



# STATE PERFORMANCE PLAN PROCESS AND INDICATORS

## **Policy Forum**

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## EXECUTIVE SUMMARY

A policy forum held May 11-13, 2011 to provide input from stakeholders to the Office of Special Education Programs (OSEP) focused on the Individuals with Disabilities Education Act (IDEA) accountability reporting system known as the State Performance Plan/ Annual Performance Report (SPP/APR) process. Participants discussed their assessment of the benefits and challenges posed by the SPP/APR requirements and made recommendations for revisions to improve the process and content of the system. No attempt was made to develop consensus recommendations and all input was accepted and documented. This executive summary provides a synopsis of the participants' input on the positive and negative aspects of the SPP/APR system and their suggestions for changes.

From a positive perspective, the SPP/APR:

- Ensures that specific IDEA program data are collected and provides the opportunity to track progress over time.
- Increases the focus on outcomes and encourages long-term planning.
- Makes educational and child development progress information available to parents and the public.
- Requires necessary correction to take place in a specified time period.
- Supports communication among all who work with children with disabilities and their families.

Despite the benefits, the SPP/APR:

- Contains too many indicators.
- Overemphasizes compliance at the expense of outcomes.
- Does not yield data that can drive policy change.
- Is focused on data collection leaving little opportunity to use the data for improvement.
- Lacks clear and consistent definitions for terms such as 'rigorous and measurable' and 'disproportionality.'
- Has had frequent revisions that complicate state processes, increase costs and cause the loss of ability to track progress over time.
- Duplicates other federal-level requests for data from states.
- Serves to further the separation between general and special education.

In response to a request to identify the indicators that measure the most important outcomes for students with disabilities, forum participants gave priority to the indicators that address individual student, child and family results:

- Graduation rates;
- Academic assessment results; and
- Successful transition from early intervention programs to a preschool program as well as from secondary school to employment and/or enrollment in a postsecondary program.

The following recommendations were suggested to improve the process and content of the SPP/APR system and are further specified in the remainder of the report that records input by groups:

- Reduce the number of indicators, especially by eliminating duplication and streamlining to ensure meaningful data.
- Align the SPP/APR with the ESEA reporting requirements.
- Remove the requirement to report on any indicator for which the state has met criteria or allow simplified reporting to make time available for a stronger focus on areas that need improvement.
- Revise and rewrite indicators addressing disproportionality.
- Eliminate duplication, such as the reporting of Section 618 data in the APR.
- Convert to web-based reporting.
- Adopt an alternate schedule for reporting, such as one year on compliance indicators and the next year on performance.
- Revisit the guidance memo on correction of noncompliance and consider 95% as an acceptable criterion for compliance.
- Merge the APR and SPP into one coordinated document.
- Announce revisions a few years in advance and allow stakeholder input prior to finalizing the change.

The remaining sections of this document contain the process notes from all discussions held at the forum.

# STATE PERFORMANCE PLAN PROCESS AND INDICATORS

## **Policy Forum**

### INTRODUCTION

The reauthorization of the Individuals with Disabilities Education Act (IDEA) in 2004 and the related regulations adopted in 2006 brought significant changes in federal monitoring of states' implementation of the federal law. The requirements in Sections 616 and 642 of the law required that each state develop a State Performance Plan (SPP) to evaluate its efforts in implementing the requirements and purposes of IDEA and describe how it will improve its implementation over a period of six years. IDEA also requires each state to report annually to the U.S. Secretary of Education on the progress it has made that year in meeting the measurable and rigorous targets established in its six-year SPP. This is known as the Annual Performance Report (APR).

The Office of Special Education Programs (OSEP) at the U.S. Department of Education (ED) asked Project Forum, in collaboration with the Consortium for Citizens with Disabilities' Education Taskforce to conduct a policy forum to obtain broad stakeholder input on implementation of the SPP/APR system to assist OSEP in its review of the impact

of the SPP/APR and recommendations to make it more child and family outcome-oriented. Prior to the forum, OSEP held two webinars for forum participants to review aspects of the SPP/APR requirements and process.

The forum was held in Alexandria, VA May 11-13, 2011. Participants<sup>1</sup> included OSEP representatives, state directors of special education, other staff from state special education divisions, state and local Part C coordinators, members of parent groups, representatives of national educational organizations that focus on students with disabilities or other related areas, individuals from schools and districts and staff from early intervention programs. This document was developed as part of Project Forum's cooperative agreement with OSEP and is intended to capture the extended discussion of the meeting. No attempt was made to analyze the discussion and the following is a consolidation of all comments made during the forum.

The charge to the participants was described as to make recommendations related to three topics:

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<sup>1</sup> See Appendix A for a full list of attendees.

1. What are the recommendations for changes to the SPP/APR process and indicators that could be implemented *in the short term, without statutory changes?*
2. What are recommendations for changes to the SPP/APR process and indicators that could be implemented *in the long term with reauthorization of IDEA?*
3. What are alternative ways that could be recommended to ensure accountability for improved results (if we look at the entire accountability process)?

## FINDINGS<sup>2</sup>

**Note:** Although the questions asked of the participants on Day 1 did not require it, recommendations were identified during discussions under each of the following activities. They are described in those sections and in the section on recommendations discussed during day two activities. Redundancy has been decreased within responding groups in the early sections, while keeping repetitions across groups that expressed the same ideas. All of the recommendations are included in the recommendations section. No attempt was made to develop consensus recommendations, and all input was accepted and documented.

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<sup>2</sup> See Appendix 2 for a list of Part B and Part C Indicators that are referenced mainly by number throughout this document.

### Activity #1: Positive Elements and Concerns about the SPP/APR Process

#### Positives of the current SPP/APR Process:

##### *Group 1 – State Level Part B Participants:*

- The focus on outcomes was the way we started in 2005. It is important to return to that focus.
- The process gives a summary of the work we do.
- The process ensures that states and locals are collecting and using data.
- The process is standardized from state to state and allows states to align their work.
- The SPP/APR blueprint is now in place.
- Encourages public disclosure and input.
- The correction and clarification window is a good part of the process.

##### *Group 2 – LEA Participants:*

- The process helps us focus on needed activities and resources to support them, including resources for transition.
- Indicators B16-20 help expedite dispute resolution.
- The process helps a state hold schools accountable.
- It encourages a drill down process to centralize some elements across disciplines.
- It supports a method to track data over time.

##### *Group 3 - State Level Part C Participants:*

- The process focuses on improvement and collaboration among local, state and federal agencies.
- It is part of a continuous improvement process.

*Group 4 – Local Part C Participants:*

- This type of data collection is important to inform decision-making and long-term planning.
- Some indicators have improved the program quality; for instance, timelines being met.
- Family surveys have helped programs to see where changes are needed in programs.
- The outcomes align well with priorities in the Part C statute.
- The process forces ongoing communication among those working with the children and the public.

*Group 5 – Parent and Advocate Group Participants:*

- The process and data push improvement further out for long-term effect.
- Sharing information with families is essential.
- The data allows people to access specificity on cohorts of children and supports grant writing related to needs.
- There is some use of the data and the process increases accountability.
- The data shows need to look at state- and local-level processes.
- Parent input is critical.
- The process is sound and it focuses on key concerns.

Additional input on “Positives” from individual attendees:

- The SPP process is based on an important concept, the need to measure outcomes and impact to know if the work is effective and to set goals for higher standards.
- Parents need to have information in order to be meaningful partners.

- Diverse stakeholders working towards systems change need to have access to the data.
- LEAs should be holding themselves accountable for implementation and outcomes for students.
- The process promotes a common understanding of requirements/expectations among federal, state and local entities.
- There are several good indicators.
- The process provides opportunity for stakeholder involvement in all aspects of the SPP development, improvement strategies and APR reporting.
- Child and Family Outcomes indicators match the purpose of the program and provide a way to demonstrate the benefits of early intervention services.
- The process promotes some collaboration between Part C and Part B.
- The outcomes of the process can be used to leverage change.
- Indicators C1 and 7 have improved timeliness of services for families.
- The family perceptions survey has improved family services.
- Public reporting assists with child find and public outreach
- The process provides opportunities both long term planning and annual checks on progress. Some improvements take more than one year and the six-year cycle respects that.

Concerns about the current SPP/APR process:

*Group 1 – State Level Part B Participants:*

- The process is time intensive and pulls resources from other functions at school, local and state levels,

which impacts activities that could improve outcomes.

- There is too much duplication of data collection within the Department of Education.
- The ongoing changes to all of the indicators causes systemic difficulties, including alignment between Parts C & B – can't build continuity.
- The indicators do not necessarily measure what the regulations intended.
- It is difficult to balance state and federal policies, e.g., Part B Indicator 4.
- Discipline data are not in the world of special education.
- The required data collection, analysis and reporting is a huge pull of resources in the state databases.
- Compliance targets at 100% are not reflective of the real world.
- Disproportionality should not be a compliance indicator. There is an enormous amount of time spent on this indicator, yet it misses the whole issue about why children are referred to special education.
- SEAs are put on the defensive to explain the reports and have lost credibility in the state.
- Technology changes are very expensive factors at both the state and district levels.
- The process separates special education out after we have been fighting to include special education in general education.
- Certain indicators do not provide good information and the granularity of some measures is problematic.
- The value of the data at the national level is unknown and difficult to use because of the differences across states.

- Information from the indicators does not give data that is actionable and does not drive policy.
- Public reporting is difficult with small numbers in many of the cells.
- FERPA regulations are problematic.
- Determinations are backwards and negative. There is a "gotcha" element that is not aligned with the work states and districts do for students with disabilities. Pride in that is overlooked.
- There are timeline issues. It takes three years to feel the impact of a change, but determinations are made annually and across all indicators in aggregate.
- The LRE indicator implies that we expect every child to be placed in general education classes. It implies that some placements are "bad," even if legal and determined as most appropriate by the IEP team.
- The process forces LEAs to make bad decisions.
- Reporting is not timely. Public reporting is one and a half-years later.

*Group 2 – School District Participants:*

- There are too many measures that are broad and not robust.
- There is a lack of alignment.
- There is an overemphasis on compliance.
- The process has lost the outcome piece of education.
- Innovation has suffered because of the emphasis on compliance.
- There is a poor correlation between Parts B & C.
- Data collection is cumbersome and expensive at local and state level.
- 100% compliance is not realistic.
- The process causes unintended consequences because of focus on data and not outcomes. For

example, parents have to attend meetings only to satisfy data requirements.

#### *Group 3 - State Level Part C Participants*

- Tremendous resources are required to implement this process.
- The APR reads like a “national noncompliance report” (88 pages in which the word ‘compliance’ appears about 11 times per page – well ahead of the word ‘children’).
- The process is too burdensome.
- Audit practices emphasize material elements – this process emphasizes the nonmateriality.
- Service intensity is not measured or considered.
- Timing of the due dates is a problem.
- Comparability among states is not possible.
- The duplication of data collection and reporting is problematic.

#### *Group 4 – Local Part C Participants:*

- There is too much focus on data collection, which leaves no time for using it for anything other than compliance.
- We are always looking backward to correct things.
- 100% compliance indicators take too much of the focus.
- There is no consideration of the magnitude of a problem in the determination or improvement expectations.
- There is too much attention on small details.
- The process encourages the use of tools that do not provide valid or reliable data.
- Determinations are not linked to how to fix problems or consideration of funding, which causes emphasis on reducing the number of children being served.

- The process is missing balance between compliance and quality.

#### *Group 5 – Parent and Advocate Group Participants:*

- There is no time to use data – only time for collecting it (local, state and federal levels).
- There are staff constraints at the state level.
- There are too many indicators and they are too broad.
- There are discrepancies in OSEP guidance that focuses states and locals on data and compliance and not outcomes.
- There is a lack of a similar definition within and among indicators, even on parental involvement.
- We have concerns that we do not know if students are better off because of this process and that is not being evaluated or addressed in any way.
- Indicators should be the same between ESEA and IDEA and have the same meaning and no duplication of data.

#### *Additional individuals’ input on “Concerns”*

- The requirements of tracking the correction of noncompliance under Indicator 9 are complicated and burdensome. The APR reporting period is for the previous year – but findings from APR analysis may occur in the next fiscal year (i.e. July, August, Sept. etc). The correction of those findings, even when they occur within one year from the finding date, may actually get reported in an APR two years down the road. This is difficult enough to track for the correction of findings related to the Indicators in the APR – but even more difficult when Indicator 9

requires this type of tracking and reporting for all findings of noncompliance across any topics. This results in looking backwards to correct and limits time and resources for forward-looking systems change. This indicator ignores common audit standards for materiality.

- There continue to be increasing demands for more and more detail.  
The determinations miss the balance between compliance and results.
- The SPP and APR, especially tracking between the two, is difficult for state folks as well as any other portion of the public.
- The emphasis of Indicator 8(c) on the date of a transition meeting is intended to be a measurement that reflects a 'transition system' is in place. However, this particular measurement probably does much more to disrupt the 'system' than to promote it. As noted in statute and regulations, successful transition of children from Part C depends on an effective 'transition system.' As reflected in research and publications from the national Transition Center, relationships are an important component of successful transitions. For a successful transition to occur there needs to be good working relationships between sending and receiving entities and children and families need to be prepared and ready for the transition. With the intense focus on 'compliance' with timeline measurements, the focus has been shifted to having a meeting within the timelines. As an administrator, it bothers me greatly to have to tell local service coordinators and teams, that while they have to invite and work with partners to try to find good meeting times – if the partners can't make that 90 day timeline, they must have the meeting

anyway in order to be timely. It really does not make sense to have a meeting without the partners who are needed. A good working meeting at 95 days would do more to promote a positive transition than a meeting at 90 days without partners.

- Discrepancy in how the data are collected across states – no common definition (e.g., disproportionality) which impacts on the use of the data.
- The concept of the SPP process should not be only about monitoring that the law is being complied with but also on 'functional' outcomes (e.g., can kids read, are they graduating, are they being overly suspended?). The states have an obligation to 'do something' about it.
- The data itself is a concern. Much of it is focused on getting outcomes and results but then some are missing a huge area (e.g., child find Indicator 11 – does not encompass kids that need to be captured and Indicator 13, youth that have *appropriate* measurable goals).
- The process includes no evidence based requirement (no standards base or evidence base to determine if there is a result for a child and that what happened along the way was evidence based).
- Prevalence should be examined – who, what and when.
- OSEP guidance is focused on compliance and runs in conflict to the statute/intention of Congress focused on outcome/results.
- The data collected is all quantitative data, not qualitative.
- Parent involvement is not built into each indicator.
- OSEP should have one webpage accessible to everyone (not just Parent Training and Information

Centers (PTICs) with the SPPs and APRs on it for every state. Today, there is no reason not to do this and it will not result in expenditure of resources. Parents, citizens and researchers should be able to look at results, not just in their state but in others. The Department should promote and encourage each SEA to provide on its website full information on the performance of every LEA on the full set of compliance and performance indicators set forth in its respective SPP.

- It is frustrating to again revisit this issue and remember that back in 2002, a committed group of advocates, parents, SEA directors, monitoring experts, and Part C directors met with OSEP for several months and ultimately developed a focused monitoring model that incorporated principles, indicators, sanctions and incentives, and also included the necessity for a "look behind" the data. That model was not ultimately used in IDEA 2004 and monitoring is not effective.
- The problem is not the indicators, but rather the way OSEP is using the annual results (APR) by not putting any weight on the performance indicators in their determinations (and advising SEAs to do the same for LEAs).
- The provision that states can set their own performance standards has led to such complete travesties.
- The statute clearly says that the primary focus on federal and state monitoring activities shall be on "improving educational results and functional outcomes for all children with disabilities" and OSEP guidance seems to focus on compliance not performance.
- Incremental progress needs to be meaningful and achievable in a reasonable amount of time. For instance, if there is a 34 point gap between the results for students with disabilities (SWD) (55%) and white students (89%), and they accept annual improvement of 4% (that equals 2.2 points and assumes no growth for the other students). That means that the specific students involved will never close that gap because 14 years to do so exceeds their school life.
- Allowing SEAs to define "disproportionality" themselves is a problem. There should be consistent definitions used across states and districts. Need consistent measures so data is reflective. States have different mean and standard distributions for each race. So for Caucasians, 8% of all students have a disability, while 12% of black students do. The standard deviations of the groups are different, with blacks having much higher standard deviations. As a result, the disproportionate representation of blacks in special education is hidden in our IDEA B numbers.
- The focus is placed on correction of noncompliance, not on prevention of noncompliance, which defeats the very purpose of the SPP. Implementation of a law cannot be improved within the context of a compliance monitoring scheme that actually provides an allowance for noncompliance.
- Reported numbers are all centered on showing public school district performance on various measures, but deletes alternative settings such as residential, juvenile detention centers, etc. Thus, we cannot find data on how students in residential settings do on state assessments, numbers of students on IEPs in residential settings, etc. and in IDEA reports.

- Indicator C9 has been one of those indicators that turned from a good idea into lots of memos, bubbles and prongs.

### **Activity 2 - Prioritize IDEA Outcomes**

Discussion by group of the questions posed for this activity:  
If you had to select only one outcome that would summarize a state's performance in implementing IDEA, what would it be?

#### PART B

- The most important indicators are 1, 3, 13 and 14 because they look at systems and at specific issues. Secondary indicators are 2 and 4. The question was raised: Is SPP a state performance plan or a special education performance plan? Is it just the school that has a responsibility for postschool outcomes?
  - If we narrowed the indicators and put them into a logic model, we could make better use of resources. Growth should be measured – schools should be valued for growth and not just proficiency. The process we now use has eroded relationships between schools and families. We are failing certain populations of children. Within the system there should be some formative assessments with intervention along the way so that children are not lost. We need to have varying levels of outcomes and recognize the importance of children who have needs for living independently. We agree that Indicator 8 is important, but is not getting the information we need.
  - There is a need for sharing information among people who have a need to know and get good explanations.
- Formative as well as summative data is important.
  - Priority Indicators are 1, 13 and 14 because the end result is most important. Graduation with a diploma that allows choices afterwards is important.
  - LEA performance – need to have the story behind the data and not just data. A narrative form of information is needed in addition to numbers. Also, data at the district level is more important than at the state level. Student performance is more than just a score.
  - Secondary transition is most important. Growth is important on the state standards and the content of the IEP as well for each student.
  - The ultimate outcome is graduation and transition into the next phase of life. For measurement, graduation is the biggest factor, but it is not always within four years. An early transition plan is important.
  - Focus on transition is needed throughout the whole life cycle and is important from Part C through Part B.

#### Part C:

- It is important to measure the number receiving services in natural environments.
- Regarding child outcomes, engagement with the environment as well as specific skills should constitute progress measures. The results should be able to be identified as due to the program in which the child participates.
- Find out if early intervention services have helped child development improve.
- We should not assess families; families should assess themselves.

- Access and public awareness: Ensure that we are finding families most in need of services and engaging them successfully.
- For child outcomes, a standardized tool would be most effective and objective. The parent survey is still needed – at initial entry and 90 days afterwards. Parents need to understand the system because it is the beginning of a long-term relationship.
- For Indicator 6, ensure that services are statewide with consistency across states.
- Compare state data with regional and state data after collecting. The priority is natural environments. There is no change needed in what is currently collected.
- Successful transition and how that is defined is important. Parents need to be able to make an informed choice. Emphasis should not be just on those transitioning to Part B but to other programs as well.
- The meaning behind the Part C provisions of the law is an interagency concept, but we do not measure this. Services need to be more collaborative and cooperative.
- Quality is more than just where the child is served, it is also about how. The focus needs to be on the Individual Family Services Plan (IFSP) process.

**Activity 3 - Recommendations for Improvements to the SPP/APR Process:**

Discussion: Should there be “national cut scores?”

A problem now is that a state can decide what is “rigorous and measurable,” but expectations differ among states. More guidance is needed on what is actually meaningful. When we roll up the data to a state level, we lose some meaning. We should be measuring locals against locals. Rolling data up to the state level masks the differences.

The main complaint about the NCLB is making a single standard, like AYP, apply regardless of growth of individual students or groups of students. It is important to have a standard - not comparisons across states, but compare growth.

Areas Needing Improvement discussed by the B & C groups:

- a. Reporting on performance to OSEP
- b. Determinations and enforcement
- c. Public reporting on local performance
- d. Using the templates and instruction
- e. Data collection
- f. Breadth vs. depth
- g. Performance/improvement strategies
- h. Correction of noncompliance

### PART C:

#### *Reporting on performance to OSEP:*

- If a state has met the criteria for an Indicator, maybe it could take a break for a few years from that one. This could reduce the burden on states.
- Web-based reporting is a second improvement. The reports would be more consistent across states.
- The possibility of merging the APR and SPP into one coordinated document would help the public in reviewing the two documents.
- An alternate schedule for reporting would help – one year on compliance, one year on performance.
- Allow the states to prioritize the areas of improvement. Look at more frequent review of data in the states.
- Develop improvement strategies across the Indicators.
- Improvement strategies should be closely tied to the issues that were identified.

#### *Correction of noncompliance:*

- Give discretion to states on identifying systemic issues – if one child is one day late, the state is compliant versus a much more serious area of widespread noncompliance.

#### *Use of templates and instructions:*

- Need to align SPP and APR.
- If changes are being made, they should be announced a few years in advance to allow states to prepare to report on those changes.
- Decrease repetition in the document.
- Sticking to the facts and keeping the content concise is needed.

- Some things should be reported annually and other data over time.
- Tie the APR more to the verification visits and reduce the narrative in the report. In the APR we need facts and not drill-down information.

#### *Determinations and enforcement:*

- Determinations are tied to a different time period.
- Issues of systemic versus smaller problems.
- “Needs assistance” and “needs intervention” need to be reviewed
- The levels of technical assistance should be refined for states that are at the same level for a few years.
- Prioritizing and measured responses to put the emphasis on areas of greater noncompliance.

### PART B

#### *Correction of noncompliance:*

- Compliance should mean better outcomes for children.
- Is it noncompliance when a state has made a child whole by providing compensatory services?
- Compliance indicators should be an impetus to achieve better student outcomes. They should lead to more involvement of students with disabilities in the general education environment.
- Why report on improvement activities for indicators where the state has demonstrated 100% compliance for years in a row? Remove that Indicator for that state for a period of time and let the state use those resources in other areas.
- The APR should reflect growth over time.
- Improvement strategies should be aligned.

*Depth vs. breadth:*

- Few indicators and deeper reporting.
- Streamline data and don't spend the resources on re-reporting data that is already reported.
- Need a framework in place to ensure that meaningful data are being collected on fewer indicators. Be sure this does not mask pockets of failure.
- Need ED guidance on addressing noncompliance to make sure it is meaningful – look at possible causes.
- Look at the statute and review the Indicators in view of the intent of the statute.
- Delete redundant data collections.
- Collect only data that has a direct effect on outcomes.
- We do not want to see the SPP/APR go away. It just needs major reforms so it is forward-looking to report data in a timely way that can be used at the local level to make improvements.

*Reporting to OSEP:*

- If data are reported in another way, it does not need to be in an APR, especially if it is coming from another source in our agency.
- Indicator 8 – we need it but not what it is now.
- Does the APR really need to be annual?
- Accountability is very important, but the public needs to be able to find it and understand it.
- Some things that matter a lot are not even measured. Maybe they are too difficult to measure.

*Determinations:*

- The current process is not what it should be.

Parking Lot issues:

1. Changing the process/system is a huge. This needs careful consideration.
2. Allow 3-5 states a waiver to develop another way to collect and look at information. (e.g., quarterly). If there is another way to conform to the current law, maybe it should be tried.

***Activity 4 - Recommendations for short term changes, long term changes and alternative ways to ensure/improve accountability for results improvement:***

Input from discussion groups:

Question 1. What are recommendations for changes to the SPP/APR process and indicators that could be implemented *in the short term, without statutory changes?*

Part B State Directors & Data Managers

- Indicator 8: Don't do the parent survey anymore and find something different to do that may be relevant.

Parent and Advocates Group

- Overarching idea: minimize data entry.
- Indicators 1 and 2: Data are available in other places.
- Indicator 3: Keep it as is but, for 3(c), align it with the ESEA.
- Indicator 4: Important, but maybe need guidance on what practice means.
- Indicator 5: It is important as an outcomes measure, but we want to be moving toward more placements in general education. So, can this be moved into

Indicator 3? We also like the idea of looking at growth and not just an end result of proficiency.

- Indicators 16 and 19: Data are already captured; use only one description for both.
- Indicator 8: The survey is not capturing what we want to get. Could there be work with groups to come up with three-to-five best questions about parent involvement that every state would use?
- Indicators 9 and 10: Make these into one indicator. The data is separate but the analysis should be combined.
- Indicators 13 and 14: The real question is about individualization. Is it happening for all students? Are schools considering poor school performance as a reason for referral? Indicator 14 is an outcomes measure, but with flexibility.
- The idea of 100% is not realistic. The issue of how far off a case is should be considered.
- Is there a way to standardize the definition of disproportionality and under-representation?
- Indicator 1: The role of parents and stakeholders in setting targets should be considered.
- The questions are: How do we measure parent satisfaction? How do we link that to results?

#### LEA Part B Group

The group had a general theme of eliminating duplication and the pre-population of data.

- Indicator 8: Eliminate the parent survey.
- Regarding performance and participation – align them with ESEA.
- Indicator 5: Define “least restrictive environment” and link to the performance indicators.

- Regarding Child Find: Use different measures because the definition that is used now is not accurate.
- Indicator 12: The definition misses the mark.
- Indicator 13: Define the minimum requirements for an effective transition plan.
- Eliminate Indicator 14. Instead, look at the curriculum and skills-based assessments.
- Blend the process with ESEA.

#### State Part C Group

- Reconsider Memo 09-02. Allow compliance as less than 100%.
- Eliminate Indicator 14.
- Reduce the level of detail.
- Do not require reporting of 618 data or pre-populate.
- Eliminate Indicator 9.
- Eliminate Indicator 8(a) for states that have education as the lead agency. Allow the use of less than 12 months of data.

#### Local Part C Group

- Redefine when and if a finding requires action and focus on the degree of noncompliance (i.e., one or many children?).
- Always correct individual noncompliance.
- Require improvement activities only for priority areas.
- Allow stakeholder input before substantial changes are made.
- Change Indicator 9 by making it less rigid immediately.
- We also want those who are compliant not to have to continue reporting on that area.

- Do not use just the letter of the law, we need more flexible responses.
- Indicator 8: Consider transition to any setting, not just Part B.
- Indicators that are not compliance are not all performance indicators. There are differences among those measures. The term “results” is not the right term.

Additional input from individuals:

- Incorporate consistent definitions, especially for disproportionality.
- Consolidate when possible. Import data from other sources to save time. Then add a few drill down measures to make the analysis more meaningful.
- Computerize so information is available sooner.
- Make reports publically available in an easier format for broader groups to access.
- All of the indicators, both compliance and performance, should be used for determinations. Otherwise we are only measuring half of the story and do not get at the overall, real purpose, which is an increase in learning.
- Revisit guidance memo on correction of noncompliance. In instances where noncompliance does not reach the level of a systemic issue, correction of all individual child noncompliance would be required. However, this should not trigger the need for Prong 2 verification.
- Merge the SPP/APR reporting form.
- Streamline reporting of improvement strategies (reduce the level of burden/detail).
- Either do not require duplicate reporting of 618 data or pre-populate template

- Reduce burden of reporting correction of noncompliance. Eliminate Indicator 9 and report it under other indicators.
- Allow states to use less than 12 months data for reporting on the APR.
- Reduce the number of indicators. OSEP should already have data on timeliness and validity/reliability of data/reports because states assure validity/reliability of data through the assurances on the annual grant application and within the reporting of each APR Indicator.

Question 2. What are recommendations for changes to the SPP/APR process and indicators that could be implemented *in the long term with reauthorization of the IDEA?*

Part B State Directors & Data Managers Group

- Definition of graduation needs to reflect that some students need extended time to complete high school.
- Regarding pre-school to school age: This is very time consuming and needs to be changed. Put it on a one-year moratorium to revise it and make it more useful and appropriate. That would then link up with Part C that would be done the same way.
- Indicators 9 and 10 (disproportionality): These need to be revised and rewritten.
- Indicator 14 (outcomes): The measurement table needs to be re-thought. There is now some judgment about what a student should do.
- Indicator 15 – tracking noncompliance: We want to “cut” off two prongs and have just one – the correction of the noncompliance. We want a unicorn.

#### LEA Part B Group

- How often changes can be made should be restricted.
- Regarding disproportionality: 100% is not clear as to what it means – look at a 95% model? Have a process for addressing anomalies.
- Eliminate due process indicators.

#### Parents and Advocates

- Stay with the notion of individual child rights and focus the accountability system on benefitting the child.
- Remove the duplication of data collection.
- Review the monitoring priorities and question whether they are right. We need more on outcomes rather than process.
- In terms of long-term accountability, we need an indicator on student satisfaction. The accountability system should ensure that everything that goes on is for the benefit of the child. We need state systems that have self-correcting feedback loops.
- Should there be a metric about access to the general education curriculum?
- Universal Design for Learning (UDL) should be part of the accountability system.
- If a state meets requirements for a category, there should be simplified reporting to allow better focus on areas that need improvement.
- In IDEA Section 616(a)(2): ensure that the emphasis as intended and that the requirements are “most related” to success.
- Continue to align ESEA and IDEA.
- Find alternative ways to ensure accountability. Perhaps look at prevalence rates in child find.

- Look at demographics when doing state comparisons.

#### Local Part C Group

- A state that is meeting requirements can report less frequently.
- Look at quality, not just counting things. People can make numbers happen, but there may be no change in quality.
- Report on some things every other year.
- Technical assistance is just built in as a determination response. Change this language.
- Continue a discussion of the best recommendations.

#### Additional input from individuals:

- Consider the positives from previous Continuous Improvement Monitoring Processes that focused on continuous quality improvement with less intense focus on compliance. Move to more ongoing quality assurance with a measurement of progress.
- Consider accountability measures that are in place for other early childhood programs.
- Performance reporting and determinations should occur less frequently – maybe dependent on state’s previous determinations – or states meeting requirements could report less frequently. For instance, states and locals should not have to report annually on Indicators with substantial compliance.
- Reduce the number of Indicators. Focus on child outcomes, family outcomes, transition, natural environment and identification/referral.
- Revise the language of Part C, Indicator 8(c). Find language that better reflects/supports effective transitions for children and families and is more results oriented.

Question 3. What are alternative ways that could be recommended to ensure accountability for improved results (if we look at the entire accountability process)?

LEA Part B Group

- Have an appropriate coordination with other data collections such as staggering reporting for portions of districts.
- Stagger reporting throughout the year as well – everything should not be due at the same time.
- Implement some type of exemption or incentive for those meeting criteria for a few years.

Question 4. Other recommendations for improvement:

LEA Part C Group

- Focus on the results that reflect the purpose of Part C.
- Look at other reporting systems.
- Have section 619 look more like Part C.

Additional input from individuals:

- Use a process that promotes continual quality improvement, that is not focused as much on compliance and rewards improvement.
- Look at other reporting systems and make alignments with Part B/ESEA.
- Continue this type of stakeholder input. It was a great way to hear from different stakeholder groups.
- Provide sufficient up front time for any changes.

## APPENDIX 1

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## APPENDIX 2

### PART B INDICATORS<sup>3</sup>

1. Graduation (% of youth with IEPs graduating with a regular diploma)
2. Dropout (% of youth with IEPs dropping out)
3. Participation and performance of children with IEPs on statewide assessments
4. Rates of suspension and expulsion
5. LRE placement of children with IEPs age 6-21
6. LRE placement of children with IEPs ages 3-5
7. Percent of children with IEPs ages 3-5 with improved skills/knowledge
8. Percent of parents reporting school facilitated their involvement
9. Percent of LEAs with disproportionate representation due to inappropriate identification
10. Percent of LEAs with disproportionate representation by disability categories
11. Percent of children evaluated within 60 days
12. Percent of children referred by Part C to Part B with IEP by 3rd birthday
13. Percent of youth with IEPs age 16 and over with appropriate transition IEPs
14. Percent of youth with IEPs who left school and are in post-secondary or employed in one year
15. Percent of noncompliance in general supervision system corrected in one year
16. Percent of written complaints corrected in 60 days or within extended timeline
17. Percent of due process hearings adjudicated in 45 days or within extended timeline
18. Percent of hearing requests resolved by resolution session settlement agreements
19. Percent of mediations that resulted in agreements
20. Timeliness and accuracy of state data

### PART C INDICATORS<sup>4</sup>

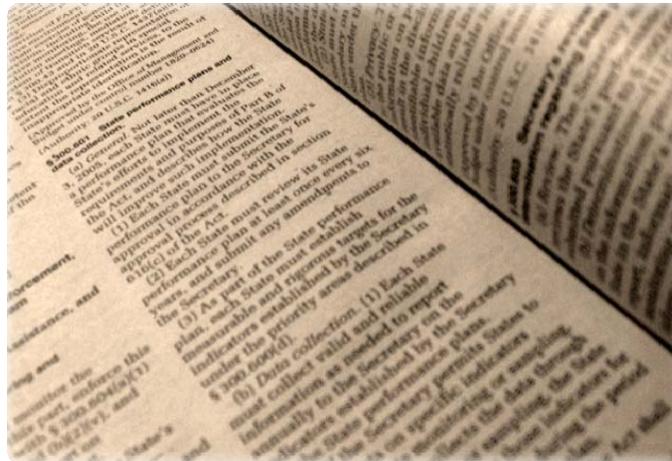
1. Percent of infants/toddlers with IFSPs who receive services in a timely manner
2. Percent of infants/toddlers with IFSPs who receive services in home or community-based settings
3. Percent of infants/toddlers with improved skills/knowledge
4. Percent of families in Part C reporting early intervention has helped their family
5. Percent of infants/toddlers birth to age 1 compared to national data
6. Percent of infants/toddlers birth to age 3 compared to national data
7. Percent of eligible infants/toddlers with IFSP within 45 days
8. Percent of children exiting Part C who received timely transition
9. Percent of noncompliance in general supervision system corrected in one year

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<sup>3</sup> For more detailed information on each of the 20 Part B Indicators, go to the measurement table at <http://spp-apr-calendar.tadnet.org/explorer/view/id/920>.

<sup>4</sup> For more detailed information on each of the 14 Part C Indicators, go to the measurement table at <http://spp-apr-calendar.tadnet.org/explorer/view/id/921>.

10. Percent of written complaints resolved in 60 days or within extended timeline
11. Percent of hearings fully adjudicated within applicable timeline
12. Percent of hearing requests resolved by resolution session settlement agreements
13. Percent of mediations that resulted in agreements
14. Timeliness and accuracy of state data



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