncompliance made in 2007 – 2008 (July 1, 2007 – June 30, 2008) and corrected as soon as possible and in no case later than one year from identification. In presenting the compliance data, disaggregate the findings by components of the State's general supervision system, including monitoring (on-site visits, self-assessments, local performance plans and annual performance reports, desk audits, data reviews) and dispute resolution (complaints and due process hearings). Findings must also be disaggregated by SPP/APR indicator and other areas of noncompliance. Describe the other areas of noncompliance.</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>Provide detailed information about the correction of noncompliance as noted in OSEP’s response table for the previous APR, including any revisions to general supervision procedures, technical assistance provided and/or any enforcement actions that were taken. If the State did not ensure timely correction of the previous noncompliance, provide information on the extent to which noncompliance was subsequently corrected (more than one year after identification). In addition, provide information regarding the nature of any continuing noncompliance, improvement activities completed, and any enforcement actions that were taken.</p> <p>Provide detailed information regarding the correction of noncompliance related to a specific indicator under the specific indicator, e.g., correction of noncompliance related to early childhood transition would be described under Indicator 12.</p> <p>States are not required to report data at the LEA level.</p>
<p>16. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint, or because the parent (or individual or organization)</p>	<p>Data Source: Data collected on Table 7 of Information Collection 1820-0677 (<i>Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act</i>).</p> <p>Measurement: Percent = [(1.1(b) + 1.1(c)) divided by 1.1] times</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>Targets must be 100%.</p> <p>Provide detailed information about the actions</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
<p>and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>100.</p>	<p>the State is taking to ensure compliance with complaint resolution timeline requirements.</p> <p>If the data reported in this indicator are not the same as the State’s 618 data reported in Table 7, explain.</p> <p>States are not required to report data at the LEA level.</p>
<p>17. Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source:</p> <p>Data collected on Table 7 of Information Collection 1820-0677 (<i>Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act</i>).</p> <p>Measurement:</p> <p>Percent = [(3.2(a) + 3.2(b)) divided by 3.2] times 100.</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>Targets must be 100%.</p> <p>Provide detailed information about the actions the State is taking to ensure compliance.</p> <p>If the data reported in this indicator are not the same as the State’s 618 data reported in Table 7, explain.</p> <p>States are not required to report data at the LEA level.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source:</p> <p>Data collected on Table 7 of Information Collection 1820-0677 (<i>Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act</i>).</p> <p>Measurement:</p> <p>Percent = (3.1(a) divided by 3.1) times 100.</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>States are not required to establish baseline or targets if the number of resolution sessions is less than 10. In a reporting period when the number of resolution sessions reaches 10 or greater, develop baseline, targets and</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		<p>improvement activities, and report on them in the corresponding APR.</p> <p>States may express their targets in a range, e.g., 75-85%.</p> <p>If the data reported in this indicator are not the same as the State's 618 data reported in Table 7, explain.</p> <p>States are not required to report data at the LEA level.</p>
<p>19. Percent of mediations held that resulted in mediation agreements. (20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source: Data collected on Table 7 of Information Collection 1820-0677 (<i>Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act</i>).</p> <p>Measurement: Percent = [(2.1(a)(i) + 2.1(b)(i)) divided by 2.1] times 100.</p>	<p><i>Sampling is not allowed.</i></p> <p>Describe the results of the calculations and compare the results to the target.</p> <p>States are not required to establish baseline or targets if the number of mediations is less than 10. In a reporting period when the number of mediations reaches ten or greater, develop baseline, targets and improvement activities, and report on them in the corresponding APR.</p> <p>The consensus among mediation practitioners is that 75-85% is a reasonable rate of mediations that result in agreements and is consistent with national mediation success rate data. States may express their targets in a range, e.g., 75-85%.</p> <p>If the data reported in this indicator are not the same as the State's 618 data reported in Table 7, explain.</p> <p>States are not required to report data at the LEA</p>

Monitoring Priorities and Indicators	Data Source and Measurement	Instructions for Indicators/Measurement
		level.
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>(20 U.S.C. 1416(a)(3)(B))</p>	<p>Data Source:</p> <p>State selected data sources, including data from State data system and SPP/APR</p> <p>Measurement:</p> <p>State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:</p> <ul style="list-style-type: none"> a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and b. Accurate, including covering the correct year and following the correct measurement. <p>States are required to use the “Indicator 20 Scoring Rubric” for reporting data for this indicator (see Attachment B).</p>	<p>Describe the results of the calculations and compare the results to the target. Provide the actual numbers used in the calculation.</p> <p>Targets must be 100% for timeliness and accuracy.</p> <p>Provide detailed information about the actions the State is taking to ensure compliance. Describe the State’s mechanisms for ensuring error free, consistent, valid and reliable data and evidence that these standards are met.</p> <p>States are not required to report data at the LEA level.</p>

Appendix E

Data Reports by Indicators

Indicator	Data Source	Responsible Party(ies)	Procedure/Reporting/ Due Date
1 Graduation rates	STARS	LEAs	40 th day and EOY
2 Drop out rates	STARS	LEAs	40 th day and EOY
3 Participation and Performance on statewide assessments		LEAs	AYP results annually August
4 Suspension/Expulsion rates	STARS	LEAs	EOY annually Table 5
5 Ages 6 – 21 LRE	STARS	LEAs	December 1 Child Count Table 1
6 Preschool Settings	STARS	LEAs/	December 1 Child Count Table 1
7 Early Childhood Outcomes	Early Childhood Outcomes	LEA Preschool Programs	Census three-year-old and four-year old entry data – annually fall Census three-year old and four-year-old exit data – Annually spring
8 Parental Involvement	Parent Survey	Parents Reaching Out LEAs	Census annually in spring
9 Disproportionate representation by race and ethnicity due to inappropriate identification	STARS	LEAs	December 1 Child Count Table 1
10 Disproportionate representation by race and ethnicity in specific disabilities due to inappropriate identification	STARS	LEAs	December 1 Child Count Table 1
11 60 day initial evaluation timeline	STARS	LEAs	Each reporting period
12 Part C to Part B transition	DOH STARS	DOH LEAs	Each reporting period
13 Secondary Transition	Transition Outcomes Project IEP review of districts & charter schools annually	Transition Outcomes Project through REC 6	On-site training and checklist responses to IEP file reviews, using modified Transition Requirements Checklist, yielding district-level data
14 Post-secondary Transition	Post school Outcomes Survey – all exiters one year out	Post-school Outcomes Survey Project through NEREC 4	Annually through survey

Appendix F

**New Mexico Public Education Department
Special Education Bureau
Scoring Rubric for SPP Indicator 20**

District Name: _____

Timeliness and Accuracy of State Reported Data and Reports

Definition of Timely:

Submission – Data is submitted by the deadline date

Data Complete – All discrepancies are completed and verifications complete by the deadline date

Definition of Accurate:

Following Instructions – Data sources comply with the STARS standards and data entry methods and follow directions of staff and Users Guides

Data Verification Checks – District responded to requests to verify and/or correct data

STARS Training:

Participation in annual STARS data training (fall and spring)

Points Possible:

618 Data: 1 point for each category

SPP Indicators 1 point for each category

STARS Training 1 point for each time LEA attends in fall and/or spring

Data Source	Timely Submission	Data Complete	Verification Checks	Followed Instructions	Total	40 th Day	80 th Day	Dec. 1 st Count	120 th Day	End Of Year (EOY)
618 Data						X		X		
December 1st 2008								X		
June 2009 EOY										X
SPP Indicators										
Indicator 1						X				X
Indicator 4										X
Indicator 5								X		
Indicator 6								X		
Data Source	Timely Submission	Data Complete	Verification Checks	Followed Instructions	Total	40 th Day	80 th Day	Dec. 1 st Count	120 th Day	End Of Year (EOY)
Indicator 9								X		
Indicator 10								X		

Indicator 11						X	X	X	X	X
Indicator 12							X			X
Subtotal										
Total					/44					
STARS Training (one point/each training)	Fall	Spring			/44					
Grand Total										
Percentage					%					

Date Rubric Completed: _____

Rubric Completed By: _____

Date District Notified by Education Administrator: _____

Appendix G

New Mexico's State Performance Plan Continuous Improvement Rubric IDEA Part B

Levels of Determination	Criteria	Rewards and Consequences
Meets Requirements	<ul style="list-style-type: none"> Meets all SPP Compliance Targets: 9,10,11, 12,13,15 and 20 with at least Substantial Compliance of 95% or higher LEA has no uncorrected non-compliance findings <p><u>No significant issues in the following areas:</u></p> <ul style="list-style-type: none"> Audit findings The submission of timely and reliable special education data in the following data collections: (IEP membership, parental consent/initial evaluations, dropout, environment, data pertaining to State Rules, dispute resolution, discipline) Due process hearing-officer's orders were followed All Corrective Action Plans completed as soon as possible, but in no case later than one year 	<p>NMPED may take the following actions on the LEAs that fall in Meets Requirements:</p> <ul style="list-style-type: none"> LEAs will receive a letter of recognition from the NMPED and the State IDEA Advisory Panel If possible, the LEAs will receive IDEA discretionary dollars to assist the LEA in maintaining their Determination The LEA will receive reduced on-site monitoring Pursuant to Section 613(a)(2)(C) of IDEA and 34 CFR § 300.205 of its regulations, Meets Requirements will be eligible to reduce their local and state maintenance of effort (MOE) by up to fifty percent of the increase in IDEA Part B funding under Section 611 for the 2009-2010 grant year. LEAs that take advantage of this provision, you must use the freed-up State Equalization Guarantee (SEG) funding for activities that could be supported under the Elementary and Secondary Education Act and the required MOE for future years is reduced by the amount of reduction of the SEG funding, unless you increase the amount of your state and local expenditures on your own.
Needs Assistance YEAR 1	<ul style="list-style-type: none"> Includes not demonstrating Substantial Compliance for one or more of the SPP Compliance Indicator Targets LEA demonstrates at least Substantial Compliance of 95% or above on corrected 	<p>NMPED may take the following actions:</p> <ul style="list-style-type: none"> LEA will incorporate improvement strategies into their EPSS plan and review the LEA's EPSS quarterly LEA will explore reasons for not meeting compliance targets such as data submission, process or practice

	<p>non-compliance</p> <ul style="list-style-type: none"> • Due process hearing-officer’s orders were followed • All Corrective Action Plans completed as soon as possible, but in no case later than one year <p><u>Significant issues may have been identified in at least one of the following areas:</u></p> <ul style="list-style-type: none"> • Special education audit findings • LEA did not submit timely and reliable special education data in the following data collections: (IEP membership, parental consent, initial evaluations, dropout, environment, data pertaining to State Rules, dispute resolution, discipline) • An LEA with uncorrected non-compliance beyond one year automatically proceeds to NI 	<p>problems, staffing, etc.</p> <ul style="list-style-type: none"> • The LEA will submit district documents for review and possible revision of LEA’s policies, procedures, and practices • LEA will utilize EPSS rubrics and tools listed in Appendix B • LEA will submit additional (student, program, and/or fiscal) data • LEA may participate in possible on-site verification visits from SEB staff or SEB contracted staff • LEA may be required to attend mandatory professional development
<p>Needs Assistance YEAR 2 +</p>	<ul style="list-style-type: none"> • Includes not demonstrating Substantial Compliance for one or more of the SPP Compliance Indicator Targets • LEA demonstrates at least Substantial Compliance of 95% or above on corrected non-compliance • Due process hearing-officer’s orders were followed • All Corrective Action Plans completed as soon as possible, but in no case later than one year <p><u>Significant issues may have been identified in at least one of the following areas:</u></p> <ul style="list-style-type: none"> • Special education audit findings • LEA did not submit timely and accurate special education data in the following areas: 	<p>NMPED may take the following actions:</p> <ul style="list-style-type: none"> • LEA will incorporate improvement activities into their EPSS plan and review the LEA’s EPSS quarterly • LEA will explore reasons for not meeting compliance targets such as data submission, process or practice problems, staffing, etc. • The LEA will submit district documents for review and possible revision of LEA’s policies, procedures, and practices • LEA will utilize EPSS rubrics and tools listed in Appendix B • LEA will submit additional (student, program, and/or fiscal) data • LEA may participate in possible on-site verification visits

	<p>(IEP membership, parental consent, initial evaluations, dropout, environment, data pertaining to State Rules, dispute resolution, discipline)</p>	<p>from SEB staff or SEB contracted staff</p> <ul style="list-style-type: none"> • LEA may be required to attend mandatory professional development <p>If the State determines, for two consecutive years, that the district needs assistance, the State shall take one or more of the following enforcement actions consistent with section 611(e)</p> <ul style="list-style-type: none"> • LEA advised of available sources of technical assistance. TA may include: <ul style="list-style-type: none"> o Advice from experts o Assistance in identifying and implementing professional development, instructional strategies and methods of instruction that are o Assistance in identifying and implementing professional development, instructional strategies and methods of instruction that are based on scientifically based research to provide FAPE o Designating and using distinguished professionals to provide advise, TA and support • Direct the use of LEA-level funds under section 611(e) on area(s) in which the LEA needs assistance
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**Needs Intervention
YEAR 1**

- Does not meet at least Substantial Compliance of 95% or above on one or more of the Compliance Targets
- An LEA who does not correct their continued non-compliance with at least Substantial Compliance of 95% or above will automatically proceed to NI

Significant issues may have been identified in at least one of the following areas:

- Special Education audit findings
- LEA did not submit timely and reliable data in one or more of the following required data collections: (IEP membership, parental consent, initial evaluation, assessment dropout, environment data pertaining to State Rules, dispute resolution discipline, and fiscal)
- Due process hearing-officer's order not followed
- Corrective Action Plan not followed

NMPED may take one or more of the following actions:

- Require LEA to participate in the State Personnel Development Grant (SPDG)
- Require district to submit an action plan within their EPSS to address area(s) in need of improvement
- LEA will utilize the New Mexico Standards for Excellence Rules at (6.30.2.8) (G) NMAC
- Participate in Special Education on-site verification and fiscal audits
- Request LEA to submit additional student, program, and/or fiscal data
- Submission of policies, procedures and practices;

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention or Substantial Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination

**Needs Intervention
YEAR 2**

- Does not meet at least Substantial Compliance of 95% or above on one or more of the Compliance Targets
- An LEA who does not correct their continued non-compliance with at least Substantial Compliance of 95% or above will automatically proceed to NI

Significant issues were identified in one or more of the following areas:

- Special Education audit findings
- LEA did not submit timely and reliable data in the following required data collections: (IEP membership, parental consent, initial evaluation, assessment dropout, environment data pertaining to State Rules, dispute resolution discipline, and fiscal)
- Due process hearing-officer's order not followed
- Corrective Action Plans not completed

NMPED may take one or more of the following actions:

- Work directly with the State Education Technical Assistance Teams (SETATs)
- Require district to submit a Corrective Action Plan (CAP) for area(s) in need of improvement
- Participate in Special Education on-site verification and fiscal audits
- Request LEA to submit additional student, program, and/or fiscal data
- Submission of policies, procedures and practices

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention or Substantial Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination

**Needs Intervention
YEAR 3**

- Does not meet at least Substantial Compliance of 95% or above on one or more of the SPP Compliance Targets
- An LEA who does not correct their continued non-compliance with at least Substantial Compliance of 95% or above will automatically proceed to NI

Significant issues were identified in one or more of the following areas:

- Special Education audit findings
- LEA did not submit timely and reliable data in the following required data collections: (IEP membership, parental consent, initial evaluation, assessment dropout, environment data pertaining to State Rules, dispute resolution discipline, and fiscal)
- Due process hearing-office's orders not followed
- Corrective Action Plans not followed

If, the State determines, for three consecutive years that the State Needs Intervention, the State may take any of the actions described under needs assistance and shall take one or more of the following enforcement actions consistent with section 616(e)(2):

- Require the district to prepare a CAP if the LEA can correct the problem within one year
- Require the LEA to enter into a compliance agreement, If the State has reason to believe that the LEA cannot correct the problem within one year
- Withhold a percentage of the LEA's funds under section 611(e), for each year of the Determination
- Seek to recover funds
- Withhold any further payments to the LEA.
- Refer the matter for appropriate enforcement action

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention or Substantial Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination

Needs Substantial Intervention

If the State determines, at any time, that a LEA needs substantial intervention in implementing the requirements of Part B of the IDEA or that there is a substantial failure to comply with any conditions of Part B, the State will designate the LEA as in need of substantial intervention. Among the factors that the State will consider are:

- The failure to substantially comply significantly affects the core requirements of the program, such as the delivery of services to children with disabilities; and/or
- The LEA has informed the State that it is unwilling to comply.

In accordance with 34 CFR § 300.603(b)(2) a LEA that is determined to Need Intervention or Substantial Intervention, and does not agree with this determination, may request an opportunity to meet with the Assistant Secretary of Instructional Support and Vocational Education to demonstrate why the department should change its determination

Process for Fiscal Sanctions:

New Mexico Public Education Department Process for Withholding Local Education Agencies (LEA) Individuals with Disabilities Education Act (IDEA) Funds

Pursuant to 6.31.2.9(G) NMAC, prior to withholding any funds under Part B of the IDEA, the NMPED will provide reasonable notice (60 calendar days), and an opportunity for a hearing with the NMPED.

Within thirty days of the Local Education Agency's (LEA) receipt of the notice of proposed withholding of IDEA funds, the LEA must request a hearing with the Secretary of Education of the NMPED.

Within fifteen days after receiving a request for a hearing, the Secretary of Education will designate a hearing official and notify the parties.

The Secretary of Education will designate an individual, either from the department or elsewhere, not responsible for or connected with the administration of the program.

Within 30 days after receiving a request for a hearing, the NMPED shall hold a hearing on the record and shall review its proposed action.

No later than ten days after the hearing, the NMPED shall issue its written ruling, including findings of fact and reasons for the ruling.

If the NMPED determines that its proposed action was contrary to State and Federal statutes or regulations that govern the program, the NMPED shall rescind its action.

If the NMPED does not rescind its proposed action, the LEA may appeal to the Secretary of the U.S. Department of Education as provided in 34 CFR § 76.401(d)(5).

**How the State Made Determinations under Section 616(d)
Individuals with Disabilities Education Act in 2008: Part B**

In making our determination for each Local Education Agency (LEA) under section 616(d) of the Individuals with Disabilities Education Act (IDEA), we considered the Local Education Agency's (LEA) information from monitoring visits, including verification reviews, and other public information, such as the LEA's performance under any existing special conditions on its FFY 2007 grant or under a compliance agreement, longstanding unresolved audit findings, and other LEA compliance data under the IDEA.

FFY 2007-2008 Data Submissions

In reviewing the LEA's FFY 2007 data submissions, we considered an LEA's compliance on Indicators:

For compliance, we looked at Indicators 9, 10, 11, 12, 13, and 15. With respect to these indicators, we looked for evidence that the LEA demonstrated Substantial Compliance either through reporting a very high level of performance (generally 95% or better) or correction of non-compliance, and if the LEA did not, whether it nonetheless had made progress in ensuring compliance over its performance in that area. We considered progress to include reporting higher compliance numbers or reporting more accurate and complete compliance data. Indicator 15 evaluates 'timely' correction, so for this indicator we specifically examined whether the correction was timely. For the other Compliance Indicators, we considered whether the LEA timely corrected previous non-compliance, but we also considered whether the LEA subsequently corrected non-compliance. We did not consider Indicator 20 because the data rubric was unavailable. Next year we will consider Indicator 20 as a part of the LEA's compliance data.

Generally, and absent any other issues (see below), we considered a LEA to "**Meet Requirements**" if it provided valid and reliable FFY 2007 data consistent with, or substantially the same as, the measurement for each indicator, AND demonstrated Substantial Compliance for Indicators 9, 10, 11, 12, 13, and 15. We determined that a LEA demonstrated Substantial Compliance if it provided data showing a very high level of compliance (generally 95% or better) or that it had fully corrected previously identified non-compliance. In no case, however, did we place a LEA in "meets requirements" if it failed to provide valid and reliable FFY 2007 data for compliance Indicators 9, 10, 11, 12, 13, and 15, or if it had uncorrected non-compliance.

Generally, and absent any other issues (see below), we considered a LEA to be "**in Need of Intervention**" if it demonstrated very low performance for Indicators 9, 10, 11, 12, and 13 (Generally 50% or below) and did not demonstrate correction of the non-compliance (at least 95% or better) or did not make progress over the prior year's performance. We identified LEAs as being in need of intervention if they did not provide any FFY 2007 data on Indicators 9, 10, 11, 12, 13, and 15, or if the data were not valid and reliable.

We would identify a LEA as "**in Need of Substantial Intervention**" if its substantial failure to comply significantly affected the core requirements of the program, such as the delivery of services to children with disabilities or the LEA's exercise of general supervision, or if the LEA informed the State that it was unwilling to comply with an IDEA requirement. In making this

determination, we would consider the impact of any longstanding unresolved issues on the LEA's current implementation of the program.

We determined that LEAs that did not "Meet Requirements" and were not "in Need of Intervention" or "in Need of Substantial Intervention" were "in Need of Assistance," absent any other issues (see below).

Monitoring Data and Other Public Information

We also considered other public information available to the State, including information from the Office of Special Education Program's (OSEP) monitoring activities, performance under pre-existing special conditions, and longstanding audit findings. We did not consider a LEA to "meet requirements" if the LEA had unresolved special conditions issues, uncorrected Corrective Action Plan (CAP) issues, OSEP monitoring findings, including verification visit findings, or longstanding audit issues or was under a compliance agreement. The length of time the problem had existed, the magnitude of the problem, and the LEA's response to the problem, including progress the LEA had made to correct the problem, were factors we considered in determining whether the LEA should be identified as "in Need of Assistance," "in Need of Intervention," or "in Need of Substantial Intervention."