

# **Ohio's Part B Annual Performance Report for 2008-2009**

**Submitted  
February 1, 2010**

**Revised  
April 12, 2010**

## Part B State Annual Performance Report (APR) for 2008-2009

Contents	Page
Commonly Used Abbreviations Appearing in Ohio's APR .....	ii
Overview of the APR Development .....	1
<b>Indicator</b>	
1 Graduation .....	3
2 Dropout .....	7
3 Participation and performance on state assessments.....	10
4 Suspension/expulsion .....	16
5 Least restrictive environment – school-age.....	19
6 Least restrictive environment – preschool.....	23
7 Preschool outcomes.....	24
8 Parent involvement.....	26
9 Disproportionality in special education by race/ethnicity .....	28
10 Disproportionality in specific disability categories by race/ethnicity.....	30
11 Child find .....	32
12 Early childhood transition .....	35
13 Secondary transition.....	38
14 Postsecondary outcomes .....	40
15 General supervision .....	41
16 Complaint timelines .....	50
17 Due process timelines .....	52
18 Resolution sessions .....	54
19 Mediations.....	56
20 State reported data.....	58

**Commonly Used Abbreviations Appearing in Ohio's APR**

APR –	<i>Annual Performance Report</i>
AYP –	<i>Adequate Yearly Progress</i>
DAC –	<i>Data Accountability Center</i>
ECOSF –	<i>Early Childhood Outcomes Summary Form</i>
EMIS –	<i>Education Management Information System</i>
FFY –	<i>Federal Fiscal Year</i>
IDEA –	<i>Individuals with Disabilities Education Act</i>
IEP –	<i>Individualized Education Program</i>
IHE –	<i>Institution of Higher Education</i>
LEA –	<i>Local Education Agency</i>
LRE –	<i>Least Restrictive Environment</i>
NCRRC –	<i>North Central Regional Resource Center</i>
OCECD –	<i>Ohio Coalition for the Education of Children with Disabilities</i>
ODE –	<i>Ohio Department of Education</i>
ODH –	<i>Ohio Department of Health</i>
OEC –	<i>Office for Exceptional Children</i>
OEL&SR –	<i>Office of Early Learning and School Readiness</i>
OIP –	<i>Ohio Improvement Process</i>
OSEP –	<i>Office of Special Education Programs</i>
PBS –	<i>Positive Behavior Supports</i>
RRFC –	<i>Regional Resource and Federal Center</i>
SAPEC –	<i>State Advisory Panel for Exceptional Children</i>
SPP –	<i>State Performance Plan</i>
SST –	<i>State Support Team</i>
USDOE –	<i>U.S. Department of Education</i>

**Part B State Annual Performance Report (APR) for 2008-2009****Overview of the Annual Performance Report Development:**

The Individuals with Disabilities Education Improvement Act (IDEA) of 2004 requires each State to have in place a performance plan that evaluates the State's efforts to implement the requirements and purposes of IDEA Part B and describes how the State will improve such implementation. This plan is called the Part B State Performance Plan (SPP). The SPP, submitted every six years, must include measurable and rigorous targets for the 20 indicators identified by the Office of Special Education Programs (OSEP) at the U.S. Department of Education (USDOE). The State must report annually to OSEP on the performance of the state on the targets identified in the SPP. This report is called the Part B Annual Performance Report (APR). Each State must also report annually to the public on the performance of each local education agency located in the State on the targets in the SPP.

To develop the FFY 2008 (2008-2009) APR the Office for Exceptional Children (OEC) at the Ohio Department of Education (ODE) maintained the internal indicator assignment and meeting structure established for revision and submission of Ohio's SPP and APR. The OEC leadership team identified internal staff and staff members from other offices (such as the Office of Early Learning and School Readiness, or OEL&SR) to collect data, draft responses, and report out to the group. This group review process helped to develop a common voice and reporting structure across all indicators.

In the development of Ohio's APR, ODE benefited from the technical assistance provided by the Regional Resource and Federal Center (RRFC) network website, the Office of Special Education Programs (OSEP), and the North Central Regional Resource Center (NCRRC). The materials on the RRFC network website provided ongoing support and clarification. Conference calls with Ohio's State Contact, in addition to the technical assistance conference calls facilitated by OSEP, provided opportunities to ask questions related to specific indicators. NCRRC assisted with the development of the APR with regional meetings, indicator-specific workgroup conference calls, various tools and resources, and an on-site review of the document before submission. OEC and OEL&SR obtained input from the State Advisory Panel for Exceptional Children (SAPEC), Ohio's special education stakeholder group, to set rigorous and measurable targets for Indicator 7, as reported in the revised SPP submitted in conjunction with the FFY 2008 (2008-2009) APR.

ODE has previously reported to the public on APR and SPP indicators through web postings, meetings with stakeholders and professional organizations (including Ohio's State Advisory Panel for Exceptional Children), and regional and statewide conferences. ODE will continue utilizing these means to report annually to the public on Ohio's progress and/or slippage in meeting the measurable and rigorous targets found in the SPP. After submission to OSEP by February 1, 2010, ODE will post the FFY 2008 (2008-2009) APR and revised SPP on the department website (see [www.education.ohio.gov](http://www.education.ohio.gov), keyword search *Annual Performance Report*).

To report annually to the public on the performance of each local education agency (LEA) located in the state on the targets in the SPP, ODE will continue to post a report on the department website in tabular data format. ODE will provide this report within 120 days after submission of the APR, as required (see [www.education.ohio.gov](http://www.education.ohio.gov), keyword search *District-Level Performance Data*). In addition, each LEA will receive a Special Education Performance Profile and Monitoring Plan, comprised of a data profile and required monitoring activities, and an individual determinations report detailing its performance on the indicators included in the subset for making annual LEA determinations.

Based upon its submission of the FFY 2007 (2007-2008) APR and revised SPP in February, 2009, ODE received a response from OSEP notifying the state of Ohio's determination of Meets Requirements for 2009. Ohio's determination and related requirements are shared with the public via the department website (see [www.education.ohio.gov](http://www.education.ohio.gov), keyword search *State and Local Determinations*).

The response from OSEP also included a table that summarized Ohio's status on each indicator and identified additional steps to be completed. To address these issues, ODE has provided the specific information requested by OSEP in the FFY 2008 (2008-2009) APR, as follows:

- Indicator 4 – As required, the results of reviews of policies, procedures and practices by LEAs identified with discipline discrepancies based on FFY 2007 data are discussed on page 17.

- Indicator 7 – Baseline data, targets and improvement activities are provided on pages 34-40 of the revised State Performance Plan, submitted in conjunction with the FFY 2008 (2008-2009) APR.
- Indicator 11 – For FFY 2007 ODE reported noncompliance with initial evaluation timelines. The status of timely correction of this noncompliance is discussed on page 33.
- Indicator 12 – For FFY 2007 ODE reported noncompliance for Part C to B transition. The status of timely correction of this noncompliance is discussed on page 36.
- Indicator 13 – For FFY 2007 ODE reported noncompliance with secondary transition planning. The status of timely correction of this noncompliance is discussed on pages 38-39.
- Indicator 15
  - For FFY 2007 ODE reported uncorrected noncompliance from complaint findings. The status of findings that were not reported as corrected in the FFY 2007 APR is discussed on page 42.
  - In reporting on Indicator 15 in the FFY 2008 APR, states must use the Indicator 15 Worksheet. The completed worksheet was submitted in conjunction with the FFY 2008 (2008-2009) APR.
- Indicator 20
  - For FFY 2006 ODE did not meet the 100% target for timely and accurate data due to a missed data note request for Table 1 of 618 data. FFY 2008 data demonstrating compliance with timely and accurate data requirements are provided on pages 59-60.
  - In reporting on Indicator 20 in the FFY 2008 APR, states must use the Indicator 20 Data Rubric. The completed rubric was submitted in conjunction with the FFY 2008 (2008-2009) APR.

In addition, in October 2009 ODE received a verification and focused monitoring visit from OSEP to review Ohio's general supervision, data reporting, and fiscal management systems and determine their effectiveness in ensuring compliance and improving performance. As a result of the information received during this visit and subsequent technical assistance, ODE has adjusted its general supervision and monitoring systems. Specifically, OEC and OEL&SR are working closely with NCRRC and the Data Accountability Center (DAC) to:

- Integrate existing monitoring processes and differentiate activities based on LEA need;
- Incorporate additional means of verifying correction into existing monitoring processes; and
- Implement additional verification and monitoring activities to ensure complete and accurate data reporting.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: FAPE in the LRE

**Indicator 1:** Percent of youth with IEPs graduating from high school with a regular diploma.

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

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

## Ohio's Graduation Rate for Indicator 1

The graduation rate is defined as the percentage of students that received a diploma during a given school year, (including summer graduates) of the total number of students reported as graduates and or dropouts from this cohort of students (adjusted for returning withdrawals) combined.

The graduation rate is the percentage of students who entered high school that received a diploma during the 2007-2008 school year, including summer 2008 graduates.

<b>Graduation Rate =</b>	$\frac{\begin{array}{l} \text{\# of 2007-2008 Graduates (Summer Graduates included)} \\ \text{\# of 2007-2008 Graduates} + \text{\# of Grade 13 Students} + \\ \text{(\# of Grade 9 Dropouts in 2004-2005 - \# of Grade 9 Ret. Withdrawals)} + \\ \text{(\# of Grade 10 Dropouts in 2005-2006 - \# of Grade 10 Ret. Withdrawals)} + \\ \text{(\# of Grade 11 Dropouts in 2006-2007 - \# of Grade 11 Ret. Withdrawals)} + \\ \text{(\# of Grade 12 Dropouts in 2007-2008 - \# of Grade 12 Ret. Withdrawals)} - \\ \text{Grade 12 students previously reported as dropouts} \end{array}}{\text{\# of 2007-2008 Graduates (Summer Graduates included) + \# of 2007-2008 Graduates + \# of Grade 13 Students + (\# of Grade 9 Dropouts in 2004-2005 - \# of Grade 9 Ret. Withdrawals) + (\# of Grade 10 Dropouts in 2005-2006 - \# of Grade 10 Ret. Withdrawals) + (\# of Grade 11 Dropouts in 2006-2007 - \# of Grade 11 Ret. Withdrawals) + (\# of Grade 12 Dropouts in 2007-2008 - \# of Grade 12 Ret. Withdrawals) - Grade 12 students previously reported as dropouts}}$	<b>X 100</b>
--------------------------	---	--------------

Graduates: Students reported with a *DIPLOMA DATE* and a *DIPLOMA TYPE* excluding students reported with Grade Level = 13 and students reported with Proficiency Only Records.

Returning Withdrawals: Students who returned by October of the year immediately following the year in which they were counted as a dropout (withdrawal reason = 71, 72, 73, 74).

Dropouts: The number of dropouts (withdrawal reason = 71, 72, 73, 74) from each high school grade level (9-12) for that graduating class.

- 71 = Withdrew due to truancy/nonattendance
- 72 = Pursued employment/work permit (Superintendent approval on file)
- 73 = Over 18 years of age
- 74 = Moved; not known to be continuing

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	86.1% of youth with IEPs graduating from high school with a regular diploma.

**Actual Target Data for FFY 2008 (2008-2009):****Indicator 1, Table 1: Graduation Rates**

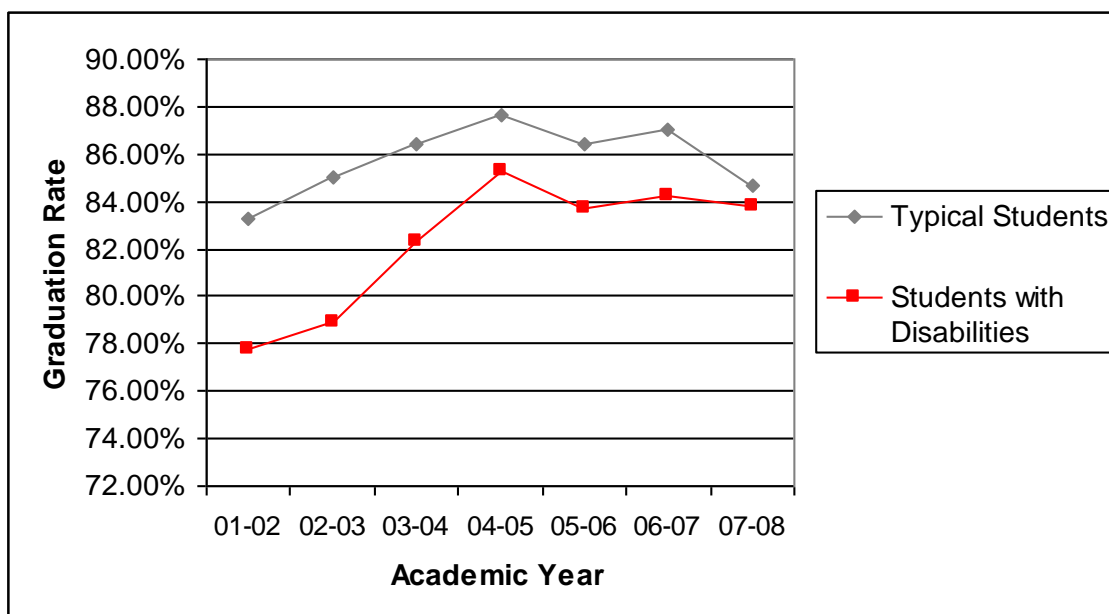
2007-2008	Graduates	Potential Graduates	Percent
<b>Students with Disabilities</b>	15,006	17,891	83.9%
<b>Typical Students</b>	105,645	124,679	84.7%
<b>All Students</b>	120,651	142,570	84.6%

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

The data source and measurement for Indicator 1 are now aligned with states' requirements for reporting graduation data to the U.S. Department of Education under Title I of the Elementary and Secondary Education Act (ESEA). As a result, graduation rate data now lag one year.

Data for 2007-2008 reflect a decrease in graduation rates for all students, including students with disabilities. The 83.9% graduation rate for students with disabilities falls short of the 2008-2009 target by 2.2 percentage points. This slippage may be due to statewide implementation of the requirement that all students pass all five sections of the Ohio Graduation Test (OGT) in order to receive their diplomas (except those excused from the consequences of the OGT by their IEPs). 2007-2008 represented the first year for enforcement of this requirement.

As displayed in the graph below, graduation rates for students with disabilities decreased less significantly than those for typical students. This indicates that, even with slippage, the graduation rate for students with disabilities continues to approach that of typical students at a steady pace.

**Indicator 1, Figure 1: Longitudinal Graduation Rates**

Ohio requires students to pass the Ohio Graduation Test in order to receive a high school diploma. However, students with disabilities may be excused from the consequences of this exam by their IEP teams and, therefore, may receive a high school diploma without passing the exam. Section 618 of the Individuals with Disabilities Education Act (IDEA) requires Ohio to report the number of students with disabilities who graduated but did so by meeting requirements that differ from those for typical students. The data in Table 2, below, reflect those differences. Table 2 represents the percentages of students with disabilities who graduated by meeting the same requirements as typical students and those that graduated by meeting modified requirements. These percentages are based on the total number of exiting students with disabilities, including those who did not graduate.

**Indicator 1, Table 2: IDEA Section 618 Graduation Requirements**

2007-2008	Percent of Students with Disabilities
Graduates with same requirements	44.5%
Graduates with modified requirements	55.5%

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In 2008-2009 OEC continued its partnership with the Ohio Rehabilitation Services Commission (ORSC) in the third year of the federal Ohio Secondary Transition Improvement Grant, with emphasis on connecting adult services and programs to school-age youth with disabilities. The outcomes of this five-year grant are directed at improving graduation rates and post-school employment rates for students with disabilities. OEC and ORSC continued to develop and deploy joint regional transition dyads that include an education transition specialist and a rehabilitation transition specialist. These teams provided coordination of services and technical assistance to adult services agencies, districts and families related to evidence-based transition practices that increase post-school success for students with disabilities. As a related activity, in partnership with Kent State University, OEC continued to use Ohio Longitudinal Transition Study data to help districts identify evidence-based practices leading to increased graduation and post-school engagement rates for students with disabilities.

In addition, OEC collaborated with other offices in ODE to develop an agency-wide effort for improving graduation rates and reducing dropout rates for all students. This initiative is based upon the State Board of Education's adoption of *A Comprehensive System of Learning Supports*, which details specific positive climate and student support practices focused on keeping all students engaged and connected to school.

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote district-wide improvement of instructional practice and performance of all students through the development of effective leadership team structures. Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the process by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. (For a complete discussion of the Ohio Improvement Process, see Indicator 3).

Through completion of the Decision Framework, district leadership teams analyze data and identify areas for improvement related to graduation and dropout, including: graduation and dropout rates by subgroup (including students with disabilities); school climate; suspension and expulsion rates by grade and subgroup; student attendance by grade and subgroup; student mobility; teacher and student perception; and multiple risk factors. When the results of the Decision Framework reveal discrepancies or troubling patterns, the OIP facilitators from the State Support Team work with the district leadership team to identify strategies and action steps for inclusion in the LEA's focused plan. In this way, implementation of the Ohio Improvement Process has the potential to positively impact graduation rates for all students, including students with disabilities.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC is directly involved with the Governor's Youth and Young Adults in Transition Steering Committee through the cabinet-level Office for Families and Children First. This long-term effort is aimed at aligning and/or consolidating youth transition resources, policies, services, and efforts among state departments.

The Governor's Office has placed a high priority on increasing graduation rates for all students, especially those at risk of dropping out, and this effort, which includes the Ohio Department of Education, will focus on coordinating all state-wide and local initiatives to increase graduation rates and promote successful postsecondary engagement for all students.

OEC annually develops Special Education Performance Profiles and Monitoring Plans, comprised of a data profile and required monitoring activities for each LEA. Using these data, OEC provided a spreadsheet to each State Support Team in fall 2009, displaying the 2007-2008 and 2008-2009 performance across SPP/APR indicators for every LEA in the State Support Team (SST) region. This tool is color-coded to identify patterns of strengths and weakness within each LEA and across LEAs within the region. SST consultants will utilize these performance data, including graduation and dropout rates for students with disabilities, as they support their LEAs in completion of the Decision Framework (as part of the Ohio Improvement Process). In 2009-2010 all LEAs identified as needing technical assistance to meet one or more targets will work with consultants from their SST to implement the OIP. This work will include an added emphasis on early intervention for at-risk students and use of specific dropout prevention strategies in early grades, aimed at longer-term reduction of dropouts and increased graduation rates.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: FAPE in the LRE

**Indicator 2:** Percent of youth with IEPs dropping out of high school.

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

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

## Ohio's Dropout Rate for Indicator 2

<b>Dropout Rate =</b>	$\frac{\begin{aligned} &\# \text{ of 2007-2008 Dropouts DIVIDED BY} \\ &\# \text{ of 2007-2008 Graduates} + \# \text{ of Grade 13 Students} + \\ &(\# \text{ of Grade 9 Dropouts in 2004-2005} - \# \text{ of Grade 9 Ret. Withdrawals}) + \\ &(\# \text{ of Grade 10 Dropouts in 2005-2006} - \# \text{ of Grade 10 Ret. Withdrawals}) + \\ &(\# \text{ of Grade 11 Dropouts in 2006-2007} - \# \text{ of Grade 11 Ret. Withdrawals}) + \\ &(\# \text{ of Grade 12 Dropouts in 2007-2008} - \# \text{ of Grade 12 Ret. Withdrawals}) - \\ &\text{Grade 12 students previously reported as dropouts} \end{aligned}}{\text{X 100}}$
-----------------------	--

Graduates: Students reported with a *DIPLOMA DATE* and a *DIPLOMA TYPE* excluding students reported with Grade Level = 13 and students reported with Proficiency Only Records.

Returning Withdrawals: Students who returned by October of the year immediately following the year in which they were counted as a dropout (withdrawal reason = 71, 72, 73, 74).

Dropouts: The number of dropouts (withdrawal reason = 71, 72, 73, 74) from each high school grade level (9-12) for that graduating class.

- 71 = Withdrew due to truancy/nonattendance
- 72 = Pursued employment/work permit (Superintendent approval on file)
- 73 = Over 18 years of age
- 74 = Moved; not known to be continuing

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	12.7% of youth with IEPs dropping out of high school: a further reduction of 0.5 percentage points in the difference between the percent of students with disabilities dropping out and the percent of students without disabilities dropping out.

**Actual Target Data for FFY 2008 (2008-2009):****Indicator 2, Table 1: Dropout Rates**

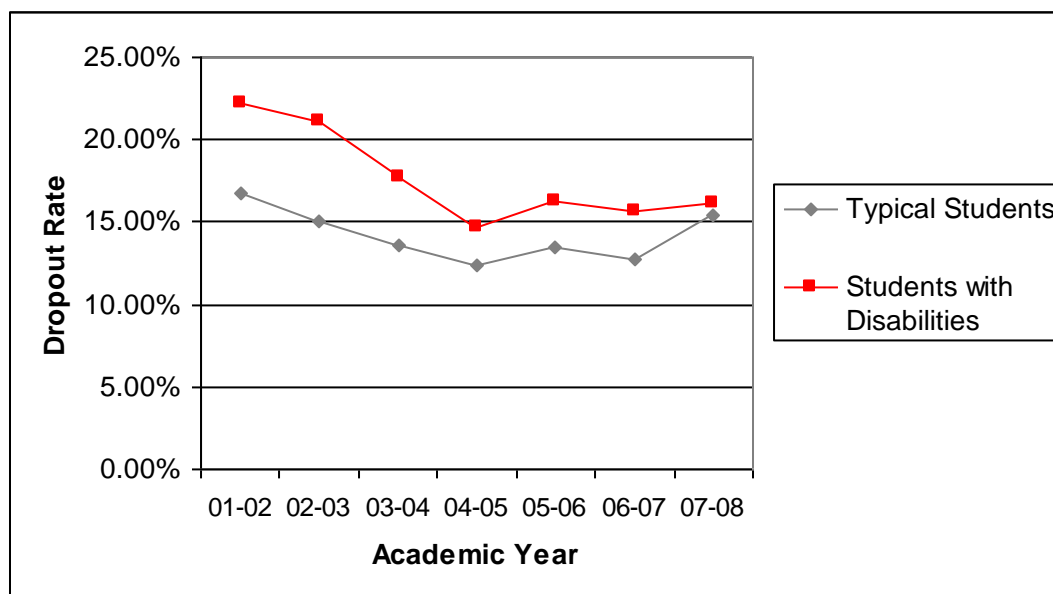
2007-2008	Dropouts	Potential Graduates	Percent
<b>Students with Disabilities</b>	2,885	17,891	16.1%
<b>Typical Students</b>	19,034	124,679	15.3%
<b>All Students</b>	21,919	142,570	15.4%

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

The data source and measurement for Indicator 2 are now aligned with states' requirements for reporting graduation and dropout data to the U.S. Department of Education under Title I of the Elementary and Secondary Education Act (ESEA). As a result, dropout rate data now lag one year.

Data for 2007-2008 reflect an increase in dropout rates for all students, including students with disabilities. The 16.1% dropout rate for students with disabilities falls short of the 2008-2009 target by 3.4 percentage points. As described in Indicator 1, this slippage may be due to statewide implementation of the requirement that all students pass all five sections of the Ohio Graduation Test (OGT) in order to receive their diplomas (except those excused from the consequences of the OGT by their IEPs). 2007-2008 represented the first year for enforcement of this requirement.

As displayed in the graph below, dropout rates for students with disabilities increased less significantly than those for typical students for 2007-2008. As a result, the dropout rate for students with disabilities continues to approach that of typical students at a steady pace.

**Indicator 2, Figure 1: Longitudinal Dropout Rates****Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In 2008-2009 OEC continued its partnership with the Ohio Rehabilitation Services Commission (ORSC) in the third year of the federal Ohio Secondary Transition Improvement Grant, with emphasis on connecting adult services and programs to school-age youth with disabilities. The outcomes of this five-year grant are directed at improving graduation rates and post-school employment rates for students with disabilities. OEC and ORSC continued to develop and deploy joint regional transition dyads that include an education transition specialist and a rehabilitation transition specialist. These teams provided coordination of services and technical assistance to adult services agencies, districts and families related to evidence-based transition practices that increase post-school success for students with disabilities. As

a related activity, in partnership with Kent State University, OEC continued to use Ohio Longitudinal Transition Study data to help districts identify evidence-based practices leading to increased graduation and post-school engagement rates for students with disabilities.

In addition, OEC collaborated with other offices in ODE to develop an agency-wide effort for improving graduation rates and reducing dropout rates for all students. This initiative is based upon the State Board of Education's adoption of *A Comprehensive System of Learning Supports*, which details specific positive climate and student support practices focused on keeping all students engaged and connected to school.

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote district-wide improvement of instructional practice and performance of all students through the development of effective leadership team structures. Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the process by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. (For a complete discussion of the Ohio Improvement Process, see Indicator 3).

Through completion of the Decision Framework, district leadership teams analyze data and identify areas for improvement related to graduation and dropout, including: graduation and dropout rates by subgroup (including students with disabilities); school climate; suspension and expulsion rates by grade and subgroup; student attendance by grade and subgroup; student mobility; teacher and student perception; and multiple risk factors. When the results of the Decision Framework reveal discrepancies or troubling patterns, the OIP facilitators from the State Support Team work with the district leadership team to identify strategies and action steps for inclusion in the LEA's focused plan. In this way, implementation of the Ohio Improvement Process has the potential to positively impact graduation rates for all students, including students with disabilities.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC is directly involved with the Governor's Youth and Young Adults in Transition Steering Committee through the cabinet-level Office for Families and Children First. This long-term effort is aimed at aligning and/or consolidating youth transition resources, policies, services, and efforts among state departments. The Governor's Office has placed a high priority on increasing graduation rates for all students, especially those at risk of dropping out, and this effort, which includes the Ohio Department of Education, will focus on coordinating all state-wide and local initiatives to increase graduation rates and promote successful postsecondary engagement for all students.

OEC annually develops Special Education Performance Profiles and Monitoring Plans, comprised of a data profile and required monitoring activities for each LEA. Using these data, OEC provided a spreadsheet to each State Support Team in fall 2009, displaying the 2007-2008 and 2008-2009 performance across SPP/APR indicators for every LEA in the State Support Team (SST) region. This tool is color-coded to identify patterns of strengths and weakness within each LEA and across LEAs within the region. SST consultants will utilize these performance data, including graduation and dropout rates for students with disabilities, as they support their LEAS in completion of the Decision Framework (as part of the Ohio Improvement Process). In 2009-2010 all LEAs identified as needing technical assistance to meet one or more targets will work with consultants from their SST to implement the OIP. This work will include an added emphasis on early intervention for at-risk students and use of specific dropout prevention strategies in early grades, aimed at longer-term reduction of dropouts and increased graduation rates.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: FAPE in the LRE

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

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

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

**Measurement:**

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	<ul style="list-style-type: none"> <li>A. 60% of LEAs with disability subgroups meeting the minimum "n" size meet the AYP objectives for progress for the disability subgroup.</li> <li>B. 98.3% participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; and alternate assessment against alternate achievement standards.</li> <li>C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards: (<i>Baseline plus 4/9 difference between 100% and baseline OR the adopted state AYP goal</i>) <ul style="list-style-type: none"> <li>62% Mathematics</li> <li>69% Reading</li> </ul> </li> </ul>

Actual Target Data for FFY 2008<sup>1</sup> (2008-2009):

Indicator 3, Table 1: Percentage of LEAs Meeting AYP Objectives

AYP Performance for Students with Disabilities Subgroup	Met	Not Met
Number of LEAs with minimum “n” size	296	371
Percent of LEAs with minimum “n” size	44.4%	55.6%

Indicator 3, Table 2: Participation of Children with Disabilities in Statewide Assessments

Participation Rate	Number (Math)	Percent (Math)	Number (Reading)	Percent (Reading)
a. Children with IEPs in grades assessed	146,124 <sup>2</sup>	100.0%	146,822 <sup>3</sup>	100.0%
b. Children with IEPs in regular assessment with no accommodations	48,802	33.4%	49,772	33.9%
c. Children with IEPs in regular assessment with accommodations	77,936	53.3%	77,757	53.0%
d. Children with IEPs in alternate assessment against grade level standards	0	0.0%	0	0.0%
e. Children with IEPs in alternate assessment against alternate achievement standards	17,502	12.0%	17,495	11.9%
Total tested	144,240	98.7%	145,024	98.8%

Indicator 3, Table 3: Participation Rate of Children with Disabilities, Reading and Math Combined

Participation Rate	
Required tests in grades assessed	292,946
Required tests taken in regular assessment with no accommodations; regular assessment with accommodations; and alternate assessment against grade level standards	289,264
Percent	98.7%

<sup>1</sup> The participation and performance rates calculated for this indicator are based on data reported for Table 6, required under IDEA section 618.

<sup>2</sup> The total of 146,124 for (a) is greater than the sum of (b), (c), (d) and (e) due to the number of children with IEPs who were not assessed in math in 2008-2009.

<sup>3</sup> The total of 146,822 for (a) is greater than the sum of (b), (c), (d) and (e) due to the number of children with IEPs who were not assessed in reading in 2008-2009.

Indicator 3, Table 4: Performance of Children with Disabilities on Statewide Assessments

Proficiency Rate	Number (Math)	Percent (Math)	Number (Reading)	Percent (Reading)
a. Children with IEPs in grades assessed	146,124 <sup>4</sup>	100%	146,822 <sup>5</sup>	100%
b. Children with IEPs who are proficient or above as measured by the regular assessment with no accommodations	22,257	15.2%	24,628	16.8%
c. Children with IEPs who are proficient or above as measured by the regular assessment with accommodations	27,283	18.7%	31,399	21.4%
d. Children with IEPs who are proficient or above as measured by the alternate assessment against grade level standards	0	0.0%	0	0.0%
e. Children with IEPs who are proficient or above as measured against alternate achievement standards	14,570	10.0%	14,583	9.9%
<b>Total proficient</b>	<b>64,110</b>	<b>43.9%</b>	<b>70,610</b>	<b>48.1%</b>

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

**Target 3A:** Ohio did not meet the target of 52%, as 44.4% of LEAs with disability subgroups meeting the minimum “n” size (n=30) met the AYP objectives for progress for the disability subgroup. These data reflect slippage of 4.2 percentage points from 2007-2008.

**Target 3B:** The participation rate of 98.7% for students with disabilities in reading and math exceeds the target of 98.3% for 2008-2009.

**Target 3C:** Ohio did not meet the target proficiency rates of 62% for math and 69% for reading. The 43.9% proficiency rate for students with disabilities in math reflects an increase of 0.2 percentage points from 2007-2008. The 48.1% proficiency rate for students with disabilities in reading reflects slippage of 1.6 percentage points from 2006-2007. The slippage that occurred for students with disabilities mirrors that occurring for all students. Between 2007-2008 and 2008-2009, performance for students not identified with disabilities dropped 1.5 percentage points for reading and almost 4 percentage points for math.

The following public reports of assessment results are available on the department website at [www.education.ohio.gov](http://www.education.ohio.gov):

- 1) Consolidated State Performance Report (keyword search *Federal Grant Proposals*);
- 2) Interactive Local Report Card (keyword search *iLRC*);
- 3) Report of 2007-2008 Proficiency Rates for Students with Disabilities (keyword search *Students with Disabilities Proficiency Rates*); and
- 4) Annual Performance Reports from FFY 2005-2007 (keyword search *State Performance Plan*).

<sup>4</sup> The total of 146,124 for (a) is greater than the sum of (b), (c), (d) and (e) due to the number of children with IEPs who were not proficient or above in 2008-2009, as measured by the regular math assessment with no accommodations, the regular math assessment with accommodations, or the alternate math assessment against alternate achievement standards.

<sup>5</sup> The total of 146,822 for (a) is greater than the sum of (b), (c), (d) and (e) due to the number of children with IEPs who were not proficient or above in 2008-2009, as measured by the regular reading assessment with no accommodations, the regular reading assessment with accommodations, or the alternate reading assessment against alternate achievement standards.

The report of proficiency rates for students with disabilities is disaggregated by assessment type and displays both statewide and local-level data. OEC is in the process of adding these data to its Interactive Local Report Card, or iLRC. The iLRC is an interactive tool developed for parents, educators, lawmakers, community members, and researchers to access current and historical Local Report Card data at the state, regional and district levels.

#### **Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote districtwide improvement of instructional practice and performance of all students through the development of effective leadership team structures (e.g., district leadership teams). LEAs are supported in implantation of the OIP by facilitators from Ohio's 16 State Support Team regions, thus establishing a consistent process for regional service providers to use in working with district and building leadership teams.

Through the OIP, district leadership teams:

- Establish norms for the operation of a high functioning district leadership team;
- Benchmark district leadership team performance against essential leadership practices;
- Establish processes for initiating, reviewing and refining school-level leadership team structures (e.g., building leadership teams and grade-level data teams);
- Utilize tools to identify areas of greatest need;
  - The OIP directs the LEA to analyze a variety of state, district and building-level data (including short-cycle assessments, universal screening and diagnostic assessments, and behavior/climate, perception and program information) using the Decision Framework.
  - The Decision Framework provides structured questions for district and building leadership teams to answer in order to analyze data and identify critical components for improving the academic performance of all students, including subgroup populations.
- Develop a focused district plan with a limited number of goals and strategies based on data;
- Develop a building-level team process for effective use of data and focused planning at the school level, aligned with district goals;
- Implement the focused plan fully and with integrity; and
- Monitor/evaluate plan implementation and its impact on student learning and make necessary mid-course corrections.

The Decision Framework drives the OIP by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. The Decision Framework includes investigation of student performance by subgroup; the use of culturally responsive and research based instruction and intervention; leadership practices; resource management; school climate including discipline and attendance; and parent/family, student, and community involvement.

Each participating district leadership team is comprised of up to 15 members, including the following representatives: superintendent or assistant superintendent; central office personnel (e.g., curriculum director, business/operations director); principal(s); teacher leader(s); director or supervisor of special education; and school board, parent and community representative(s).

*State Support Teams.* State House Bill 115 established the creation of a coordinated, integrated and aligned regional system to support state and school district efforts to improve school effectiveness and student achievement. ODE awards 16 contracts to Educational Service Centers designated as fiscal agents for the State Support Team (SST) within their geographic region. The scope of work for the SSTs is determined by ODE and is outlined in an annual performance agreement holding SSTs

responsible for the regional delivery of school improvement, literacy, special education compliance, and early learning and school readiness services to LEAs. The SSTs assist districts identified by ODE in implementation of the Ohio Improvement Process, including facilitating completion of the Decision Framework. SST consultants (supported with Part B funds) work with the district leadership teams of LEAs that have not met AYP for students with disabilities. In 2008-2009 two-member facilitator teams from each State Support Team were assigned to each LEA implementing the Ohio Improvement Process. These OIP facilitators received training in the use of consistent tools and protocols aligned with the process.

*IDEA Monitoring.* During 2008-2009 OEC continued to select districts for on-site monitoring based on performance across SPP/APR indicators, including the performance of students with disabilities on statewide reading and math assessments. The review process guides LEAs in an investigation of root causes for poor performance, which includes an investigation of multiple performance measures (prevention, assessment, collaboration, least restrictive environment, instruction, discipline, transition and compliance) within the context of student achievement.

*2% Alternate Assessment.* Ohio continued partnering with Minnesota and Oregon in a consortium to develop and implement an Alternate Assessment based on Modified Grade Level Achievement Standards (AA-MAS), with technical and logistical support provided by the American Institutes for Research. This work is supported by a three-year IDEA General Supervision Enhancement Grant (GSEG) awarded in August, 2007. ODE is serving as lead agency for this project, with OEC and the Office of Assessment collaborating on this effort.

As development of the AA-MAS continues, Ohio, Minnesota and Oregon will conduct a spring pilot of the 2% alternate assessment, with further modifications being implemented based on findings from the fall pilot. In addition, OEC is working with the Center for Special Needs Populations at the Ohio State University to design web-based training on *Standards-Based IEPs*; a requirement for students participating in the 2% assessment. OEC expects training materials to be available by the 2010-2011 school year.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC annually develops Special Education Performance Profiles and Monitoring Plans, comprised of a data profile and required monitoring activities for each LEA. Using these data, OEC provided a spreadsheet to each State Support Team in fall 2009, displaying the 2007-2008 and 2008-2009 performance across SPP/APR indicators for every LEA in the State Support Team (SST) region. This tool is color-coded to identify patterns of strengths and weakness within each LEA and across LEAs within the region. SST consultants will utilize these data, including performance on statewide assessments, as they support their LEAs in completion of the Decision Framework (as part of the Ohio Improvement Process). In 2009-2010 all LEAs identified as needing technical assistance to meet one or more targets will work with consultants from their SST to implement the OIP.

ODE and the Stanford University School Redesign Network have formed a partnership to develop a more balanced approach to assessment and accountability based on multiple measures. A critical part of this new system is the development of teacher designed curriculum-embedded performance tasks that are aligned with academic content standards, measure 21st century knowledge and skills and support the college and career readiness of Ohio's students. Fifteen educational entities (schools, districts and consortia of districts) are participating in the development of the performance tasks and scoring rubrics and are currently piloting in districts with 11th and 12th grade students. A unique aspect of this project is the incorporation of the principles of universal design for learning in both the creation and the implementation of the tasks to ensure that they are accessible to students with diverse learning needs, including students with disabilities.

OEC and ODE's Office of Curriculum, Assessment and Instruction have partnered to provide districts with a professional development opportunity that blends face-to-face sessions with interactive, online modules focused on research-based reading instruction and instructional strategies. LEAs participating in this professional development must include teachers who primarily work with students

with disabilities and general education content teachers who also teach students with disabilities. When developing proposals for participation in this project, LEAs must include specific action steps regarding how the implementation of the modules will impact students with disabilities and their academic achievement.

To identify and implement best practices in improving services and results for students with disabilities, OEC leadership teams will continue to take part in state professional development opportunities offered by the Office of Special Education Programs (OSEP), National Association of State Directors of Special Education (NASDSE), Data Accountability Center (DAC), North Central Regional Resource Center (NCRRC), and other national resource centers supported by OSEP.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: Disproportionality

## Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- 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.

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

## Measurement:

- 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.
- B. Percent = [(# of districts that have: (a) a significant discrepancy, by race or ethnicity, 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.

Include State's definition of "significant discrepancy."

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	<p>A. 3.08% of LEAs with significant discrepancies in the rates of suspensions for children with disabilities.</p> <p>0.4% of LEAs with significant discrepancies in the rates of expulsions for children with disabilities.</p> <p>B. Reporting on Indicator 4B is not required for the FFY 2008 APR.</p>

## Actual Target Data for FFY 2008\* (2008-2009):

Indicator 4A, Table 1: Percent of LEAs with Significant Discrepancies in Suspension and Expulsion Rates

2007-2008	Suspensions	Expulsions
LEAs with discrepancies	13	1
Total LEAs	941	941
Percent	1.4%	0.1%

\* The suspension and expulsion rates calculated for this indicator are based on data reported for Table 5, required under IDEA section 618. States are not required to report on Indicator 4B until the FFY 2009 (2009-2010) SPP/APR submission in February, 2011.

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

Based on OSEP's most recent changes to the SPP/APR reporting requirements, the data source and measurement for Indicator 4 now lag one year.

ODE defines "significant discrepancies" in discipline rates as those in which the rate of suspension or expulsion for students with disabilities exceeds the rate of suspension or expulsion for typical students by at least 1%, based on a minimum group-size of 30 that aligns with the calculation of discrepancies for disproportionality.

Based on 2007-2008 discipline data, OEC identified 13 LEAs with significant discrepancies in suspension rates and one LEA with a significant discrepancy in expulsion rates, thereby exceeding the targets for 2007-2008 and 2008-2009. These LEAs completed self-reviews of 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 compliance with IDEA.

In evaluation of the completed self-reviews, OEC made no findings of noncompliance among these LEAs. However, several LEAs were also identified with discrepancies based on 2006-2007 data. Upon completion of the self-review these LEAs were directed to work with consultants from their State Support Team to further analyze discipline data as part of the Ohio Improvement Process. These LEAs examined patterns in discipline rates and identified strategies related to positive behavioral interventions and supports, for inclusion in the LEA's focused plan.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote district-wide improvement of instructional practice and performance of all students through the development of effective leadership team structures. Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the process by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. (For a complete discussion of the Ohio Improvement Process, see Indicator 3).

Through completion of the Decision Framework, district leadership teams analyze data and identify areas for improvement related to discipline, including: school climate; suspension and expulsion rates by level (i.e., elementary, middle and high school), grade and subgroup (including students with disabilities); student attendance by level, grade and subgroup; graduation and dropout rates by subgroup; student mobility; teacher and student perception; and multiple risk factors. When the results of the Decision Framework reveal discrepancies or troubling patterns, the OIP facilitators from the State Support Team work with the district leadership team to identify strategies and action steps for inclusion in the LEA's focused plan.

OEC, in collaboration with the Ohio Association of Secondary School Administrators (OASSA), targeted school districts that identified expectations and conditions in their CCIP to provide awareness training in positive behavior supports (PBS) to district leadership teams. In 2008-2009, eight regional trainings were provided. Between July and September, 2009 twenty-four school district leadership teams were trained in the foundations of PBS, and linked with their regional State Support Team to establish a structure for follow-up training. This design enabled district leadership teams to address challenges specific to their regions and districts, and to plan strategies for improvement.

OEC continued to review discipline rates for students with disabilities as part of the on-site IDEA monitoring process. The monitoring protocols guided LEAs in the investigation of root causes for poor performance. The review process examined multiple performance measures within the context of student achievement, including discipline data, compliance with discipline requirements, and the use of behavioral supports and services.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

In 2009-2010 OEC will enhance the monitoring process used for LEAs identified with significant discipline discrepancies. To verify the responses provided in the LEA's self-review of policies, procedures and

practices, OEC will review records of students with disabilities who were suspended or expelled for more than 10 days in the school-year, including (as applicable):

- Manifestation determinations;
- Functional behavioral assessments;
- Behavioral intervention plans;
- Individualized education programs;
- Evaluation team reports;
- Progress reports; and
- Discipline records.

OEC will utilize the record review to determine the LEA's compliance with discipline requirements.

With the passage of Ohio House Bill 150 in July 2009, the existing requirements for elementary school professionals to take in-service child abuse detection training were extended to include personnel at public middle and high schools. The training curriculum currently addresses: mental health; recognizing depression and suicide ideation in students; identifying substance use and abuse in students; and violence against children, including bullying and child abuse. OEC is collaborating with ODE's Office for Safety Health and Nutrition to add a fifth training module to address positive behavior supports (PBS). This module will address universal, targeted and intensive levels of PBS at the district, building, classroom and individual levels. Training will include instruction in appropriate behavior and strategies for students to de-escalate their own behavior, and will also include decreasing the development of new problem behaviors, preventing worsening of existing problem behaviors, and redesigning learning environments to eliminate triggers and maintainers of problem behaviors.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: FAPE in the LRE

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

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

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

**Measurement:**

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

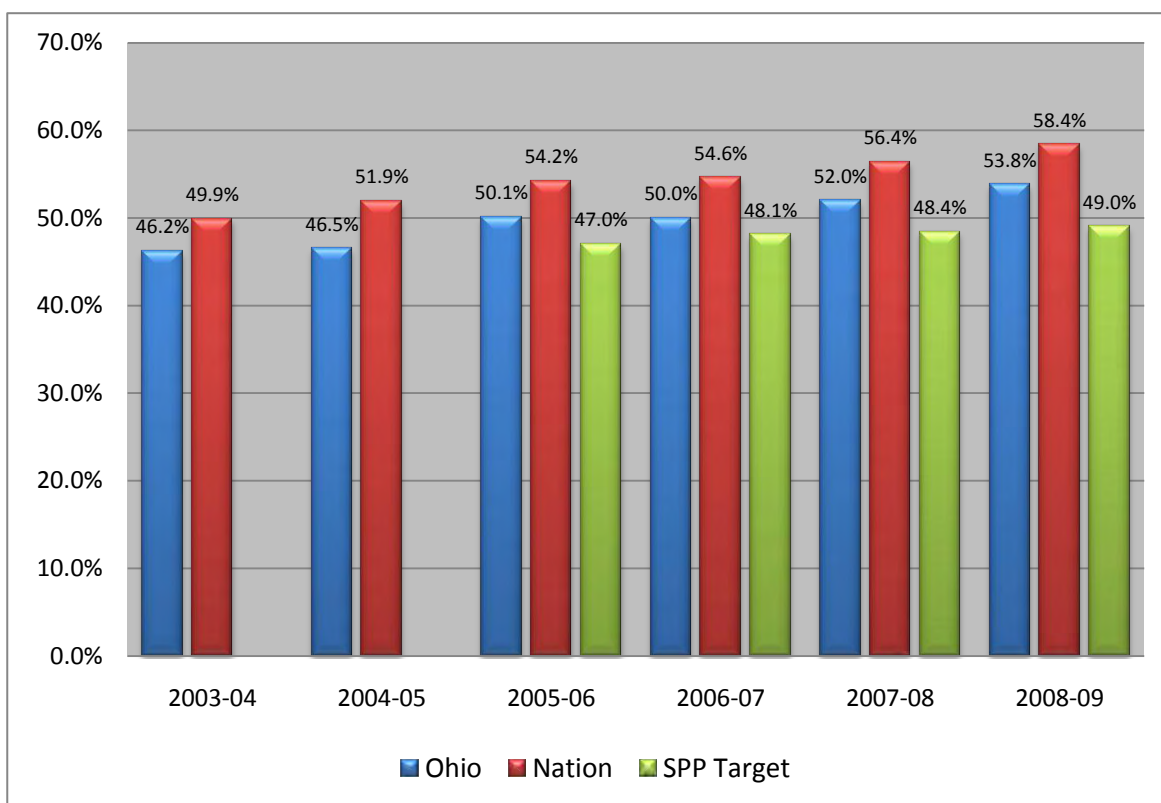
FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	<ul style="list-style-type: none"> <li>A. The percent of children with disabilities served inside the regular class 80% or more of the day is 49%.</li> <li>B. The percent of children with disabilities served inside the regular class less than 40% of the day is 11.75%.</li> <li>C. The percent of children with disabilities who are served in separate schools, residential facilities, or homebound/hospital placements is 5.5%.</li> </ul>

**Actual Target Data for FFY 2008\* (2008-2009):**

Figures 1, 2 and 3, below, display Ohio's longitudinal performance on this indicator, specific to measurements A, B and C, respectively. These graphs show that Ohio has made steady progress toward meeting or exceeding the national averages in educational environment for students with disabilities.

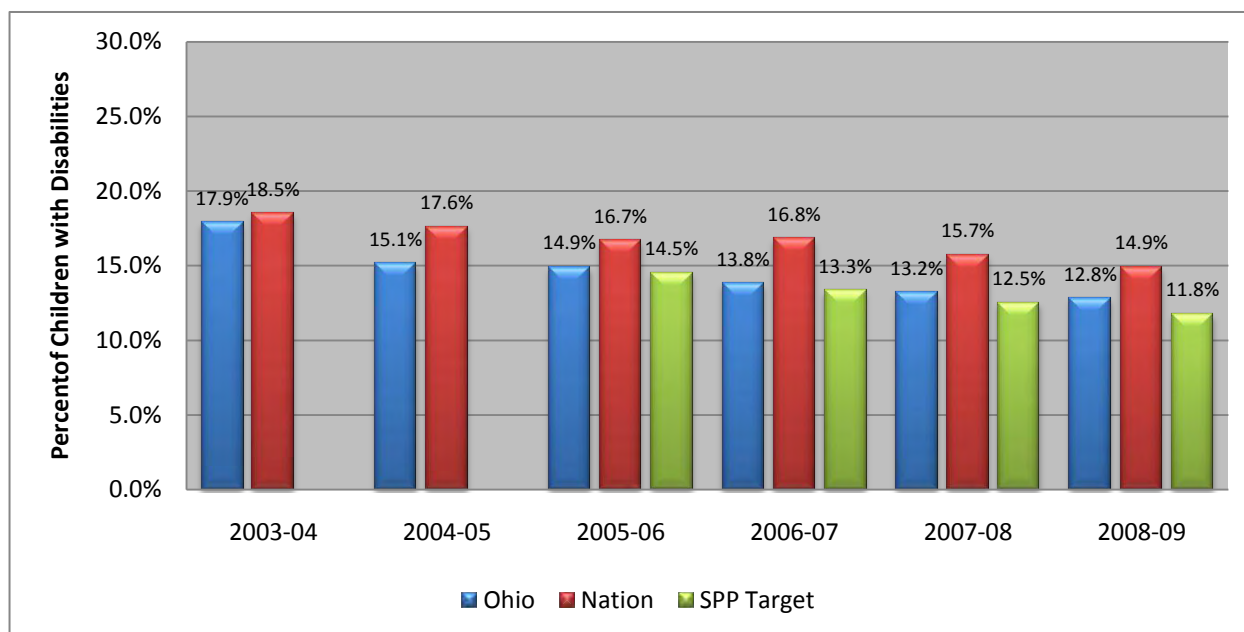
\* The percentages calculated for this indicator are based on data reported for Table 3, required under IDEA section 618. States are not required to provide the actual numbers used to calculate the percentages, as these data are posted at [www.ideadata.org](http://www.ideadata.org).

**Indicator 5, Figure 1: Percent of Children with Disabilities Served Inside the Regular Class 80% or More of the Day**



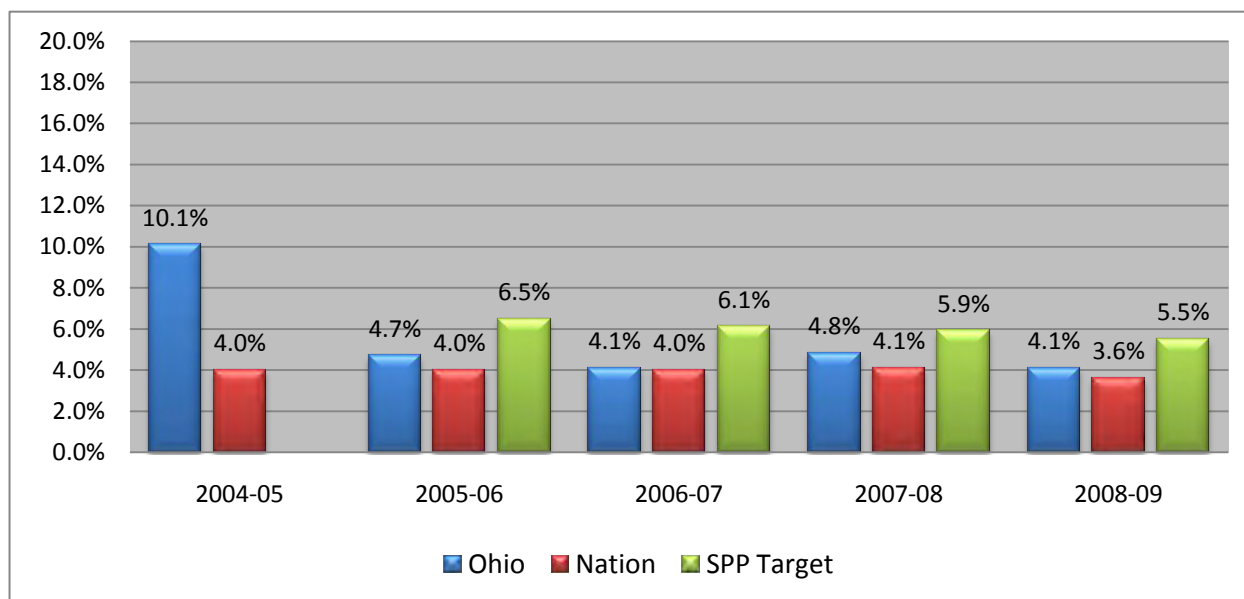
**5A:** The percent of children with disabilities served inside the regular class 80% or more of the day is 53.8% for 2008-2009. Since 2003-2004, this percentage has increased by 7.6 percentage points

**Indicator 5, Figure 2: Percent of Children with Disabilities Served Inside the Regular Class Less Than 40% of the Day**



**5B:** The percent of children with disabilities served inside the regular class less than 40% of the day is 12.8% for 2008-2009. Since 2003-2004 this percentage has decreased 5.1 percentage points.

**Indicator 5, Figure 3: Percent of Children with Disabilities who are served in Separate Schools, Residential Facilities, or Homebound/Hospital Placements**



**5C:** The percent of children with disabilities who are served in separate schools, residential facilities, or homebound/hospital placements is 4.1% for 2008-2009. Since 2004-2005, this percentage has decreased 6.0 percentage points.

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

**Target 5A:** Data reported for the 2008-2009 school year show that 53.8% of students with disabilities were served inside the regular class 80% or more of the day, exceeding the target of 49.0% by 4.8 percentage points.

**Target 5B:** Data reported for the 2008-2009 school year show that 12.8% of children were served in the regular class less than 40% of the day, falling short of the 11.8% target by 1.0 percentage point.

**Target 5C:** Data reported for the 2008-2009 school year show that 4.1% of children with disabilities were served in separate schools, residential facilities, or homebound/hospital placements, exceeding the target of 5.5% by 1.4 percentage points.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In September 2008 OEC hosted the second annual Special Education Leadership Conference for special education administrators and related personnel from Ohio's LEAs. This technical assistance and networking opportunity provided information on various topics relevant to LEA special education administrators, including:

- State and LEA determinations;
- Monitoring processes;
- Operating standards implementation;
- Secondary transition;
- the Ohio Improvement Process; and
- Response to Intervention.

OEC will continue to host a fall conference annually to provide updates on special education policies and programs to LEA administrators statewide.

In support of new state operating standards that took effect July 1, 2008, OEC, in conjunction with stakeholders, developed an online special education guidance resource, which includes *Procedures and Guidance for Ohio Educational Agencies serving Children with Disabilities*, quick links to Ohio's operating standards, required and optional forms, model policies and procedures, and other tools and resources, including information on improving access to the general curriculum for children with disabilities. OEC launched the complete website in February 2009, with regular updates planned to address emerging issues and technical assistance needs. (For more information, visit <http://www.edresourcesohio.org>.)

OEC staff presented multiple data training sessions on special education data including 618, 619 and SPP/APR data reporting in order to clarify definitions and reporting procedures, stress the importance of timely and accurate data submission, and communicate implications of inaccurate and incomplete data reporting. In addition, staff members continue to be actively engaged with the ODE EMIS Help Desk in responding to questions regarding special education data reporting.

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote district-wide improvement of instructional practice and performance of all students through the development of effective leadership team structures. Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the process by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. (For a complete discussion of the Ohio Improvement Process, see Indicator 3).

The Decision Framework includes investigation of student performance by subgroup using disaggregated data and structured questions. When the results of the Decision Framework reveal discrepancies or areas of concern, the OIP facilitators from the SST work with the district team to identify strategies and action steps for inclusion in the LEA's focused plan.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

In support of the Ohio Improvement Process, LRE data will be added to the Decision Framework (DF). Though LRE has previously been considered as supplemental data, inclusion in the Decision Framework will enable enhanced analyses, such as comparisons of educational environment and performance on statewide assessments for students with disabilities. These data will assist LEAs by investigating student performance by subgroup and identifying potential barriers to student success, such as limited access to the general education curriculum.

OEC annually develops Special Education Performance Profiles and Monitoring Plans, comprised of a data profile and required monitoring activities for each LEA. Using these data, OEC provided a spreadsheet to each State Support Team in fall 2009, displaying the 2007-2008 and 2008-2009 performance across SPP/APR indicators for every LEA in the State Support Team (SST) region. This tool is color-coded to identify patterns of strengths and weakness within each LEA and across LEAs within the region. SST consultants will utilize these performance data, including education in the least restrictive environment, as they support their LEAs in completion of the Decision Framework (as part of the Ohio Improvement Process). In 2009-2010 all LEAs identified as needing technical assistance to meet one or more targets will work with consultants from their SST to implement the OIP.

In October 2009 OEC received a verification and focused monitoring visit from the federal Office of Special Education Programs (OSEP) to review Ohio's general supervision, data reporting, and fiscal management systems and determine their effectiveness in ensuring compliance and improving performance. OSEP's focused monitoring emphasized placement of students with disabilities in the least restrictive environment. As a result of the information received during the visit and related technical assistance, OEC has increased its focus on LRE as part of the on-site IDEA monitoring process. During 2009-2010 OEC will review LRE data, student placement decision making at the district level, and performance of students with disabilities placed in more restrictive settings.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

<b>Monitoring Priority: FAPE in the LRE</b>
---

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

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

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

<b>Measurement:</b>
---------------------

<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>
---

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	New targets will be provided in the FFY 2009 (2009-2010) SPP/APR, due in February, 2011.

**Actual Target Data for FFY 2008 (2008-2009):**

Reporting on this indicator is not required for the FFY 2008 (2008-2009) SPP/APR submission. Baseline data and targets will be provided in the FFY 2009 (2009-2010) SPP/APR, due in February, 2011.

**Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009):****Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):****Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

<b>Monitoring Priority: FAPE in the LRE</b>
---

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

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

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

<b>Measurement:</b>
---------------------

Outcomes:

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

Progress categories for A, B and C:

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

**Summary Statements for Each of the Three Outcomes (use for FFY 2008-2009 reporting):**

**Summary Statement 1:** Of those preschool children who entered the preschool program below age expectations in each Outcome, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 1:**

Percent = # of preschool children reported in progress category (c) plus # of preschool children reported in category (d) divided by [# of preschool children reported in progress category (a) plus # of preschool children reported in progress category (b) plus # of preschool children reported in progress category (c) plus # of preschool children reported in progress category (d)] times 100.

**Summary Statement 2:** The percent of preschool children who were functioning within age expectations in each Outcome by the time they turned 6 years of age or exited the program.

**Measurement for Summary Statement 2:** Percent = # of preschool children reported in progress category (d) plus [# of preschool children reported in progress category (e) divided by the total # of preschool children reported in progress categories (a) + (b) + (c) + (d) + (e)] times 100.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	Targets are provided in the revised SPP, submitted in conjunction with the FFY 2008 (2008-2009) APR.

**Actual Target Data for FFY 2008 (2008-2009):**

Ohio's baseline data for this indicator are provided in the revised SPP, submitted in conjunction with the FFY 2008 (2008-2009) APR.

**Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009):****Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):****Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

## Part B State Annual Performance Report (APR) for 2008-2009

See page 1.

**Monitoring Priority: FAPE in the LRE**

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

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

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	91% of parents with a child receiving special education services report that schools facilitated parent involvement.

**Actual Target Data for FFY 2008 (2008-2009):**
**Indicator 8, Table 1: Percent of Parents Who Report That Schools Facilitated Parent Involvement**

Parent Involvement	
Parents who report that the school facilitated parent involvement	672
Parents surveyed	735
Percent	91.4%

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

Of the 735 parents surveyed for 2008-2009, 672, or 91.4%, reported that the school facilitated their involvement as a means of improving services and results for children with disabilities. These data exceed the target of 91% for this indicator.

The sample surveyed represents parents from one-sixth of Ohio's LEAs serving children with disabilities, and is stratified to ensure proportionate representation from traditional districts (including those enrolling more than 50,000 students), community schools, and state-supported schools. Additionally, each LEA uses the same roster sampling method to select parents to complete the survey. Given the extensive stratification process designed to provide proportionate representation across the state in the sampling pool, the use of nationally-validated survey tools\* developed by the National Center for Special Education Accountability Monitoring (NCSEAM), and the efforts of the Ohio Coalition for the Education of Children with Disabilities to ensure collection of all required surveys, ODE feels confident that these data are valid and reliable, and this sample is representative of Ohio's population of parents of children with disabilities.

\* The survey tools used to collect data for this indicator are provided on pages 47-50 of the SPP. These tools have not been revised since FFY 2005, when they were implemented to collect Ohio's baseline data.

According to presentations made during OSEP leadership conferences, the survey tools developed by the National Center for Special Education Accountability Monitoring (NCSEAM) were designed to be comparable and both the preschool and school-age surveys use comparable scales, ensuring validity of the results. By using the following methods, ODE ensures that the reported results are reliable:

- OEC assigns a number to each survey response (1=very strongly disagree, 2=strongly disagree, 3=disagree, 4=agree, 5=strongly agree) and calculates a single score for each survey by averaging all responses.
- As a score of 3 corresponds to “disagree” and a score of 4 corresponds to “agree,” the 3.5 average indicates that either the parent agreed with more items than he or she disagreed with, or had a stronger agreement than disagreement with the concept of his or her parental involvement.
- OEC combines the number of school-age surveys with scores of 3.5 or higher with the number of preschool surveys with scores of 3.5 or higher to represent the total number of surveys with scores of 3.5 or higher.
- OEC calculates the percent of parents surveyed who report that schools facilitated parent involvement by dividing the number of surveys with scores of 3.5 or higher by the total number of surveys completed by parents.

#### **Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

OEC attributes the continued high performance on this indicator to ongoing efforts to ensure that parent and family involvement is actively cultivated, encouraged, and welcomed in schools, including support for the parent mentor initiative through continued funding of existing projects, networking, and training opportunities. Currently, more than 100 parent mentors are working in more than 260 school districts in Ohio. OEC collaborates with the Ohio Coalition for the Education of Children with Disabilities (OCECD), Ohio's Parent Training and Information Center, to provide ongoing staff development and technical assistance for parent mentors. Parent mentor projects support Ohio's performance on this indicator by helping schools facilitate parent involvement as a means of improving services and results for children with disabilities.

In 2008-2009 ODE continued to implement the Ohio Improvement Process (OIP), a systems change effort designed to promote districtwide improvement of instructional practice and performance of all students through the development of effective leadership team structures (e.g., district leadership teams). These teams include parent representatives in order to establish meaningful parent involvement in planning and implementing district goals and improvement strategies.

Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the OIP by structuring the review of district and building-level data. Completion of the Decision Framework includes investigation of parent, family, student and community involvement. These data are analyzed and discussed within the context of student achievement. When the Decision Framework reveals discrepancies or troubling patterns, the OIP facilitators from the State Support Team work with the district leadership team to identify strategies and action steps for inclusion in the LEA's focused plan. In 2008-2009 ODE worked with Ohio's Parent Training and Information Center (OCECD) to develop a tool for measuring and analyzing an LEA's status in relation to the data in the Decision Framework, under the parent, family and community involvement section. The LEA can then measure the implementation and impact of strategies to enhance parent and community engagement.

#### **Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

Upon implementation of the dispute resolution database, OEC will begin to track inquiries from parents by issue, action taken, and outcome. OEC will analyze these data for patterns among requests, issues and support offered to parents. While the implementation of this database has been delayed, work is on-going to bring about implementation during the 2009-2010 school year.

In 2009-2010 OEC will work with Ohio's regional State Support Teams to assist LEAs required to survey parents of students with disabilities for this indicator. SSTs will utilize strategies, such as repeat contacts and parent focus groups, to increase the response rate among parents from selected LEAs.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: Disproportionality

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

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

**Measurement:**

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

Include State's definition of "disproportionate representation."

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 '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 2008 reporting period, i.e., after June 30, 2009. If inappropriate identification is identified, report on corrective actions taken.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	0% of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

## Actual Target Data for FFY 2008\* (2008-2009):

## Indicator 9, Table 1: Percent of LEAs with Disproportionate Representation in Special Education Resulting from Inappropriate Identification

Disproportionate Representation (Across Disability Categories)	
LEAs with disproportionate representation	0
LEAs with disproportionate representation due to inappropriate identification	0
Total LEAs	931
Percent	0%

\* The risk ratios calculated for this indicator are based on data reported for Table 1, required under IDEA section 618.

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

To report on this indicator for FFY 2008, ODE examined 2008-2009 data for over and underrepresentation of students in ethnic or racial groups using the Westat risk ratio calculation formulae. ODE used the same risk ratio criteria as FFY 2007: 3.5 or greater to identify overrepresentation and 0.3 or lower to identify underrepresentation. ODE maintained the minimum group-size of 30 that aligns with the calculation of Adequate Yearly Progress (AYP) for student subgroups. For 2007-2008 ODE identified no LEAs with under or overrepresentation in special education and related services. As such, no LEAs qualified for a review of policies, procedures and practices to determine inappropriate identification.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In September 2008 OEC hosted the second annual Special Education Leadership Conference for special education administrators and related personnel from Ohio's LEAs. This technical assistance and networking opportunity provided information on various topics relevant to LEA special education administrators, including LEA determinations and the role of Indicators 9 and 10. OEC will continue to host a fall conference annually to provide updates on special education policies and programs to LEA administrators statewide.

In support of new state operating standards that took effect July 1, 2008, OEC, in conjunction with stakeholders, developed an online special education guidance resource, which includes *Procedures and Guidance for Ohio Educational Agencies serving Children with Disabilities*, quick links to Ohio's operating standards, required and optional forms, model policies and procedures, and other tools and resources, including information and best practices related to evaluation and identification requirements. OEC launched the complete website in February 2009, with regular updates planned to address emerging issues and technical assistance needs. (For more information, visit <http://www.edresourcesohio.org>.)

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote district-wide improvement of instructional practice and performance of all students through the development of effective leadership team structures. Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the process by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. (For a complete discussion of the Ohio Improvement Process, see Indicator 3).

The Decision Framework includes investigation of student performance by subgroup; the use of culturally responsive and research based instruction and intervention; school climate including discipline and attendance; and parent/family, student, and community involvement. When the results of the Decision Framework reveal discrepancies or areas of concern, the OIP facilitators from the SST work with the district team to identify strategies and action steps for inclusion in the LEA's focused plan.

OEC continued participating in the cross-agency Consortium on Racial Equity in K-12 Education at Miami University, designed to increase capacity to address statewide concerns relative to over and underrepresentation of students of color referred and placed in special education.

Additionally, OEC updated the special education disproportionality guidance document (posted on the department website) to provide support for LEAs regarding applicable state and federal laws and rules and clarify disproportionality requirements.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC annually develops Special Education Performance Profiles and Monitoring Plans, comprised of a data profile and required monitoring activities for each LEA. Special Education Performance Profiles include data across SPP/APR indicators to help LEAs identify strengths and challenges and track performance over time. In 2009-2010 OEC will include all risk ratios calculated for Indicators 9 and 10 in each LEA's Special Education Performance Profile, in order to increase awareness of disproportionality among LEAs, especially those at-risk of disproportionate representation based on risk ratios of 3.5 or above.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: Disproportionality

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

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

**Measurement:**

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

Include State's definition of "disproportionate representation."

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 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 2008, i.e., after June 30, 2009. If inappropriate identification is identified, report on corrective actions taken.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	0% of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

## Actual Target Data for FFY 2008\* (2008-2009):

## Indicator 10, Table 1: Percent of LEAs with Disproportionate Representation in Specific Disability Categories Resulting from Inappropriate Identification

Disproportionate Representation (Specific Disability Categories)	
LEAs with disproportionate representation	0
LEAs with disproportionate representation due to inappropriate identification	0
Total LEAs	931
Percent	0%

\* The risk ratios calculated for this indicator are based on data reported for Table 1, required under IDEA section 618.

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

To report on this indicator for FFY 2008, ODE examined 2008-2009 data for over and underrepresentation of students in ethnic or racial groups using the Westat risk ratio calculation formulae. ODE used the same risk ratio criteria as FFY 2007: 3.5 or greater to identify overrepresentation and 0.3 or lower to identify underrepresentation. ODE maintained the minimum group-size of 30 that aligns with the calculation of Adequate Yearly Progress (AYP) for student subgroups. For 2007-2008, ODE identified no LEAs with under or overrepresentation in specific disability categories. As such, no LEAs qualified for a review of policies, procedures and practices to determine inappropriate identification.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In September 2008 OEC hosted the second annual Special Education Leadership Conference for special education administrators and related personnel from Ohio's LEAs. This technical assistance and networking opportunity provided information on various topics relevant to LEA special education administrators, including LEA determinations and the role of Indicators 9 and 10. OEC will continue to host a fall conference annually to provide updates on special education policies and programs to LEA administrators statewide.

In support of new state operating standards that took effect July 1, 2008, OEC, in conjunction with stakeholders, developed an online special education guidance resource, which includes *Procedures and Guidance for Ohio Educational Agencies serving Children with Disabilities*, quick links to Ohio's operating standards, required and optional forms, model policies and procedures, and other tools and resources, including information and best practices related to evaluation and identification requirements. OEC launched the complete website in February 2009, with regular updates planned to address emerging issues and technical assistance needs. (For more information, visit <http://www.edresourcesohio.org>.)

In 2008-2009 ODE continued implementing the Ohio Improvement Process (OIP), a systems change effort designed to promote district-wide improvement of instructional practice and performance of all students through the development of effective leadership team structures. Through the OIP LEAs work with consultants from their State Support Team to complete the Decision Framework, which drives the process by structuring the review of district and building-level data, thereby facilitating meaningful conversations among district leadership teams in order to identify critical areas for improvement. (For a complete discussion of the Ohio Improvement Process, see Indicator 3).

The Decision Framework includes investigation of student performance by subgroup; the use of culturally responsive and research based instruction and intervention; school climate including discipline and attendance; and parent/family, student, and community involvement. When the results of the Decision Framework reveal discrepancies or areas of concern, the OIP facilitators from the SST work with the district team to identify strategies and action steps for inclusion in the LEA's focused plan.

OEC continued participating in the cross-agency Consortium on Racial Equity in K-12 Education at Miami University, designed to increase capacity to address statewide concerns relative to over and underrepresentation of students of color referred and placed in special education.

Additionally, OEC updated the special education disproportionality guidance document (posted on the department website) to provide support for LEAs regarding applicable state and federal laws and rules and clarify disproportionality requirements.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC annually develops Special Education Performance Profiles and Monitoring Plans, comprised of a data profile and required monitoring activities for each LEA. Special Education Performance Profiles include data across SPP/APR indicators to help LEAs identify strengths and challenges and track performance over time. In 2009-2010 OEC will include all risk ratios calculated for Indicators 9 and 10 in each LEA's Special Education Performance Profile, in order to increase awareness of disproportionality among LEAs, especially those at-risk of disproportionate representation based on risk ratios of 3.5 or above.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: Effective General Supervision Part B / Child Find

**Indicator 11:** Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

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

**Measurement:**

- a. # of children for whom parental consent to evaluate was received.
- b. # of children whose evaluations were completed within 60 days (or State-established timeline).

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

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% of children with parental consent to evaluate are evaluated and eligibility determined within 60 days.

## Actual Target Data for FFY 2008\* (2008-2009):

## Indicator 11, Table 1: Percent of Children Evaluated Within 60 Days

Child Find	
<b>a. Number of children for whom parental consent to evaluate was received</b>	26,155
<b>b. Number of children whose evaluations were completed within 60 days</b>	24,360
<b>Percent evaluated within timelines</b>	93.1%

## Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

During the 2008-2009 reporting period LEAs received parental consent for 26,155 initial evaluations. Of these, 24,360 were completed within the 60 calendar-day timeline, reflecting a compliance rate of 93.1%. Though the compliance rate falls short of the 100% target for this indicator, these data do represent an increase of 6.2 percentage points from 2007-2008.

The children included in (a) but not included in (b) represent those with evaluations completed beyond the 60-day timeline. Additional time required to complete initial evaluations ranged from one to 243 days. The delay of 243 days represents an outlier, as it was due to parental refusal to complete the evaluation. More than 70% of the late evaluations were completed within 10 days of the 60-day timeline.

\* Indicator 11 data are collected through the Education Management Information System (EMIS), a statewide data collection system for Ohio's primary and secondary education that provides staff, student, district/building, demographic, financial and test data.

LEAs identified reasons for noncompliance using the following reporting categories: Staff Unavailable – Summer Months; Staff Unavailable – School Year; Scheduling Conflicts with Family; Parental Choice; Child's Health; and Student's Incarceration. Based upon these data, 239 LEAs have received findings of noncompliance for initial evaluation timelines. These LEAs are currently engaged in the Indicator 11 monitoring process, described below, to ensure correction.

As identified in OSEP's response table, ODE reported noncompliance for this indicator based on the data submitted for FFY 2007 in February, 2009. During 2008-2009 OEC utilized a self-assessment process for Indicator 11 to ensure correction among all LEAs identified with noncompliance for initial evaluation timelines, based on statewide EMIS data from 2007-2008. OEC made findings of noncompliance among 284 LEAs.

These LEAs submitted corrective action plans with improvement strategies designed to demonstrate compliance with initial evaluation requirements. OEC verified correction of child-specific cases by requiring LEAs to document completion of initial evaluations for students whose evaluations were not completed within the 60-day timeline (unless the student was no longer enrolled in the LEA). OEC verified correct implementation of the regulatory requirement by requiring LEAs to report on initial evaluations completed after the end of the reporting period from which the finding was made. OEC defined a specific timeframe and, in order to demonstrate correction, LEAs provided documentation confirming timely completion of all initial evaluations for which the LEA received consent during this window of time.

With the exception of one district, all LEAs with findings based on FFY 2007 data have verified correction within the one-year timeline. Due to ongoing noncompliance, this district is participating in a selective review with OEC in 2009-2010. As a more intensive form of monitoring than the self-assessment process, this review is designed to investigate the LEA's root causes for noncompliance, ensure complete and accurate data reporting, and provide technical assistance for best practices in meeting evaluation timelines. Through this process OEC will ensure that the LEA addresses identified issues, and that a structure is implemented for ongoing technical assistance provided by the LEA's regional State Support Team. Specifically, a veteran special education director who now serves as an SST consultant is working closely with the LEA's administrators to help them correct systemic noncompliance. If the LEA is unable to demonstrate correction within the current timeline, OEC will utilize additional enforcement actions.

Additionally, ODE reported noncompliance for this indicator based on the data submitted for FFY 2006 in February, 2008. During 2007-2008 OEC implemented the self-assessment process described above to ensure correction among all LEAs identified with noncompliance, based on statewide EMIS data from 2006-2007. OEC made findings of noncompliance among 295 LEAs. Using the correction process described previously, OEC has verified correction within the one-year timeline for all LEAs with findings from 2007-2008.

#### **Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

In 2008-2009 several LEA administrators communicated concerns about data reporting errors that they were unaware of before the data became final and impacted their determinations. To address these concerns, midway through the year-end reporting period OEC analyzed preliminary data on initial evaluations reported by LEAs. OEC provided these initial data to LEA special education administrators, with strong encouragement to verify the data and make any needed corrections prior to the end of the reporting period. This process enabled LEAs to ensure that OEC's analysis of compliance for 2009-2010 would be based on complete and accurate data.

In September 2008 OEC hosted the second annual Special Education Leadership Conference for special education administrators and related personnel from Ohio's LEAs. This technical assistance and networking opportunity provided information on various topics relevant to LEA special education administrators, including LEA determinations and monitoring processes designed specifically to address noncompliance for Indicators 11 and 13.

In support of new state operating standards that took effect July 1, 2008, OEC, in conjunction with stakeholders, developed an online special education guidance resource, which includes *Procedures and Guidance for Ohio Educational Agencies serving Children with Disabilities*, quick links to Ohio's operating standards, required and optional forms, model policies and procedures, and other tools and resources,

including information and best practices related to evaluation requirements. OEC launched the complete website in February 2009, with regular updates planned to address emerging issues and technical assistance needs. (For more information, visit <http://www.edresourcesohio.org>.)

OEC staff presented multiple data training sessions on special education data including 618, 619 and SPP/APR data reporting in order to clarify definitions and reporting procedures, stress the importance of timely and accurate data submission, and communicate implications of inaccurate and incomplete data reporting. In addition, staff members continue to be actively engaged with the ODE EMIS Help Desk in responding to questions regarding special education data reporting.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

In October 2009 OEC received a verification and focused monitoring visit from the federal Office of Special Education Programs (OSEP) to review Ohio's general supervision, data reporting, and fiscal management systems and determine their effectiveness in ensuring compliance and improving performance. As a result of the information received during this visit and related technical assistance, OEC has adjusted its general supervision and monitoring systems by:

- Differentiating monitoring processes for LEAs with systemic issues, compared to those with less significant findings of noncompliance;
- Incorporating additional means of verifying correction beyond EMIS data into existing monitoring processes; and
- Implementing additional verification and monitoring activities to ensure complete and accurate data reporting.

In 2009-2010 OEC will update its Indicator 11 monitoring process based on these changes, in order to target time and resources toward LEAs with systemic noncompliance in meeting initial evaluation timelines.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: Effective General Supervision Part B / Effective Transition

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

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

**Measurement:**

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose 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.

Account for children included in a but not included in b, c, d or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

Percent = [(c) divided by (a - b - d - e)] times 100.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% of children referred by Part C prior to age 3 who are found eligible for Part B have an IEP developed and implemented by their third birthdays.

## Actual Target Data for FFY 2008\* (2008-2009):

## Indicator 12, Table 1: Percent of Children Found Eligible for Part B with an IEP Developed and Implemented by Their Third Birthdays

Transition From Part C to Part B Within Timelines	
a. Number of children served in Part C and referred to Part B	4,648
b. Number of children referred and determined to be NOT eligible (prior to their third birthdays)	1,465
c. Number of children found eligible who had an IEP developed and implemented by their third birthdays	3,050
d. Number of children for whom parent refusal to provide consent caused delays in evaluation or initial services	51
e. Number of children who were referred to Part C less than 90 days before their third birthdays	Not required
Percent found eligible who have an IEP developed and implemented by their third birthdays	97.4%

\* Indicator 12 data are collected through the Education Management Information System (EMIS), a statewide data collection system for Ohio's primary and secondary education that provides staff, student, district/building, demographic, financial and test data.

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

Education Management Information System (EMIS) data for 2008-2009 provides evidence that Ohio continues to maintain a high level of performance, while pursuing 100% compliance for this indicator. The 2008-2009 compliance rate of 97.4% represents an increase of 0.9 percentage points from 2007-2008.

ODE attributes this ongoing progress to the capacity of the Office of Early Learning and School Readiness (OEL&SR) to identify and ensure correction of noncompliance, LEA efforts to ensure timely and effective transitions that are reflected in accurate data, and increased collaboration between local Help Me Grow (Part C) programs and local districts.

The children included in (a) but not included in (b), (c), (d) or (e) represent those whose IEPs were implemented after their third birthdays. Additional time required to implement the IEP beyond the third birthday ranged from one to 82 days. More than 50% of the late IEPs were implemented within one month of the child's third birthday.

LEAs identified reasons for noncompliance using the following reporting categories: Staff Unavailable – Summer Months; Staff Unavailable – School Year; Scheduling Conflicts with Family; Parental Choice; and Child's Health. Based upon these data, 11 LEAs have received findings of noncompliance for Part C to Part B transition. These LEAs are currently engaged in the Indicator 12 monitoring process, described below, to ensure correction.

As identified in OSEP's response table, ODE reported noncompliance for this indicator based on the data submitted for FFY 2007 in February, 2009. During 2008-2009 OEL&SR utilized a self-assessment process for Indicator 12 to ensure correction among all LEAs identified with noncompliance for initial evaluation timelines, based on statewide EMIS data from 2007-2008. OEL&SR made findings of noncompliance among 72 LEAs. OEL&SR has verified correction within the one-year timeline for all LEAs with findings based on FFY 2007 data.

OEL&SR utilizes a self-assessment process for Indicator 12 to ensure correction among all LEAs identified with noncompliance for Part C to B transition. This process is intended to assist LEA personnel in identifying barriers to effective and timely transition. When OEL&SR makes a finding of noncompliance the district is required to develop and submit an action plan based on the results of the self-assessment. Following a review of the action plan, OEL&SR provides on-site technical assistance, if deemed necessary or upon request. This technical assistance may involve interagency partners, including personnel from Help Me Grow (Part C), County Boards of Developmental Disabilities, Head Start, and regional service providers from State Support Teams.

On-site verification visits include a review of each child's file and the completion of a monitoring form, specially designed for documenting correction. OEL&SR verifies correction of child-specific cases by requiring LEAs to document implementation of IEPs for students whose IEPs were not developed and implemented by their third birthdays (unless the student is no longer enrolled in the LEA). OEL&SR verifies correct implementation of the regulatory requirement by requiring LEAs to report on children transitioning from Part C to Part B after the finding was made. OEL&SR defines a specific timeframe and, in order to demonstrate correction, LEAs must provide documentation confirming implementation of IEPs by the third birthday for all children transitioning from Part C to Part B during this window of time.

Additionally, ODE reported noncompliance for this indicator based on the data submitted for FFY 2006 in February, 2008. During 2007-2008 OEL&SR implemented the self-assessment process described above to ensure correction among all LEAs identified with noncompliance, based on statewide EMIS data from 2006-2007. OEL&SR made findings of noncompliance among 107 LEAs. (OEL&SR monitored a total of 109 LEAs during 2007-2008, as two districts had uncorrected findings from the previous year). OEL&SR has verified correction for all 109 LEAs monitored during 2007-2008.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

During 2008-2009 ODE developed and implemented a variety of strategies to assist LEAs in ensuring timely transition from Part C to Part B services, as follows:

- Provided expanded guidance on the department website, including new resources for LEAs, Help Me Grow providers, and Head Start agencies;

- Created six transition documents to provide families with information about the transition process, including eligibility for Part B services (for distribution by Help Me Grow service coordinators as families move through the transition process);
- Created transition training materials, in collaboration with Head Start disabilities coordinators, to increase teachers' understanding of the reauthorization process;
- Utilized a data validation report to assist LEAs in identifying and correcting data reporting errors;
- Hosted conferences and meetings with LEA special education administrators to provide updates on compliance requirements;
- Conducted four regional data trainings for LEA special education and data administrators to clarify reporting procedures, ensure timely and accurate data submission, and communicate implications of inaccurate and incomplete reporting;
- Worked in conjunction with Early Childhood Coordinators from State Support Teams to clarify SPP/APR data reporting for LEAs;
- Utilized OEL&SR personnel to track root causes for noncompliance and effective improvement strategies for correction, based on on-site visits with districts with findings of noncompliance; and
- Continued to collaborate with the Ohio Department of Health on a plan to create a common student identification number for children in Part C and Part B, based on the need to track children across multiple service providers.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

In October 2009 ODE received a verification and focused monitoring visit from the federal Office of Special Education Programs (OSEP) to review Ohio's general supervision, data reporting, and fiscal management systems and determine their effectiveness in ensuring compliance and improving performance. As a result of the information received during this visit and related technical assistance, OEC and OEL&SR have adjusted their general supervision and monitoring systems by:

- Differentiating monitoring processes for LEAs with systemic issues, compared to those with less significant findings of noncompliance;
- Incorporating additional means of verifying correction beyond EMIS data into existing monitoring processes; and
- Implementing additional verification and monitoring activities to ensure complete and accurate data reporting.

In 2009-2010 OEL&SR will update its Indicator 12 monitoring process based on these changes, in order to target time and resources toward LEAs with systemic noncompliance in timely transition from Part C to Part B services. To ensure complete and accurate reporting of transition data, OEL&SR has implemented a data verification and monitoring process for LEAs that report low numbers of students transitioning from Part C, when compared with their overall enrollment of preschool children with disabilities.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: FAPE in the LRE

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

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

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services.

## Actual Target Data for FFY 2008 (2008-2009):

Reporting data for this indicator is not required for the FFY 2008 (2008-2009) SPP/APR submission. Ohio will report new baseline data in the FFY 2009 (2009-2010) SPP/APR, due in February, 2011.

## Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

As identified in OSEP's response table, ODE reported noncompliance for this indicator based on the data submitted for FFY 2007 in February, 2009. During 2008-2009 OEC utilized a self-assessment process for Indicator 13 to ensure correction among all LEAs identified with noncompliance for transition planning, based on statewide EMIS data from 2007-2008. OEC made findings of noncompliance among 43 LEAs.

LEAs with findings of noncompliance for Indicator 13 must submit corrective action plans with improvement strategies designed to demonstrate compliance with transition planning requirements. OEC verifies correction of child-specific cases by requiring LEAs to document compliant transition plans for each of the students previously reported without, or with incomplete, transition plans (unless the student is no longer enrolled in the LEA). OEC ensures ongoing compliance with the regulatory requirement by reviewing subsequent transition plan data reported by these LEAs.

With the exception of one district, all LEAs with findings based on FFY 2007 data have verified correction within the one-year timeline. Due to ongoing noncompliance, this district is participating in a selective review with OEC in 2009-2010. As a more intensive form of monitoring than the self-assessment process, this review is designed to investigate the LEA's root causes for noncompliance, ensure complete and accurate transition data reporting, and provide technical assistance for best practices in transition planning. Through this process OEC will ensure that compliant transition plans are in place for students reported without (or with incomplete) transition plans, and that a structure is implemented for ongoing technical assistance provided by the transition specialist from the LEA's regional State Support Team. If the LEA is unable to demonstrate correction within the current timeline, OEC will utilize additional enforcement actions.

Additionally, ODE reported noncompliance for this indicator based on the data submitted for FFY 2006 in February, 2008. During 2007-2008 OEC implemented the self-assessment process described above to ensure correction among all LEAs identified with noncompliance, based on statewide EMIS data from 2006-2007. OEC made findings of noncompliance among 576 LEAs. Using the correction process described above, OEC has verified correction within the one-year timeline for all LEAs with findings from 2007-2008.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

## Monitoring Priority: FAPE in the LRE

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

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

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

**Measurement:**

A. Percent enrolled in higher education = [(# of youth who are no longer in secondary school, had IEPs in effect at the time they left school and were enrolled in higher education within one year of leaving high school) divided by the (# of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school)] times 100.

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

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	New targets will be provided in the FFY 2009 (2009-2010) SPP/APR, due in February, 2011.

**Actual Target Data for FFY 2008 (2008-2009):**

Reporting on this indicator is not required for the FFY 2008 (2008-2009) SPP/APR submission. Baseline data and targets will be provided in the FFY 2009 (2009-2010) SPP/APR, due in February, 2011.

**Explanation of Progress or Slippage that Occurred for FFY 2008 (2008-2009):****Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):****Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

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

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

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

**Measurement:**

Percent of noncompliance corrected within one year of identification:

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

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

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

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% of findings of noncompliance are corrected within one year of identification.

## Actual Target Data for FFY 2008 (2008-2009):

Indicator 15, Table 1: Identification and Correction of Noncompliance\*

Monitoring Area	2007-2008 Findings	Number of Findings Corrected & Verified Within One Year	Percent of Findings Corrected & Verified Within One Year
Complaints	106	101	95.3%
Due Process	4	4	100.0%
Management Assistance Reviews	1	1	100.0%
IDEA Monitoring	884	882	99.8%
Indicator 11	295	295	100.0%
Indicator 12	107	107	100.0%
Indicator 13	576	576	100.0%
<b>Total</b>	<b>1,973</b>	<b>1,966</b>	<b>99.6%</b>

\* See Ohio's Indicator 15 Worksheet on pages 44-49 for the indicator(s) and general supervision component related to each finding.

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

During the 2007-2008 school year the Office for Exceptional Children (OEC) and the Office of Early Learning and School Readiness (OEL&SR) monitored nearly 1,000 LEAs using different components of Ohio's system of general supervision, distributed as follows:

78 LEAs were involved in complaints;  
 10 LEAs were involved in due process hearings;  
 41 LEAs completed management assistance reviews;  
 22 LEAs were selected for IDEA (focused) monitoring;  
 295 LEAs were monitored for initial evaluation timelines (Indicator 11);  
 109 LEAs were monitored for Part C to Part B transition (Indicator 12); and  
 576 LEAs were monitored for transition planning (Indicator 13).

To count monitoring findings ODE groups individual instances in an LEA involving the same legal requirement or standard together as one finding (except for those identified through complaints and due process hearings, for which each individual instance of noncompliance is counted as a separate finding).

From the monitoring processes listed above, ODE identified 1,973 findings of noncompliance. 1,966 of these findings were corrected and verified within one year of identification, resulting in a compliance rate of 99.6% for this indicator.

For these findings (including those that were not corrected within the one-year timeline), OEC has verified correction of all instances of noncompliance (as identified from various components of Ohio's system of general supervision) and verified that each LEA with identified noncompliance is correctly implementing the specific regulatory requirements.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

*Complaints.* In 2007-2008 OEC identified 106 findings of noncompliance through the complaint process, with 101 findings corrected and verified within the one-year timeline. Of the five findings that were not corrected within timelines, all have since been corrected.

As identified in OSEP's response table, OEC reported noncompliance for this indicator based on the data submitted for FFY 2007 (2007-2008) in February, 2009. Specifically, OEC reported 13 complaint findings that were not corrected within timelines, with only one corrected at the time the APR was submitted. OEC has since verified correction of the remaining 12 findings.

*Due Process Hearings.* The due process hearing decisions from 2007-2008 resulted in four findings of noncompliance, all of which were corrected within timelines.

*Management Assistance Reviews (MARs).* MARs monitor the use of LEAs' special education funds to improve results for children and youth with disabilities, based on the strategies and action steps detailed within their Comprehensive Continuous Improvement Plans. OEC identified one finding of noncompliance through management assistance reviews during 2007-2008. The district completed the corrective action within the one-year timeline.

*IDEA Monitoring.* During 2007-2008 OEC identified 884 findings of noncompliance through the IDEA monitoring process, with 882 findings corrected within timelines.

Each of the LEAs received training and technical assistance from State Support Teams and/or OEC personnel to clarify compliance requirements and implement improvement strategies. Through the follow-up activities completed in 2008-2009, OEC reviewed records in each of the LEAs and verified the correction of all noncompliance in the areas identified in the LEA summary reports. The two findings that were not corrected within timelines involved systemic issues. OEC has since verified correction for both remaining findings from IDEA monitoring.

*Indicators 11 and 13.* During 2007-2008 OEC implemented a self-assessment process for Indicators 11 and 13 to ensure correction among all LEAs identified with noncompliance in these areas, based on statewide EMIS data. These LEAs submitted corrective action plans to OEC with improvement strategies designed to demonstrate full compliance. 295 LEAs received findings for Indicator 11 and 576 LEAs received finding for Indicator 13; all verified correction within timelines.

*Indicator 12.* During 2007-2008 OEL&SR monitored transition from Part C to Part B services among 109 LEAs. 107 LEAs received findings in 2007-2008, while two LEAs were monitored for uncorrected findings from 2006-2007. OEL&SR has verified correction for the 107 LEAs with findings from 2007-2008, as well as the two remaining LEAs with findings from 2006-2007.

In September 2008 OEC hosted the second annual Special Education Leadership Conference for special education administrators and related personnel from Ohio's LEAs. This technical assistance and networking opportunity provided information on various topics relevant to LEA special education administrators, including:

- State and LEA determinations;
- Monitoring processes;
- Operating standards implementation;
- Secondary transition;
- the Ohio Improvement Process; and
- Response to Intervention.

OEC will continue to host a fall conference annually to provide updates on special education policies and programs to LEA administrators statewide.

In support of new state operating standards that took effect July 1, 2008, OEC, in conjunction with stakeholders, developed an online special education guidance resource, which includes *Procedures and Guidance for Ohio Educational Agencies serving Children with Disabilities*, quick links to Ohio's operating standards, required and optional forms, model policies and procedures, and other tools and resources. OEC launched the complete website in February 2009, with regular updates planned to address emerging issues and technical assistance needs. (For more information, visit <http://www.edresourcesohio.org>.)

In 2008-2009 OEC revised Ohio's individualized education program (IEP) and evaluation team report (ETR) forms to comply with federal and state laws. These forms include accompanying annotations to assist local teams with the development of IEPs and ETRs. The updated forms are required for use by LEAs in 2009-2010.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

In October 2009 OEC received a verification and focused monitoring visit from the federal Office of Special Education Programs (OSEP) to review Ohio's general supervision, data reporting, and fiscal management systems and determine their effectiveness in ensuring compliance and improving performance. As a result of the information received during this visit and related technical assistance, OEC has adjusted its general supervision and monitoring systems by:

- Differentiating monitoring processes for LEAs with systemic issues, compared to those with less significant findings of noncompliance;
- Incorporating additional means of verifying correction beyond EMIS data into existing monitoring processes; and
- Implementing additional verification and monitoring activities to ensure complete and accurate data reporting.

In an effort to be more efficient and less intrusive to LEAs, in 2009-2010 OEC is collaborating with ODE's Office of Federal Programs to conduct on-site reviews of:

- Use of federal and state funding (including IDEA Part-B and ARRA Part-B);
- Programs, services and records for students with disabilities; and
- Implementation of policies, procedures and practices by LEA personnel.

To identify and implement best practices in improving services and results for students with disabilities, OEC leadership teams will continue to take part in state professional development opportunities offered by the Office of Special Education Programs (OSEP), National Association of State Directors of Special Education (NASDSE), Data Accountability Center (DAC), North Central Regional Resource Center (NCRRC), and other national resource centers supported by OSEP.

## FFY 2008 (2008-2009) Indicator 15 Worksheet

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
1. Percent of youth with IEPs graduating from high school with a regular diploma.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	163	163
2. Percent of youth with IEPs dropping out of high school.				
14. Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.	Dispute Resolution: Complaints, Hearings	14	16	15
3. Participation and performance of children with disabilities on statewide assessments.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	77	77
7. Percent of preschool children with IEPs who demonstrated improved outcomes.				
	Dispute Resolution: Complaints, Hearings	1	1	1
4A. Percent of districts identified as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	21	21	21
	Dispute Resolution: Complaints, Hearings	0	0	0

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
5. Percent of children with IEPs aged 6 through 21 -educational placements.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	146	146
6. Percent of preschool children aged 3 through 5 – early childhood placement.	Dispute Resolution: Complaints, Hearings	4	4	4
8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	23	190	189
	Dispute Resolution: Complaints, Hearings	11	20	19
9. Percent of districts with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	71	71
10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.	Dispute Resolution: Complaints, Hearings	1	4	4
11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	317	360	360
	Dispute Resolution: Complaints, Hearings	5	5	4

# APR Template – Part B (4)

Ohio

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
12. Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	107	107	107
	Dispute Resolution: Complaints, Hearings	0	0	0
13. Percent of youth aged 16 and above with IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable student to meet the post-secondary goals.	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	597	597	597
	Dispute Resolution: Complaints, Hearings	3	3	2
Other areas of noncompliance: 34 CFR §300.11 School Day	Dispute Resolution: Complaints, Hearings	2	4	4
Other areas of noncompliance: 34 CFR §300.34(a) Related Services	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of noncompliance: 34 CFR §300.34(c) Behavioral Intervention Strategies	Dispute Resolution: Complaints, Hearings	3	3	3
Other areas of noncompliance: 34 CFR §300.104 Residential Placement	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of noncompliance: 34 CFR §300.106 Extended School Year Services	Dispute Resolution: Complaints, Hearings	1	1	1

# APR Template – Part B (4)

Ohio

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance: 34 CFR §300.300(b) Parental Consent for Services	Dispute Resolution: Complaints, Hearings	2	2	2
Other areas of noncompliance: 34 CFR §300.303(a)-(b) Reevaluations	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	22	21
	Dispute Resolution: Complaints, Hearings	3	3	3
Other areas of noncompliance: 34 CFR §CFR 300.320 Definition of IEP	Dispute Resolution: Complaints, Hearings	10	13	12
Other areas of noncompliance: 34 CFR §300.320(a)(1) Individualized Education Program Present Levels	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	22	22
Other areas of noncompliance: 34 CFR §300.320(a)(2)(i) Individualized Education Program Measurable Annual Goals	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	22	22	22
	Dispute Resolution: Complaints, Hearings	6	8	8

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance: 34 CFR §300.320(a)(3)(i) Individualized Education Program How Progress is Measured	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	21	21	21
Other areas of noncompliance: 34 CFR §300.320(a)(3)(ii) Individualized Education Program When Progress is Reported	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	18	18	18
Other areas of noncompliance: 34 CFR §300.321(e) Individualized Education Program IEP Team Attendance	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	16	16	16
	Dispute Resolution: Complaints, Hearings	3	4	4
Other areas of noncompliance: 34 CFR §300.323(a) Individualized Education Program IEP in Effect	Monitoring Activities: Self-Assessment/ Local APR, Data Review, Desk Audit, On-Site Visits, or Other	10	10	10
	Dispute Resolution: Complaints, Hearings	8	8	8
Other areas of noncompliance: 34 CFR §300.323(d) Accessibility of Child's IEP	Dispute Resolution: Complaints, Hearings	1	1	1

# APR Template – Part B (4)

Ohio

Indicator/Indicator Clusters	General Supervision System Components	# of LEAs Issued Findings in FFY 2007 (7/1/07 to 6/30/08)	(a) # of Findings of noncompliance identified in FFY 2007 (7/1/07 to 6/30/08)	(b) # of Findings of noncompliance from (a) for which correction was verified no later than one year from identification
Other areas of noncompliance: Ohio Administrative Code Rule 3301-51-02(A) Ensuring FAPE	Dispute Resolution: Complaints, Hearings	4	4	4
Other areas of noncompliance: Ohio Administrative Code Rule 3301-51-07(D) Children in Other Districts	Dispute Resolution: Complaints, Hearings	1	1	1
Other areas of noncompliance: Ohio Administrative Code Rule 3301-51-07(H)(2)(a) Transition Statement at Age 14	Dispute Resolution: Complaints, Hearings	2	2	2
Other areas of noncompliance: Ohio Administrative Code Rule 3301-51-09(I) Service Provider Ratios	Dispute Resolution: Complaints, Hearings	1	1	1
<b>Sum the numbers down Column a and Column b</b>			1,973	1,966
<b>Percent of noncompliance corrected within one year of identification = (Column (b) sum divided by column (a) sum) times 100.</b>		<b>(b) / (a) X 100 =</b>		99.6%

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

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

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

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

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of signed written complaints with reports issued are resolved within timelines.

Actual Target Data for FFY 2008<sup>1\*</sup> (2008-2009):

## Indicator 16, Table 1: Signed, Written Complaints Resolved within Timelines

Complaint Timelines Met	
(1.1) Complaints with reports issued	68
(a) Reports with findings	53
(b) Reports within timelines	46
(c) Reports within extended timelines	22
Percent resolved within timelines	100%

## Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

In 2008-2009 OEC issued reports for 68 complaints, with all reports issued within timelines or properly extended timelines. These data result in a compliance rate of 100%, thereby meeting the target for the indicator and maintaining performance from 2007-2008.

## Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):

In 2008-2009 OEC continued the activities directly contributing to full compliance for this indicator, including:

\* The percentage calculated for this indicator is based on data reported for Table 7, required under IDEA section 618.

- Disseminating the electronic complaint tracking sheet to all consultants at the end of each week, enabling consultants to access the tracking sheet and monitor timelines throughout the complaint investigation;
- Monitoring complaints held in abeyance by the complaint coordinator and the consultant assigned to the complaint case;
- Assigning the complaint team to review letters of allegation and letters of findings for all consultants to ensure:
  - Timely development of these letters with minimal editing;
  - Accuracy in citations; and
  - Consistency in content and format;
- Providing email notifications, including individual calendar updates, to all consultants as the 30 and 60-day timelines approach; and
- Providing support to consultants through the complaint team, especially those at risk of jeopardizing the 60 day-timeline.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC will continue to utilize the complaint tracking sheet to ensure timely completion of reports. To improve data collection and analysis for the complaint process and the overall process of general supervision, OEC will implement a database designed to compile all dispute resolution data, in order to analyze trends and patterns and track multiple timelines simultaneously. While the implementation of this database has been delayed, work is on-going to bring about implementation during the 2009-2010 school year.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

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

**Indicator 17:** Percent of adjudicated due process hearing requests that were adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.

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

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	100% of due process hearing requests are fully adjudicated within timelines.

Actual Target Data for FFY 2008<sup>2\*</sup> (2008-2009):

## Indicator 17, Table 1: Due Process Hearing Requests Fully Adjudicated within Timelines

Due Process Hearing Request Timelines Met	
(3.2) Hearings (fully adjudicated)	12
(a) Decisions within timeline	2
(b) Decisions within extended timeline	10
Percent adjudicated within timelines	100%

## Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

In 2008-2009 100% of the due process hearings were fully adjudicated within timelines or properly extended timelines, thereby meeting the target for this indicator.

## Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):

In 2008-2009 OEC implemented an evaluation procedure for due process hearing officers. Hearing officers either distribute the evaluation on the last day of hearing or mail them to the primary participants with a postage-paid envelope when issuing an order of dismissal. Primary participants include parents, the student (if eighteen or older), superintendents, special education directors, advocates and attorneys). The evaluations are returned to OEC for review by the due process coordinator. Where concerns are raised, the coordinator contacts the party to discuss the issues. When necessary, the concerns are addressed with the hearing officer. In addition, the evaluations are used as part of each hearing officer's annual review.

\* The percentage calculated for this indicator is based on data reported for Table 7, required under IDEA section 618.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

OEC will continue implementing the strategies currently in place to ensure compliance with due process timelines. Additionally, new billing and scheduling procedures will be implemented in order to increase the number of decisions issued without extensions being necessary, in an attempt to improve outcomes for students with disabilities. Specifically:

- In 2008-2009 due process hearing officers were instructed by OEC to begin scheduling hearings and billing districts for services after the thirtieth day from the receipt of the due process hearing request (or the sixteenth day for expedited hearing requests).
- To improve timely resolution, the due process coordinator has initiated a proposal whereby hearing officers will begin billing for services and scheduling hearings after the 15<sup>th</sup> day for regular track hearing requests and after the 7<sup>th</sup> day for expedited hearing requests. The intent of this proposal is to encourage parties to engage in the resolution meeting process and/or mediation as early as possible.
- Longitudinal data indicate that most mediations are requested and scheduled after the 30-day resolution period, while the average date for mediation is nearly 43 days after the filing of the due process hearing request. In order to ensure that hearings and decisions are more timely, parties will be encouraged to hold resolution meetings as soon as possible, and to begin mediation within the 30-day resolution period (or 15 days for expedited). Hearing officers will be encouraged to begin scheduling hearings before the end of the thirty day resolution period, so that if a hearing is necessary it may begin as soon as possible after the resolution period. These efforts are designed to reduce the number of extensions and delays in the issuance of decisions.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

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

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

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

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

FFY	Measurable and Rigorous Target
2008 (2008-2009)	51% of resolution sessions result in settlement agreements.

Actual Target Data for FFY 2008<sup>3\*</sup> (2008-2009):

## Indicator 18, Table 1: Due Process Hearing Requests Resolved Through Resolution Session Settlement Agreements

Resolution Sessions	
(3.1) Resolution sessions held	59
(a) Settlement agreements	31
Percent resulting in settlement agreements	52.5%

## Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

During 2008-2009 59 resolution meetings were held for due process hearing requests, with 31 cases, or 52.5%, resulting in settlement agreements. In comparison with 2007-2008 data, both the number of due process hearing requests and the number of resolutions sessions held increased. While this reflects slippage from 2007-2008, the 52.5% settlement agreement rate exceeds the 51% target for 2008-2009.

In addition to the 31 settlement agreements that were reached during resolution meetings, 71 mediations were held related to due process hearing requests. Fifty-seven, or 80.3%, of those mediations ended with mediated agreements. When additionally considering those due process hearing requests which were withdrawn without a specified reason, which may have been due to undocumented discussions between the parties, fully 93% of hearing requests did not result in a hearing.

\* The percentage calculated for this indicator is based on data reported for Table 7, required under IDEA section 618.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

During 2008-2009 OEC continued to distribute *How to Resolve Conflicts or Concerns* which is provided to districts and parents at the time a due process hearing request is filed. The document describes the hearing process from case conference and administrative review at the district level to appeals of hearing officer decisions and the decisions of state level review officers. This resource explains what to do if a due process hearing request is determined to be insufficient (also provided on the ODE website) and describes alternative dispute resolution options available to the parties. OEC posted updated brochures on mediation and facilitated IEP team meetings to the department website and provided hard copies at various conferences and meetings with stakeholders.

In addition, OEC's due process coordinator made periodic checks of the database and due process files to ensure that cases denoted as closed were documented properly. If the proper documentation was not reflected in the database or file, the due process coordinator contacted the parties involved (districts, parents and impartial hearing officers) and communicated the importance of submitting the documentation

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

To improve data collection and analysis for due process and the overall process of general supervision, OEC will implement a database designed to compile all dispute resolution data, in order to analyze trends and patterns and track multiple timelines simultaneously. While the implementation of this database has been delayed, work is on-going to bring about implementation during the 2009-2010 school year.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

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

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

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

**Measurement:**

Percent =  $[(2.1(a)(i) + 2.1(b)(i)) \text{ divided by } 2.1] \text{ times } 100.$

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	89% of mediations held result in mediation agreements.

Actual Target Data for FFY 2008<sup>4\*</sup> (2008-2009):

Indicator 19, Table 1: Mediations Held Resulting in Mediation Agreements

Mediation Resolution	
(2) Mediation requests total	198
(2.1) Mediations	184
(a) Mediations related to due process	71
(i) Mediation agreements	57
(b) Mediations not related to due process	113
(i) Mediation agreements	88
(2.2) Mediations not held (including pending)	14
Percent Resulting in Mediation Agreements	78.8%

## Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):

During 2008-2009, 184 mediations were held, including 71 mediations related to due process and 113 mediations not related to due process. Of the 71 mediations related to due process hearing requests, 57 or 80% resulted in mediated agreements. This represents an increase of 34.9 percentage points from 2007-2008. Of the 113 mediations not related to due process hearing requests, 88 or 77.8% resulted in mediated agreements, reflecting an increase of 19.5 percentage points from 2007-2008.

The percentage of mediations resulting in mediation agreements increased significantly during the 2008-2009 school year. This may be due in part to training received by the mediators specific to the role of IEP teams and evaluation teams. Ohio's mediators also have increased experience with special education

\* The percentage calculated for this indicator is based on data reported for Table 7, required under IDEA section 618.

mediation and work with IEP teams. While the 78.8% mediation agreement rate falls short of the 89% target for 2008-2009, it does reflect an improvement of more than 25 percentage points from 2007-2008.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

OEC consultants routinely offer mediation to districts and parents who request technical assistance. OEC personnel (including administrators and consultants) provide extensive information about alternative dispute resolution to LEAs, parents, advocacy organizations, State Support Teams, and other stakeholders. OEC consultants have also made extensive updates to the department website to provide guidance to stakeholders.

In 2008-2009 OEC began using a new evaluation tool to monitor satisfaction with both the mediation and IEP facilitation processes, and the performance of the mediators/facilitators. The information provided enables OEC to evaluate the mediation/facilitation programs and the satisfaction of the stakeholders taking part in these processes.

The new evaluation tool has provided valuable information with regard to inaccuracies in the participants' perceptions of the purpose of the mediation and IEP facilitation processes. For example, parents and school district personnel have written evaluations indicating inappropriate expectations of the IEP facilitator, such as the assumption that the facilitator will tell the team how the IEP should be written and what the content of the IEP should be. As a result, OEC personnel have revised the information provided to prospective participants in facilitated IEP team meetings. OEC also developed a comparison document to clearly explain the differences between mediation and IEP facilitation.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

During the current school year OEC will share the mediation and IEP facilitation evaluation instruments and the information they have provided with parents, district personnel, advocacy organizations, parent and district attorneys, and regional State Support Teams. It is the hope of OEC that if parties have appropriate expectations going into mediation and facilitation processes, the settlement rate will continue to improve during the coming years.

## Part B State Annual Performance Report (APR) for 2008-2009

## Overview of the Annual Performance Report Development:

See page 1.

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

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

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

**Measurement:**

State reported data, including 618 data, State Performance Plan, and Annual Performance Reports, are:

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity; placement; November 1 for exiting, discipline, personnel and dispute resolution; and February 1 for Annual Performance Reports and assessment); and
- b. Accurate, including covering the correct year and following the correct measurement.

States are required to use the "Indicator 20 Scoring Rubric" for reporting data for this indicator (see Attachment B.

FFY	Measurable and Rigorous Target
<b>2008</b> (2008-2009)	100% of state reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

**Actual Target Data for FFY 2008 (2008-2009):**

- SPP/APR: The FFY 2008 (2008-2009) Annual Performance Report and revised State Performance Plan were submitted on or before February 1, 2010.
- Table 1: Report of Children with Disabilities Receiving Special Education under Part B of the Individuals with Disabilities Education Act, As Amended, was filed on or before February 1, 2009.
- Table 2: Personnel (In Full-Time Equivalency of Assignment) Employed to Provide Special Education and Related Services for Children with Disabilities was filed on or before November 1, 2009.
- Table 3: Part B, Individuals with Disabilities Education Act Implementation of FAPE Requirements was filed on or before February 1, 2009.
- Table 4: Report of Children with Disabilities Exiting Special Education was filed on or before November 1, 2009.
- Table 5: Report of Children with Disabilities Subject to Disciplinary Removal was filed on or before November 1, 2009.
- Table 6: Report of the Participation and Performance of Students with Disabilities on State Assessments was filed on or before February 1, 2010.
- Table 7: Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act was filed on or before November 1, 2009.

Indicator 20, Table 1: SPP/APR Data

APR Indicator	Valid and Reliable	Correct Calculation	Total
1	1		1
2	1		1
3A	1	1	2
3B	1	1	2
3C	1	1	2
4A	1	1	2
5	1	1	2
6	N/A	N/A	0
7	1	1	2
8	1	1	2
9	1	1	2
10	1	1	2
11	1	1	2
12	0	1	1
13	N/A	N/A	0
14	N/A	N/A	0
15	1	1	2
16	0	1	1
17	0	1	1
18	1	1	2
19	1	1	2
APR Score Calculation		Subtotal	31
		Timely Submission Points	5
		Grand Total	36

**Notes:**

- See Ohio's Indicator 20 Data Rubric, submitted in conjunction with the APR, for the calculation of performance on this indicator.
- Points are not allotted for correct calculations for Indicators 1 and 2, as states apply their own calculations to report graduation and dropout rates.
- States are not required to report on Indicators 6, 13 and 14 in the FFY 2008 (2008-2009) APR.

Indicator 20, Table 2: 618 Data

Table	Timely	Complete Data	Passed Edit Check	Responded to Data Note Requests	Total
Table 1 Due 2/1/09	1	1	1	1	4
Table 2 Due 11/1/09	1	1	1	N/A	3
Table 3 Due 2/1/09	1	1	1	N/A	3
Table 4 Due 11/1/09	1	1	1	N/A	3
Table 5 Due 11/1/09	1	1	1	N/A	3
Table 6 Due 2/1/10	1	N/A	N/A	N/A	1
Table 7 Due 11/1/09	1	1	1	N/A	3
618 Score Calculation			Subtotal		20
			Grand Total (Subtotal × 1.857)		37.14

Indicator 20, Table 3: Combined Score

Indicator 20 Calculation	
A. APR Grand Total	36
B. 618 Grand Total	37.14
C. Indicator 20 Grand Total (A + B)	73.14
D. Total Possible Points	76.14
E. Indicator 20 Score (C ÷ D × 100)	96.06%

**Explanation of Progress or Slippage that occurred for FFY 2008 (2008-2009):**

ODE used the Indicator 20 worksheet provided by OSEP (Tables 1-3) to calculate Ohio's performance on this indicator. OEC submitted Ohio's FFY 2008 (2008-2009) Annual Performance Report, revised State Performance Plan, and all seven tables required under IDEA section 618 on or before the deadlines. For each of the SPP/APR indicators OEC followed instructions and used correct calculations (see Table 1, above). However, based on the results of a verification visit in October 2009, OSEP concluded that OEC did not report valid and reliable data for Indicators 12, 16 and 17. OEC submitted complete data and responded to any data note requests for all of the 618 data tables (see Table 2, above).

The U.S. Department of Education accepted Ohio as an EdFacts-only state for reporting of all tables, with the exception of Table 6. ODE expects similar approval for Table 6 in the coming school-year.

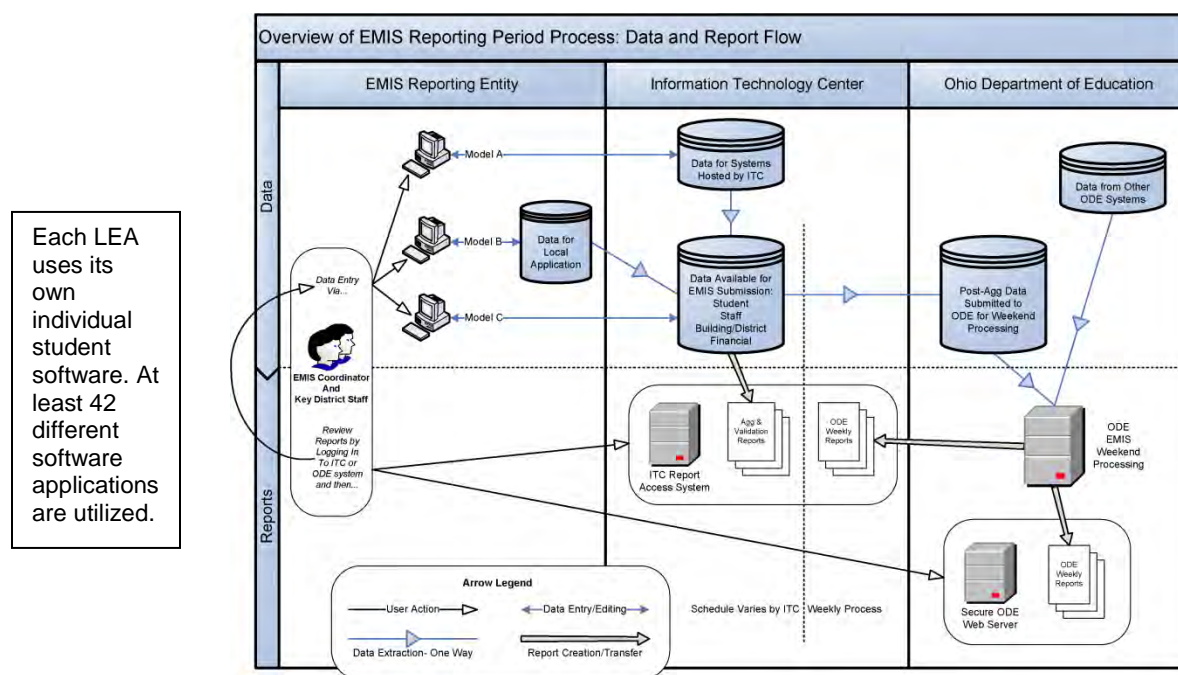
Local-level data collection improved greatly in 2008-2009, specifically for the requirements of the SPP and APR. Data submitted by LEAs were generally complete and accurate. Most LEAs have implemented the necessary changes in local software and reporting structures to enable complete reporting. ODE has undertaken many activities, described below, to ensure complete and accurate data submission by LEAs.

**Discussion of Improvement Activities Completed for FFY 2008 (2008-2009):**

**Background.** OEC collects and stores nearly all of the data aggregated for the SPP and APR using its Education Management Information System (EMIS). These and additional data on special education processes are collected through the student special education event record and are used to identify noncompliance and select LEAs for monitoring of requirements related to Indicators 4, 9, 10, 11, 12, 13 and other state and federal regulations.

While EMIS is a centralized system used by the department, it is not a single application or software package. Rather, similar to EdFacts, EMIS provides common definitions and reporting structures for data that more than one thousand different LEAs collect using their own local student software packages. These data are verified and cleaned using a multi-tiered system illustrated in Figure 1, below.

ODE is committed to collecting non-redundant student-level data through EMIS whenever possible. EMIS uses fixed reporting periods to ensure that LEA data snapshots are based on consistent time periods across the state.

**Indicator 20, Figure 1: Data Flow to EMIS**

Once each year EMIS undergoes an update in which new data elements are added and others are modified, clarified, or removed. Once state-level decisions are made about changes to EMIS, software developers for LEAs and intermediate sites apply those changes to local software applications. There is not a single software developer that serves all LEAs in the state; instead, LEAs contract individually with vendors to create and maintain their student software systems.

Implementation of data collection processes to accomplish SPP/APR reporting has required extensive additions and revisions to EMIS and, as expected, those changes were accompanied by necessary professional development, additional error checks, and the need to reconcile statewide data used for special education reporting with that aggregated for other purposes.

ODE's Office of Data Services, which houses the EMIS staff and data managers, has historically provided support and information to the field through district-level EMIS coordinators. These coordinators are employed by LEAs and often have multiple roles beyond EMIS reporting.

**Modifications to the EMIS Special Education Record.** In the 2006-2007 school year, EMIS began collecting student-level data for a "special education event record" to facilitate calculation of SPP/APR indicators. This record includes each IEP-related event and its date, the outcome of the event, and any reasons that requirements for the event were not met. ODE modified the special education event record during the 2007-

2008 school year to add possible event outcomes and reasons for noncompliance; modifications during 2008-2009 included additional data on transition planning and required testing.

*Data Warehouse Expansion Project.* Ohio uses a data warehouse to store and report data for most of its NCLB-required reporting. An expansion of the data warehouse is in process, with complete implementation planned for the 2011-2012 school year. The OEC-assigned data manager has submitted requests, necessary documentation, and proposed business rules to include data needed for the SPP/APR and LEA determinations in this expansion.

*Data Collection Tool.* As LEAs use a variety of internal mechanisms to store student records, including at least 42 different software packages, OEC's data manager provided an annual update to a data collection tool, originally created in collaboration with special education directors and EMIS coordinators from across the state.

*Linking Electronic IEPs and EMIS.* During the 2008-2009 school year, Ohio updated several of the required forms used for special education record keeping. As a result, software vendors that contract with LEAs to create electronic versions of these forms updated, or in some cases, completely changed, the structure and user interface of the LEA student software. The data manager assigned to OEC worked with software vendors that supply electronic IEP forms and convert the information in them to EMIS data, to ensure that information transferred from an individual student record to EMIS data would be accurate.

*Professional Development.* Historically, professional development efforts have targeted district EMIS staff via documentation of updates through weekly EMIS communications, statewide training conferences, and several regional sessions. During the 2008-2009 school year, sessions targeted the more than 250 community schools (charter schools) and provided detailed instructions about data submission requirements.

*Data Verification.* As Ohio's data system is a tiered network of data collection and aggregation entities, checks of both student-level data and aggregations within each tier are necessary. Non-negotiable deadlines exist for each of six pertinent reporting windows. LEAs can incur financial penalties when data are not reported on time. Each of Ohio's more than 1,000 LEAs selects a software vendor that provides student management software. Each vendor defines error tolerance for each data element, and values that exceed the defined parameters are not accepted into the LEA data.

Each LEA is served by a regional Information Technology Center (ITC). ITCs generate error reports based on specifications provided by ODE and work with LEAs to correct data. During 2008-2009, ODE's Office of Data Services conducted ongoing checks of data as they arrived weekly. Most of these were routine checks that generated error messages or flags indicating concern with values of student-level variables.

This verification process currently occurs weekly during each reporting period. Checks begin with comparing the data for each student identification number (SSID) to all other existing SSIDs and connected demographic variables. If demographic factors indicate the possibility that two SSIDs have been issued for a single child, the SSID is flagged as a possible duplicate record. Subsequent data aggregation routines indicate which records are related to flagged SSIDs. Individual offices within ODE generate reports that are used to identify anomalies in aggregated data for which the office is the "business owner." When anomalies are found, ODE staff contact the LEA and work with it to make corrections. For example, the Office for Exceptional Children (OEC) is the business owner of data related to transition planning. Therefore, OEC staff would contact an LEA whose "preliminary Indicator 13 report" showed 10% or more of students with a code indicating "no transition plan in place," to determine if this is an accurate depiction of transition planning. OEC staff would provide SSIDs of students with data indicating noncompliant or missing transition plans.

LEAs also receive weekly status reports informing them of any required data that have not yet been submitted. LEAs that have not reported expected records by the deadline must submit a corrective action plan. If the corrective action plan does not result in timely submission of the required records, up to 10% of the LEA's basic state aid is withheld until records are submitted and an action plan is created.

*Reconciliation of SPP/APR and 618 Data.* In 2008-2009 OEC's data manager continued to work with data managers from other areas of ODE to reconcile various reports that included SPP/APR and 618 data. The OEC data manager collaborated with ODE staff assigned to federal Education Data Exchange Network

(EdFacts) reports to compare business rules for completion of December Child Count, Educational Environments, Exiting and Discipline data reports.

**Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2008 (2008-2009):**

*EMIS Redesign.* The EMIS system is in the process of a total redesign to move the data from flat files stored in a COBOL-based VAX mainframe computer to a normalized relational database in a more accessible environment. Districts will have continuous access to their own data, with the capacity to verify, correct or update their data at any time during the reporting window. The redesigned system will be in place for the second half of the 2009-2010 school year. Where possible, the system will be aligned with the multi-state Computer Interoperability Framework (CIF). During the redesign process, the data manager assigned to OEC has examined table structures and business rules to ensure that reporting function is maintained for special education data.

*Reconciliation of SPP/APR and 618 Data.* OEC's data manager will continue to collaborate with data managers from other areas of ODE to reconcile reports sent to various federal offices. Ongoing activities include:

- Continuing alignment of business rules and calculations used for 618, Title 1, Title 3, Safe and Drug-Free Schools and EdFacts reporting, to ensure that public reports include consistent data when data definitions and reporting requirements coincide;
- Ensuring that business rules for special education 618 data are sufficiently consistent with those for data reported through EdFacts, in order to create an "EdFacts-only" report for Table 6; and
- Ensuring that business rules include appropriate consideration of data for students with disabilities when ODE revises calculations of performance measures for Ohio's accountability system. Discussions continue concerning the longitudinal graduation rate, which ODE's Office of Policy and Accountability did not begin to implement in 2009-2010. When ODE introduces a new graduation rate calculation OEC must ensure alignment with the data reported for Indicators 1 and 2.

*Data Verification.* Data verification activities will continue to include OEC staff contacting LEAs that have extensive missing or incomplete data for any specific indicator. Midway through the year-end reporting period in 2008-2009, OEC analyzed preliminary data reported by LEAs for specific SPP/APR indicators included in determinations. OEC will continue to provide these initial data to LEA special education administrators, with strong encouragement to verify the data and make any needed corrections prior to the end of the reporting period.

*On-site Verification and Desk Audits.* On-site data verification strategies will be incorporated into OEC's monitoring activities for 2009-2010. OEC monitoring staff will select a sample of student records to compare EMIS data elements with the information in the students' files.

*Pilot Data Process Monitoring.* During the 2009-2010 school year, the OEC data manager will create and conduct a pilot monitoring of LEA-level data collection and processing. Several staff from ODE's Office for Data Support will visit a stratified sample of LEAs to explore several models of data collection, identify best practices within Ohio's structure, and describe necessary corrective actions to be taken when a data reporting issue is identified at the LEA level.

These activities are intended to improve efficiency in data reporting while ensuring timely and accurate data submission at the state and local levels.